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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, September 16, 1996, at 12 noon.

Senate

FRIDAY, SEPTEMBER 13, 1996

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Creator of the World, Ruler over all life, our Adonai, Sovereign Lord of our life, we join with our Jewish friends in celebrating Rosh Hashanah, ''the head of the year,'' the beginning of the days of awe and repentance, a time of reconciliation with You and one another. We thank You that we are all united in our need to repent, to return to our real selves for an honest inventory, and then to return to You with a humble and contrite heart. Forgive our sins of omission: the words and deeds You called us to do and we neglected, our bland condoning of prejudice and hatred, and our toleration of injustice in our society. Forgive our sins of commission: the times we turned away from Your clear and specific guidance, and the times we knowingly rebelled against Your management of our lives and Your righteousness in our Nation. Sound the shofar in our souls, blow the trumpets, and wake our somnolent spirits. Arouse us and call us to spiritual regeneration. Awaken us to our accountability to You for our lives, and our leadership of this Nation. We thank You for Your atoning grace and for the opportunity for a new beginning.

Help the Jews and Christians called to serve in this Senate, the Senators' staffs, and the whole support team of the Senate to celebrate our unity under Your sovereignty and exemplify to our Nation the oneness of a shared commitment to You. In Your holy name. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT, is recognized.

Mr. LOTT. Good morning, Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, this morning the Senate will begin consideration of H.R. 3662, the Interior appropriations bill.

As announced last night, there will be no rollcall votes today to accommodate Members who have a special holiday today. However, I hope that Members will have amendments to the Interior bill, that they will come over and offer them, and that they will be germane. These will only be debated during today's session. But if votes are required then we will stack those votes on Tuesday morning.

It is also possible that the Senate will consider S. 39, the Magnuson fisheries bill, as under a previous consent agreement. We reached the point last night where we could not go any further with the Treasury-Postal appropriations bill. We would like to get the Magnuson bill up. We did not have time at that time of the night to consult with all the various Senators who are interested in that. We will be doing that this morning if we can get an agreement this morning, or perhaps even for Monday morning. We will make every effort to move this legislation that has been cobbled together with a lot of difficulty. But I think it is ready for us to take up now.

Following legislative business today, there will be a period for morning business to accommodate a number of requests from both sides of the aisle, after which we will adjourn over until Monday.

During Monday's session the Senate will continue with the consideration of the Interior appropriations bill. Again, no rollcall votes will be held so that Members who are celebrating the Jewish holiday will be able to get back to town.

It is possible the Senate will consider the Federal Aviation Administration authorization measure. The Democratic leader and I talked about that last night. We believe we are about ready to go. We keep being told by the managers that they have it all agreed to. But when we look at the agreement, it still looks pretty long. So we have to look at that. We will try very hard to see if we can get that done.

Senators should be prepared for rollcalls to begin on Tuesday as early as 9:30. But it will depend on what we have pending, and a lot of other considerations. But we will have stacked votes early sometime on Tuesday morning.

I anticipate busy sessions of the Senate all of next week as we attempt to complete our business before sine die.

I am glad we are going to the Interior appropriations bill now. We have two managers who have worked together beautifully; certainly two of the most

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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experienced legislators that we have, the Senator from West Virginia, Senator BYRD, and the Senator from Washington, Senator GORTON. They do great work. But they have a bill that has some issues that will be controversial and should be debated. And they should be. But I hope that Senators will cooperate better on this bill with the managers and with leadership on both sides of the aisle than what we saw this week on the Treasury-Postal appropriations bill. That was a big disappointment and a very poor exhibition by the Senate. We spent 25 hours 38 minutes on a bill, basically an appropriations bill that is relatively small and should not have been controversial. The problem was there were over 100 amendments offered, most of them nongermane. In a couple of instances the managers withheld going to a vote so that Senators could come over and speak on their amendment and the Senators never showed up. That is disrespectful of the process, the managers, and the institution. We should not do that.

I have tried to keep the focus on getting our work done. The best thing for us to do now, or any other time of the year, is just do what needs to be done under the rules of the Senate and for the American people. I have been playing it straight. I have been trying to discourage amendments that could be considered political or blow this place up. But I reached the conclusion last night that that might not be possible. We spent all day yesterday, we spent the last 10 hours on that bill basically with partisan political positioning amendments being offered for TV spots.

I refuse as majority leader to: first, accept amendments that should not be accepted on a continuous basis; second, to ask responsible Senators to walk the plank on obviously blatant political amendments one after another. I mean my attitude is, OK, a little bit of that. You do a little yourselves, and we do a little ourselves. You score your points, and we score our points. Let us move on, and do the business.

It was obvious to me by late last night that the Senate was not being serious and that this was politics. I have in my hand exhibit A, the proof of what was being done on the Treasury-Postal Service appropriations bill. Here is the political plan for the Democrats for this year. They have their parts, and in their components under these three main titles, there is an issue here, like health care. Then they have the amendments they have planned to offer in that area. I mean it is just pure politics. I am not going to play that game. We are not going to have it on Interior. If the Senators start playing blatant politics on the Interior bill, it will meet the same fate that Treasury-Postal Service did. I am not going to have that. I do not think Senator BYRD or Senator GORTON will allow it. I urge them for every amendment of that type that is offered to move to table it right away.

I also want to serve notice that, if there are going to be blatant political amendments put out here, we will have a second degree to every one of them. It will ball this institution up. That is not right. These Senators have done good work, important work, on a bill that America wants and needs.

Let us do our business. Let us do it in a bipartisan and as nonpolitical way as possible realizing this is a political institution. If we do, it will reflect well on all of us. We will all benefit politically.

I yield the floor, Mr. President.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. THOMAS). Under the order, leadership time is reserved.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT FOR FISCAL YEAR 1997

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of H.R. 3662, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3662) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 3662

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), **[**$566,514,000**]** *$578,692,000*, to remain available until expended, of which **[**$2,000,000**]** *$2,010,000* shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which $3,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601–6a(i)); and of which $1,000,000 shall be available in fiscal year 1997 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for challenge cost share projects supporting fish and wildlife conservation affecting Bureau lands; in addition, $27,300,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than **[**$566,514,000**]** *$578,692,000*; and in addition, not to exceed $5,000,000, to remain available until expended, from annual mining claim fees; which shall be credited to this account for the costs of administering the mining claim fee program, and $2,000,000 from communication site rental fees established by the Bureau for the cost of administering communication site activities: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors: *Provided further*, That in fiscal year 1997 and thereafter, all fees, excluding mining claim fees, in excess of the fiscal year 1996 collections established by the Secretary of the Interior under the authority of 43 U.S.C. 1734 for processing, recording, or documenting authorizations to use public lands or public land natural resources (including cultural, historical, and mineral) and for providing specific services to public land users, and which are not presently being covered into any Bureau of Land Management appropriation accounts, and not otherwise dedicated by law for a specific distribution, shall be made immediately available for program operations in this account and remain available until expended.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire use and management, fire preparedness, suppression operations, and emergency rehabilitation by the Department of the Interior, **[**$247,924,000**]** *$264,609,000*, to remain available until expended, of which not to exceed $5,025,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without costs from funds available from this appropriation: *Provided further*, That unobligated balances of amounts previously appropriated to the ''Fire Protection'' and ''Emergency Department of the Interior Firefighting Fund'' may be transferred to this appropriation.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9601 et seq.), $12,000,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to sections 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property,

which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, [$3,103,000] *$4,333,000*, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–07), [$113,500,000] *$115,000,000*, of which not to exceed $400,000 shall be available for administrative expenses.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579 including administrative expenses and acquisition of lands or waters, or interests therein, [$10,000,000] *$14,060,000*, to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; [$98,365,000] *$102,656,000*, to remain available until expended: *Provided*, That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $9,113,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the United States Fish and Wildlife Service; for maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended, [$520,519,000] *$529,527,000*, to remain available until September 30, 1998, of which $11,557,000 shall remain available until expended for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976, to compensate for loss of fishery resources from water development projects on the Lower Snake River, *of which not more than $500,000 shall be used only to prepare and publish withdrawal notices under section 4(b)(6)(A)(i)(IV) and (B)(ii) of the Endangered Species Act and to prepare and publish proposed or final rules to remove species from either of the lists published under section 4(c) of the Endangered Species Act or to change the status of species from endangered to threatened in accordance with the provisions of subsections (a) and (b) of section 4 of the Endangered Species Act*, and of which [$1,000,000] *not to exceed $1,500,000* shall be provided to the National Fish and Wildlife Foundation for implementation of the Natural Communities Conservation Plan, and shall be available only to the extent matched by at least an equal amount from the Foundation and shall remain available until expended[: *Provided*, That pursuant to 31 U.S.C. 9701, the Secretary shall charge reasonable fees for the full costs of providing training by the National Education and Training Center, to be credited to this account, notwithstanding 31 U.S.C. 3302, of which not to exceed $2,000,000 shall be available for the direct costs of providing such training[: *Provided, That hereafter, pursuant to 31 U.S.C. 9701, the Secretary shall charge reasonable fees for the full costs of providing training by the National Education and Training Center, to be credited to this account, notwithstanding 31 U.S.C. 3302, for the direct costs of providing such training*[: *Provided further*, That not to exceed $1,000,000 of the funds provided herein may be used for contaminant sample analysis].

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; [$38,298,000] *$45,306,000*, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101–380), and Public Law 101–337; $4,000,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–4–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, [$30,000,000] *$50,802,000, of which $3,000,000 is authorized to be appropriated and shall be used to establish the Clarks River National Wildlife Refuge in Kentucky*, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended, [$13,085,000 (increased by $1,000,000)] *$14,085,000*, for grants to States, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $10,779,000.

REWARDS AND OPERATIONS

For expenses necessary to carry out the provisions of the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), [$1,000,000] *$600,000*, to remain available until expended.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands

Conservation Act, Public Law 101–233, [$7,750,000] *$10,750,000*, to remain available until expended.

RHINOCEROS AND TIGER CONSERVATION FUND

For deposit to the Rhinoceros and Tiger Conservation Fund, [$400,000] *$200,000*, to remain available until expended, to carry out the Rhinoceros and Tiger Conservation Act of 1994 (Public Law 103–391).

WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, $800,000, to remain available until expended[, for carrying out the Partnerships for Wildlife Act only to the extent such funds are matched as provided in section 7105 of said Act].

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 83 passenger motor vehicles of which 73 are for replacement only (including 43 for police-type use); not to exceed $400,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103–551*: Provided further, That section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) is amended—*

(1) in subsection (a)(1)(B), by striking ''distributed'' and inserting ''used''; and

(2) in subsection (c)—

(A) by redesignating clauses (i), (ii), and (iii) of subparagraph (A) as paragraphs (1), (2), and (3), respectively;

(B) by striking ''shall be distributed as follows:'' and all that follows through ''such amount—'' and inserting ''shall be used by the Secretary—''; and

(C) by striking subparagraph (b).

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed $1,593,000 for the Volunteers-in-Parks program, and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, [$1,135,139,000] *$1,156,784,000*, without regard to 16 U.S.C. 451, of which [$12,800,000] *$4,000,000* for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which not to exceed $72,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100–203.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, [$36,476,000] *$39,476,000*.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), [$36,212,000] *$36,612,000*, to be derived from the Historic Preservation Fund, to remain available until September 30, 1998.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, [$119,745,000] *$165,418,000*, to remain available until expended[: *Provided*, That funds provided under this head, derived from the Historic Preservation Fund, established by the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), may be available until expended to render sites safe for visitors and for building stabilization]*: Provided, That funds previously provided under this heading that had been made available to the City of Hot Springs, Arkansas, to be used for a flood protection feasibility study, are now made available to the City of Hot Springs for the rehabilitation of the Federally-constructed Hot Springs Creek Arch, including the portion within Hot Springs National Park.*

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1997 by 16 U.S.C. 4601–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–4–11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, [$30,000,000] *$48,415,000*, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $1,000,000 is to administer the State assistance program: *Provided*, That any funds made available for the purpose of acquisition of the Elwha and Glines dams shall be used solely for acquisition, and shall not be expended until the full purchase amount has been appropriated by the Congress*; Provided further*, That of the funds provided herein, $2,500,000 is available for acquisition of the Sterling Forest, subject to authorization.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 404 passenger motor vehicles, of which 287 shall be for replacement only, including not to exceed 320 for police-type use, 13 buses, and 6 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913[: *Provided further*, That of the funds provided to the National Park Service in this or any other Act not more than $1,700,000 is to be used for the Office of the Director, not more than $2,000,000 is to be used for the Office of Public Affairs, and not more than $951,000 is to be used for the Office of Congressional Affairs]: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may in fiscal year 1997 and thereafter enter into cooperative agreements that involve the transfer of National Park Service appropriated funds to State, local and tribal governments, other public entities, educational institutions, and private nonprofit organizations for the public purpose of carrying out National Park Service programs pursuant to 31 U.S.C. 6305 to carry out public purposes of National Park Service programs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332 and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; [$730,163,000] *$737,040,000*, of which [$62,130,000] *$65,809,000* shall be available only for cooperation with States or municipalities for water resources investigations*; and of which $16,000,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries*; and of which [$137,000,000] *$137,750,000* shall be available until September 30, 1998 for the biological research activity and the operation of the Cooperative Research Units[; and of which $16,000,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries]: *Provided*, That none of these funds provided for the biological research activity shall be used to conduct

new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That beginning in fiscal year 1998 and once every five years thereafter, the National Academy of Sciences shall review and report on the biological research activity of the Survey: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302, et seq.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; **[**$182,555,000**]** *$159,555,000*, of which not less than **[**$74,063,000**]** *$70,063,000* shall be available for royalty management activities; and an amount not to exceed **[**$15,400,000**]** *$41,000,000* for the Technical Information Management System and **[**Related Activities**]** *activities* of the Outer Continental Shelf (OCS) Lands Activity, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for OCS administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for OCS administrative activities established after September 30, 1993: *Provided*, That $1,500,000 for computer acquisitions shall remain available until September 30, 1998: *Provided further*, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721 (b) and (d): *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, $15,000 under this head shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,440,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for, and incidental to, the closure of the United States Bureau of Mines, including payments for workers compensation and unemployment compensation for former employees of the United States Bureau of Mines, $2,000,000, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; **[**$94,272,000**]** *$94,172,000*, and notwithstanding 31 U.S.C. 3302, an additional amount shall be credited to this account, to remain available until expended, from performance bond forfeitures in fiscal year 1997: *Provided*, That the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1997 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, **[**$175,887,000**]** *$179,085,000*, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which $4,000,000 shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines through the Appalachian Clean Streams Initiative: *Provided*, That grants to minimum program States will be $1,500,000 per State in fiscal year 1997: *Provided further*, That of the funds herein provided up to $18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 per centum shall be used for emergency reclamation projects in any one State and funds for federally-administered emergency reclamation projects under this proviso shall not exceed $11,000,000: *Provided further*, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 per centum limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available to States under title IV of Public Law 95–87 may be used, at their discretion, for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau, including such expenses in field offices; maintaining of Indian reservation roads as defined in 23 U.S.C. 101; and construction, repair, and improvement of Indian housing, **[**$1,381,623,000**]** *$1,413,606,000*, of which not to exceed **[**$90,829,000**]** *$91,379,000* shall be for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts or grants or compacts entered into with the Bureau prior to fiscal year 1997, as authorized by the Indian Self-Determination Act of 1975, as amended, and up to $5,000,000 shall be for the Indian Self-Determination Fund, which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau under such Act; and of which not to exceed **[**$339,709,000**]** *$344,711,000* for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 1997, and shall remain available until September 30, 1998; and of which not to exceed **[**$55,838,000**]** *$53,805,000* for higher education scholarships, adult vocational training, and assistance to public schools under 25 U.S.C. 452 et seq., shall remain available until September 30, 1998; and of which not to exceed **[**$55,603,000**]** *$54,973,000* shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, and the Navajo-Hopi Settlement Program: *Provided*, That tribes and tribal contractors may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants or compact agreements: *Provided further*, That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1997, as authorized by the Indian Self-Determination Act of 1975, or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: *Provided further*, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: *Provided further*,

That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated: *Provided further*, That any savings realized by such changes shall be available for use in meeting other priorities of the tribes: *Provided further*, That any net increase in costs to the Federal Government which result solely from tribally increased payment levels for general assistance shall be met exclusively from funds available to the tribe from within its tribal priority allocation: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 1997, may be transferred during fiscal year 1998 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 1998: *Provided further*, That notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1997: *Provided further*, That funds made available in this or any other Act for expenditure through September 30, 1998 for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1995: *Provided further*, That no funds available to the Bureau shall be used to support expanded grades for any school *or dormitory* beyond the grade structure in place *or approved by the Secretary of the Interior* at each school in the Bureau school system as of October 1, 1995: *Provided further*, That in fiscal year 1997 and thereafter, notwithstanding the provisions of 25 U.S.C. 2012(h)(1) (A) and (B), upon the recommendation of either (i) a local school board and school supervisor for an education position in a Bureau of Indian Affairs operated school, or (ii) an Agency school board and education line officer for an Agency education position, the Secretary shall establish adjustments to the rates of basic compensation or annual salary rates established under 25 U.S.C. 2012(h)(1) (A) and (B) for education positions at the school or the Agency, at a level not less than that for comparable positions in the nearest public school district, and the adjustment shall be deemed to be a change to basic pay and shall not be subject to collective bargaining: *Provided further*, That any reduction to rates of basic compensation or annual salary rates below the rates established under 25 U.S.C. 2012(h)(1) (A) and (B) shall apply only to educators appointed after June 30, 1997, and shall not affect the right of an individual employed on June 30, 1997, in an education position, to receive the compensation attached to such position under 25 U.S.C. 2012(h)(1) (A) and (B) so long as the individual remains in the same position at the same school: *Provided further*, That notwithstanding 25 U.S.C. 2012(h)(1)(B), when the rates of basic compensation for teachers and counselors at Bureau-operated schools are established at the rates of basic compensation applicable to comparable positions in overseas schools under the Defense Department Overseas Teachers Pay and Personnel Practices Act, such rates shall become effective with the start of the next academic year following the issuance of the Department of Defense salary schedule and shall not be effected retroactively.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, [$85,831,000] *$93,933,000*, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a non-reimbursable basis: *Provided further*, That for fiscal year 1997, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, [$65,241,000] *$69,241,000*, to remain available until expended; of which [$56,400,000] *$68,400,000* shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618, 102–374, 102–575, and for implementation of other enacted water rights settlements, including not to exceed $8,000,000, which shall be for the Federal share of the Catawba Indian Tribe of South Carolina Claims Settlement, as authorized by section 5(a) of Public Law 103–116; and of which $841,000 shall be available pursuant to Public Laws 98–500, 99–264, and 100–580.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $34,615,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, $500,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, the Technical Assistance of Indian Enterprises account, the Indian Direct Loan Program account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, [$65,088,000] *$65,388,000*, of which (1) [$61,239,000] *$61,539,000* shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $3,849,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99–396, or any subsequent legislation related to Commonwealth of the Northern Mariana Islands grant funding*: Provided further, That section 703(a) of Public Law 94–241, as amended, is hereby amended by striking ''of the Government of the Northern Mariana Islands''*: *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further*, That any appropriation for disaster assistance under this head in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of

the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compacts of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, [$23,638,000] *$23,438,000*, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, [$53,691,000] *$58,991,000*, of which not to exceed $7,500 may be for official reception and representation expenses.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, [$35,208,000] *$35,443,000*.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $24,439,000, together with any funds or property transferred to the Office of Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Assets Forfeiture Fund, that represent an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participated, with such transferred funds to remain available until expended.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100–497, $1,000,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, [$19,126,000] *$36,338,000*, to remain available until expended for trust funds management: *Provided*, That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1997, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That unobligated balances previously made available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100–86; 31 U.S.C. 3334(b)), (2) to restore Individual Indian Monies trust funds, Indian Irrigation Systems, and Indian Power Systems accounts amounts invested in credit unions or defaulted savings and loan associations and which where not Federally insured, including any interest on these amounts that may have been earned, but was not because of the default, and (3) to reimburse Indian trust fund account holders for losses to their respective accounts where the claim for said loss has been reduced to a judgement or settlement agreement approved by the Department of Justice, under the heading ''Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians'', Bureau of Indian Affairs in fiscal years 1995 and 1996, are hereby transferred to and merged with this appropriation and may only be used for the operation of trust programs, in accordance with this appropriation.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further*, That no programs funded with appropriated funds in ''Departmental Management'', ''Office of the Solicitor'', and ''Office of Inspector General'' may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oilspills; response and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to ''Wildland Fire Management'' shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

[SEC. 107. Appropriations made in this title from the Land and Water Conservation Fund for acquisition of lands and waters, or interests therein, shall be available for transfer, with the approval of the Secretary, between the following accounts: Bureau of Land Management, Land acquisition, United States Fish and Wildlife Service, Land acquisition, and National Park Service, Land acquisition and State assistance. Use of such funds are subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.]

SEC. 108. Prior to the transfer of Presidio properties to the Presidio Trust, when authorized, the Secretary may not obligate in any calendar month more than 1/12 of the fiscal year 1997 appropriation for operation of the Presidio: *Provided*, That prior to the transfer of any Presidio property to the Presidio Trust, the Secretary shall transfer such funds as the Trust deems necessary to initiate leasing and other authorized activities of the Trust: *Provided further*, That this section

shall expire on [September 30, 1997] *December 31, 1996*.

[SEC. 109. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of the Interior for developing, promulgating, and thereafter implementing a rule concerning rights-of-way under section 2477 of the Revised Statutes.]

SEC. 109. No final rule or regulation of any agency of the Federal Government pertaining to the recognition, management, or validity of a right-of-way pursuant to Revised Statute 2477 (43 U.S.C. 932) shall take effect unless expressly authorized by an Act of Congress subsequent to the date of enactment of this Act.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of Northern, Central, and Southern California; the North Atlantic; Washington and Oregon; and the Eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 111. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing, or the approval or permitting of any drilling or other exploration activity, on lands within the North Aleutian Basin planning area.

SEC. 112. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Eastern Gulf of Mexico for Outer Continental Shelf Lease Sale 151 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992–1997.

SEC. 113. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Atlantic for Outer Continental Shelf Lease Sale 164 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992–1997.

SEC. 114. There is hereby established in the Treasury a franchise fund pilot, as authorized by section 403 of Public Law 103–356, to be available as provided in such section for costs of capitalizing and operating administrative services as the Secretary determines may be performed more advantageously as central services: *Provided*, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made prior to the current year for the purpose of providing capital shall be used to capitalize such fund: *Provided further*, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automatic data processing (ADP) software and systems (either acquired or donated) and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: *Provided further*, That such fund shall provide services on a competitive basis: *Provided further*, That an amount not to exceed four percent of the total annual income to such fund may be retained in the fund for fiscal year 1997 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of Department financial management, ADP, and other support systems: *Provided further*, That no later than thirty days after the end of each fiscal year amounts in excess of this reserve limitation shall be transferred to the Treasury: *Provided further*, That such franchise fund pilot shall terminate pursuant to section 403(f) of Public Law 103–356.

[SEC. 115. None of the funds in this Act or any other Act may be used by the Secretary for the redesign of Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.]

SEC. 115. Public Law 102–495 is amended by adding the following new section:

"SEC. 10. WASHINGTON STATE REMOVAL OPTION.

''(a) Upon appropriation of $29,500,000 for the Federal Government to acquire the Elwha and Glines dams in Washington State pursuant to this Act, the State of Washington may, upon the submission to Congress of a binding agreement to remove the two dams within a reasonable period of time, purchase v the two dams from the Federal Government for $2.

''(b) Upon receipt of the payment pursuant to subsection (a), the Federal Government shall relinquish ownership and title of dams to the State of Washington.

''(c) Upon the purchase of the dams by the State of Washington, Public Law 102–495 is hereby repealed.''.

SEC. 116. Section 7 of Public Law 99–647 (16 U.S.C. 461 note) is amended to read as follows:

"SEC. 7. TERMINATION OF COMMISSION.

''The Commission shall terminate on November 10, 1997.''.

SEC. 117. The Congress of the United States hereby designates and ratifies the assignment to the University of Utah as successor to, and beneficiary of, all the existing assets, revenues, funds and rights granted to the State of Utah under the Miners Hospital Grant (February 20, 1929, 45 Stat. 1252) and the School of Mines Grant (July 26, 1894, 28 Stat. 110). Further, the Secretary of the Interior is authorized and directed to accept such relinquishment of all remaining and unconveyed entitlement for quantity grants owed the State of Utah for the Miners Hospital Grant (February 20, 1929, 45 Stat. 1252) and any unconveyed entitlement that may remain for the University of Utah School of Mines Grant (July 26, 1894, 28 Stat. 110).

SEC. 118. (a) No later than February 28, 1997, the Secretary of the Interior, upon negotiation with the committee established pursuant to subsection (c), and with the Office of Management and Budget, Special Trustee for American Indians, the Chief Financial Officer for the Department of the Interior, the Assistant Secretary—Indian Affairs, and the Solicitor of the Department of the Interior, shall transmit to the Committee on Appropriations and the Committee on Indian Affairs of the United States Senate and to the Committee on Appropriations and the Committee on Resources of the House of Representatives a report which (1) proposes a formula to distribute the funds appropriated for the ''Operation of Indian Programs'' account for direct payments to Indian tribes except those in Alaska and (2) identifies the amount of funds set aside to provide services to Indian tribes in Alaska.

(b) The formula and the allocation to Alaska shall be deemed approved if within 30 calendar days of receipt of the report from the Secretary, no one of the Committees have taken action to disapprove the formula or the allocation to Alaska. Notification to the Secretary of any such disapproval shall be accomplished by a letter signed by the chairman and ranking minority member of any one of the four committees identified in subsection (a) with copies provided to the chairmen and ranking minority members of the other committees identified in subsection (a).

(c) The negotiating committee referenced in subsection (a) shall be comprised of (1) Federal representatives as deemed necessary by the Secretary of the Interior and (2) tribal representatives, 12 of which shall be tribal representatives chosen by the tribes from each of the 12 existing BIA Areas (3) one representative from each of the four Committees identified in subsection (a). Agreement by a two-thirds majority of tribal representatives is necessary for any formula developed by the negotiating committee.

(d) The formula proposed under subsection (a) shall recognize the minimum funding requirements for small and needy tribes.

(e) In developing the fiscal year 1998 budget request, the Secretary shall propose separate appropriations accounts for the amounts proposed for direct payments to tribes; and for amounts proposed to be provided for services to Indian tribes in Alaska.

(f) For purposes of this section, the term ''Indian tribe'' means any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, as further defined in the Indian Self-Determination and Education Assistance Act of 1975, as amended.

(g) No funds shall be distributed under the formula proposed pursuant to subsection (a) until the formula is approved under the procedures set forth in subsection (b). Not to exceed one-half of the funding to be included in the tribal formula within the ''Operation of Indian Programs'' account shall be available prior to implementation of the formula.

(h) The determination of what funds from the Operation of Indian Programs account, excluding funds for education and reimbursable funds, are withheld from being made available for distribution under the formula shall include a determination negotiated with the negotiating committee described in subsection (c) of the amount, if any, of residual Federal funds to be retained by the Secretary that are minimally necessary to carry out trustee and other functions of the Federal Government that are not delegable by law to the Indian tribes.

(i) Upon approval of the formula, the Secretary shall provide for the immediate and direct transfer, to any Indian tribe choosing to receive all those funds in lieu of direct services, the share of funds identified for that Indian tribe under the formula. Upon allocation of those funds to an Indian tribe, those funds will not be subject the oversight authority of the Bureau of Indian Affairs.

(j) Should the Federal-tribal negotiations under this section reach an impasse at any time before December 31, 1996, or there are unresolved issues as of December 31, 1996, the Secretary and the negotiating committee described in subsection (c) shall jointly select an arbitrator from the roster of individuals maintained by the Administrative Conference of the United States pursuant to title 5, section 573(c) of the United States Code, which arbitrator shall resolve the issues upon which there is impasse, after receiving evidence and hearing arguments from both the Federal and tribal representatives on the negotiating committee, and report the recommended resolution of the arbitrator to the Secretary and the four committees of the Congress identified in subsection (a), on or before February 28, 1997.

(k) Section 402(b)(1) of The Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bb) is amended to read as follows: ''(1) In addition to those Indian tribes participating in self-governance under subsection (a) of this section, the Secretary, acting through the Director of the Office of Self-Governance, may select up to 50 new tribes per year from the applicant pool described in subsection (c) of this section to participate in self-governance.''.

SEC. 119. In fiscal year 1997 and thereafter, the Indian Arts and Crafts Board may charge admission fees at its museums; charge rent and/

or franchise fees for shops located in its museums; publish and sell publications; sell or rent or license use of photographs or other images in hard copy or other forms; license the use of designs, in whole or in part, by others; charge for consulting services provided to others; and may accept the services of volunteers to carry out its mission: Provided, That all revenue derived from such activities is covered into the special fund established by section 4 of Public Law 74–355 (25 U.S.C. 305c).

SEC. 120. TRANSFER OF CERTAIN BUREAU OF LAND MANAGEMENT FACILITIES.—

(a) BATTLE MOUNTAIN, NEVADA.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall transfer to Lander County, Nevada, without consideration, title to the former Bureau of Land Management administrative site and associated buildings in Battle Mountain, Nevada.

(b) WINNEMUCCA, NEVADA.—

(1) TRANSFER.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall transfer to the State of Nevada, without consideration, title to the surplus Bureau of Land Management District Office building in Winnemucca, Nevada.

(2) USE.—The transfer under paragraph (1) is made with the intent that the building shall be available to meet the needs of the Department of Conservation and Natural Resources of the State of Nevada.

SEC. 121. COOK INLET REGION, INC. RECOGNITION.—

(a) Cook Inlet Region, Inc., an Alaska Native regional corporation organized under Public Law 92–203, shall be deemed to be an Indian tribal entity for the purpose of federal programs for which Indians are eligible because of their status as Indians.

(b) The Bureau of Indian Affairs shall specifically include Cook Inlet Region, Inc. on any list that designates federally recognized Indian tribes or Indian tribal entities for use in administration of any Federal program.

(c)(1) The tribe of a Native village located within the Cook Inlet region shall serve as the tribal authority for the purpose of receiving funding and administering Federal assistance and social service programs within the settled area associated with the village, provided that Cook Inlet Region, Inc. shall serve as the tribal authority for such purposes for all other areas within the region and for the Municipality of Anchorage. These village tribes and Cook Inlet Region, Inc. may delegate their or its tribal authority to another tribe or tribal organization in the region. For purposes of this subsection, ''settled area'' shall mean that area containing the cluster of houses, buildings, roads, and trails of the improved village site.

(2) For those Alaska Natives residing within the Cook Inlet region who are not enrolled to or otherwise affiliated with a tribe, Cook Inlet Region, Inc. shall serve as the tribal authority.

SEC. 122. ALASKA AVIATION HERITAGE.—

(a) FINDINGS.—The Congress finds that—

(1) the Department of the Interior's Grumman Goose G21–A aircraft number N789 is to be retired from several decades of active service in the State of Alaska in 1996; and

(2) the aircraft is of significant historic value to the people of the State of Alaska.

(b) DONATION OF AIRCRAFT.—The Secretary of the Interior shall transfer the Grumman Goose G21–A aircraft number N789 to the Alaska Aviation Heritage Museum in Anchorage, Alaska, at no cost to the museum, for permanent display.

SEC. 123. The Mesquite Lands Act of 1988 is amended by adding the following at the end of section 3:

''(d) FOURTH AREA.—(1) No later than ten years after the date of enactment of this Act, the City of Mesquite shall notify the Secretary as to which if any of the public lands identified in paragraph (2) of this subsection the city wishes to purchase.

''(2) For a period of twelve years after the date of enactment of this Act, the city shall have exclusive right to purchase the following parcels of public lands:

''Parcel A—East ½ Sec. 6, T. 13 S., R. 71 E., Mount Diablo Meridian; Sec. 5, T. 13 S., R. 71 E., Mount Diablo Meridian; West ½ Sec. 4, T. 13 S., R. 71 E, Mount Diablo Meridian; East ½, West ½ Sec. 4, T. 13 S., R. 71 E., Mount Diablo Meridian.

''Parcel B—North ½ Sec. 7, T. 13 S., R. 71 E., Mount Diablo Meridian; South East ¼ Sec. 12, T. 13 S., R. 70 E., Mount Diablo Meridian; East ½, North East ¼ Sec. 12, T. 13 S., R. 70 E., Mount Diablo Meridian; East ½, West ½ North East ¼ Sec. 12, T. 13 S., R. 70 E., Mount Diablo Meridian.

''Parcel C—West ½ Sec. 6, T. 13 S., R. 71 E., Mount Diablo Meridian; Sec. 1, T. 13 S., R. 70 E., Mount Diablo Meridian; West ½, West ½, North East ¼ Sec. 12, T. 13 S., R. 70 E., Mount Diablo Meridian; North West ¼ Sec. 13, S., R. 70 E., Mount Diablo Meridian; West ½ Sec. 12, T. 13 S., R. 70 E., Mount Diablo Meridian; East ½, South East ¼, Sec. 11, T. 13 S., R. 70 E., Mount Diablo Meridian; East ½ North East ¼, Sec. 14, T. 13 S., R. 70 E., Mount Diablo Meridian.

''Parcel D—South ½ Sec. 14, T. 13 S., R. 70 E., Mount Diablo Meridian; South West ¼, Sec. 13, T. 13 S., R. 70 E., Mount Diablo Meridian; Portion of section 23, North of Interstate 15, T. 13 S., R. 70 E., Mount Diablo Meridian; Portion of section 24, North of Interstate 15, T. 13 S., R. 70 E., Mount Diablo Meridian; Portion of section 26, North of Interstate 15, T. 13 S., R. 70 E., Mount Diablo Meridian.''

SEC. 124. FATHER AULL SITE TRANSFER.

(a) This section may be cited as the ''Father Aull Site Transfer Act of 1996''.

(b) FINDINGS.—Congress finds that—

(1) the buildings and grounds developed by Father Roger Aull located on public domain land near Silver City, New Mexico, are historically significant to the citizens of the community;

(2) vandalism at the site has become increasingly destructive and frequent in recent years;

(3) because of the isolated location and the distance from other significant resources and agency facilities, the Bureau of Land Management has been unable to devote sufficient resources to restore and protect the site from further damage; and

(4) St. Vincent DePaul Parish in Silver City, New Mexico, has indicated an interest in, and developed a sound proposal for the restoration of, the site, such that the site could be permanently occupied and used by the community.

(c) CONVEYANCE OF PROPERTY.—Subject to valid existing rights, all right, title and interest of the United States in and to the land (including improvements on the land), consisting of approximately 43.06 acres, located approximately 10 miles east of Silver City, New Mexico, and described as follows: T. 17 S., R. 12 W., Section 30: Lot 13, and Section 31: Lot 27 (as generally depicted on the map dated July 1995) is hereby conveyed by operation of law to St. Vincent DePaul Parish in Silver City, New Mexico, without consideration.

(d) RELEASE.—Upon the conveyance of any land or interest in land identified in this section of St. Vincent DePaul Parish, St. Vincent DePaul Parish shall assume any liability for any claim relating to the land or interest in the land arising after the date of the conveyance.

(e) MAP.—The map referred to in this section shall be on file and available for public inspection in—

(1) the State of New Mexico Office of the Bureau of Land Management, Santa Fe, New Mexico; and

(2) the Las Cruces District Office of the Bureau of Land Management, Las Cruces, New Mexico.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, [$179,000,000] *$180,200,000*, to remain available until [September 30, 1998: *Provided*, That unobligated and unexpended balances remaining in this account at the end of fiscal year 1996 shall be merged with and made a part of the fiscal year 1997 Forest and Rangeland Research appropriation] *expended*.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others and for forest pest management activities, cooperative forestry and education and land conservation activities, [$148,884,000] *$156,811,000* to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, for ecosystem planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads ''Forest and Rangeland Research,'' ''State and Private Forestry,'' ''National Forest System,'' ''Wildland Fire Management,'' ''Reconstruction and Construction,'' and ''Land Acquisition,'' [$1,259,057,000 (reduced by $1,000,000)] *$1,285,881,000* to remain available [for obligation] until [September 30, 1998] *expended*, and including [50] *60* per centum of all monies received during the prior fiscal year as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601–6a(i)): *Provided*, [That unobligated and unexpended balances in the National Forest System account at the end of fiscal year 1996, shall be merged with and made a part of the fiscal year 1997 National Forest System appropriation, and shall remain available for obligation until September 30, 1998: *Provided further*,] That up to $5,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned over National Forest System lands, $411,485,000, to remain available until expended: *Provided*, That unexpended balances of amounts previously appropriated under any other headings for Forest Service fire activities are transferred to and merged with this appropriation and subject to the same terms and conditions: *Provided further*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes.

For an additional amount to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wildfire suppression activities of the Forest Service, $250,000,000, to remain available until expended: Provided, That such funds are available for repayment of advances from other accounts previously transferred for such purposes.

In addition, to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wildfire suppression activities of the Forest Service, $109,531,000, to remain available until expended: Provided, That these

funds, or any portion thereof, shall be available only to the extent that the President notifies the Congress of his designation of any or all of these amounts as emergency requirements under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 252(b)(2)(D)(I) of such Act: Provided further, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes.

RECONSTRUCTION AND CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, **[**$164,100,000**]** *$172,167,000*, to remain available until expended for construction, reconstruction and acquisition of buildings and other facilities, and for construction, reconstruction and repair of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That not to exceed $50,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers**[**: *Provided further*, That funds appropriated under this head for the construction of the Wayne National Forest Supervisor's Office may be granted to the Ohio State Highway Patrol, Ohio State Department of Transportation, as the Federal share of the cost of construction of a new facility to be jointly occupied by the Forest Service and the Ohio State Highway Patrol: *Provided further*, That an agreed upon lease of space in the new facility shall be provided to the Forest Service without charge for the life of the building**]**.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–4–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, **[**$30,000,000**]** *$39,660,000*, to be derived from the Land and Water Conservation Fund, to remain available until expended**[**: *Provided*, That funding for specific land acquisitions are subject to the approval of the House and Senate Committees on Appropriations**]**.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, *such sums*, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 per centum of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 per centum shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 159 passenger motor vehicles of which 14 will be used primarily for law enforcement purposes and of which 149 shall be for replacement; acquisition of 10 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 20 aircraft from excess sources; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (b) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant to 7 U.S.C. 428a; (e) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office *for research, State and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture*, or to implement any reorganization, ''reinvention'' or other type of organizational restructuring of the Forest Service, *other than the relocation of the Regional Office for Region 5 of the Forest Service from San Francisco to excess military property at Mare Island, Vallejo, California*, without the consent of the House and Senate Committees on Appropriations.

Any funds available to the Forest Service may be used for retrofitting Mare Island facilities to accommodate the relocation: Provided, That funds for the move must come from funds otherwise available to Region 5: Provided further, That any funds to be provided for such purposes shall only be available upon approval of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be advanced to the Wildland Fire Management appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over lands under its jurisdiction.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103–551.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report 103–551.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Notwithstanding any other provision of the law, any appropriations or funds available to the Forest Service may be used to disseminate program information to private and public individuals and organizations through the use of nonmonetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private individuals and organizations that make contributions to Forest Service programs.

Notwithstanding any other provision of law, money collected, in advance or otherwise, by the Forest Service under authority of section 101 of Public Law 93–153 (30 U.S.C. 185(1)) as reimbursement of administrative and other costs incurred in processing pipeline right-of-way or permit applications and for costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities, may be used to reimburse the applicable appropriation to which such costs were originally charged.

Funds available to the Forest Service shall be available to conduct a program of not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408.

None of the funds available in this Act shall be used for timber sale preparation using clearcutting in hardwood stands in excess of 25 percent of the fiscal year 1989 harvested volume in the Wayne National Forest, Ohio: *Provided*, That this limitation shall not apply to hardwood stands damaged by natural disaster: *Provided further*, That landscape architects shall be used to maintain a visually pleasing forest.

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 (note), 2101–2110, 1606, and 2111.

Of the funds available to the Forest Service, $1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Notwithstanding any other provision of law, the Forest Service is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even aged management in hardwood stands in the Shawnee National Forest, Illinois.

[Pursuant to sections 405(b) and 410(b) of Public Law 101–593, funds up to $1,000,000 for matching funds shall be available for the National Forest Foundation.**]**

Pursuant to section 2(b)(2) of Public Law 98–244, up to $1,000,000 of the funds available to the Forest Service shall be available for matching funds, as authorized in 16 U.S.C. 3701–3709, on a one-for-one basis to match private contributions for projects on National Forest System lands or related to Forest Service programs.

Pursuant to section 402(b) of Public Law 101–593, up to $1,000,000 of the funds available to the Forest Service shall be available for matching funds, as authorized in 16 U.S.C. 583j–3, on a one-for-one basis to match private contributions for projects on National Forest System lands or related to Forest Service programs.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the National Forest System and Construction accounts and planned to be allocated to activities under the ''Jobs in the Woods'' program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

None of the funds provided in this or any other Act may be spent to implement the Tongass Land Management Plan (TLMP) revision until the General Accounting Office certifies that the process used to develop the TLMP complies with the National Forest Management Act of 1976 (90 Stat. 2949; Public Law 94–588) and the Tongass Timber Reform Act of 1990 (104 Stat. 4426; Public Law 101–626), as amended.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading for obligation in fiscal year 1997 or prior years, $150,000,000 are rescinded: Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, [$354,754,000] *$367,504,000*, to remain available until expended: *Provided*, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

Monies received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1996, shall be deposited in this account and immediately transferred to the General Fund of the Treasury. Monies received as revenue sharing from the operation of the Great Plains Gasification Plant shall be immediately transferred to the General Fund of the Treasury. Funds are hereby rescinded in the amount of $2,500,000 from unobligated balances under this head.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserve activities, [$143,786,000 (reduced by $11,764,000)] *$133,000,000*, to remain available until expended: *Provided*, That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 1997.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, [$507,680,000 (increased by $11,764,000) (increased by $4,000,000)] *$570,452,000*, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1997 determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502): *Provided*, That [$125,000,000 (increased by $11,764,000)] *$158,900,000* shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99–509 such sums shall be allocated to the eligible programs as follows: [$100,000,000 (increased by $11,764,000)] *$131,500,000* for weatherization assistance grants and [$25,000,000] *$27,400,000* for State energy conservation grants.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearing and Appeals, $2,725,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $220,000,000, to remain available until expended, [of which $220,000,000 shall be repaid from the ''SPR Operating Fund'' from amounts made available from the sale of oil from the Reserve] *of which $220,000,000 shall be repaid from the ''SPR Operating Fund'' from amounts made available from the sale of oil from the Reserve: Provided, That notwithstanding section 161 of the Energy Policy and Conservation Act, the Secretary shall draw down and sell in fiscal year 1997 $220,000,000 worth of oil from the Strategic Petroleum Reserve: Provided further, That the proceeds from the sale shall be deposited into a special account in the Treasury, to be established and known as the ''SPR Operating Fund'', and shall, upon receipt, be transferred to the Strategic Petroleum Reserve account for operations of the Strategic Petroleum Reserve.*

SPR PETROLEUM ACCOUNT

Notwithstanding 42 U.S.C. 6240(d) the United States share of crude oil in Naval Petroleum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of to other than the Strategic Petroleum Reserve: *Provided*, That outlays in fiscal year 1997 resulting from the use of funds in this account shall not exceed $5,000,000.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, [$66,120,000] *$64,120,000* to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: *Provided*, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: *Provided further*, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

In addition to other authorities set forth in this Act, the Secretary may accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and prosecute projects using such fees and contributions in cooperation with other Federal, State or private agencies or concerns.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, [$1,779,561,000] *$1,800,836,000*, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act

of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That $12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further,* That [$353,125,000] *$353,128,000* for contract medical care shall remain available for obligation until September 30, 1998: *Provided further,* That of the funds provided, not less than [$11,306,000] *$11,706,000* shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further,* That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further,* That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities)[: *Provided further,* That of the funds provided, $7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act]*: Provided further, That of the funds provided, $7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the nonrecurring transitional costs of initial or expanded tribal contracts, compacts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act*: *Provided further,* That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 1998: *Provided further,* That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, [$227,701,000] *$251,957,000,* to remain available until expended: *Provided,* That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided,* That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–53) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further,* That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended: *Provided further,* That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: [*Provided further,* That the Indian Health Service shall neither bill nor charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy:] *Provided further,* That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further,* That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further,* That funds received from any source, including tribal contractors and compactors for previously transferred functions which tribal contractors and compactors no longer wish to retain, for services, goods, or training and technical assistance, shall be retained by the Indian Health Service and shall remain available until expended by the Indian Health Service: *Provided further,* That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further,* That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title IX, part A of the Elementary and Secondary Education Act of 1965, as amended, and section 215 of the Department of Education Organization Act, $52,500,000.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, [$20,345,000] *$19,345,000,* to remain available until expended: *Provided,* That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further,* That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further,* That no relocatee will be provided with more than one new or replacement home: *Provided further,* That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56, part A), $5,500,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed thirty years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; [$317,188,000]

$317,582,000, of which not to exceed [$31,664,000] *$30,665,000* for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended, and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, [$3,250,000] *$4,000,000*, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, [$39,954,000] *$38,000,000*, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, [$7,000,000] *$12,000,000*, to remain available until expended.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $53,899,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $5,942,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $10,875,000.

CONSTRUCTION

For necessary expenses of capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $9,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $5,840,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $82,734,000, shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $16,760,000, to remain available until expended, to the National Endowment for the Arts: *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, [$92,994,000] *$87,994,000* shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $11,500,000, to remain available until expended, of which $7,500,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, $21,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $867,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956(a)), as amended, $6,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $2,500,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher position.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C 71–71i), including services as authorized by 5 U.S.C. 3109, $5,390,000: *Provided*, That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92–332 (86 Stat. 401), [$125,000] *$500,000 to remain available until expended*.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388 (36 U.S.C. 1401), as amended, [$29,707,000] *$30,707,000*, of which $1,575,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's exhibitions program shall remain available until expended.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: *Provided,* That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. Where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93–638, 103–413, or 100–297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Notwithstanding Public Law 103–413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93–638, as amended, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided,* That if no funds are provided for the AmeriCorps program by the VA–HUD and Independent Agencies fiscal year 1997 appropriations bill, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 313. None of the funds made available in this Act may be used (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 314. (a) None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) PROCESSING SCHEDULE.—For those applications for patents pursuant to subsection (b) which were filed with the Secretary of the Interior, prior to September 30, 1994, the Secretary of the Interior shall—

(1) Within three months of the enactment of this Act, file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a plan which details how the Department of the Interior will make a final determination as to whether or not an applicant is entitled to a patent under the general mining laws on at least 90 percent of such applications within five years of the enactment of this Act and file reports annually thereafter with the same committees detailing actions taken by the Department of the Interior to carry out such plan; and

(2) Take such actions as may be necessary to carry out such plan.

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 315. None of the funds appropriated or otherwise made available by this Act may be used for the purposes of acquiring lands in the counties of Lawrence, Monroe, or Washington, Ohio, for the Wayne National Forest.

SEC. 316. Of the funds provided to the National Endowment for the Arts:

(a) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(b) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a [State, regional or local group,] *State or local arts agency, or regional group,* may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(c) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 317. The United States Forest Service approval of Alternative site 2 (ALT 2), issued on December 6, 1993, is hereby authorized and approved and shall be deemed to be consistent with, and permissible under, the terms of Public Law 100–696 (the Arizona-Idaho Conservation Act of 1988).

SEC. 318. None of the funds made available to the Department of the Interior or the Department of Agriculture by this or any other Act may be used to issue or implement final regulations, rules, or policies pursuant to title VIII of the Alaska National Interest Lands Conservation Act to assert jurisdiction, management, or control over navigable waters transferred to the State of Alaska pursuant to the Submerged Lands Act of 1953 or the Alaska Statehood Act of 1959.

SEC. 319. No funds appropriated under this or any other Act shall be used to review or modify sourcing areas previously approved under section 490(c)(3) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101–382) or to enforce or implement Federal regulations 36 CFR part 223 promulgated on September 8, 1995. The regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 subpart D, 36 CFR 223 subpart F, and 36 CFR 261.6) shall remain in effect. The Secretary of Agriculture or the Secretary of the Interior shall not adopt any policies concerning Public Law 101–382 or existing regulations that would restrain domestic transportation or processing of timber from private lands or impose additional accountability requirements on any timber. The Secretary of Commerce shall extend until September 30, 1997, the order issued under section 491(b)(2)(A) of Public Law 101–382 and shall issue an order under section 491(b)(2)(B) of such law that will be effective October 1, 1997.

[SEC. 320. Section 101(c) of Public Law 104–134 is amended as follows: Under the heading ''Title III—General Provisions'' amend section 315(f) by striking ''September 30, 1998'' and inserting in lieu thereof ''September 30, 1999'' and by striking ''September 30, 2001'' and inserting in lieu thereof ''September 30, 2002''.]

SEC. 320. Section 101(c) of Public Law 104–134 is amended as follows: Under the heading ''Title III—General Provisions'' amend section 315(b) by striking ''50, areas,'' and inserting in lieu thereof ''100, areas,'' and amend section 315(f) by striking ''September 30, 1998'' and inserting in lieu thereof ''September 30, 1999'' and by striking ''September 30, 2001'' and inserting in lieu thereof ''September 30, 2002''.

SEC. 321. None of the amounts made available by this Act may be used for design, planning, implementation, engineering, construction, or any other activity in connection with a scenic shoreline drive in Pictured Rocks National Lakeshore.

[SEC. 322. None of the funds made available in this Act may be used by the Bureau of Indian Affairs to transfer any land into trust under section 5 of the Indian Reorganization Act (25 U.S.C. 465), or any other Federal statute that does not explicitly denominate and identify a specific tribe or specific property, except when it is made known to the Federal official having authority to obligate or expend such funds that—

[(1) a binding agreement is in place between the tribe that will have jurisdiction over the land to be taken into trust and the appropriate State and local officials; and

[(2) such agreement provides, for as long as the land is held in trust, for the collection and payment, by any retail establishment located on the land to be taken into trust, of State and local sales and excise taxes, including any special tax on motor fuel, tobacco, or alcohol, on any retail item sold to any nonmember of the tribe for which the land is held in trust, or an agreed upon payment in lieu of such taxes.]

SEC. 322. LAND TRANSFER, BEND SILVICULTURE LAB, DESCHUTES NATIONAL FOREST, OREGON.—

(a) TRANSFER OF REAL PROPERTY AND ALL IMPROVEMENTS LOCATED THEREON.—Notwithstanding any other provisions of law, there is hereby transferred, without consideration and subject to existing valid rights, all right, title and interest of the United States in and to approximately 5.73 acres of land as described by plat dated July 7, 1977, (which is on file and available for public inspection in the Office of the Chief, USDA Forest Service, Washington, D.C.), as well as all improvements, including the Bend Silviculture Lab located thereon, to the Central Oregon Community College, Bend, Oregon; this being a portion of the same tract acquired by donation from the City of Bend on August 10, 1960, through a Bargain and Sale deed to the USDA Forest Service for use as a research lab, and recorded in volume 125, page 508 of the Deschutes County, Oregon, Deed Records.

(b) CONDITIONS OF TRANSFER.—The transfer effected by subsection (a) is made subject to no special terms or conditions.

SEC. 323. Upon the date of enactment of this Act, no part of any appropriation contained in this Act or any other Act shall be expended or obligated to fund the activities of the Office of Forestry and Economic Assistance, or any successor office.

SEC. 324. (a) The Secretary of the Interior is authorized to accept title to approximately 84 acres of land located in Prince Georges County, Maryland, adjacent to Oxon Cove Park, and bordered generally by the Potomac River, Interstate 295 and the Woodrow Wilson Bridge, or any interest therein, and in exchange therefor may convey to the Corrections Corporation of America approximately 50 acres of land located in Oxon Cove Park in the District of Columbia and bordered generally by Oxon Cove, Interstate 295 and the District of Columbia Impound Lot, or any interest therein.

(b) Before proceeding with an exchange, the Secretary shall determine if the federal property is suitable for exchange under the criteria normally used by the National Park Service. The exchange shall comply with applicable regulations and National Park Service policies for land exchanges.

(c)(1) The Secretary shall not acquire any lands under this section if the Secretary determines that the lands or any portion thereof have become contaminated with hazardous substances (as defined in the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601)).

(2) Notwithstanding any other provision of law, the United States shall have no responsibility or liability with respect to any hazardous wastes or other substances placed on any of the lands covered by this section after their transfer to the ownership of any party, but nothing in this section shall be construed as either diminishing or increasing any responsibility or liability of the United States based on the condition of such lands on the date of their transfer to the ownership of another party: Provided, That the Corrections Corporation of America shall indemnify the United States for liabilities arising under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601) and the Resource Conservation Recovery Act (42 U.S.C. 6901, et seq.).

(d) The properties so exchanged either shall be approximately equal in fair market value or if they are not approximately equal, shall be equalized by the payment of cash to the Corporation or to the Secretary as required or in the event the value of the Corporation's lands is greater, the acreage may be reduced so that the fair market value is approximately equal: Provided, That the Secretary shall order appraisals made of the fair market value for improvements thereon: Provided further, That any such cash payment received by the Secretary shall be deposited to ''Miscellaneous Trust Funds, National Park Service'' and shall be available without further appropriation until expended for the acquisition of land within the National Park System.

(e) Costs of conducting necessary land surveys, preparing the legal descriptions of the lands to be conveyed, performing the appraisals, and administrative costs incurred in completing the exchange shall be borne by the Corporation.

(f) Following any exchange authorized by this provision, the boundaries of Oxon Cove Park shall be expanded to include the land acquired by the United States.

SEC. 325. None of the funds provided by this Act or any other Act available to the National Park Service, Fish and Wildlife Service, Bureau of Land Management, or Forest Service may be obligated for the costs of employee relocation or transfer of duty at a level that exceeds ninety percent of the average amounts spent for this purpose in fiscal year 1994 and 1995.

SEC. 326. SECTION 1. LAND EXCHANGE.—

(a) EXCHANGE.—Subject to subsection (c), the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall convey all right, title, and interest of the United States in and to the National Forest System lands described in subsection (b)(1) to Public Utility District No. 1 of Chelan County, Washington (referred to in this section as the ''Public Utility District''), in exchange for the conveyance to the Department of Agriculture by the Public Utility District of all right, title, and interest of the Public Utility District in and to the lands described in subsection (b)(2).

(b) DESCRIPTION OF LANDS.—

(1) NATIONAL FOREST SYSTEM LANDS.—The National Forest System lands referred to in subsection (a) are 122 acres, more or less, that are partially occupied by a wastewater treatment facility referred to in subsection (c)(4)(A) with the following legal description:

(A) The NE¼ of SW¼ of section 27 of township 27 north, range 17 east, Wilamette Meridian, Chelan County, Washington.

(B) The N½ of SE¼ of SW¼ of such section 27.

(C) The W½ of NW¼ of SE¼ of such section 27.

(D) The NW¼ of SW¼ of SE¼ of such section 27.

(E) The E½ of NW¼ of the SE¼ of such section 27.

(F) That portion of the S½ of SE¼ of SW¼ lying north of the northerly edge of Highway 209 right-of-way of such section 27.

(2) PUBLIC UTILITY DISTRICT LANDS.—The lands owned by the Public Utility District are 109.15 acres, more or less, with the following legal description:

(A) S½ of SW¼ of section 35 of township 26 north, range 17 east, Wilamette Meridian, Chelan County, Washington.

(B) The area specified by Public Utility District No. 1 as Government Lot 5 in such section 35.

(c) REQUIREMENTS FOR EXCHANGE.—

(1) TITLE ACCEPTANCE AND CONVEYANCE.—Upon offer by the Public Utility District of all right, title and interest in and to the lands described in subsection (b)(2), if the title is found acceptable by the Secretary, the Secretary shall accept title to such lands and interests therein and shall convey to the Public Utility District all right, title, and interest of the United States in and to the lands described in subsection (b)(1).

(2) APPRAISALS REQUIRED.—Before making an exchange pursuant to subsection (a), the Secretary shall conduct appraisals of the lands that are subject to the exchange to determine the fair market value of the lands. Such appraisals shall not include the value of the wastewater treatment facility referred to in paragraph (4)(A).

(3) ADDITIONAL CONSIDERATION.—If, on the basis of the appraisals made under paragraph (1), the Secretary determines that the fair market value of the lands to be conveyed by one party under subsection (a) is less than the fair market value of the lands to be conveyed by the other party under subsection (a), then, as a condition of making the exchange under subsection (a), the party conveying the lands with the lesser value shall pay the other party the amount by which the fair market value of the lands of greater value exceeds the fair market value of the lands of lesser value.

(4) CONVEYANCE OF WASTEWATER TREATMENT FACILITY.—(A) As part of an exchange made under subsection (a), the Secretary shall convey to the Public Utility District of Chelan County, Washington, all right, title and interest of the United States in and to the wastewater treatment facility (including the wastewater treatment plant and associated lagoons) located on the lands described in subsection (b)(1) that is in existence on the date of the exchange.

(B) As a condition for the exchange under subsection (a), the Public Utility District shall provide for a credit equal to the fair market value of the wastewater treatment facility conveyed pursuant to subparagraph (A) (determined as of November 4, 1991), that shall be applied to the United States' share of any new wastewater treatment facility constructed by the Public Utility District after such date.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange under this section as the Secretary determines appropriate to protect the interests of the United States.

SEC. 327. ''Snoqualmie National Forest Boundary Adjustment Act of 1996.''

(a) IN GENERAL.—The Secretary of Agriculture is hereby directed to modify the boundary of the Snoqualmie National Forest to include and encompass 10,589.47 acres, more or less, as generally depicted on a map entitled ''Snoqualmie National Forest Proposed 1996 Boundary Modification'' dated July, 1996. Such map, together with a legal description of all lands included in the boundary adjustment, shall be on file and available for public inspection in the Office of the Chief of the Forest Service in Washington, District of Columbia.

(b) RULE FOR LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965

(16 U.S.C. 460l–9), the boundary of the Snoqualmie National Forest, as modified pursuant to subsection (a), shall be considered to be the boundary of that National Forest as of January 1, 1965.

SEC. 328. Sugarbush Land Exchange Act of 1996.

(a) EXCHANGE OR SALE OF LAND.—

(1) If Sugarbush Resort Holdings, Inc. conveys to the United States land acceptable to the Secretary of Agriculture that is at least equal in value to the value of the land described in subsection (a)(2), makes a payment of cash at least equal to that value, or conveys land and makes a payment of cash that in combination are at least equal to that value, the Secretary, subject to valid existing rights, shall, under such terms and conditions as the Secretary may prescribe, convey all right, title, and interest of the United States in and to the land described in subsection (a)(2).

(2) FEDERAL LAND TO BE EXCHANGED.—The Federal land to be exchanged is approximately 57 acres of federally owned land in the Green Mountain National Forest depicted on the map entitled ''Green Mountain National Forest, Sugarbush Exchange,'' dated December 1995.

(3) Lands acquired from Sugarbush Resort Holdings, Inc.—Any land conveyed to the United States in an exchange under subsection (a)(1) shall be subject to such valid existing rights of record as may be acceptable to the Secretary, and the title to the parcel shall conform with the title approval standards applicable to federal land acquisitions.

(b) ADMINISTRATION OF LAND.—

(1) ADDITION TO GREEN MOUNTAIN NATIONAL FOREST.—On approval and acceptance of title by the Secretary, the land acquired by the United States through an exchange or with proceeds from a sale under subsection (a) shall become part of the Green Mountain National Forest, and the boundaries of the National Forest shall be adjusted to include the land.

(2) ADMINISTRATION.—Land acquired under this Act shall be administered by the Secretary in accordance with the laws (including regulations) pertaining to the National Forest System.

(3) AUTHORITY OF THE SECRETARY.—This section does not limit the authority of the Secretary to adjust the boundaries of the Green Mountain National Forest pursuant to section 11 of the Act of March 1, 1911 (36 Stat. 963, chapter 186; 16 U.S.C. 521) (commonly known as the ''Weeks Law'').

(4) For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the Green Mountain National Forest, as adjusted under this Act, shall be considered to be the boundaries of the Green Mountain National Forest as of January 1, 1965.

This Act may be cited as the ''Department of the Interior and Related Agencies Appropriations Act, 1997''.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I bring before the Senate today the fiscal year 1997 Department of the Interior and related agencies appropriations bill.

This bill, as reported by the Appropriations Committee, totals $12,617,764,000 in discretionary budget authority and $13,306 million in outlays and is within the 602(b) allocations. Any amendments offered to the Interior bill will require offsets. The President's budget request is $263 million above the committee's budget authority allocation and is $333 million above the committee's outlay allocation.

The bill before you represents difficult choices and challenges. The needs for various agencies funded through the Interior bill are great, from operations and facilities requirements of the national parks, forests, refuges, public lands, and museums to the basic health care, tribal government, and education services provided to native Americans. Funding for fighting fire on public lands, such as the fires that have been devastating the West this summer, is provided through the Interior bill. In putting this bill together, we have attempted to strike a balance among these competing interests.

I wish to thank the distinguished chairman of the Appropriations Committee, Senator HATFIELD, for his support of the Interior bill programs and his willingness to give the Interior Subcommittee an additional $500 million in budget authority and $400 million in outlay allocations above the House allocations. It is because of Senator HATFIELD that I am able to present this as a balanced and appropriate bill, with attention to and recognition of the difficult decisions that had to be made during formulation of this bill.

This year, the Interior Subcommittee received approximately 1,400 requests for amendments to the bill, that total to more than $2 billion. Many of these requests presumed enactment of the amounts proposed in the President's budget, and then proposed to add above that. With the budget constraints we faced, our starting point was the fiscal year 1996 budget with consideration of the administration's fiscal year 1997 budget proposals, of the priorities contained within the budget request, and of concerns important to Members.

As is the usual practice on the Interior Subcommittee, this bill was prepared in a bipartisan manner.

Senator BYRD and his staff were not only cooperative, but were major and significant players in drafting the bill that is before you today.

The recommendations represent the result of extensive review of the President's budget proposals through subcommittee hearings with the agencies, briefings, and written testimony from the public.

Now, we will turn to the recommendations before you today. Among the items of interest are of course, those within land management.

The committee has provided additional funds above the fiscal year 1996 amounts for the operational accounts of the land management agencies: Bureau of Land Management—2 percent, Fish and Wildlife Service—6 percent, National Park Service—7 percent, Forest Service—2 percent.

The land management agencies are involved presently with the suppression of devastating wildfires and are faced with a shortage of funds to fight the wildfires. This recommendation provides $321 million for presuppression fire activities, $340 million for fire suppression, and $110 million for an emergency appropriation, that is contingent upon the President's emergency declaration.

To assist with the growing recreation demands on the agencies in this bill, the pilot recreation fee proposal is extended for an additional year and the number of demonstration sites are increased from 50 to 100. Eighty percent of the fee collections are to be returned to the site from which they are collected.

I may add, Mr. President, at this time, I was recently briefed by the heads of each of those agencies. Each of them is enthusiastic about this proposition. It has improved morale in the various services because they can now see the tangible results they can obtain by these fee schedules, some new and some increased. So far, the public response has been very positive because the public can see that it is actually getting something in each of the parks or refuges to which admission fees are being charged.

I think this is a first-rate experiment. I am convinced that it will soon become permanent and that it will result in at least beginning to work on the background of deferred maintenance in all of our public lands that are used for recreational purposes.

The construction accounts for the land management agencies have increased $39.6 million in total—11 percent. The majority of the construction projects involve the completion of ongoing projects and the restoration or rehabilitation of existing facilities. No new starts for visitor centers are provided. While it may seem that this is a large increase for construction, I would remind my colleagues that the facility backlogs for these land management agencies are approximately $9 million.

Overall funding for land acquisition for the land management agencies totals $152.9 million, which is $14.7 million—11 percent—over the current level and $52.9 million above the level appropriated in the House of Representatives. The committee has identified specific projects, while the House bill did not. Priority is given to completing ongoing acquisitions and avoiding new starts that would increase future demands. Additional funds are provided to acquire sensitive endangered species habitat and to ensure protection of natural and cultural resources.

With respect to the science agencies, funding for the Office of Surface Mining and Minerals Management Service is increased slightly.

On cultural activities, the first priority was to provide adequate resources to those cultural institutions such as our Nation's museums, for which this subcommittee has primary funding responsibility.

Among the many competing needs of our cultural agencies, the subcommittee continues to place particular emphasis on repair and renovation work that is required to keep these institutions open to the public and collections preserved safely. Budget estimates from the Kennedy Center, the National Gallery of Art, and the Smithsonian Institution have been met in full to facilitate this work.

With respect to the Department of Energy, energy conservation programs are $33 million—6.2 percent over the fiscal year 1996 level and $47 million over the House level. This includes an increase of $19.7 million over fiscal year 1996 for weatherization.

Fossil research and development is down 3.8 percent from the comparable fiscal year 1996 level, but is $12.75 million above the House bill.

Mr. President, $150 million is rescinded from the Clean Coal Technology Program, substantially less than the $325 million rescission proposed in the budget.

Senator BYRD and I have studied this program carefully. I have deferred to him, as he is the overriding national expert on the subject. And I am assured by him that the bill includes the absolute maximum rescission that can be sustained at this time without prematurely terminating ongoing projects.

Funding for the naval petroleum and oil shale reserves is decreased by $16.5 million from the request of $149.5 million. While the Department of Energy has stated that this reduction will result in a revenue loss of $45 million over the next 2 years, I see no other alternative in light of the lack of support shown for the reserves by this committee last year.

Operations of the strategic petroleum reserve are funded by oil sales from the reserves of some $220 million.

With respect to Indian programs in the Bureau of Indian Affairs overall, funding increases by $10.3 million above the fiscal year 1996 funding, and $32 million above the amount in the House bill. Emphasis has been placed on providing additional funding to tribal priority allocations, which is $22.5 million—3 percent above fiscal year 1996 and $12.5 million above the House level. Within the tribal priority allocations, the committee has included an increase of $4 million for small and needy tribes and a general increase of $14.7 million. The committee has also placed emphasis on elementary and secondary school operations and has increased funding by $18.4 million—5 percent above fiscal year 1996 level and $8.9 million above the House level.

Funding has been provided for enacted Indian land and water settlements as requested by the administration.

The bill reported by the committee includes a provision that would allow tribes the option to receive direct payments from the Bureau of Indian Affairs for services or the option to receive services in the current manner. While this provision was initiated in cooperation with the Indian Affairs Committee, consensus on the final details of the plan could not be reached.

Mr. President, this is a result that I greatly regret. A bill has been reported by the Committee on Indian Affairs that would accomplish this goal in a much more permanent and extensive fashion.

There is great resistance to that bill from many quarters, some within the Indian community, some within the administration, some from outside. I share many of those reservations. I had hoped, and I continue to hope, that we could experiment with this field, could start down the road on an optional basis, and could do it in an appropriations bill for 1 year, perhaps 2 years, perhaps 3 years to see how it worked.

I am deeply sorry that, between the administration and the Bureau of Indian Affairs and at least some of the Indian communities, this experiment was not deemed to be acceptable. In fact, it is the subject of a letter from the White House threatening a possible veto of the bill.

I understand that Senator MCCAIN will make a motion to strike this provision in its entirety, and with great regret, I will agree to that motion, and it will be stricken. I hope by next year, we will be able to reach a resolution of this problem so that we can move forward with what I am convinced is an appropriate experiment in increasing the authority of the tribes over their own affairs.

Total funding for the Indian Health Service has increased in this bill by some $66 million. This increase is for staffing of recently completed facilities, a portion of pay costs to maintain existing service levels, and funding for replacement of a health care facility in Montana that recently burned to the ground.

Mr. President, I am continuing an experiment which I began, at least for the committee, last year. I have available for all Members of the Senate, and for the public, a picture of what we are doing. This is another case in which I think a picture is worth a thousand words. I have cast about a large number of statistics, even in these brief opening remarks. This chart shows where the roughly $13 billion in this bill will actually go.

The left column, in various shades of green, is the land management programs which are the responsibility of this subcommittee and, of course, of this Congress. The Forest Service is on the bottom, the National Park Service next, Bureau of Land Management above that, and the Fish and Wildlife Service on top, for a total of almost $6 billion, but $6 billion spent in the management of the public patrimony of the people of the United States, the lands that we as a people own, I think the most important responsibility of this committee.

Those ratios are not greatly different from last year. They are probably a little bit higher than they were last year because of the increased recreational use, an increase which goes on year after year after year in almost all of these areas.

The second, the blue column, has to do with our responsibilities for Native Americans. The lower part of it is the Indian Health Service, which you will notice is larger for that single unit than in the entire Bureau of Indian Affairs and, then there are tiny little appropriations on top of that. But that is a little bit under $4 billion. So we are close to $10 billion at this point in the land management programs and Indian programs.

Then we shift over to science programs, in shades of purple. The largest portion of that, slightly more than a billion dollars is the Geological Survey, the Office of Surface Mining and Minerals, mining service and others. There we consolidated money that goes to two different Departments.

Then there is energy programs, in orange, to the Department of Energy. Research and development is the largest portion of that, less than a billion dollars. The management of our oil reserves and grants for various programs, mostly directed at the more effective use of our energy or the development of new energy sources.

The dark blue is the cultural programs of the United States, and, basically, except for a tiny share for memorials, they go in large measure to the museums—the Smithsonian, the National Gallery of Art—the repositories of much of our culture. The smaller amount goes to the endowments—the National Endowment for the Arts and the National Endowment for the Humanities.

Finally, over on the right, the smallest portion, about $200 million, is the management of the Department of the Interior.

This shows people the relative size of the spending of the people of the United States on these matters, all of which are important and may help guide Members of this body as they deal with amendments.

Before I yield the floor, I want to repeat something that was in my written remarks.

Last year was my first as the chairman of this subcommittee, and I took on that position with some trepidation, because I succeeded in that position as subcommittee chairman my friend and colleague and mentor, the senior Senator from West Virginia, Senator BYRD, who has chaired the full committee and the subcommittee. He made that transition both easy and constructive, Mr. President, by his advice, by his knowledge of the programs with which we dealt and by his wonderful support.

As a consequence, when we debated this bill on this floor last year, we had a number of controversial and contested amendments. Not one of those amendments after debate and on a vote

was decided by a party-line vote, because the management of these programs should not and is not a partisan matter. They were decided, I think, on their merits. Members had to consider carefully what was being said because they couldn't come down and vote a straight party line, and that is the way, in my view, that the Senate ought to work.

It worked that way because of the cooperation and thoughtfulness of Senator BYRD. I appreciated that. We ended up with a number of troubles and veto over a matter which neither of us had any control. This year, I believe that we have a bill, even if there are a few amendments on it, that has an outstanding chance of being approved by the President of the United States, particularly if we are able to retain the extra $500 million in allocations that was given to us in conference with the House. I believe we will be able to retain that. I think we are able to do a good job, and if we are a complete success this year, the credit will be largely due to my friend and colleague, Senator BYRD.

With that, I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I am pleased to speak in support of the fiscal year 1997 Interior appropriations bill. This bill was reported out by the Appropriations Committee on July 16, so there has been ample time for Senators to review its contents. I hope that the Senate will be able to move expeditiously in its consideration of this bill. The start of the new fiscal year will be upon us before long, and there are enough differences between this bill and the House version that the sooner we can get to conference, the better our chances of resolving these differences will be.

Again this year, it has been a privilege for me to work with Senator GORTON in the development of this appropriations bill. He is a very able chairman—I have said on more than one occasion that he is more knowledgeable about the details of this bill than was his predecessor. The Interior bill is a complex bill—it provides funding for 40 different Federal agencies, ranging from the national parks, to Indian hospitals, to the Smithsonian Institution, to energy research and development. The reach of this bill is vast—there are 368 national park units, 121 national forests, over 500 national wildlife refuges, 438 Indian hospitals and clinics, 16 Smithsonian museums, 185 Indian schools, and countless other facilities where the research and technology development supported by this bill occurs.

Because of the extent to which the programs under the subcommittee's jurisdiction touch so many Americans, this is a bill in which many Senators are very interested. Again this year, the subcommittee received numerous requests for attention to particular items of concern to Senators, despite limited, and increasingly limited, funding resources. I believe that the chairman has done an excellent job in putting the pieces of this bill together. He has been very fair in his approach. His task in developing this bill was made easier by the much better allocation provided by the full committee chairman, Senator HATFIELD. The Senate version of this bill has $500 million more in budget authority and $400 million more in outlays than its House counterpart. These resources still leave the subcommittee essentially at a freeze level, so adjustments have been made internally to address the highest priority programs in the bill.

I urge the administration to take a close look at the distribution of the resources provided by the Senate. Additional funds above the House are provided in important areas such as fire protection, national parks, land acquisition, Indian programs, energy efficiency, and Smithsonian activities. If the Interior bill were to be vetoed and the various individual accounts to be held to the fiscal year 1996 level, it would have far greater consequences than the language concerns or than not to providing additional funding for the areas identified by the administration. For example, under a freeze at the 1996 level, firefighting would receive $414 million below this bill's recommendations; park operations would be at a level $74 million below the Senate recommendation; endangered species programs would be $10 million below the committee recommendation; tribal priority allocations in the Bureau of Indian Affairs would be $22 million less; energy efficiency research and development would be $33 million less; and administrative functions, particularly the Interior Departmental management account, would be lower.

I will not delve further into the details of the appropriations bill. The chairman has summarized sufficiently the various programs and activities contained in this year's bill. The bill contains a good balance among the various programs—our national parks, basic human services for native Americans, minerals and science, energy research and development, the public lands and wildlife resources, our national forests, and the cultural institutions that draw so many visitors to our Nation's capital each year.

About $1 billion of the funding recommended in this bill falls within the jurisdiction of the Department of Energy. Because of the considerable importance of several Department of Energy programs to my State, particularly fossil energy and clean coal technology, I have met with Secretary O'Leary to discuss various issues. And I have found her always—I have met with her on several occasions over the years. I have always found her to be responsive and forthright in her stewardship of the Department of Energy. She faces an enormous task—not just on all matters related to energy policy, but also in managing the vast complex of the Department of Energy's weapons activities. Secretary O'Leary has been steadfast in her efforts to show real progress in downsizing and streamlining the Department of Energy. Consequently, she has achieved real reductions in the size of the DOE workforce as well as managed DOE's declining budget in a fair and effective manner. She deserves to be commended for these actions. And I commend her actions, for her steadfast support and dedication.

Lastly, Mr. President, I extend a word of appreciation to the staff that have assisted the chairman and me in our work on this bill. They work as a team, and they serve both of us, as well as all Senators, in a very effective and dedicated manner. And I receive many compliments from other Senators concerning our staff. On the majority side, the staff members are Cherie Cooper, Kathleen Wheeler, Bruce Evans, Ginny James, and Dave Gilbert. On my own staff, Sue Masica and Carole Geagley handle the Interior bill.

This is a good bill, upon which I hope the Senate will be able to complete action in a timely manner.

So, Mr. President, for now I shall yield the floor. Again, I congratulate and thank my chairman of the subcommittee, Senator GORTON, and all members of the subcommittee on both sides of the aisle. I thank you, Mr. President.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER (Mr. COVERDELL). The chairman of the subcommittee is recognized, the Senator from Washington.

Mr. GORTON. I hope that very soon we will be able to treat, en bloc, as many as 25 technical and noncontroversial amendments. The Members and the staff are reviewing those amendments at this point, as are one or two other Members who are interested in them. I will suggest the absence of a quorum, but it is simply for that purpose. I will be back soon and get it started with a large number of noncontroversial amendments in this bill.

I also, for the purposes of Members and offices that are listening to this debate, solicit the presence on the floor of any Member who has an amendment that he or she would like to present. There are, in addition to these en bloc amendments, a number that I am sure we will be able to agree to, some that will be debated. But the sooner we start those debates, the sooner we will finish. And I trust that between now and noon, when we move on to another subject, that we will hear from some of our Members. With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I ask unanimous consent David Gilbert, a detailee from the Department of the Interior to the Interior Subcommittee, be granted floor privileges today, September 13, during consideration of this bill and on such successive days as we shall consider this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 5318 THROUGH 5342, EN BLOC

Mr. GORTON. Mr. President, I send a group of amendments to the desk and ask they be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator?

Mr. BYRD. Let the clerk read first, and then we will determine if there is an objection.

Mr. GORTON. Mr. President, I will explain each of these amendments briefly, and, if further discussion is desired, we will separate it out.

This first amendment is proposed on behalf of Senator CHAFEE as the chairman of the Committee on Environment and Public Works. We have, as I pointed out during my opening remarks, added to and expanded the authority of our various land management agencies to charge entrance fees and to use those entrance fees in large measure for the improvement of the facilities at which they are collected.

Senator CHAFEE and his committee have a slight modification in that connection with respect to some of those facilities. We have viewed it. It is the opinion of his committee it is included for that reason.

The second amendment is proposed on behalf of the two Senators from Idaho. It will move $100,000 of an appropriation from the Running Creek Ranch land acquisition project to the National Forest Service appropriation for ''jammer,'' an old logging road inventory in Idaho.

The third, proposed by the Senator from Ohio [Mr. DEWINE], would add one additional county to an existing moratorium on land acquisitions for the Wayne National Forest in the State of Ohio.

The next, on behalf of the Senator from North Carolina [Mr. FAIRCLOTH] removes approximately 100 acres from a 9,000-acre Snowbird Wilderness Study Area.

The fourth, for myself, moves $308,000 from Forest Service construction for the Mt. Baker-Snoqualmie flood project to Lake Chelan National Recreation Area for the repair of the Company Creek Road.

The fifth, on my behalf, advises the Elwha language in the bill to specify that any agreement with the State of Washington shall provide protection of the existing quality and availability of water.

The next, for myself and for Senator BYRD relating to the Bureau of Indian Affairs, adds language capping welfare assistance similar to that that is in the present 1996 bill.

Next, for myself and for Senator BYRD on the National Park Service, is a technical correction that specified $300 million is available for research, planning, and interagency coordination in support of land acquisition in the Everglades in Florida. This is an agreement that was made during the full committee consideration of the bill.

The next, for myself and Senator BYRD on the Forest Service, is literally a technical correction where we made a mistake and where language should read ''50 percent.''

The next, for myself on the National Park Service, allows a reimbursement of some $270,000 by the National Park Service to the State of Washington for fish restoration activities.

The next, for myself and Senator BYRD relating to Bureau of Mines, is to extend the facilities transfer authority provided in the 1996 appropriations bill.

The next, for myself and Senator BYRD for the Forest Service, is a surprise, Mr. President. It will rename the Columbia Wilderness Area in Oregon, the Mark O. Hatfield Wilderness. The Columbia Wilderness Area is some 39,000 acres and was established in the 1984 Wilderness Act that Senator HATFIELD sponsored. This small wilderness area overlooks and borders the Columbia River Gorge on the Oregon side, though it is not a part of the formal gorge area itself. The wilderness also overlooks the Bonneville Dam and the Oxbow salmon fish hatchery and is in the shadow of Mount Hood. Each addition to wilderness areas in the State of Washington has been sponsored by Senator HATFIELD. This one is near the northern edge of the Bull Run Reservoir near the wild and scenic Hood River.

Mr. President, this amendment is produced without the knowledge, at this point, of Senator HATFIELD, but it is a particularly appropriate time. He is absent today, holding what I suspect will be his final hearing as a Senator in the Columbia Gorge which he greatly loves and which his State, of course, shares with my own. And so we feel that a renaming of this wilderness area in his honor and in honor of his long, extraordinary and distinguished service in the U.S. Senate is a most appropriate amendment.

The next amendment, again, on behalf of myself and Senator BYRD, is language relating to the National Park Foundation, allowing money that it collects to be used to rehabilitate visitor centers.

The next is on my behalf, and it removes the Mt. Graham red squirrel provision from the bill. This provision was included in the 1996 appropriations bill and was highly controversial. At one time, it was the subject of a veto threat on the part of President Clinton. Mt. Graham is in Arizona. It is the location of a number of astronomical observatories. The creation of the last of those has been bitterly contested in Arizona over a number of years. The Arizona congressional delegation wanted to allow the completion of the last telescope. As much of the aid from other nations that was available to it was going to be lost if the project was not begun soon. Ultimately, we did include the provision in the bill that was signed by the President. Since then, there was a court decision won, after a long series of decisions, that has validated the construction. So the provision is no longer necessary and can be stricken from the bill.

The next is for myself and Senator BYRD for the Fish and Wildlife Services, which clarifies the California NCCP earmark funding will be provided to local governments.

The next two are both by Senator HATFIELD and, ironically, are naming provisions that he has asked for for other people. The first is renaming of Bend, OR, silviculture laboratory to be the Robert W. Chandler lab; and the second is renaming a BLM facility for Frank Smullin in Rand, OR.

The next amendment is for Senator HUTCHISON of Texas, Fish and Wildlife Service and Forest Service. It transfers $250,000 from the Rio Grande National Wildlife Reserve land acquisition to the Lake McClellan Recreation Area for dredging.

Next is for the Senator from Louisiana, [Mr. JOHNSTON] who is retiring. It is, to me, interesting that it is renaming of the Jean Lafitte Visitors Center to be named the Laura C. Hudson Visitor Center. Jean Lafitte, if my memory serves me, is long dead. I suspect the new person after whom it is named is more recent than any of that desired by the Louisiana Senators.

The next is for Senators MURKOWSKI, BURNS, and CRAIG, asking for a status report of timber sales under the salvage provision of the 1995 rescissions bill.

Next is for the two Alaska Senators modifying an Alaska subsistence moratorium, included in the 1996 legislation.

Next for the Senator from Oklahoma [Mr. NICKLES] for the Indian Health Services, which allows use of the Choctaw Nation funds for construction of a Talihina hospital.

Next is by the two Senators from Virginia, which transfers $1 million from the Back Bay National Wildlife Refuge land acquisition to the Rappahannock National Wildlife Refuge land acquisition.

Next is by the Senator from Maryland [Mr. SARBANES] with respect to the Office of Surface Mining, which allows the State of Maryland to spend more than 10 percent of its State grants for acid mine drainage projects.

The final one is for the Senator from Alaska [Mr. STEVENS], for the Bureau of Land Management. It transfers $250,000 from the Alaska cadastral survey to preparation of environmental impact statement for resumption of an oil leasing program in the National Petroleum Reserve.

That is an outline. I believe these amendments have all been cleared, but I will defer to the Senator from West Virginia.

Mr. BYRD. Mr. President, all of the amendments have been cleared on this side of the aisle. Having heard the amendments read and explained, I, therefore, have no objection to the request that they be considered and agreed to en bloc.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. GORTON] proposes amendments numbered 5318 through 5342, en bloc.

Mr. GORTON. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (No. 5318 through 5342), en bloc, are as follows:

AMENDMENT NO. 5318

(Purpose: To provide that a portion of the admission and user fees collected by the United States Fish and Wildlife Service under the recreational fee demonstration program shall be available to the Secretary of the Interior until expended to be used in accordance with certain priorities specified in the Emergency Wetlands Resources Act of 1986)

Beginning on page 15, strike line 23 and all that follows through page 16, line 11, and insert the following: ''section 101(c) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 is amended in section 315(c)(1)(E) (110 Stat. 1321–201; 16 U.S.C. 460*l*–6a note) by striking 'distributed in accordance with section 201(c) of the Emergency Wetlands Resources Act' and inserting 'available to the Secretary of the Interior until expended to be used in accordance with clauses (i), (ii), and (iii) of section 201(c)(A) of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911(c)(A)).'.''

AMENDMENT NO. 5319

On page 62 of the Act, line 18, strike ''$1,285,881,000'', and insert ''$1,285,981,000''.

On page 65 of the Act, line 19, strike ''39,660,000'', and insert ''$39,560,000''.

AMENDMENT NO. 5320

(Purpose: Expands the moratorium on land acquisition for the Wayne National Forest in Ohio to include Gallia County. Currently, the moratorium includes the counties of Lawrence, Monroe, or Washington, Ohio)

On page 103, line 12:

After ''counties of' insert ''Gallia,''.

AMENDMENT NO. 5321

(Purpose: To remove a parcel of land from the Snowbird Wilderness Study area in North Carolina so that a road can be repaired)

At the appropriate place in title III, insert the following:

SEC. 3 . SNOWBIRD WILDERNESS STUDY AREA.

(a) IN GENERAL.—Section 6(a)(4) of the North Carolina Wilderness Act of 1984 (Public Law 98–324) is amended—

(1) by striking ''eight thousand four hundred and ninety acres'' and inserting ''8,390 acres''; and

(2) by striking ''July 1983'' and inserting ''July 1996''.

(b) MANAGEMENT.—The Secretary of Agriculture shall manage the area removed from wilderness study status by the amendments made by subsection (a) in accordance with the provisions of law applicable to adjacent areas outside the wilderness study area.

AMENDMENT NO. 5322

(Purpose: To move $308,000 in construction funds from a Mt. Baker Snoqualimie National Forest project to a Lake Chelan National Recreation Area (Company Creek road repair) project. Both projects are in the State of Washington)

On page 17, line 25, strike ''$165,418,000'' and insert ''$165,726,000''.

On page 64, line 21, strike ''$172,167,000'' and insert ''$171,859,000''.

AMENDMENT NO. 5323

On page 49, line 19, strike Sec. 115 and insert the following:

SEC. 115. Public Law 102–495 is amended by adding the following new section:

''SEC. 10. Washington State Removal Option.

''(a) Upon appropriation of $29,500,000 for the Federal Government to acquire the projects in Washington State pursuant to this Act, the State of Washington may, upon the submission to Congress of a binding agreement to remove the projects within a reasonable period of time, purchase the projects from the Federal Government for $2. Such a binding agreement shall provide protection of the existing quality and availability of water from the Elwha River for municipal and industrial uses from possible adverse impacts of dam removal.

''(b) Upon receipt of the payment pursuant to subsection (a), the Federal Government shall relinquish ownership and title of the projects to the State of Washington.

''(c) Upon the purchase of the projects by the State of Washington, section 3(a), (c) and (d), and Sections 4, 7, and 9 of Public Law 102–495 are hereby repealed, and the remaining sections renumbered accordingly.''.

AMENDMENT NO. 5324

(Purpose: Specifies the amount of funds available for welfare assistance payments in bill language consistent with language contained in the FY 1996 Interior Appropriations bill)

On page 29, line 8, after the word ''exceed'' insert:

''$86,520,000 shall be for welfare assistance payments and not to exceed''.

AMENDMENT NO. 5325

(Purpose: Technical correction to specify $3 million is available for Everglades research, planning, and interagency coordination in support of land acquisition)

On page 16, line 25, strike ''$4,000,000'' and insert ''$3,000,000''.

AMENDMENT NO. 5326

(Purpose: Technical correction to correct per centum error in the National Forest System appropriation)

On page 62, line 20, after the word ''including'' delete the linetype and delete ''60''.

AMENDMENT NO. 5327

(Purpose: Allows the National Park Service to reimburse the State of Washington for fish restoration activities)

On page 17, line 25, after ''expended'' insert the following: '', of which $270,000 shall be used for appropriate fish restoration projects not related to dam removal including reimbursement of the State of Washington for emergency actions taken to protect the 196 run of fall chinook salmon on the Elwha River''.

AMENDMENT NO. 5328

(Purpose: To extend authority for the transfer of certain Bureau of Mines facilities)

After line 13 on page 61 of the bill, insert the following:

SEC. . The second proviso under the heading ''Bureau of Mines, Administrative Provisions'' of Public Law 104–134 is amended by inserting after the word ''authorized'' the word ''hereafter''.

AMENDMENT NO. 5329

On page 118, after line 9, insert the following:

SEC. . The Columbia Wilderness, created by the Oregon Wilderness Act of 1984, Public Law 98–328, located in the Mt. Hood National Forest, Oregon, shall be known and designated as the ''Mark O. Hatfield Wilderness''.

Any references in a law, map, regulation, document, paper, or other record of the United States to the Columbia Wilderness shall be deemed to be a reference to the ''Mark O. Hatfield Wilderness.''

AMENDMENT NO. 5330

(Purpose: This bill language would allow the National Park Foundation to expend remaining balances and accrued interest from funds granted to it by the National Park Service in Fiscal Years 1984 and 1985 pursuant to the National Park System Visitor Facilities Fund Act of 1983 (P.L. 97–433, 96 Stat. 2277). That Act provided for the expenditure of funds by the Foundation to improve the quality of visitor facilities in the park system nation-wide)

On page 20, after line 22, insert the following new paragraph:

Notwithstanding any other provision of law, remaining balances, including interest, from funds granted to the National Park Foundation pursuant to the National Park System Visitor Facilities Fund Act of 1983 (P.L. 97–433, 96 Stat. 2277) shall be available to the National Park Foundation for expenditure in units of the National Park System for the purpose of improving visitor facilities.

AMENDMENT NO. 5331

(Purpose: Strikes the provision deeming approval of a telescope site on Mt. Graham consistent with the Arizona-Idaho Conservation Act)

On page 104, line 9, strike line 1 and all that follows through page 104, line 14.

AMENDMENT NO. 5332

(Purpose: To clarify the amount of funds provided to the U.S. Fish and Wildlife Service for the Natural Communities Conservation Plan)

On page 11, line 2, strike all after ''Act,'' through ''until expended'' on line 8 and insert the following: and of which $2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program

AMENDMENT NO. 5333

(Purpose: Naming of PNW Station Silviculture Lab in Bend, Oregon for Robert W. Chandler)

On page 74, line 9, insert the following: ''The Pacific Northwest Research Station

Silviculture Lab in Bend, Oregon is hereby named the Robert W. Chandler Building. The dedication provides commemorative recognition to Robert W. Chandler, editor of the Bend Bulletin newspaper, longtime community servant and advocate for sound silvicultural practices in Central and Eastern Oregon.''

AMENDMENT NO. 5334

On page 9, line 22, insert the following:

''The Bureau of Land Management's Visitors Center in Rand, Oregon is hereby named the William B. Smullin Visitor Center. The dedication provides commemorative recognition to William B. Smullin, founder of California Oregon Broadcasting, Incorporated, who brought broadcasting to Northern California and Southern Oregon.''

AMENDMENT NO. 5335

(Purpose: To move $250,000 from the Fish and Wildlife Service's Lower Rio Grande National Wildlife Refuge land acquisition project to the Forest Service's Lake McClellan dredging project. Both projects are in the State of Texas)

On page 12, line 12, strike ''$50,802,000'' and insert ''$50,552,000''.

On page 62, line 18, strike ''$1,285,881,000'' and insert ''1,286,131,000.''

AMENDMENT NO. 5336

On page 61, after line 13, insert the following new section:

Sec. 1 . Visitor Center Designation at Jean Lafitte National Historical Park.

(a) The visitor center at Jean Lafitte National Historical Park, located at 418 Rue Decatur in New Orleans, Louisiana is hereby designated as the ''Laura C. Hudson Visitor Center''.

(b) Any reference in law, regulation, paper, record, map, or any other document in the United States to the visitor center referred to in subsection (a) shall be deemed to be a reference to the ''Laura C. Hudson Visitor Center''.

AMENDMENT NO. 5337

On page 74, after line 8, insert the following new paragraph:

The Secretary of Agriculture shall by March 31, 1997 report to the Committees on Appropriations of the House of Representatives and the Senate on the status and disposition of all salvage timber sales started under the authority of Section 2001 of PL 104–121 and subsequently withdrawn or delayed and completed under different authorities as a consequence of the July 2, 1996 Directive on the implementation of Section 2001 issued by the Secretary.

AMENDMENT NO. 5338

(Purpose: To protect State's management of fish and game resources in Alaska)

On page 104, Strike all in lines 15 thru 23 and insert in lieu thereof;

Sec. 318 ''None of the funds available to the Department of the Interior or the Department of Agriculture by this or any other Act may be used to prepare, promulgate, implement, or enforce any rule or regulation pursuant to Title VIII of the Alaska National Interest Lands Conservation Act to assert jurisdiction, management, or control over any waters (other than non-navigable waters on federal lands), non-federal lands, or lands selected by, but not conveyed to, the State of Alaska pursuant to the Submerged Lands Act of 1953 or the Alaska Statehood Act, or an Alaska Native Corporation pursuant to the Alaska Native Claims Settlement Act.''

AMENDMENT NO. 5339

(Purpose: To provide for the use of certain funds for the construction of a health care facility by the Choctaw Nation of Oklahoma)

: *Provided further*, That funds made available to the Choctaw Nation of Oklahoma in this Act, including Indian Self-Determination Act compact ''tribal shares,'' medicaid/medicare collections and carry-over funds may be used to support construction of a facility to replace the Talihina Indian Hospital so long as the current level of health care services is not diminished

Mr. NICKLES. Mr. President, the Talihina, OK hospital is sixth on the IHS health facility list for replacement of inpatient facilities. The Choctaw Nation proposes to replace the existing Talihina Indian Hospital with a community facility to serve both Indian and non-Indian people and has developed a financing plan for the design and construction of the replacement facility. Design and construction of this facility will be consistent with the approved IHS Program Justification Document [PJD]. The Choctaw Nation proposes to utilize various funding sources, including Tribal Funds, Medicaid and Medicare collections, carryover funds and IHS Area and Headquarters tribal shares to support this project for a community based hospital. The managers have agreed that IHS funds may be used only for the Indian user portion of the projected patient workload. I understand the managers have no objection to the use of these Federal funds so long as it does not diminish the current level of health care services. IHS will work with the Choctaw Nation in the implementation of this project and identify and reach an agreement of future resources and responsibilities related to staffing, equipping and operating the newly constructed facility. These operational needs will be considered in the context of current budget constraints, project placement on the facility priority list and future funding of facilities on the facilities priority list. I understand the IHS and the Choctaw Nation will report back to Congress on the progress of this project.

AMENDMENT NO. 5340

(Purpose: To provide $1,000,000 for land acquisition at Rappahannock National Wildlife Refuge in Virginia)

On Page 12, line 23 after ''Kentucky,'' add ''and of which $1,500,000 shall be for acquisition at Back Bay National Wildlife Refuge and of which $1,000,000 shall be for acquisition at Rappahannock National Wildlife Refuge.''

AMENDMENT NO. 5341

(Purpose: To authorize the State of Maryland to set aside a portion of amounts made available under the Surface Mining Control and Reclamation Act of 1977 for use in undertaking acid mine drainage abatement and treatment projects)

On page 27, line 21, before the period, insert the following: '': *Provided further*, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231 et seq.) if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects''.

AMENDMENT NO. 5342

On page 4, line 3, after ''expended'' insert the following: ''; *Provided further*, That $250,000 of the funds available to the Bureau of Land Management for the Alaska conveyance shall be available for activities preparatory to resumption of leasing of oil and gas in the National Petroleum Reserve in Alaska pursuant to Public Law 96–514''.

The PRESIDING OFFICER. Without objection, amendments 5318 through 5342 are agreed to en bloc.

The amendments (Nos. 5318 through 5342), en bloc, were agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, with the consent of Senator BYRD, I would like the RECORD to include the fact that there is a printing error in the bill that should be corrected, and I am told I can correct it simply by reading it here.

On page 19 of the bill, line 5, starting with the word ''that'' through line 7 ending with the word ''authorization,'' the text should be in italic since this was text that was added by the Senate to the House-passed version of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS TO COMMITTEE REPORT

Mr. GORTON. Second, Mr. President, I send to the desk an agreed-on series of amendments not to the bill but to the committee report, and I ask unanimous consent the committee report be amended in the way I have submitted it and the amendments be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

On page 16 of the Committee report under U.S. Fish and Wildlife Service, Habitat Conservation, the increase of $500,000 provided for the Jobs in the Woods program was intended to be from the FY 1996 level, not from the level in the FY 1997 budget request.

On page 17 of the Committee report, funds earmarked for cooperative marine mammals programs are provided pursuant to section 119 of the Marine Mammal Protection Act, not section 199.

In the Construction table for the U.S. Fish and Wildlife Service on page 20 of the Committee report, the amounts provided for the

Southwest Fisheries Technology Center are transposed. The Senate bill actually provides $961,000 for the Dexter hatchery and $2,705,000 for the Mora hatchery.

On page 41, the amount for the Committee recommendations for the Operation of Indian Programs should be $1,413,606,000, consistent with the amount shown in the table on page 43, instead of $1,418,606,000 as printed in the report. The corrected funding level represents a decrease of $165,817,000 below the budget estimate, an increase of $31,983,000 above the House allowance, and $29,172,000 above the fiscal year 1996 level instead of the amounts printed in the report.

On page 43, the amount listed for the Committee recommendation in the text should be $511,266,000, consistent with the amount in the table on page 42, instead of $521,966,000 as printed in the report. The corrected funding level represents an increase of $17,769,000 above the fiscal year 1996 funding level and $8,208,000 above the House allowance.

On page 56, the Senate bill referenced on the last line of the paragraph should be Senate bill 1425 instead of 1475 as listed in the report.

The Senate bill does not include the $3.5 million increase requested by the Indian Health Service to fund the cost of new and expanded tribes. However, it is not the intent of the Committee to deny such tribes access to contract health care within the funds provided. The Committee has not provided any funds for new or expanded tribes beyond those which are explicitly identified in the budget request. To the extent additional tribes are recognized or expanded during the fiscal year, funding for such tribal populations will be addressed in the context of the FY 1998 appropriations bill.

On page 66 of the Committee report, on the fourth line of the paragraph discussing the Small Business Administration timber sale set-aside program, after the words ''appeals process'' insert '', within 36 CFR Part 251, Subpart C,''.

Mr. GORTON. Mr. President, on another subject, Washington State is not unlike many other Western States in that a significant portion of its land is in public ownership. In many cases, the ownership is Federal, State, and private in the form of a checkerboard pattern across wide areas of the State.

Because of this checkerboard land ownership in Washington State, land exchanges are quickly becoming an efficient way for landowners to do business with the Federal Government. There are several such exchanges to block up land in the works in the State of Washington. One such land exchange was announced on July 27 in Seattle by Agriculture Secretary Glickman. Secretary Glickman announced an agreement between the Forest Service and the Plum Creek Timber Co. to complete a major land exchange in the Wenatchee National Forest within 2 years.

Last year, the Senate included $350,000 in its fiscal year 1996 Interior appropriations bill to facilitate this exchange. I support the exchange strongly and am glad that the Secretary has made it a high priority. The committee did not include specific funding for the exchange in this year's appropriation bill in large part because the Forest Service has stated its preference that its management accounts not be earmarked. As chairman of the committee I have met the agency's request while understanding that the necessary funds will be made available in fiscal year 1997 to work on this important land exchange.

The Senate report accompanying the fiscal year 1997 Interior bill includes the following report language:

The committee encourages the use of land exchanges as a way in which to protect important recreational and environmentally significant lands in lieu of direct acquisition by the Federal Government. The committee believes that land exchanges represent a more cost effective way in which to do business and encourages the Forest Service to give priority to those exchanges either nearing completion or where land management decisions are made particularly difficult due to a checkerboard pattern of ownership.

The Plum Creek land exchange should continue to be a priority for the agency along with other exchanges that are nearing completion.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall have been considered to have been waived by agreeing to this request, and that the following committee amendments be excepted from this en bloc request:

Page 46, line 24 through page 47, line 4; page 25, line 4 through line 10; page 63, line 22 through page 64, line 18; page 89, line 7; and those portions of the committee amendments on page 49, line 19 through page 50, line 8; page 51, line 3 through page 55, line 13; and page 56, line 14 through page 57, line 19.

This has been cleared by both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were considered and agreed to en bloc with the above noted exceptions.

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 5343

Mr. GORTON. Mr. President, I send an amendment to the desk for myself, Mr. HATFIELD and Mrs. MURRAY, and ask for its immediate consideration.

The PRESIDING OFFICER. The committee amendment will be set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for himself, Mr. HATFIELD, and Mrs. MURRAY, proposes an amendment numbered 5343.

Mr. GORTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate section in title III, insert the following new section:

SEC. . Notwithstanding any other provision of law, for fiscal year 1997 the Secretaries of Agriculture and Interior are authorized to limit competition for watershed restoration project contracts as part of the ''Jobs in the Woods'' component of the President's Forest Plan for the Pacific Northwest to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, and northern California that have been affected by reduced timber harvesting on Federal lands.

Mr. GORTON. Mr. President, this amendment was requested by the Forest Service and is supported by Senator HATFIELD and Senator MURRAY in addition to myself.

The amendment would enable the Forest Service to limit the advertisement of contracts for watershed restoration projects in historically timber-dependent communities in the States of Washington, Oregon, and northern California. The funding for this restoration work comes from the ''Jobs in the Woods'' Program created by the President's Pacific Northwest forest plan.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 5343) was agreed to.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

GLACIER NATIONAL PARK

Mr. BAUCUS. Mr. President, at the appropriate time I will send an amendment to the desk. This amendment deals with the Park Services management of Glacier National Park in the State of Montana. As you might know, Mr. President, the Park Service is beginning a new general management plan for Glacier Park. It will be a blueprint for the next 20 years.

I must say, that we in Montana are quite concerned about this blueprint. I ask that everybody watching take note of what is going on here and to come and visit us in Montana, particularly at Glacier Park. Glacier has some of the most stunning real estate in the world. The Going to the Sun Highway, mountain goats scaling the rocks, Grinnell Glacier and Iceberg Lake, which is just a small sample of what we have in Glacier. It is truly a national heritage, one that we must preserve forever. So on its face, Mr. President, an updated management plan seems like a pretty good idea. After all, we want to protect Glacier in the long term. It does not make much sense not to protect a resource as precious as this.

Full campgrounds, crowded roads, aging infrastructure, and many other challenges face the Park Service today. Because Glacier has been discovered, people are coming to visit Glacier, as well they should. It is so magnificent. So we do need a management plan that does meet these challenges and preserves the quality of Glacier National Park.

But so far, the National Park Service, it seems, is doing a better job at scaring people, at frightening people, particularly those who use Glacier, than in making citizens full partners in the plan which protects the park for future generations.

The Daily Interlake, a Kalispell newspaper, editorialized:

> The Park Service has come up with a document that by accident or design manages to offend just about everyone one way or another.

I might say, that is an understatement. Most people I talk to are, if not outraged, quite upset. And given the conversations I have had with them, and others who have visited Glacier Park over the last couple weeks, I can tell you that something has to be done.

For decades visitors have had a truly first-class experience when they visit Glacier. Radical changes could make these experiences a thing of the past.

I want to believe that the Park Service has merely had a clumsy beginning, a clumsy start, which will soon lead to a very productive process that reflects public sentiment concerning proper Glacier management. But up to now, the Park Service has done very little to reassure Montanans about where they are heading.

I think we need an insurance plan, an insurance policy, something that guarantees that the new management plan will not go haywire. So my amendment provides that protection. It allows the Park Service to go ahead, but it requires them to submit the final Glacier general management plan to the Senate Energy Committee and the House Resources Committee. These committees will then have 90 days to review the plan before it goes into effect. That, I think, will guarantee public input and a final management plan that preserves the Glacier Park experience.

This amendment is a final line of defense against illogical or unresponsive decisionmaking by the National Park Service, not that I expect them to be unresponsive or illogical, but I think it is important to have an insurance plan. I think this amendment will help make that happen.

BEARTOOTH HIGHWAY

Mr. President, on another matter, I will also offer an amendment to ensure the proper management of one of the most spectacular highways in the United States, that is called the Beartooth Highway. Highway 212, better known as the Beartooth Highway, begins just outside Red Lodge, MT. It climbs a mountain to Line Creek Plateau looking out over the Absaroka-Beartooth wilderness area of Wyoming and Montana. It then proceeds on to Cooke City and the northeastern entrance of Yellowstone National Park. It is truly magnificent. Anyone who has ever taken a vacation in that part of our country, put it on your calendar, the possibility of driving the Beartooth Highway. I guarantee you will not regret it.

It is named for a spectacular rock spire, capping a mountain ridge, carved by ancient glaciers into the shape of a bear's canine tooth. That is why it is called Beartooth. When traveling up Beartooth Highway, travelers often see wildlife from moose to the bighorn sheep, black bear, and golden eagle. High meadows in the spring are covered with alpine wildflowers, while snowdrifts often last all summer long. It is magnificent.

Travelers driving the Beartooth Highway see some of the most unusual and spectacular scenery in our country. And maybe that is why Americans have treasured this region—according to archaeological evidence—for the past 12,000 years. That is about as long as human beings have lived on our continent.

Since the Beartooth Highway was built in the 1930's, the National Park Service has kept it plowed to make sure it is open for tourism by Memorial Day weekend. This has guaranteed access for Americans who want to appreciate this part of our heritage. And it has helped to ensure prosperity for towns along the road, in places like Red Lodge, Cooke City, Silver Gate.

But this year the Park Service did not open the highway on Memorial Day. It did not plow the road on time. And small businesses in the gateway communities—already reeling from the Congress' blundering decision to shutdown the Government at the height of the winter tourist season—felt the impact. To make matters worse, these towns can expect the same thing to happen in the future. Because soon after Memorial Day, the Superintendent of Yellowstone announced that after 1997, the Park Service will no longer make sure the Beartooth Highway is open at the start of the tourist season.

The Superintendent's reason for this policy change stems from the budget squeeze that Yellowstone is feeling. That is not a frivolous decision, and I am sympathetic to the challenges the Park Service faces in managing Yellowstone. But walking away from responsibility to Beartooth Highway and these gateway communities is not acceptable.

Rather, I believe we have to find a solution now. And I think it is clear. The responsibility for the Beartooth Highway rests jointly on the Park Service and on the Forest Service. Visitors use this road to get both to Yellowstone and the Absaroka-Beartooth Wilderness Area. The former, of course, is managed by the Park Service and the latter by the Forest Service. So both agencies should share equally in the cost of opening the Beartooth Highway.

My amendment requires the Park Service and the Forest Service to enter into a memorandum of understanding by April 1, 1997, to split the cost of opening the Beartooth Highway between the two agencies. It also requires these agencies to make sure that the Beartooth Highway is open to traffic by Memorial Day each year.

I think this is fair. It is a good, common sense solution. It will help ease the Park Service's concerns over funding. It will make sure Americans can drive this highway in the spring. And it will make sure small businesses in Red Lodge, Cooke City, and others, who depend on the Beartooth Highway opening at the beginning of the tourist season, can look to the future with confidence.

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR MORNING BUSINESS

Mr. GORTON. Mr. President, I ask unanimous consent that at the hour of 11:30 a.m., there be a period for morning business with Senators permitted to speak for up to 5 minutes each, with the following times designated as follows: Senator THOMAS in control of the time from 11:30 until noon, Senator DASCHLE or his designee from noon to 1, Senator COVERDELL or his designee from 1 to 2.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TERRORISM

Mr. GREGG. Mr. President, I want to raise the issue today of how we, as a nation, are continuing to address the question of terrorism.

Yesterday, the committee which I chair, the Subcommittee on State, Justice, Commerce, a subcommittee of the Appropriations Committee, had the

chance to hear from the Attorney General, Janet Reno, who is, I think, doing a very admirable and effective job as Attorney General, on what the policies are of the administration relative to the issue of addressing in a strategic way the threats of terrorist acts directed at Americans, not only in the United States but overseas.

Clearly, I think we now understand, America understands that this is our primary international threat to American lives and American interests. We may have instances going on in Iraq today which are significant. We may have wars going on in Bosnia which are significant. But as it relates to the threat to America, nothing right now is more significant than the threat of terrorist actions.

Coming out of the cold war, I think we, as a nation, decided to become a little more complacent. We felt we had gotten past one of the great hurdles of history: a confrontation between the Soviet Union and the United States, a confrontation which was always overlaying with the issue of nuclear annihilation and confrontation on a variety of fronts, but, most important, the possibility that mankind might end up in a nuclear war.

With the end of the cold war, there was a great sigh of relief, obviously, and appropriately so. We, as a nation, went back to looking after problems which are American problems and our perspective became one of looking at our internal issues.

But in the process, we couldn't step out of the world arena, and the fact is that the United States remains the single most influential nation in the world. As would be expected, because we maintain that position of influence, we obtain enemies and people use us as their foil and they use us as their rallying point as they try to gin up, or generate, their concerns and their own issues in other parts of the world.

We have, therefore, become targeted by large groups, a large number of groups, disparate in nature, as the opposition. Many of these groups are motivated for religious reasons, fanatical religious reasons. Many of them are motivated for reasons that they see themselves as oppressed and they see the capitalist marketplace approach that we take to the world as being an oppressive approach, which, of course, is wrong, but it is their attitude.

We view ourselves as a generous people, and we are a generous people and a people that has a history of not seeking any territorial gain, not using our military forces for the purposes of exploiting other nations.

We have been through two major world wars where we have been left as the most powerful nation on Earth and have not used that for any purposes of aggrandizement of the American situation, but have rather, in a most generous way, rebuilt our enemies and allowed them to proceed on a course which has improved the lifestyle of our enemies we confronted in past wars.

So it comes as a surprise to the American people that there are people out there, that there are interest groups out there, that there are actually even nations out there that view us as their enemy and wish to exercise against the American people horrific acts, acts that involve the killing of innocent individuals—children, people who have no involvement in the military.

Yet, that is the way it is in today's world, and we must be realistic about it, and we must acknowledge the fact that as we move into the next century, and certainly in the beginning of the next century, that our most significant threat to Americans is going to be generated by terrorist action. It is not only terrorist action which may involve a bomb placed on an airplane, it is terrorist action which could well go beyond that. It is terrorist action which could involve, of course, a threat of chemical activity, biological activity and, of course, even of nuclear activity.

So the issue for us as a Government must be: How do we reorient ourselves as a nation, which for years structured its defensive mechanisms for the purposes of confronting the Soviet Union, a definable threat, a threat which, although huge, massive and awesome, was at least able to be brought into focus because the Soviet Union was a definable entity, how do we shift from that sort of a threat to a threat which is so amorphous, to a threat which comes at us from so many different directions, and a threat which is so much more difficult to tie to rational thought, and respond to it in a rational way? That becomes the main issue for us as a nation relative to how we structure our defensive policies over the next few years.

So the hearing which we held yesterday was for the purposes of trying to get an idea as to how the White House and the administration is approaching this issue. The way that they appear to be approaching it is that they are going to put more money into certain agencies which have responsibilities for addressing questions of terrorist threat. They have sent up a supplemental package of spending which represents about $1.1 billion. They sent it up about a week ago. Many have asked whether or not the package was structured for political purposes or whether it was structured for substantive purposes. And that is probably a very legitimate question in the middle of a Presidential campaign, because the fact is that over a year ago the President set, theoretically set in place, an Executive order which should have led to the definition of the policy which would have then led to the commitment of resources.

It is ironic that it has taken a year for that policy to evolve to the point where money comes forward—or a proposal to spend money comes forward just a few weeks before an election, whereas, clearly, one would have presumed that if there was a need for more dollars to be spent, and you had a 1-year lead time, that you would have requested those additional dollars at the beginning of the appropriating process, which occurred back in March and April of this year.

But independent of that question of whether or not it was a primarily political motivation for bringing this forward at this time, there is a question of whether or not the request comes in the terms of a strategy or whether it comes in the terms of a haphazard response to the issue, to the threat of a terrorist action against the United States.

For the part of these dollars which are under the jurisdiction of the committee on which I serve, which is the State, Commerce and Justice Committee, of the $1.1 billion that the President requested, about $300 million of that comes under my committee's jurisdiction. Our committee, about 5 months ago, took a look at the way we were approaching terrorism and responding to terrorism, and decided we were not doing enough.

Our committee has jurisdiction over the FBI, over the State Department, over the DEA, over the INS, over a number of agencies which clearly have front-line responsibility on the issue of terrorism. So we set up a proposal which essentially outlined a number of basic approaches to how we could better address the issue of terrorism.

First, we asked that the White House give us a strategic plan by November 15. We picked November 15 because we did not want it to end up being a political plan. We wanted it to end up being a substantive plan. Thus, we pushed it past the election so that it would not end up in the political whirlwind that occurs before every Presidential election.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. It is absolutely critical that we get such a proposal.

Second, we felt that if we were going to adequately address the terrorist issue, we should do it in an orderly manner, that first we should address what the threats are. And that means we have to beef up a number of functions in the Federal agencies that have responsibilities, specifically the FBI area. We need to put more agents on-site on this issue. We need to also be improving our ability to respond to a chemical and biological attack.

In the international arena, we need to make sure that our personnel who are serving overseas are protected from attack, and, therefore, we need to significantly increase the security, physical security of people who are serving overseas, not only the people who are serving, but the physical security for their families, which is very important.

We should not be putting at risk either an individual who works for the Government or the family of that individual who has gone overseas to live with that individual.

Fourth, we addressed the interrelationship of the Federal agencies and the State agencies, because although this is a uniquely Federal role, the role of protecting this country against terrorist action, there are tremendous strengths which can be drawn by a coordinated policy of State agencies.

So we took all this together and had a package that I think was put together in a fairly thoughtful and concise way. We came up with a need for additional dollars, about $150 million. And we took money out of other accounts—other accounts—and moved them into the spending accounts which were necessary to pay for these additional resources to improve our efforts relative to terrorists.

Now the White House comes along, and they increase that number from $150 million to $300-plus million. There is some overlap here. We are not absolutely sure what the dollar difference is, but let us presume the dollar difference is over $100 million. Yet, in doing this, they have suggested no offsets; they have not suggested where we should take this money from. They said simply, let us put more money into this and that and more money into something else. That is not really a responsible way to do this.

To the extent more dollars are needed than the package which we put together, it should be paid for. We should recognize that the priority in protecting this country from terrorism is high enough so that those dollars that we are going to allocate to terrorism should represent a reallocation and should not just be used to aggravate the deficit. That is the first thing.

Second, if the White House's decision is to spend this additional money to expand those accounts, they have to do it in a coordinated way. This, I guess, is where I have my greatest concern.

I asked the Attorney General about this, and, of course, the Attorney General feels there is coordination. But as you look at what is going on, and how the different instances of terrorism that we have seen so far have occurred and how they have been reacted to, you sense maybe there is not as much coordination as there should be.

For example, has the President of the United States ever sat down with the Secretary of Defense, the Director of the CIA, the Attorney General, and the Secretary of State around the table, and said, ''What is our strategy on approaching international terrorism? How do we get about anticipating a terrorist act against the United States?''

We are very good, I believe, once a terrorist act has occurred, in reacting and investigating. And the FBI, I am absolutely confident, will reach the bottom as to what happened, find out what happened in the TWA situation and in the Atlanta situation and in the Saudi situation. But we should be ahead of that as much as possible, ahead of that curve. To be ahead of that curve, you simply have to have cooperation at the top, with the senior officials within the Government, and it has to be made a priority with the President. The President actually has to physically sit in that room for at least a few meetings and drive the process so that we get a substantive strategy, the purpose of which is to anticipate where the terrorist threat is coming from and be ready to take action prior to the incident occurring.

My sense is that although strides have been made in this area, and although there is a sincere effort on the part of all the major players, certainly in the Defense Department, the intelligence agency, the CIA, in the State Department, and at Justice, my sense still is that there is not an attitudinal approach which says, we intend to anticipate, we intend to coordinate, and we intend to have an effort which tries to strategically position ourselves to be ahead of the curve in the area of addressing the terrorist threat.

We should be approaching this with the same thought process that we used relative to the Soviet Union when we considered it to be a threat. When we saw the Soviet Union as a threat, basically the Defense Department spent an inordinate amount of time—not inordinate, an appropriate amount of time, a huge amount of time, dollars, resources and people on developing scenarios anticipating various events.

We do not have that type of structure. We do not have that type of dollar commitment or personnel commitment yet in the area of strategic planning. We have it in the area of reactive planning. It is improving. Just yesterday, the FBI asked that they be able to move 200 senior agents into the Terrorism Activist Unit, which is a very appropriate action to take, not putting green new agents into this area. We are putting our best into this area. That is a good decision by the Attorney General and the Director of the FBI. We are going to increase the terrorism functions within the FBI by 5 percent, so basically 10 percent of the FBI effort would be directed toward counterterrorism.

The fact is that we still do not have a strategic structure overlaying this. That strategic structure and how it gets overlayed and how the process gets evolved really has to come from the White House with the President. We are going to see, unfortunately, that the failure to have this type of a structure probably was one of the problems in Saudi Arabia. There will be a report coming out sometime next week that will point out that there was not adequate anticipation of the threat, even though there was knowledge of the threat, there was not adequate participation and anticipation of the threat, and that the senior officials within the Government simply did not react properly.

Why did they not act properly? I think probably because there was not a protocol in place because there had been no strategic planning put in place for how to get ahead of the curb. We still are taking the view that we wait until the act occurs rather than taking the view that we go on the offensive.

I recognize that the White House is trying hard in this area and the administration is trying hard. I greatly admire the efforts of the Attorney General in this area. I think the effort is incomplete. We have recognized but have not yet absorbed the nature of this, its significance to us, and the fact that we as a nation are going to have to use all our resources, all our creativity and our imagination in order to address it.

I yield the floor.

Mr. DORGAN. Mr. President, I ask unanimous consent to proceed as in morning business until the hour of 11:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, my understanding is at the hour of 11:30 there is, by previous consent, an opportunity for the Senator from Wyoming and others to make a presentation. I believe there is an opportunity following that for others of us to make presentations.

I wanted to introduce a piece of legislation and I will do that in just 5 minutes, but first I want to comment about the bill on the floor.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The Senate continued with the consideration of the bill.

Mr. DORGAN. Mr. President, I have the greatest respect for Senator BYRD, who is going to go down as one of the real greats in the U.S. Senate. I have great respect for the Senator from Washington, who is managing the bill on the floor. This is a bill in which there is a difficult job of reconciling almost unlimited wants with limited resources.

I want to mention one area, however, that we must address. It is not addressed here. It has not been addressed by the BIA, but we will have to address it here. It deals with the school called the Ojibwe School. That may not mean much to anybody in this body, but it is very important to those on the Turtle Mountain Indian Reservation.

The Ojibwe School is an education home for 400 students. These 400 students go to school on this Indian reservation in North Dakota in facilities that are fundamentally unsafe. If you go tour that school, you will see electrical wiring exposed, as I have seen; you will see students who have to go out in the middle of the winter into kind of an old, dilapidated trailer facility, one after another, stacked up in order to house the children and provide for their schooling.

This Ojibwe School should have been provided with a new school years and years ago. It was once on a priority list and somehow it got dropped off that list. There is a current priority list for construction, but the BIA cannot tell us how the priority list was arrived at, who is on it, or how it was constructed. This is a mess. One way or another this has to be addressed, because we cannot put 400 children in unsafe circumstances in this Ojibwe School. The BIA and our Congress has a responsibility.

I almost feel that we must think about having 400 children look at the people who walk in the door of the BIA or through the front doors of Congress every morning until we look in the eyes of those children and say, ''We owe you a decent school to attend.''

I must move on to another topic, but we will talk more about this later. I say this with the greatest respect to the people who are managing this bill. I say to the BIA, you must begin addressing these issues that deal with Indian children.

CRIME

Mr. DORGAN. In the next 3 or 4 minutes I will introduce a piece of legislation. It is late in the session, but I intend to push on this legislation in the next session of Congress, as well. It deals with crime.

One-third of all violent crimes in this country are committed by people who are under supervision. Under supervision means people on probation, parole, or pretrial release. One-third of all violent crimes are committed by people we know because they are already in our system. They are in jail and let out. In most cases, they are let out early. It does not take Dick Tracy to figure out who will commit the next crime. In most cases it is someone who has committed a previous crime.

Now, in the Federal system, which we control, we allow automatic good time for Federal prisoners. It is not supposed to be automatic because this Congress passed a piece of legislation, that I authored, that revoked automatic good time and said Federal prisoners will get good time only if the present system decides to bestow it upon them for exemplary behavior. The prison system interprets that differently and automatically gives every prisoner automatic good time off for good behavior. That is not what the Congress meant.

Now, I have a different idea. I think in the Federal system and also in the State and local system in the criminal justice system, we ought to have a system that says to people who commit violent crimes: ''If you commit a violent crime you are going to go to prison and you will spend your entire term or sentence in jail.'' No good time off for good behavior. No rewards for doing well in prison. If you commit a violent act you will go to jail and stay in jail until the end of your sentence.

We do not run the State and local criminal justice system, but we do run the Federal system. Let me give an example of one Federal prisoner named Martin Link. In 1982, Martin Link grabbed a 15-year-old girl in an alley in St. Louis, MO, sodomized her and tried to rape her. In 1983, he forced another young girl into his car, took her to East St. Louis and raped her. He was sentenced to 20 years in Federal prison, and was released in 6 years because of a combination of good time credits and parole. Soon afterward, he got a year's probation for soliciting sex from an undercover agent. The next year, in 1990, he stole a car, but he was still on the streets in 1991 when he murdered an 11-year-old girl named Elissa Self-Braun while she was walking to her schoolbus from her home.

This fellow is awaiting death in the Federal prison system. But he, like so many others convicted of violent crimes, was walking our streets early because we still have in the Federal system good time off for good behavior for those who commit violent crimes—for all Federal prisoners. For those who commit violent acts, it seems to me we ought to say in this country: ''Understand this, if you are a criminal and prepared to commit a violent act, there will be no reward for you once you get to prison.'' When you get to prison, whatever the judge says your sentence is, your sentence will be—no good time off for good behavior for those who commit violent crimes.

Do you know that there are more than 4,000 people who have been murdered in this country—murdered by people who should not have been on the streets to murder anybody? They should have been in jail, in prison, but they were let out early. Now, the prison system authorities say, ''Well, we need incentives to make people behave in prison, and we need opportunities to tell people that if you behave behind bars, we will give you good time off for good behavior.''

My interest is in establishing order on American streets. We don't do that by letting violent criminals out of prison before the end of their sentence. If they have trouble managing violent offenders in prison, think of what happens when those violent offenders get back on our streets.

Let me end where I started. One-third of all violent crimes committed in this country are committed by people who are on probation, parole, or pretrial release. We know who they are, we know what they do, and we know what they are going to do. We ought to decide to get smart on these issues. In the Federal system we can decide that they will spend the entire time in prison, without good time off for good behavior. I am introducing my legislation which would do that. I invite my colleagues to cosponsor it. Recognizing we won't be able to advance it this year, I hope next year we will be able to have a vote on this piece of legislation.

I thank the Chair and yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. The hour of 11:30 a.m. having arrived, there will now be a period for morning business with Senators permitted to speak therein for up to 5 minutes each, with Senator THOMAS controlling the time between now and 12 noon.

APPOINTMENT BY THE SECRETARY OF THE SENATE

The PRESIDING OFFICER. The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 101–509, the appointment of Sheilah Mann, of Maryland, to the Advisory Committee on the Records of Congress for the 104th Congress, vice Richard N. Smith.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

AMERICANS HAVE TO MAKE CHOICES

Mr. THOMAS. Mr. President, as you know, for some time now, we have attempted to have the freshmen of the Senate come on to the floor, from time to time, to talk about issues we think are important. We call this ''Freshman Focus.'' We appreciate this time to do that. I will be joined by at least one of my associates, very soon. Many of the others have departed for home.

Mr. President, we wanted to talk a little today about choices—choices that we have in a Government like ours, the one that President Lincoln said was a Government ''of the people, by the people, and for the people,'' which we all, of course, want to maintain. In order to do that, then each of us, as citizens, as the people who will run this Government, need to make choices, need to make decisions, and need, of course, to be as informed as we can be with respect to those choices.

In order to be informed voters, and in order to participate in those decisions that will guide the country, not only in the short term but in the long term, I think we have to decide what those fundamental choices are and then, of course, decide for ourselves how we approach them. And there are fundamental choices, choices that have impact over time, choices that affect this country and the way it is organized, in its purpose, and its goals—not just the short-term issues that sort of are instant gratification for each of us. Of course there are those, and we always like that. But the fact is that there are basic issues that really will affect the way we operate over the years, not only for those of us who are now voting, but for our kids and our grandchildren. Those are the ones that, it is my belief, we should really focus on and seek to bring out in our own minds, at least how important they are.

I am concerned, because it seems to me that we are increasingly moving away from basing our views on those fundamental decisions and we get engrossed in all the short-term kinds of things that we talk about. This administration, frankly, has done more to seek to blur issues than any administration that I have ever seen. It is fairly easy to do that. It is fairly easy to say, ''Yes, I am for that, too.'' I think the best example that I have seen over the last number of years—and particularly in this session—is where we have spent a great deal of time talking about balancing the budget and a balanced budget amendment to ensure that that in fact happens. I don't think there has been a soul that has risen and said: ''I am not for balancing the budget.'' They have said, ''I am for balancing the budget, but. . .'' So we establish that initially, at least in rhetoric, and don't do that. We haven't balanced the budget in 25 years.

So it is very easy to blur the issues, very easy to make it difficult to ascertain where people are on these issues. And issues is what elections are about. Those are the choices that you and I have to make as November comes. I think it is more and more difficult to really identify where people are, where parties are, where candidates are, for a number of reasons. It is almost an irony that—just imagine, 50 years ago, 100 years ago, how little information we all had about what went on in our Nation's Capital or around the world. Now, because of technology, we know instantly. If we fire a rocket at Iraq, we know about it right away, and we actually see it. Despite that technological opportunity to know more, it seems as if it is more difficult for us to clarify the choices that we have. One of the reasons, of course, is the media. We get much of our information—most of our information and, indeed, almost all of your information—through public media. I don't think it is any secret that the media most often tries to pick out those things that are controversial and emotional, and those things that create debate rather than the ones that clarify the issues. I understand that. That's the way it is. But it makes it difficult.

More and more of our decisions and our choices and our information come from advertising, political advertising, which is generally designed to skew issues in one way or another. It is not the exclusive province of either party, but it is something that is done, almost entirely, in almost all the ads we see. So that does not help to clarify issues.

We see right here in this Chamber all kinds of amendments. Yesterday was a great example of amendments designed simply for some kind of political statement, which really had nothing to do with the bill we talked about. Frankly, it had very little to do with the prospect of it passing. But it was something thrown out there to create an image. It makes it difficult to decide on choices. We even find, Mr. President—like yesterday—a delay tactic going on here. Instead of moving forward, because we have a couple more weeks to finish a lot of work, we spent 25 hours on one bill, with 100 amendments. Why? I think simply to delay. I think simply to increase the potential—frankly, the possibility of a shutdown of the Government and Congress would be blamed for that. So, when you're dealing with things like that, it is very difficult to really come down on the bona fide choices and directions that will guide this country into the future.

There are differences. There are choices. There are legitimate choices and, frankly, they are fairly clear. It is a legitimate choice, but there are those who want more Government, who think there ought to be more taxes, who think that money collected in taxes and spent by the Government is better spent. I don't happen to agree with that, but I agree that it is a legitimate choice.

Indeed, if we can make it a little more clear between those kinds of things, then people could choose. The other choice, of course, is less Government, moving Government closer to people through the State and local governments, and actually having tax relief so people spend more of their own money rather than collecting it and spending it out through the Federal Government. Those are choices. Those are quite different, and that is what elections are about—to decide which of those directions we want to take.

Imagine, for a minute, that you have a ballot. You go into the polling booth and the ballot has on it a number of issues. You check those issues that you agree with. What is your choice on the issue of a balanced budget amendment? Do you want that? You go down a series of questions of that kind, and then, rather than selecting a candidate, because of what you have selected with the issues, the candidate is automatic. The ones who represent what you most nearly represent is your choice. That would be an interesting exercise, wouldn't it?

I suppose you could talk about the size of Government—smaller, larger? Federal Government—smaller, larger?

Cost? Do you think the cost is too much? Do you think the Federal Government costs too much as it increases, or should it be less? It is possible to be less.

Tax relief? If we pay nearly 40 percent of our income on average in taxes, should we have tax relief, or have the system continue like it is? Yes or no?

Welfare reform? We have talked about that for the last 2 years. The President had it in his campaign in 1992. Finally, after the third time, it was passed and signed. Now, of course, the same people who said they were for welfare reform are now saying, ''Well, as soon as we get back in Congress, we will change it. We will take out some of that stuff. We really do not want this welfare reform.'' So welfare reform ought to be one of the questions for voters.

Do you want welfare reform? Regulatory relief? We talked a lot about that. We tried to do that this year. Lots of people are not for regulatory relief. Many of us on this side of the aisle are. They are legitimate issues, and legitimate choices.

So, Mr. President, I simply want to say that I hope as we move on in this election that each of us has a responsibility to vote, each of us who has the responsibility in this kind of Government to participate in the decision as to where we go in the future, take a look at the issues and choose, because there will be fairly clear choices, but it may be hard to determine that.

I guess that is the essence of what I am talking about this morning—that we need to have choices. I believe that we have two pretty different philosophies—one for more Government, more taxes, more regulations; one to reduce the size of Government, have tax relief, reduce the regulations so that we have more jobs and more economic growth. Those are the clear choices.

Mr. President, I am pleased to be joined by the Senator from Minnesota, who also wants to comment on some of the choices that are available to us as part of today's Freshman Focus.

I yield to my friend.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Thank you, Mr. President. I thank, very much, my colleague from Wyoming.

OUR AMERICAN AGENDA

Mr. GRAMS. Mr. President, my freshman colleagues and I have come to the floor this morning to share our thoughts about the future. It is a vision for tomorrow not bound in political partisanship, because ours is not a Republican agenda, but an American agenda: A message every citizen can embrace, whether they are just starting out on the job, a new parent, an executive working their way up the ladder, a long time employee in a union shop, a student, a senior citizen. Anybody who is searching for something better, and the freedom to achieve it, is welcome.

And our message for the future can be spelled out in just six words: Lower taxes, less Government, more jobs.

The vision those six words embodies contrasts sharply with the reality that has been imposed on the American people by their own Government.

Instead of making real achievements on behalf of America's families, the last Congress, the 103d, was most noted for enacting the largest tax increase in American history. The $265 billion in new taxes it demanded from the middle class could not have been further from what the taxpayers wanted or deserved.

This Congress heard their calls and we have pointed Washington in a new direction by seeking dramatically lower taxes for working Americans.

We heard the people when they told us that they, not some tax collector or career bureaucrat in Washington, know what is best for their families and how to spend their money which they worked so hard for.

The Government has never raised a child—it does not pay the dental bills when the kids need braces, or buy the groceries for the dinner table, or write the checks for the college tuition.

Parents make those decisions, and with more of their own money in their wallets, parents will be empowered to raise their children as only parents can.

Unlike the preceding Congress, which built its reputation by attempting to expand the reach of Government into our lives, the 104th Congress has made middle-class tax relief the centerpiece of our American agenda of returning power to the people.

And we have pledged to continue our efforts—to strengthen our efforts—in the 105th.

We offered middle-class families the $500 per-child tax credit.

Under the blueprint for economic renewal proposed by our former colleague, Bob Dole, the child tax credit would return more than $1,800 to the average Minnesota family of four. With a Republican President in the Oval Office, we will enact the $500 per-child tax credit into law.

Congress cut the capital gains tax, too, to protect small investors, seniors, farmers, and families from having their savings and investments unfairly penalized.

With a Republican President, our reduction in the capital gains tax will become law as well, and so will tax credits for families caring for elderly relatives and an end to the marriage penalty in our IRS Tax Code.

Here is the bottom line, Mr. President: By enacting each of these ideas today, we have the power to inspire dramatic change for tomorrow's families. Cutting taxes puts money back into the community and directly into the hands of working Americans, where it belongs in the first place, and where it ought to stay.

It stands to reason that once we train the Federal Government to run itself more efficiently, it will need fewer tax dollars to accomplish the people's work.

The public's desire for less interference from Washington, therefore, translates into a smaller, more efficient government, reduced bureaucracy, and, ultimately, less waste of the Nation's precious financial resources.

When we achieve that, we can begin fulfilling what I consider to be our most solemn obligation: erasing our deficit and finally eliminating our cancerous national debt. The future we envision for our children and grandchildren is one free of debt imposed by this generation. No generation before in this country has left the next generation a debt. This generation will be the first to do that, and we should take every step possible to make sure we eradicate that responsibility.

With our eye on that promise, Congress has made great progress, cutting spending by more than $50 billion over these past two years, eliminating more than 270 wasteful programs, and privatizing four major governmental agencies.

Most importantly, our budgets balance—a sure sign of our commitment to ushering in a new era of fiscal responsibility.

Still, Americans say we can do better, and my colleagues and I agree. We must do better.

But I am not sure the people understand that if we are going to fully carry out their agenda, it will likely take a different President to lead us there.

Our third goal for the future—more and better jobs—will follow once we have energized the economy by freeing America's families and job providers from the burden of high taxes and once we have reduced the mountains of regulations and overhauled the Tax Code to forever end the IRS as we know it.

Without a Federal bureaucracy blocking the path to success, wage earners and investors will find the freedom to do what a free-market economy encourages them to do: spend their own dollars, stimulate growth, and create new, better-paying jobs.

When my colleagues and I think to the future, we envision a hopeful, vibrant place. It is an America where any citizen who wants to achieve prosperity for themselves and their families—whatever their background and however they define that prosperity—is given the opportunity to succeed.

It is an America where government enables their success, and does not stand in its way. Mr. President, I am proud of the progress we have made in this Congress toward opening those doors, toward fulfilling the American agenda of lower taxes, less government, and more jobs.

I can say with certainty that our work is not finished. But I say with equal certainty that we have not wavered in our commitment to seeing it through. We will make every attempt as we enter the 105th Congress to finish the job we have started in the 104th.

I thank the Chair. I see there is no other Senator in the Chamber so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RESOLUTION OF SUPPORT FOR MILITARY OPERATIONS IN IRAQ

Mr. GORTON. Mr. President, a week ago, I was the only Member of this body to vote against a mild resolution of support for our military operations in Iraq last week. I did so, Mr. President, because it seemed to me that our response fell between two more appropriate responses and, as a consequence, was totally ineffective and inappropriate.

Mr. President, I felt last week—and I continue to feel the same way today—that we could have determined that in a civil conflict between two groups of fighting Kurds, one backed by Iraq and the other by Iran, that we had no interest, simply that we had no dog in that fight.

On the other hand, by reason of the protection that we have provided for Kurds, however uncivil in their conduct to one another, we could also have responded militarily. Almost without exception, however, Mr. President, thoughtful academics, military scholars, and national security experts have felt that the United States should not use its Armed Forces in combat in response to a challenge from another nation without doing so disproportionately.

What does that mean, Mr. President? It means that we should make absolutely certain when we use our Armed Forces that the cost exacted of an aggressor, of an enemy, is considerably greater, measurably greater, than the gains sought by that aggressor. If we don't use it with that philosophy, we almost certainly will be disappointed in the results of the use of our armed services and, of course, with respect to our national prestige.

I was convinced, Mr. President, that what we did last week was 5 cents worth of damage in response to a dollar's worth of gain on the part of Saddam Hussein and his Iraqi forces.

We launched 44 cruise missiles against Iraq last week in response to military adventures on the part of Iraq in a northern protected zone in Kurdistan. The act, as I have said, came in the midst of a civil war between two Kurdish factions, one backed by Iran and one by Iraq. We responded not only inadequately, but we responded in the south part of Iraq, while the fighting and the brutality was occurring in the north. The result, according to the administration, was a U.S. victory. As one administration official described it, ''We really whacked him.'' Now, a little more than a week later, the reality is considerably different.

Saddam Hussein has regained control over the northern part of his country. After many years of oppression of its people, whom he has bitterly oppressed, thousands of whom he has killed, he is continuing to fire at U.S. warplanes in the south. The administration is in the midst of a review of its policy. Under most circumstances, Mr. President, when you are victorious, when you really whack them, it is the other guy who changes what he is doing—not us.

But this is precisely the flaw in the administration's policy; rather than respond to Iraq's military adventure in a manner that ensures that any such adventure costs far more than it is worth, we offered Band Aid solutions. The result has been less than glowing. Almost certainly at this point a reaction which will cost Iraq more than it has gained will require a greater investment and a greater risk than the investment and the risk which we engaged in a week ago.

Let us reflect for just a moment on what last week's military response achieved. Is Saddam Hussein treating his people better? Has he been compelled to abide by a U.N. cease-fire? Has Iraq been contained? Is the United States better off now than it was before the military action? Do we have solid support from the allies and the anti-Iraq coalition? The answer to each one of these questions is clearly no.

The coalition, masterfully constructed during the gulf war by President Bush, is frayed, if not defunct. Saddam Hussein is brazenly flaunting both U.S. and U.N. warnings and is scurrying to rebuild the very sites we destroyed last week and told him not to rebuild. In the last 2 or 3 days he has fired missiles at the aircraft patrolling the no-fly zone.

My friend, the Senator from Arizona, Senator MCCAIN, said night before last that ''decisions about the dimensions of our response are, of course, the President's to make.''

Yet, the confusion continues. The day before yesterday the Secretary of Defense said that our response would be ''disproportionate.'' Yesterday the Department of Defense says that the response will be ''measured.'' Perhaps today we will have action that is ''disproportionately measured.''

In any event, Mr. President, it seems to me that it is vitally important, first, that the President consult with our allies in the Mideast in the coalition—something that he did not do earlier—second, that he follow the War Powers Act and consult with the Congress. Whether he believes the War Powers Act to be constitutional or not, he would be extremely wise to consult with the representatives of the people of the United States before such an action rather than simply to ask for ratification after that action.

We are worse off than we were a week ago, Mr. President. We face very serious dilemmas. We are almost without bases from which to mount any military attack. The President is simply going to have to pay much more attention to the issue than he has in the past and build a much broader coalition if we are not to lose everything that we gained at such high cost during the gulf war.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The Senate continued with the consideration of the bill.

UNANIMOUS-CONSENT AGREEMENT

Mr. GORTON. Mr. President, with respect to the Interior appropriations bill, I ask unanimous consent that the committee amendment on page 49, line 19, through page 50, line 8, as amended, be regarded for the purposes of amendment as original text.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRIST). Without objection, it is so ordered.

Mr. BYRD. Mr. President, I yield myself as much time as I may consume.

The PRESIDING OFFICER. The Senator is recognized.

TRIBUTE TO BILL MONROE

Mr. BYRD. Mr. President, the music world lost one of its most devoted artists on Monday when the legendary Bill Monroe passed away at the age of 84. The Bible says:

> The days of our years are threescore years and ten; and if by reason of strength they be fourscore years, yet is their strength labour and sorrow; for it is soon cut off, and we fly away.

Bill Monroe lived to be 84.

His bluegrass music—the hybrid of folk, country, blues, and gospel styles—originated in the United States more than 60 years ago and continues to be popular across the country. Nowhere is this more true than in the Appalachian States, where it embraces the spirit of that region. Bluegrass is brought to life by combining high tenor vocals with instruments like the mandolin, fiddle—or violin—guitar, banjo, and bass, and is most often associated with Monroe, the creator and master of the style.

I was fortunate to have been able to play my fiddle with Bill Monroe in Boone County, West Virginia, when he appeared there years ago. I remember how enlivening it was to make music with such a first-rate musician. Monroe's stage performance exuded the passion and dedication he had for music. He told me how he believed in a, ''good, clean show.'' Bill Monroe was a true gentleman. He never drank, smoked, or used offensive language. I remember he referred to liquor as ''slop,'' and would tell aspiring musicians to go onto the stage, ''looking right and smelling right,'' meaning that they should have no traces of whiskey on their breath. Indeed, Monroe was a role model for the more than 200 performers who played with The Blue Grass Boys throughout all of their Saturday evening appearances at the Opry. Musicians would travel to Nashville just to be able to say they had had a chance to work with the legendary performer.

And I would imagine that the Senator who is presently presiding over this great body has been out to the Grand Ole Opry himself on a few occasions, being fortunate in that the Grand Ole Opry was in his native State of Tennessee.

Musicians would travel to Nashville just to be able to say they had had a chance to work with this legendary performer.

William Smith Monroe was born in Rosine, Kentucky, on September 13, 1911. His parents died when he was still young, and he went to live with his Uncle Pen, a fiddle player.

There is a tune called ''Uncle Pen,'' and I am sure that it was the product of Bill Monroe's prolific musical mind and written in honor of his uncle, Uncle Pen.

As the youngest of eight children in a musical family, Monroe learned about music early on, influenced by secular and religious folk traditions, gospel, blues, and Scottish and Irish fiddle tunes. He would later tell people that his mastery of the mandolin stemmed from the fact that his older siblings took their first pick of other instruments. Later on, this proved to be a blessing, since much of Monroe's success is attributed to his mandolin's unique sound which became the signature instrument of his bluegrass music. Monroe and two of his brothers—Charlie, who played the guitar, and Birch, who played the fiddle—moved to Chicago in 1930. The music they played there for dances and house parties was a traditional country style, but even in those early years, it was characterized by a faster tempo and the high-pitched harmonies that later evolved into Monroe's bluegrass trademark.

In 1938, Monroe auditioned for the Grand Ole Opry. The audition with Opry chief George Hay—the solemn old judge—was such a success that when Hay signed Monroe and the Blue Grass Boys, he told them, ''If you ever leave the Opry, it'll be because you fired yourself!'' Monroe's debut at the Opry marked the first time in the hall's history that the audience demanded an encore.

By the 1940's, Monroe's style was moving further from traditional country music and toward its own distinct sound. The country music scene considered his music too old fashioned to be called country music and the folk music scene wanted to maintain its image as a more affluent style. Monroe finally found a place for his music where he always wanted it—in its own class. His style became known as Bluegrass, as identified with his band, the Blue Grass Boys. In the late 1940's, the classic Blue Grass Boys lineup featured Lester Flatt on the guitar, and Earl Scruggs, who mastered the three-finger-roll banjo technique which added to their distinct sound.

As a boy, I used to listen to people in West Virginia play the banjo. They

played it claw-hammer style. But when Bill Monroe came along—Earl Scruggs developed a three-finger roll, which was very lively. That three-finger roll had a great deal to do with putting the stamp on the music as bluegrass music.

Monroe and the Blue Grass Boys continued to please crowds at the Opry through the 1950's, and, in the 1960's, they began to appear in auditoriums throughout the country. In 1970, Monroe was inducted into the Country Music Hall of Fame.

Bluegrass music is no longer confined to rural communities in the heart of the Appalachian States. Today, Bill Monroe's songs are not limited to public radio or the Nashville Network. The popularity of Bluegrass has expanded, and is now an internationally recognized and appreciated form of music. Monroe's legacy will endure through the sounds that he invented, and in the bands that play his songs. He was an innovative and very gentlemanly performer who was an inspiration to other musicians, especially to country musicians. And I am thankful to have had Bill Monroe as a friend. Although Bill Monroe will be missed dearly, his music and his legend will live on. His influence has forever changed the shape of the American music industry, and I know that his sounds will continue to reverberate throughout the Appalachian Mountains and through the hills and mountains and hollows of West Virginia and throughout the world for all years to come.

SENATOR NANCY LANDON KASSEBAUM

Mr. BYRD. Mr. President, the sunlit, wind-tossed, rolling plains of Kansas have produced many leaders whose long vision and open minds have helped to shape this Nation. Senator NANCY LANDON KASSEBAUM is one of those leaders. Her three terms in the Senate have left an enduring legacy, one with roots as deep as the prairie grasses in the rich black Kansas soil and covering issues as diverse as the many-colored wildflowers nestled among those blades. The Senate has been enriched by her civil, thoughtful, presence.

Senator KASSEBAUM's political inclinations are strongly rooted in the Kansas earth. Her father, Alf Landon, a former Governor of Kansas, was nominated for President in 1936 to run against President Franklin Roosevelt. When Governor Landon died at age 100 in 1987, he had witnessed in his daughter's election to the Senate and her rise to prominence in this body a part of the quiet revolution in American society that brought women into so many new fields. First elected in 1978, Senator KASSEBAUM in 1994 became the first woman to chair a major Senate committee, the Labor and Human Resources Committee, since Senator Margaret Chase Smith of Maine led a special Committee on Rates of Compensation from 1953 to 1955.

Now, I had the great honor and privilege to serve with Margaret Chase Smith here in the Senate for a number of years, a woman whose declaration of conscience will always reverberate in this Chamber and will always grace the pages of the great RECORD of this Chamber's deliberations.

In the 104th Congress, Chairman KASSEBAUM—some would say ''chairwoman''—has addressed some of the most contentious issues debated in recent years, including health care reform, welfare reform, minimum wage increases, and striker replacement. Her fairness and her civility in dealing with these contentious matters has been matched by her tenacity and her resourcefulness in crafting legislation that can be passed by the Senate and signed by the President. I have not always agreed with her proposals—and she has not always agreed with mine—indeed, on many issues like the repeal of Davis-Bacon, on striker replacement, we have been on opposite sides of the issue. But I commend Senator KASSEBAUM for her willingness to tackle difficult issues and to propose sweeping overhauls of complex and overlapping programs, such as welfare, health insurance, Medicaid, and job training programs, and to do so with courtesy and affability and respect for the others' views. No one would ever underestimate the quiet strength of Senator KASSEBAUM's convictions on these issues, but everyone can always count upon her straightforward, mannerly, courteous approach to debate and compromise.

Senator KASSEBAUM has also chaired the African Affairs Subcommittee of the Committee on Foreign Relations. She was instrumental in both implementing a sanctions regime against the white apartheid government of South Africa and in lifting those sanctions, once a new government was installed. She has been a strong voice for tolerance and compassion in a part of the world all too often racked by violence and ethnic hatreds. It was for these noble reasons that she called in June, 1992, for the deployment of United Nations peacekeepers to Somalia, after visiting that strife-torn nation. She steadfastly spoke up for these humanitarian concerns, even as I led an effort to withdraw U.S. troops from Somalia as the situation there deteriorated, eventually resulting in the tragic loss of 18 U.S. military personnel. But in the final vote, acknowledging the reality that the United States public would not support committing still more military men and women to Somalia, a requirement if the humanitarian mission was to be carried out in relative safety, Senator KASSEBAUM voted for an orderly withdrawal from that sad nation.

One issue upon which Senator KASSEBAUM and I see eye-to-eye on is school prayer. Despite the differences in topography, Kansas and West Virginia share in their solid small towns and on the farms and among the country folk a closeness with the earth and a reverence for the deity, a reverence for the church and for the community. Senator KASSEBAUM offered an amendment in 1994 to withhold Federal funds from any local school district found guilty of willfully violating a court order to allow constitutionally-protected prayer. Her amendment passed overwhelmingly by a vote of 93 yeas to 7 nays.

Mr. President, Senator KASSEBAUM shares in the strength of her Kansas upbringing, the solid strength of her Kansas forbearers. She sets her eye on a distant legislative target and she plows a straight furrow toward it, undaunted by distance or by difficulty. She speaks plainly, softly, and honestly, preparing the seedbed of civil bipartisan compromise. She is willing to cross party lines to vote for programs that result in the greatest common good as she sees it. By her actions, she has shown herself to be concerned more about the future of the Nation than the future of partisan politics. Her twin strengths of perseverance and courtesy have earned for her the respect and the genuine admiration of her peers and of the Nation. It is these qualities that have been in short supply during the bellicose and often bitterly partisan past several years in the Senate, and which will be so sorely missed when she retires from office.

And so I thank NANCY KASSEBAUM for her service to the State of Kansas, to the Senate, and to the United States, and wish her well in her retirement. Senator KASSEBAUM has said that she wants to spend more time with her grandchildren. Robert Southey (1774–1843) wrote in the poem, the ''Battle of Blenheim'':

It was a summer evening,
Old Kaspar's work was done,
And he before his cottage door
Was sitting in the sun,
And by him sported on the green
His little grandchild Wilhelmine.

I hope that Senator KASSEBAUM, her battles in the Senate over, past, and done, may treasure the pleasures and joys of sporting in the Kansas sun with her children and their children.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. I thank the Chair. I note the change from Senator FRIST to you, Madam President, and so I address you properly as Madam President.

DEFENSE BURDENSHARING

Mr. SPECTER. Madam President, I have sought recognition to report briefly on a trip which I made from August 16 through August 31 of this year. Madam President, the trip focused on a number of key items in my travels which took me to Korea, Japan, and

China, then to the Gulf States of Oman, Saudi Arabia, then to Israel and Syria, with a brief stop in Paris, and back to the United States.

One of the themes of concern to me, Madam President, was the issue of the enormous U.S. military expenditure, and the need to have burdensharing from our allies where we are maintaining so much of the cost of defense.

The Japanese are paying 70 percent of the cost. But it seems to me realistic that with their enormous gross national product, and their ability to pay their own defenses, that even 70 percent is not sufficient in the context of spending so little of their own money on national defense. The 70-percent figure is much larger than the moneys paid by the Saudis, where we have recently seen plans to move our base from Dhahran to the desert with a 50-percent sharing by the Saudis. But even there, when we are there to protect their interests and they are a very affluent nation, it seems to me that more ought to be undertaken by the Saudis. In South Korea, we have 37,000 American troops, and there have long been suggestions that some of those troops ought to be withdrawn.

South Korea, again, is a very prosperous nation. Some of their defense planning is long range, not on the immediate potential threat from North Korea. And there again, it would be reasonable to have more cost sharing by the South Koreans. I suggest that our defense policy ought to undertake a look globally beyond NATO as to burdensharing with the specific reference to Japan, South Korea, and Saudi Arabia.

During the course of travels, we also had a considerable focus on the nuclear threat, and, potentially, real problems in North Korea, where they have the wherewithal to have nuclear weapons, and where they have ballistic missiles which are reported to have sufficient thrust to reach Japan or Alaska, and far beyond.

The situation in North Korea is very unstable. I had hoped to visit North Korea personally, and had some preliminary indications, up to the start of the trip, that we could do so, but at the last minute we were told we could not visit North Korea.

The situation there is unstable because of the shortage of food, and I think that we have to engage the North Koreans. We have to do what we can to see that there is a stable government there. Assistance on food is elementary. Japan and South Korea are aiding. We are to some extent, but we have to keep a close watch on the volatility, and the potential instability in North Korea.

When we traveled to China, a key focus of attention was the trade issue, and we were told that trade is not calculated properly because of certain statistics coming from Hong Kong. But we made the point as emphatically as we could that there needed to be more reciprocity and more openness of the Chinese markets. We visited the city of Harbin in Manchuria and saw really great potential for American growth, the growth of American trade, meeting with United States businessmen in that community.

While in China, we also took up the issue of freedom of religion, noting the fact that Christians were not permitted to practice religion, and recent activities by the Chinese Government inhibited freedom of religion by Christians, and by Jews, and those with different religious views. We were assured, but I think vacuously, in their statements that there was freedom of religion, but the facts are very much to the contrary. And we asserted that point with some forcefulness.

We also took up the issue of the sale of M–11 missiles from China to Pakistan. We protested that very strongly. We were told by the Chinese that they had not violated international accords, and there again a stalemate in our discussions.

There is a real question as to how we deal with the Chinese, whether by sanctions or totally by diplomacy. My sense is we have to consider sanctions. With the Chinese destabilizing the subcontinent of Taiwan, firing their own ballistic missiles close to Taiwan, it seems to me that we have to be forceful and really consider the imposition of sanctions there.

Moving on to Saudi Arabia, we had an opportunity to view the Khobar Towers site at Dhahran, a subject I reported on briefly in a floor statement yesterday—an enormous tragedy, 19 Americans killed, hundreds wounded. Seeing the perimeter fence less than 60 feet from Khobar Towers, it was apparent, on a cursory inspection, that it was an open invitation to terrorism. As noted in my floor statement yesterday, it was my conclusion that there had been ample warnings about the potentiality of terrorists at the perimeter fence, and the possible use of a large bomb.

That is something that will be considered in greater detail by the Downing Task Force, but there is an urgent need for stepped-up force protection, certainly in places like Khobar Towers, and doubtless around the world considering the escalating threat of terrorism.

We had a chance to meet with Defense Minister Sultan, Crown Prince Abdullah, and urged cooperation with the Federal Bureau of Investigation on the inquiries to determine who the terrorists were at Khobar Towers, and reregistered our complaints that the FBI had not an opportunity to interview the four men who were executed for the November 13, 1995, car bombing in Riyadh, and raised the issue about the need for Saudi Arabia to undertake a greater share of the cost of the defense burdens.

Before arriving in Saudi Arabia, we made a brief stop in Mongolia, an independent nation, landlocked between China and Russia, quite a product of an emerging democracy, having thrown off the yoke of the Soviet Union even before its disintegration. There we saw an effort for democratic process succeeding in its embryo stage, and an effort for the free market.

Coming to the Mideast, we had an opportunity to confer with Prime Minister Netanyahu, Syrian President Assad, and Palestinian Chairman Arafat. There is obvious difficulty with the new government being beset by problems on all sides. We find disagreements within the Likud government, but it is my impression that Prime Minister Netanyahu is up to the challenge.

We had an extended discussion with Chairman Yasser Arafat, and I must say that every time I meet with Chairman Arafat, it is a wonder to me that we are doing business with a man who has had such a long record of terrorism. Going back to September 13, 1993, when then Prime Minister Rabin, and then Foreign Minister Peres shook the hand of Yasser Arafat, it seemed to me that if the Israeli leaders were prepared to do so, the United States should be supportive of their efforts toward the peace process. Certainly the Israelis have suffered the major burden of the terrorist attack by the PLO in the Mideast area.

In the conversations with Chairman Arafat, we discussed the resolution that Senator SHELBY and I had introduced, which was enacted, which conditioned U.S. aid on a change of the PLO charter. Chairman Arafat assured us it had been done. And when he produced the document, it was evident on its face that it was insufficient, the document saying merely that all provisions inconsistent with the September 13, 1993, agreement would be revoked. That is not sufficient, and we made that point as emphatically as we could.

We then talked about terrorism, and with Yasser Arafat, a man who has been on a first-name basis, and has dealt with the terrorists of the area, Abu Nidal, Abu Abbas and Hamas, and emphasized as strongly as we could the need for the Palestinian authority to be proactive in stopping terrorist attacks in that area.

Chairman Arafat assured us that he was doing what he could, emphasized the point that he himself was subject to terrorist assassination plots, and said that he would do what he could. But I think that is an area which requires increasing U.S. pressure. We need to be as emphatic as we can that if we are to continue United States military aid to the Palestinians, they are going to have to take effective action against terrorism.

Mr. President, in accordance with my practice to report on foreign travel, this floor statement summarizes a trip taken from August 16 through 31, 1996, to Asia and the Mideast, focusing on the North Korean threat, the question of sanctions against China for selling M–11 missiles to Pakistan and for firing a ballistic missile 100 miles from

Taiwan, the June 25 Khobar Towers bombing in Saudi Arabia, the Mideast peace process and terrorism, with a stop in Paris for discussions on terrorism and trade en route back to the United States.

We had hoped to visit North Korea to personally inspect the North Korean nuclear facility and to meet with North Korean leaders. But, despite several months of efforts, the North Koreans ultimately refused to allow my visit.

We were able, however, to discuss the North Korean situation with local American authorities and with leaders of North Korea's immediate neighbors: Japan, South Korea, and China. Specifically, we met with American military leaders, including our commanders in Japan and South Korea; Japanese, Korean, and Chinese foreign affairs and trade ministers; and with our ambassadors and embassy teams. We wanted to investigate not only the North Korean threat, but whether we should ask South Korea to shoulder a larger share of the defense burden—no small matter when we face deficits and difficult domestic spending cuts.

Upon arrival in Japan on the evening of August 18, we met with Marine Brig. Gen. Terrance Murray, deputy commander of United States forces in Japan. I continued my discussion with General Murray and his top aides the next morning, focusing largely on the North Korean threat and the allocation of United States resources in Japan. It struck me that our arrangement with Japan, in which the Japanese Government pays 70 percent of the cost of United States forces in Japan, offered a model for renegotiating with South Korea, and our costs in defending Saudi Arabia. When dealing with such prosperous nations, there is no reason why they should not pay the full cost of their own defense.

Following our second meeting with General Murray, we met with Rust Deming, our Chargé d'Affaires, and the Embassy team in Tokyo. We agreed that Congress should focus on unfair trade practices in Japan that cost American companies millions of dollars and American workers tens of thousands of jobs. By demonstrating sustained interest in trade issues, and by more congressional visits to Japan, we can send Japan a message that the United States has staying power.

Mr. Deming and his team of issues experts discussed how American companies find themselves competing for a small portion of various Japanese markets, or find themselves shut out entirely, as networks of Japanese firms buy only from each other, while enjoying the profits as American firms buy from them. We do not even have the recourse of some developing nations, which are allowed under GATT to set formulas that require, for example, that the Japanese build one automobile in a host country for every given number of cars they sell there.

Industries in which American firms suffer from unfair Japanese market restrictions include semiconductors, automobiles and auto parts, insurance and civil aviation. Several major corporations in my own State of Pennsylvania are being handcuffed.

Following my meeting with the Tokyo Embassy team, I took up trade issues in an hour-long meeting with Masaki Orita, Director General of Japan's North American Affairs Bureau. I told Mr. Orita there was a lot of anger in America, which I see almost every time I hold an open-house town meeting in Pennsylvania, that American markets are open to Japan, but Japanese markets are closed to America. I told Mr. Orita I did not agree with him that the atmosphere has improved on United States-Japanese trade, when we face a $59.5 billion deficit even though it has been reduced from $65 billion.

After our meeting, I asked Mr. Orita to pose for a photograph with me. As I prepared to snap the photo, Mr. Orita remarked with pleasure that my Olympus pocket camera was made in Japan. I told Mr. Orita that we believed in free markets, and were pleased to buy Japanese products, if they were the best available at the best prices. I said Japan ought to allow Kodak to compete with Fuji in its film market.

When my flash failed to fire, Mr. Orita immediately said the problem was with the batteries, and not with the camera. I told Mr. Orita that my batteries were also made in Japan.

I brought up trade again at my next meeting, with Kenzo Oshima, Deputy Director General of Japan's Asian Affairs Bureau. During our hour-long talk, we also focused on the North Korean situation and the prospect for Four Power Talks among the United States, North Korea, South Korea, and Japan.

Mr. Oshima told me he was apprehensive about North Korean military aggression.

North Korea is already over the line, I said. By legal definition, an arm raised in a threat to strike—or missiles massed on the DMZ—constitutes assault. The actual act of striking constitutes battery.

We agreed that food should be given to North Korea for humanitarian reasons, even at the risk that some of our contributions would be diverted to uses that increase friction on the Korean Peninsula.

On costs, I pressed Mr. Oshima that Japan should contribute more to the North Korean process, especially in light of an additional $25 million in United States aid recently approved by the United States Senate. Mr. Oshima promised a meaningful contribution from Japan, but would not offer a figure.

On Tuesday, August 20, we met in Seoul, South Korea, for 2 hours with Ambassador James Laney, members of the Embassy team, and Marine Maj. Gen. Frank Libutti. Our experts stressed that we faced a threat of miscalculation or desperation from North Korea. Ambassador Laney and General Libutti, like the experts in Japan, thought the North Korean regime was weakening, and was near destabilization.

Mr. Laney noted that the room where we were sitting at the United States Embassy in Seoul was 23.4 miles from the North Korean border. General Libutti added that a North Korean rocket could reach Seoul in less than 1 minute.

We also discussed efforts to find remains of the 8,000 United States soldiers unaccounted for during the Korean war. Until recently, those efforts have been stymied by North Korea's refusal to admit United States search teams. But recently, joint United States-Korean teams have found some remains.

I told Mr. Laney that South Korea should pay more of the costs of the protection it enjoys from the 37,000 United States troops stationed there. Under a 1954 treaty, the United States pledged to defend South Korea, a rare and sweeping commitment. I noted that Japan pays 70 percent of the cost of the United States forces within its borders, while South Korea now pays only one third of its cost, and is scheduled to pay an additional 10 percent each year. I told Ambassador Laney that I did not find that arrangement adequate.

We met next at Yongsan Garrison, headquarters of the combined United States-Korean force, for an hour with Gen. John Tilelli, the United States commander in chief. We discussed the North Korean threat and military strategy in some detail. General Libutti also attended and participated in that meeting. We discussed, in greater detail than I had with General Murray in Japan, the massive, 3-week war game that United States and its allies had just begun involving various scenarios of military conflicts with North Korea. I told General Tilelli I thought it was essential, apart from the game's value as training, to show the North Koreans that we are ready.

Afterward, we met with Ambassador Yoo Chong Ha, South Korea's Senior Presidential Secretary for Foreign and National Security Affairs. We had a somewhat tense conversation about whether South Korea could not share more of its defense costs. I pointed out that Congress was very uneasy about the amount of money we are spending in South Korea, and about the number of United States troops stationed there. I pressed Mr. Ha that South Korea should contribute more toward its own defense. I asked him why South Korea should not bear the entire cost of its defense.

Mr. Ha replied that South Korea is already buying substantial amounts of United States armaments, and is increasing its share of defense costs. Stating my own personal disagreement, I said that South Korea was not paying enough.

Our final meeting in Seoul was with South Korean Foreign Minister Gong Ro Myung. We talked at length about

North Korea's terrorist threat. I noted that North Korea remains on our terrorist nations list, which bars most United States contact.

While North Korea has not been charged with committing a terrorist act since 1987, Mr. Myung said he was investigating allegations that a North Korean agent had murdered a South Korean man in China just a week earlier, in mid-August.

On August 20, we traveled to Harbin, China, a sprawling city of 3 million in Heilongjiang Province. We were especially interested in visiting China's outlying provinces to get a feel for United States market potential. In Harbin, we continued our talks on trade. We were accompanied throughout by United States Consul General Carl Wycoff.

We met with Gov. Tian Fengshan, leader of the Heilongjiang Province, and discussed opportunities for development and American industry within his borders. The Governor said he was encouraging Americans and other foreigners to invest in his province, and was working on a cooperative agreement with the State of Alaska.

I met next with a group of American businessmen working in the Harbin area. They reported frustration with China's redtape. A fiberglass pipe manufacturer, for example, complained about Chinese requirements that he secure a separate permit for every shipment of the same type of imported materials.

We were warned that the Chinese often welcome innovators, learn their techniques, and exploit them or force them out.

In the evening, we attended a dinner with the Deputy Governor and several of his aides. We covered a gamut of subjects, including free elections and the democratic process. The Deputy Governor, proposed by the State committee, had been elected without opposition. In response to my question, he said he found Boris Yeltsin's recent campaign for President of Russia, including campaign stops at a disco, effective in appealing to voters.

On August 21, I met with the Vice-President and several professors at the Harbin Institute of Technology, all of whom had been among the first wave of Chinese academics who studied in the United States in the early 1980's. One computer science professor had briefly been one of my constituents, when he studied for 2 years at Carnegie Mellon University in Pittsburgh.

I toured the city, including stops at an open market and a western-style department store, and was struck by the strong demand for western mechanized goods, and the opportunity for American firms. I chose to visit Harbin largely because it was not a westernized southern port, which draws most foreign traffic and interest.

On August 21, we traveled to Mongolia, largely to investigate what the United States could do to foster the fragile democracy and market economy that only recently freed itself from the Soviet yoke.

Upon arrival in the evening in the capital city of Ulaan Baatar, we met with Chargé d'Affaires Llewellyn Hedgbeth, members of the Embassy team, Peace Corps Director Mark Zober, and three Peace Corps volunteers assigned to Mongolia.

In the morning, we met with the economic adviser to the Prime Minister, an American policy expert named Jim Bikales; with the Chief of the Mongolian National Intelligence Agency, Dalhjavyn Sandag; and with the Secretary of the Mongolian National Security Agency, Jargalsaihany Enkhsaihan. We discussed the host of economic travails threatening Mongolia's fledgling market economy, including a banking crisis that spurred a credit shortage; a budget crisis; and shrinking GDP growth.

We met next with Radnaasumberel Gonchigdorj, Chairman of the Hural, the Mongolian Parliament. Mr. Gonchigdorj said U.S. assistance is vital, especially for a Mongolian economy so weak that social services are an unaffordable luxury. I told the chairman that his country was a shining example of the trend toward democracy, and that we wanted to help, and would help, but faced a deficit problem of our own.

Asked for my suggestions, I urged the chairman and his colleagues to privatize as soon as possible the two-thirds of the Mongolian economy that they have not yet privatized.

Later in the day, we returned to the Government complex to meet with Prime Minister Mendsaihny Enkhsaihan, an economist by training. For almost an hour, we discussed primarily economic and fiscal matters. The Prime Minister told me his goal was to privatize 60 percent of state assets by the year 2000. I urged him, as I had urged Hural Chairman Gonchigdorj, to privatize the rest of the economy as fast as he could.

We spent the evening with Sanjaasurenglin Zorig, a key government leader who holds the title Chairman of the Standing Committee on State Structure, and several other members of the Hural. During a wide-ranging, 2-hour conversation, I urged Mr. Zorig, as I had urged the Prime Minister and Hural Chairman earlier, to privatize the rest of the economy.

I was struck to learn that Mr. Zorig and several of his colleagues had followed the 1991 confirmation hearings of Supreme Court Justice Clarence Thomas, which they had watched on then-Soviet television. I was heartened that they grasped, through the often-heated proceedings and Soviet censorship, the theme of judicial independence that we Americans prize.

From Mongolia, we flew to Beijing, China, on August 23 for a series of meetings with Chinese national leaders and with United States Ambassador James Sasser, a former Senate colleague, and his Embassy team.

My concerns included China's sales to Pakistan of M–11 missiles, which could potentially deliver nuclear warheads to India; Chinese ballistic missile tests near Taiwan; China's relationship with North Korea; our trade deficit with China; and human rights violations, including alleged persecution of Christians.

After an hour-long discussion with Ambassador Sasser and his experts, we attended a luncheon with Chinese Friendship Association President Lui Shuqing, who serves as an ambassador to American Government leaders. After much prodding, he allowed that China fired ballistic missiles within 100 miles of Taiwan as a warning to the breakaway republic not to go too far down the road to independence.

We met next for an hour with Vice Premier Qian Qichen, who also serves as China's Foreign Minister. Mr. Qian was also guarded, from the outset. Mr. Qian flatly maintained that China had not sold missiles to Pakistan in violation of international agreements, despite evidence and acknowledgments. ''We'll just have to disagree about that,'' I told the Vice Premier. I added that the Senate was considering taking action against China, including sanctions.

Mr. Qian said the Chinese opposed sanctions on principle, because they were unwarranted. He added that sanctions would not work against China, and were a two-edged sword that could hurt both China and the United States. On trade, the Vice Premier and I again reached an impasse. I maintained that a $35 billion trade imbalance was unacceptable. Mr. Qian dismissed the disparity as a matter of my statistics, which he said improperly included trade with Hong Kong. When I told the Vice Premier we were concerned about freedom of religion for Christians in China, he assured me that China allows freedom of worship for all sects.

We ended the day with a meeting, followed by a formal dinner, with Deputy Chief of Staff Lt. Gen. Cao Cangchuan, the equivalent to our vice-chairman of the joint chiefs of staff. Our substantive conversation focused on defense budgets and manpower allocation.

We traveled to Muscat, Oman, on August 24, to begin a series of Mideast stops, focusing on the Mideast peace process; the Khobar Towers bombing and terrorism; Iran's role in the region and its relationship with the United States; and Saudi Arabia's role in and reimbursement for its own defense.

After a briefing by Ambassador Frances Cook and members of her Embassy team, we met for an hour with Sayyid Badr, Chief of the Omani Office of the Foreign Minister. I complimented Mr. Badr for Oman's recognition of and rapport with Israel, including the two nations' exchange of trade representatives and Oman's lifting of its boycott against Israel several months earlier. Mr. Badr said Oman's relationship with Israel was complicated by Oman's need to maintain

relations with its Arab neighbors who were hostile to the Jewish State.

We began the morning of August 25 by having breakfast with Pennsylvanians on the Embassy staff. Afterward, I fielded questions from Omani journalists at an airport news conference, mostly offering my assessments on the prospects for Mideast peace and for combating terrorism. We have to be tougher with Iran, which may be sponsoring terrorism and fundamentalism, I told the reporters. On the issue of the June 25 Khobar Towers bombing, which may have been state-sponsored, I said terrorism today is an act of war, and we did not intend to be victims of acts of war without reprisal.

We spent August 25 in Dhahran, Saudi Arabia, inspecting the Khobar Towers Air Force apartments that were hit by the June 25 truck bomb, and discussing the situation with base commander Maj. Gen. Kurt Anderson, Brig. Gen. Dan Dick, Consul Gen. Doug Green, Capt. Rick Reddecliff of the Air Force Office of Special Investigations, and FBI and CIA officials. My staff and I conducted interviews, then held a detailed discussion at the Consul General's headquarters and toured the apartment complex. Afterward, I met with 20 officers and airmen who had been in Khobar Towers when the bomb exploded, including many who were injured.

Khobar Towers Building 131 was a horrible sight, more ghastly up close than even television or news photographs can convey. The building's front wall had been sheared off by the blast, exposing twisted wreckage and bloodstained walls. The wire fence in front of the building, the subject of so much controversy, measured 60 feet as I paced it off—far less than the 80 feet as previously reported.

The officers and airmen who had been at Khobar Towers on the night of June 25 described, calmly and precisely, how the blast blew out their windows, lacerating them with glass shards, and propelled them across their living rooms. I told them that the United States now has extraterritorial jurisdiction, based on a 1984 law that I helped draft, to investigate terrorist attacks against Americans anywhere in the world. I told them terrorism is a war, and that we would do our utmost to bring those responsible to justice.

We traveled to Riyadh in the evening, and discussed the Mideast situation with Chargé D'Affaires Theodore Kattouf, the Embassy team, and senior Air Force, focusing on Saudi Arabia's contribution to regional defense.

I expressed the opinion that Saudi Arabia, with its oil wealth, should pay more of the costs of United States forces committed to defend the kingdom, citing as an example Japan's 70 percent contribution to the cost of United States forces there. We have vital national interests in the Mideast, but it is, first, a Saudi property right that we are protecting. I noted there was great concern in the Congress about Saudi Arabia's refusal to let us interrogate the four suspects in the November 13 car bombing in OPM-SANG in Riyadh that killed five Americans.

In mid-morning of August 26, we flew to Jeddah for meetings with Saudi Crown Prince Abdullah bin Abd al-Aziz Saud and Saudi Defense Minister Prince Sultan bin Abd al-Aziz Al Saud.

In each hour-long meeting, we focused on the Khobar Towers bombing and Mideast terrorism. In response to my questions, each Saudi leader said some suspects had already been arrested in the Khobar Towers bombing, some had been released, and the process was continuing. I asked whether the Saudis would allow the CIA and FBI to interrogate suspects in the Khobar Towers attack when they are found, noting our concern that United States officials were denied the chance to interrogate the OPM–SANG suspects before they were beheaded. The crown prince was noncommittal, but the defense minister indicated such interviews would be permitted.

At each meeting, I asked whether the United States would be justified in taking military action against any nation which might be responsible for the Khobar Towers bombing. By reference, I cited our bombing raid against Libya in 1986, in retaliation for the German discotheque blast that killed two American soldiers and our missile attack on the Iraqi Intelligence headquarters following discovery of the Iraqi plan to assassinate former President Bush.

Neither agreed with such retaliatory action. The crown prince volunteered a reference to Hizbollah and said if Hizbollah is found to be involved, retaliation should be directed against them.

Each Saudi leader rejected my suggestion that Saudi Arabia exchange ambassadors or trade representatives with Israel. Such an exchange would work against peace, the defense minister said.

We traveled to Israel on the afternoon of August 26, and proceeded directly to a gathering in Tel Aviv for Israel's new ambassador to the United States, Eliahu Ben Elissar.

We began the next morning with an hour-long briefing from United States Ambassador to Israel Martin Indyk, focusing on the dynamics of Israel's new Likud Government and the challenges it faces, at home and from its Mideast neighbors.

From there, we met for an hour with Israeli Prime Minister Benjamin Netanyahu. Mr. Netanyahu said he wanted to begin peace negotiations with his Arab neighbors, and felt bound by the Oslo Accords that Israel's Rabin/Peres government had signed before Mr. Netanyahu took office, even though those agreements did not reflect Mr. Netanyahu's own position. The Prime Minister said, however, that he was not obligated to go beyond those contracts, which were vague. He said that friction with Syrian President Assad, among others, centered on differences over the extent of Israel's commitments.

Mr. Netanyahu said he was eager to get to the negotiating table with Syrian President Assad. I noted that years earlier, I had urged Mr. Assad, without success, to meet with Mr. Shamir when he was Israel's Prime Minister. Prime Minister Netanyahu asked me to carry a message to President Assad, whom I was scheduled to meet with the next day.

We next met for an hour with Natan Sharansky, the dissident and former Soviet prisoner turned Israeli Minister of Industry and Trade. Mr. Sharansky, whose immigrant party now holds seven seats in Knesset, said he wanted to accelerate immigration into Israel, but was contending with Israeli housing that, as he put it, took the worst from capitalism and socialism. I told him my father had immigrated from Ukraine to the United States as a boy in 1911, and that I understood the immigrant's position. We agreed that Russian Jews should have a choice where they emigrate, rather than being limited to Israel.

We met next with David Levy, the Israeli Foreign Minister. Mr. Levy said he was not satisfied that Palestinian Chairman Yasir Arafat was doing enough to combat terrorism. I told Mr. Levy that legislation I sponsored with Alabama Senator RICHARD SHELBY, which is now law, requires the Palestinians to crack down on terrorism and to delete references in their charter to the destruction of Israel, in order to receive $500 million in United States aid.

Mr. Levy replied that Mr. Arafat had told him the charter changes would have to go before a committee and would take 6 months. Mr. Levy said he told Mr. Arafat those efforts did not satisfy Israel. I told Mr. Levy I had pressed Mr. Arafat about the charter changes in the past, and that I would press him again when I met with the Palestinian leader later in the day.

I also asked Mr. Levy if he wanted me to convey any message to Syrian President Assad. Mr. Levy asked me to tell Mr. Assad to cease creating an atmosphere of terrorism, and that the Israelis were willing to enter direct negotiations with the Syrians without preconditions.

We met next with former Israeli Prime Minister Yitzhak Shamir. Mr. Shamir maintained unequivocally that Israel must be strong and hard in its negotiations with its Arab neighbors, or will get nothing. He inveighed against any Israeli concessions, including land for peace.

His position has always been the same, I told the former Prime Minister.

We met next with Infrastructure Minister Ariel Sharon, the former general. Mr. Sharon said Israel is struggling to accommodate an ongoing immigration in the face of increasing water shortages. One of Mr. Sharon's deputies said the water crisis is more

difficult than the Arab-Israeli situation. But Mr. Sharon, touting the education and skills of Israeli immigrants, said the desert nation would find a way to provide enough water for all its newcomers, even if a million Jews emigrate from the United States.

In response to a question about the controversy over a possible Israeli withdrawal from Hebron, Minister Sharon produced a map of the city and detailed the thousands of years of Jewish presence there. The minister stated that Israel would give the 100,000 Palestinians who reside in Hebron control of the city only under an arrangement that protects the rights and interests of the Jewish population there.

We ended August 27 with an evening meeting with Palestinian Chairman Yasser Arafat at Mr. Arafat's Gaza headquarters. Chairman Arafat opened our 90-minute session with a litany of complaints about his treatment by the Israelis, including the demolition of a community center earlier in the day.

I pressed Chairman Arafat about his obligations, under the Specter-Shelby amendment, to crack down on terrorism and to delete from the Palestinian charter all calls for the destruction of Israel, in order to receive the United States aid.

Chairman Arafat claimed that he had deleted all references to destroying Israel from the Palestinian charter, at great personal and political cost. He said he had cut so much from the Palestinian charter that nothing remained of the document, and that the charter would have to be redrafted, probably in November or December. The Chairman showed me documents that he said proved he had made the required changes. After reviewing those documents, I said the changes were insufficient. All that was said was that all references to Israel were revoked where inconsistent with the September 13, 1993 agreement.

Chairman Arafat told me he had been warned that Iranians would assassinate him for changing the charter. I asked Mr. Arafat what we could do to stop terrorism. He replied that it was very difficult. He suggested we pressure Libya through the United Nations, rather than by taking unilateral action.

The next day, August 28, we traveled to Damascus to meet with Syrian President Assad. Our meeting lasted 3½ hours. We focused on the Mideast peace process and on terrorism. I conveyed Israeli Prime Minister Netanyahu's message that Israel had only peaceful intentions toward Syria, that both sides should move immediately to reduce military tensions, and that Mr. Netanyahu wanted to reopen direct negotiations between Israel and Syria.

President Assad replied that Syria would not go back to the table until Prime Minister Netanyahu reaffirms the land-for-peace basis of negotiations, and agrees to pick up where Israel's previous Labor Government left off. President Assad dismissed current Syrian troop movements in Southern Lebanon as merely technical and routine, and not threatening. He rejected a Lebanon-first approach, the Israeli offer to negotiate the Israeli withdrawal from South Lebanon as a first step before re-opening bilateral peace talks.

I urged President Assad to sit down with Prime Minister Netanyahu, even if they seemed to have no common ground.

On the issue of terrorism, I told President Assad the American press had reported that the bomb-making materials used in the Khobar Towers blast had passed through Syria. He said that this was possible. He said it was unlikely that Iran was involved in the bombing. I urged President Assad repeatedly to share with us any information that he may get about the Khobar Towers bombing.

President Assad suggested the United States adopt a law-enforcement response to terrorism, rather than a military response. As for the Hizbollah and other terrorist groups reputed to operate within Syria, President Assad asserted he had no control over what some individuals do, and that it was inappropriate for the United States to ask Syria to go to war against these groups, even though Syria had the power to destroy them. Hizbollah considers itself to have the political and religious duty to liberate its land, President Assad said, and has taken a leading role in the struggle with Israel.

After returning to Israel in the evening, I met again with Israeli Prime Minister Netanyahu, to brief him on my discussion with President Assad, and telephoned Foreign Minister Levy for the same purpose.

We made a final stop in Paris on the way back to the United States, to explore the French and European response to terrorism and France's relationship with Iran and the Middle East.

We met for an hour with French Interior Minister Jean Louis Debre, who is roughly equivalent to the United States Attorney General, and at length with United States Ambassador Pamela Harriman and her Embassy team.

Madam President, there is a great deal more to be said, but I know colleagues are awaiting floor time for morning business. So I will conclude this summary, noting that a much more extensive comment than my floor statement is contained in the Pittsburgh Post-Gazette. I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, an article which I wrote for the Pittsburgh Post-Gazette.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Pittsburgh Post-Gazette]

HOST NATIONS MUST COVER MORE COSTS OF U.S. TROOPS ABROAD

(By Arlen Specter)

The truck bomb that killed 19 Americans at the Khobar Towers Air Force apartments June 25 has left Building 131 a faceless, four-story mass of twisted wreckage and blood-stained walls that bakes in the Saudi Arabian sun. The destruction is more grisly up close than in any news photograph, as I discovered last month while inspecting the complex during a Senate Intelligence Committee trip to Asia and the Mideast.

After a total of 24 Americans were killed in Saudi Arabia in the Khobar Towers bombing and in a 1995 terrorist blast at a U.S.-run training facility in Riyadh, our troops are moving from Dhahran to Kharj, in the middle of the desert. The relocation will cost an estimated $200 million, and Defense Secretary Perry has arranged with the Saudis for each nation to pay half the cost.

Saudi Arabia is not an isolated situation. Around the globe, American troops in harm's way defend our vital national interests, such as Saudi oil, while protecting our host nations and their interests in the process. We cannot, of course, put a price tag on the lives and limbs of our young soldiers cut down by terrorist bombs. But we can, and should, ask our allies to shoulder more of the cost and responsibility for defending them and their property.

While the number of U.S. troops deployed around the world has sharply declined since the height of the Cold War, the United States still spends huge sums and deploys thousands of troops on foreign soil, while facing massive deficits at home. Several nations I recently visited, including Saudi Arabia, South Korea and Japan, could pay the entire cost of our defense efforts on their soil, or at least more of it. If we toughen our bargaining position, we certainly can get a better deal.

In each country I visited on my recent trip, I asked if there was any reason the host nation could not pay its entire defense bill, including the cost of U.S. forces committed to that nation's defense. Generally, our embassy experts shook their heads and said there was not. The foreign leaders disagreed, offering statistics about the volume of U.S. arms they buy, their incidental expenses such as land values of U.S. bases, and their own budget deficits. I found their arguments unconvincing.

At an absolute minimum, we should bill host nations for 70 percent of our costs of defending them, following the formula we apply with Japan. And in Japan, which has a $4.5 trillion economy, and in many other countries, the share should be higher.

Saudi Arabia is an extreme case. Between World War II and 1975, the United States gave Saudi Arabia a total of $328.4 million in economic and military aid, according to the U.S. Agency for International Development. We trimmed and ended this largesse as oil revenues filled Saudi coffers. But we still post 5,000 U.S. troops on Saudi soil.

''The sovereign independence of Saudi Arabia is of vital interest to the United States,'' as President Bush said in 1990, after Iraq invaded Kuwait. If a hostile nation seized Saudi oil wells, the largest reserve in the world, the American economy and world markets could tumble.

That state of affairs should stimulate debate in the United States on the dangers and disadvantages of reliance on Mideast oil, on exploring alternative sources of energy, on conserving oil and gas, on lower speed limits, and perhaps even on higher taxes for oil and gas to stimulate conservation. It is not a reason for us to bear the bulk of the Saudi defense burden.

Why shouldn't the Saudis foot the whole bill? Why shouldn't they at least pay the entire $200 million cost of relocating our troops to safer ground, after terrorist bombs murdered two dozen Americans? As The Washington Post reported, ''On the scale of Saudi Arabia, which has paid out about $50 billion

to nations that fought in the 1991 Persian Gulf War, the extra $100 million amounted to a modest commitment, whatever reservations the Saudis may have.''

We never went into the Persian Gulf War expecting to remain a permanent presence. At a recent meeting with Secretary Perry, Senator Sam Nunn of Georgia, one of the Senate's most respected voices on military matters, noted that we deployed troops to the Persian Gulf on an emergency basis, expecting the Saudis to take over. At that meeting, Senator Nunn said the Saudis could afford the military hardware and could recruit troops to provide for their defense.

To add insult to injury, several nations are skinning us on trade, while also skinning us on defense costs.

Saudi Arabia, for example, is our largest trading partner in the Middle East. In 1994, the last year for which figures are available, the Saudis exported an estimated $8 billion to the United States and imported an estimated $6.4 billion from us, for a trade deficit of $1.6 billion.

The United States has played a major role in fostering South Korea's massive economic growth, to the point that South Korea is now the world's 11th-largest economy. But South Korea retains obstacles to free trade and restrictions on market access, and poorly protects intellectual property rights, all of which costs U.S. firms and U.S. workers.

Meanwhile, South Korea pays only one third of the $900 million annual local-currency cost for the 37,000 U.S. troops stationed on its soil. South Korea spends millions on its own long-term military preparations, while we handle and finance the lion's share of day-to-day defense.

Our whopping $59.5 billion trade deficit with Japan fuels our budget deficit. In Japan, American companies find themselves competing for small portions of various markets, or find themselves shut out entirely, as networks of Japanese firms buy only from each other, while enjoying the profits as American firms buy from them. Several major corporations in Pennsylvania are being handcuffed.

Meanwhile, the United States stations 47,000 troops in Japan, at a cost of more than $8 billion per year. The Japanese government contributes almost $5 billion per year. But total Japanese defense spending represents less than 1 percent of Japan's GNP, compared to the 4 percent of our GNP the United States spends on defense.

I am not suggesting that we turn American troops into mercenaries, or that Saudi Arabia or most other host nations could defend themselves alone as well as we can jointly defend them. But there must be equity. There must be shared responsibility.

After inspecting Khobar Towers last month, I met with 20 officers and airmen who had been in and around the complex when the 5,000-pound truck bomb went off. For an hour, in turn, these men and women calmly recounted their own injuries and the efforts, by those who were able, to aid more seriously wounded comrades and to remove bodies. At the end of our talk, a young captain said that despite all we do in Saudi Arabia, our troops are not even allowed to fly the American flag above the U.S. compound. Something is wrong, he said.

I agree.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Madam President, I ask unanimous consent that the hour to which I was assigned begin at 1:10, and conclude at 2:10.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM AND TAX RELIEF

Mr. COVERDELL. Madam President, it is our intention during the hour under our control to continue the discussion of the importance of tax reform and tax relief for the American people at this time in which they are bearing the highest tax burden in American history. We have been joined by my distinguished colleague from Wyoming. I yield up to 10 minutes to the Senator for the purpose of expounding on this subject.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. I thank the Senator from Georgia for setting up some time to talk about the issue that most of us talk about all the time, and that is taxes. It is an issue we should talk about. It is an issue that cuts very deeply into our lives. We spend an average of nearly 40 percent of our income on taxes at various levels. So it is something we ought to talk about.

I think part of the focus today—I talked about this earlier, as a matter of fact—is on the philosophical idea of taxation, whether you have less or more, whether you have smaller government or larger government, and that is a choice. But, more specifically, I think this hour was to look a little bit at simplification, to look a little bit at the difficulty of collection, to look a little bit at some of the debates and discussions that go on with respect to the IRS. Many people are very disillusioned with the IRS, and I do not defend that agency particularly, but I do tell you basically you have to have a simplification of taxation if you are going to have simplification of collection. Probably there is nobody here who would disagree with that. But it never seems to happen.

Every year we talk about simplification. Every year we talk about making it easier. But we keep going on. The current tax system is a mess. It is extremely difficult. It is a result of probably 80 years of debate and discussion and, frankly, abuse, by lawmakers, by lobbyists, by special interests—perhaps unintentionally. But, in any event, I think no one would argue with the fact that we have, now, a tax system that is extremely difficult, extremely cumbersome, extremely ineffective and unfair. It is certainly too complex and much too costly. And of course the tax system itself punishes the idea of investment, punishes the idea of incentive, punishes the idea of saving. And all those things go together.

I have already mentioned the figures. We pay nearly 40 percent. That is an astounding figure, really, in terms of a working family who—most families are working families—has to work until late May to pay their taxes.

Mr. COVERDELL. Madam President, I wonder if the Senator will yield for a question?

Mr. THOMAS. Certainly.

Mr. COVERDELL. In this debate about the working family there are two figures that are constantly quoted. One is 40 percent. I typically use 50. I wonder if the Senator would agree, when you add on the regulatory costs and that family's share of higher interest rates because of the national debt, you end up with another $9,000 coming out of the checking account of the average family. It really takes it to over 50 percent, dealing with the cost of government.

Mr. THOMAS. I am sure that is correct. And it is an even more astounding figure than we have.

It is set up so we do not think about it a lot. I do not object to the idea of withholding. It is probably the only way to do it. But withholding sort of slips in there and you hear people talking all the time, ''Well, gee, I got money back.'' It is my money. It is my money. Back from where?

Anyway, it is a very high figure. But it seems to me—and I wanted to focus on this, and I am going to speak for just a few minutes about this—it is too complicated, much too complicated, and too difficult to figure. Again, an estimate is 4.5 billion hours a year are spent in the preparation of tax returns. That is an astounding number as well.

Each of us knows how difficult it is to figure our taxes. They are too hard to enforce. The more complicated, the more difficult it is in the tax system, obviously it is more difficult to enforce. And enforcement is important. You have to ensure that, when you have a tax system, that everyone is treated fairly in that tax system, that everybody contributes what under the law they are supposed to contribute. So the tax system makes it most difficult.

Probably there are too many loopholes. They are often called loopholes. The fact is, over time, the Tax Code has been used to affect behavior. When we wanted someone to do something we changed the taxes and made it an incentive to do it. So we have all these series of things which have very little to do, frankly, with paying taxes. They actually have very little to do with the fairness of taxation, but have more to do, in fact, with seeking to modify behavior. Maybe that is a legitimate function of taxes. But I can tell you, it makes it much, much more difficult. It probably makes it much, much more unfair, in terms of the total collection.

I think we had, this year, as an example, a real demonstration of how frustrated people are when there was the kind of discussion and acceptance, frankly, of the so-called flat tax. Obviously the most attractive thing about a flat tax was the ease with which it could be collected. There is argument about the fairness of it. Those who have studied it feel it is even more fair. I do not argue with that.

Politically, it probably is not going to happen. There are some things like homeowners' interest and those kinds of things that are going to be very difficult, politically, to change. The argument is, of course, if I am an investor in your company and you pay me a dividend, that dividend has been paid after

tax, so I should not have to pay it again on the dividend. But when you see someone with a large income from dividends, politically that is probably not going to happen.

Nevertheless, the point is, it was very attractive for Americans to talk about a simpler, easier, more fair tax system, whatever it is. I am no expert on that, but I think it must be possible to do that. It must be possible to find a way to come up with a system that makes it easier to enforce. So we get away from the idea of having an agency like the IRS, that has to do the things it has to do. I am not being an apologist for some of the behavior that IRS might use on people to do this. But, nevertheless, the fact remains that they have a terribly difficult job, to enforce this kind of a convoluted tax system.

So, Madam President, I think there are lots of things we could too. I have a hunch, if we eliminated a lot of the exemptions, the lower rate would offset some of the things that are now in there as exemptions. We would find it would work better. I think collections would be higher if it were simpler, and we would have fewer problems.

There are many reform and simplification ideas out there. Frankly, I would support a plan, obviously, that deals with fairness. You have to be fair as to whoever pays their fair share; simplicity ought to be an issue, we ought to be able to make it much more simple, particularly with some of the equipment that we have now. I think we ought to reduce the burden. We have to pay for the Government we have, but we can do with substantially less. We can do with shifting many of these activities closer to home, so voters would know, when they made a cost-benefit analysis. Expenditures at the Federal level are very difficult to measure.

At home, in the school district, when they say we are going to have a bond issue and we are going to build a science room and it is going to take $400,000, then you say OK, is it worth it? Am I going to do it? You have a cost-benefit ratio. How do you do that in the Federal Government, tell me, in a $1.5 trillion budget where even people here are not certain what is in the thing? So we can do that. And the result would be to rein in the role of the Internal Revenue Service and we can do that by simplifying, reducing, making easier a tax system.

Madam President, I hope that we do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Madam President, I thank my colleague from Wyoming, once again, for the contributions he makes in general to this Nation, but I appreciate his being here this afternoon to talk about the issue of the Internal Revenue Service and its broader implications on taxes.

As you know, Madam President, one of the centerpieces of Senator Dole's economic plan is to focus on the IRS and how it interacts with the American people.

I am going to read an article that recently appeared on June 7, 1996. It refers to a General Accounting Office report on the Internal Revenue Service, which I am going to quote from in just a moment.

This article says:

A congressional audit of the Internal Revenue Service asserted yesterday that the agency that scrutinizes taxpayers' finances cannot properly—

Cannot properly.

keep track of the $1.4 trillion it collects each year.

Given the stories—and all of us are familiar with them, of the way taxpayers are treated from time to time by this agency —it is a bit ironic that the General Accounting Office would say that they cannot keep track of the money they collect.

It goes on to say:

''The agency that is so strict on the way Americans keep their books cannot itself pass a financial audit,'' complained Senator Ted Stevens (R–AK) chairman of the Governmental Affairs Committee. Stevens, reviewing the fiscal 1995 audit by the General Accounting Office, raised the possibility of Congress appointing an outside control board to run the IRS.

That is an interesting idea, somebody that they would have to be accountable to, like the citizens have to be accountable to them.

He says:

It would be a board similar to the one overseeing the District of Columbia Government.

In the House of Representatives, Representative Jim Lightfoot (R-IA) chairman of the appropriations subcommittee controlling the IRS budget, said an outside board would be something worth considering.

And I certainly concur with that.

''Management has been a problem there,'' he said. The GAO audit said fundamental persistent problems remain uncorrected —

Madam President, uncorrected for the fourth year in a row. For the fourth year in a row, these problems remain uncorrected. I am sure the Presiding Officer, from time to time, has had to fill out her tax returns and remembers that the agency did not allow the Senator 4 years to work things out. They had to be done on a deadline date certain.

The IRS report said it cannot reconcile—

Let me just read from the report rather than this article. This is the General Accounting Office financial audit, dated July 1996, ''Examination of IRS's Fiscal Year 1995 Financial Statements.'' It is voluminous, but it says:

The following five financial management problems, which have undermined our ability to attest to the reliability of IRS financial statements for the past 4 fiscal years, provide the basis for these conclusions.

1. The amounts of total revenue—

That's taxes.

$1.4 trillion and tax refunds, $122 billion, cannot be verified or reconciled to accounting records maintained for individual taxpayers in the aggregate.

2. The amounts reported for various types of taxes collected—Social Security, income, excise taxes, for example—cannot be substantiated.

3. The reliability of reported estimates of $113 billion for valid accounts receivable and $46 billion for collectible accounts receivable cannot be determined.

4. A significant portion of IRS's reported $3 billion in nonpayroll operating expenses cannot be verified.

5. The amounts IRS reported as appropriations available for expenditure for operations cannot be reconciled fully with Treasury's central accounting records showing these amounts, and hundreds of millions of dollars in differences have been identified.

Madam President, if this was the report that an individual taxpayer got—''cannot be reconciled,'' ''cannot be verified,'' ''cannot be determined,'' ''cannot be identified''—that taxpayer would be in a world of hurt and trouble. It would be unthinkable that you could engage this agency and have them finding that you could not reconcile your records, you could not determine what your income was, you could not put anything together, you could not account for it. You would be in deep trouble.

This agency needs to reflect on that. There are over 100,000 employees, and we know they are very dedicated employees, but this is unconscionable that they would receive a report like this and demand the kind of adherence to specificity and to timing that they ask of the American citizens but do not subscribe to themselves.

This issue of the Internal Revenue Service has taken on new proportions of late, because Representative JENNIFER DUNN of Washington in a speech made a remark that basically said the agency ought to adhere to standards that it demands of people. And I just talked about that. The Government findings are that the agency can't manage its own affairs to the extent that they are demanding of the American people.

We have been in a discussion this afternoon about the Internal Revenue Service. I have alluded to the General Accounting Office this year has found grave fault with this agency and the manner in which it maintains its own financial records.

There are even suggestions in both Houses now for a control board to oversee the agency. I pointed out very recently this issue has been elevated because Congresswoman DUNN, JENNIFER DUNN, from Washington, had said, you know, the agency ought to be held to the same kind of standards that the American people are held to. And that irritated the agency. And the agency indicated, in a letter to Ms. DUNN, among other things, by Margaret Milner Richardson, who is the Commissioner of the Internal Revenue Service—she said she was dismayed and confused to hear this Congresswoman suggest that there was something less than perfect going on at the Internal Revenue Service. And she goes on to say, ''Taxpayers now pay about 87 percent of what they owe. Noncompliance is a serious problem that deprives our

Government of more than $90 billion in revenue annually.''

I am sort of curious, how do they know? How does the Internal Revenue Service know what legitimate taxes are not being paid? The tone of this suggests, ''These American citizens out here, we need to be watching over them, make darn sure they pay what they are supposed to pay!'' It is kind of like all of our citizens are looking for a way to defraud the American Government, for Heaven's sake.

I will read this report and then I will turn to my colleague from Utah. This is a copyright 1994 News World Communications, Inc., the Washington Times, August 2, 1994. The headline of the article, ''IRS Bullies.'' ''Last week the House was debating discharge position 12 which would ensure that the taxpayer is innocent''—not guilty, as this might suggest—''is innocent until proven guilty.''

We have two sets of laws in America: You are innocent in America until you are proven guilty, but that is not always the case if you are dealing with the IRS.

About the same time, ''Inside the Beltway'' disclosed for the first time Washington lawyer, Susan Allen's incredible encounter with John Richardson, the husband of Internal Revenue Service Commissioner Margaret Richardson, who wrote this letter to Congresswoman DUNN:

> Mr. Richardson, the lawyer told us, had parked his black Volvo across an alley driveway leading from her Northwest home, preventing her from driving out of her garage. When Mr. Richardson was summoned from a nearby restaurant, she said he huffed, ''Margaret Richardson'' [that is the commissioner of Internal Revenue Service] ''is my wife, and she is the IRS commissioner, and I hope you paid your taxes.'' The surprised lawyer couldn't believe her ears, so Mr. Richardson gladly huffed again: ''My wife is the commissioner of IRS and I hope you paid your taxes.''

We have an attitude issue here, Madam President. It is not just this agency. About 85 percent of the people that come through my office are concerned, in one way or another, about the treatment they receive from their Government. I grew up thinking the Government was supposed to be a partner, not a bully or a boss. I think these things deserve some serious attention.

We have been joined by my colleague from the good State of Utah. I yield up to 10 minutes to the Senator from Utah.

Mr. BENNETT. Madam President, I have two points to make with respect to the IRS.

Let me preface this by saying that the IRS has a large facility in my State, in Utah, in Ogden, and by and large the overwhelming majority of the people who work in that facility are honest, hard-working, dedicated Americans who are as anxious to do a good job as anybody in any other agency.

I learned when I was in the business world that when something is wrong, seriously wrong with an organization, it is usually not with the people. It is usually with the system that they are operating and with the culture.

I wish to make two points about the IRS system and culture, with the understanding that I am not criticizing hard-working, dedicated individual civil servants who are doing the best they can in a difficult circumstance.

First, the system. Rather than discuss individual horror stories—I will get to that when I talk about culture—I want to go to formal examinations of the IRS that are before us as Members of Congress and call the attention of my fellow Senators and others to two reports. One is from the GAO, the General Accounting Office, that came out in August of this year. It says ''Tax Systems Modernization.'' That is the standard headline, but look at the subheadline that is right there on the front of the report. It says, ''Cyberfile Project Was Poorly Planned And Managed.''

Then on the heels of that, in September 1996, hot off the presses, if you will, the General Accounting Office ''Internal Revenue Service''; the subhead, ''Business Operations Need Continued Improvement.''

These were both submitted to the Governmental Affairs Committee, the chairman of which, Senator STEVENS of Alaska, has shared them with me. Let me give a summary of what is in these reports. Again, I look at this as a businessman, and I must say, Madam President, I am appalled. The IRS has not passed an audit during the 5 years they have been audited. Their major failures are they cannot account for revenues from tax returns and refunds. They cannot account for goods received against payments made, and there are computer security weaknesses that have allowed IRS workers to view and alter returns. Think of the movies we have seen of the hacker getting into the system. Well, IRS employees can get into the system and not alter grades the way they do in the movies or set off nuclear wars, but at least alter the returns of some of their friends, if they want to.

The recent GAO audit found that interim computer security procedures have been improved, but these weaknesses still remain. The amounts of total revenue, $1.4 trillion, and tax refunds, $122 billion, cannot be verified or reconciled to accounting records maintained for individual taxpayers in the aggregate. In other words, we have a business here that for 5 years has been unable to close its books because they cannot bring them into balance. They cannot reconcile the numbers on this side with the numbers on that side. I find that astounding—5 years and they still cannot reconcile the amounts of total revenue and tax refunds to their accounting records maintained for individual taxpayers. I wonder how forgiving the IRS would be in an audit of a business that said for 5 years we have been unable to reconcile these amounts.

Next, the amounts reported for various types of taxes collected—for example, Social Security and income taxes and excise taxes—cannot be substantiated.

Next, the reliability of reported estimates of $113 billion for valid accounts receivable and $46 billion for collectible accounts receivable cannot be determined.

Next, a significant portion of IRS's reported $3 billion in nonpayroll operating expenses cannot be verified. The amounts IRS reported as appropriations available for expenditure for operations cannot be reconciled with the Treasury's central accounting records showing these amounts. The differences are in the hundreds of millions of dollars. Again, how would the IRS react to a company that showed differences in accounts between one division and the other that were hundreds of millions of dollars in size, and was unable to reconcile them?

Now, the reason the IRS says it is so difficult for them to pass an audit on these issues is that they were never required to do so until the Chief Financial Officer Act was passed. Therefore, they say their financial management systems and procedures were never set up to be audited.

This is incredible. For 5 years, they have been unable to pass an audit. They cannot reconcile their accounts, either internally, or with the Treasury. Yet, they ask us to have a high degree of confidence in the way they handle our taxpayers' money. So that is my first point with respect to the structure.

Now, if I may, I will talk about the culture of the IRS. As my colleague from Georgia has done, I will use examples out of my own office as a Senator. Here is one.

A taxpayer pays the tax he figures he owes; he sends the tax in to the IRS. The payment sits there for a year and a half, and he hears nothing back. Then, for some reason, the entire amount he paid is sent back to him, with no explanation. The IRS simply sends it back after a year and a half—no explanation, no indication. Two days later, they send him a notice saying that he owes tax for that year at a lesser amount than the amount he had sent them and demands that it be paid immediately. And then, a few weeks later, a notice comes that interest and penalty are now due on the tax that he just paid. He pays the tax, they keep it for a year and a half, send it back to him, with no explanation, then send him a new tax bill. He pays that, and he is told he owes interest and penalty on the new tax bill because he hadn't paid his taxes on time a year and a half before. Well, he thinks, surely, when he explains this, somebody will straighten it out. He goes to the IRS and gets no assistance whatsoever. He was told he owed the interest and penalty, and if he did not pay it, the penalty would continue to accrue.

Finally, he came to my office. My constituent liaison person made inquiry with the local IRS people and was told there is no way, legally, to cancel the interest and penalty in this case. Well, fortunately, the members of my staff are as persistent as I would hope they would be. They did not accept that as an answer and, ultimately, the case was resolved. But what does it say about the Agency when it takes the muscle a U.S. Senator to get them to resolve something that is so absurd, as this was?

The second case, which is not an individual case but a series of cases that we see—and I would assume that my colleagues see—in our offices often as well. Homemakers, women in marriages that go along for a while, and then they don't work out. They always filed joint returns. The husband fills out the joint return, signs it, hands it to his wife, says, ''Sign it here, I am sending off the tax return.'' They sign it without really understanding what is going on. And then the marriage breaks up, a divorce takes place. The woman has to find a job. She goes out and gets a job, only to discover that her wages are now being attached by the IRS for back taxes that her husband never paid. He did not tell her that he wasn't paying them. He, indeed, lied to her and told her they were being paid and they were all taken care of. She was being defrauded by her husband. But instead of coming after the husband, the IRS comes after her. Why? Because she is the one working. The husband disappeared. She is working and she has to put her life back together. Many times children are involved that she has to support. But instead of saying, yes, we recognize that in the situation you were in before, you, in fact, had no control over the family finances, they are now saying, no, because you signed that return, you are due for those taxes because we can't find your husband.

Even in those cases where the woman can prove she did not sign the return, the husband signed her name, forged it, the IRS says, no, your name was on there, there was a signature, and you are coming into the work force, trying to put your life back together, trying to take care of your kids, and you are now responsible for the taxes that your former husband refused to pay. The women in these circumstances feel intimidated, scared, frustrated and, above all, confused.

We had one who finally came to my office asking for assistance because the collection officer was abrasive, intimidating, and demanding. Once again, it was only after my congressional liaison person got involved that this woman got some degree of relief from this.

So those are the two points I leave you with, Madam President. First, the system, as indicated in these two reports, has very serious systematic problems—trillions of dollars, and they can't make their books balance, internally or with the Treasury books. Second, the culture, where IRS agents find themselves intimidating and demanding, and where ordinary citizens are seeking some kind of redress and protection and ultimately come to Members of the U.S. Senate for help.

One final comment. I don't know how true this is of other Senators. I am one who has gone through an IRS audit. I found it a relatively painless kind of experience. I was fully prepared. The individual on the other side recognized that, and we went through things in a civil, proper fashion, and I commented on that to another friend, saying I had been through an IRS audit, and it's not all that bad. He looked at me and he said, ''BOB, it is entirely the luck of the draw. It depends on which agent you get that day. You were lucky enough to get the intelligent, properly motivated, properly directed, dedicated civil servant. I got the other kind. I can tell you, it depends on which one is on duty when your number comes up.''

It should not be that way, Madam President. We should have equal justice under the law, and everybody should be treated the same.

I yield the floor.

Mr. COVERDELL. Madam President, I thank the Senator from Utah for his very revealing comments. He was on target. I appreciate very much him joining us this afternoon. I am now going to yield up to 10 minutes to my colleague from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Madam President, when 2,000 American job providers came to Washington last June to attend what was called the Third White House Conference on Small Business, they brought with them hundreds of ideas on how to make Government more responsive—to the taxpayers and to small business alike.

They condensed their suggestions into a list of 60 to send on to the White House. Even though their recommendations covered a tremendous range of concerns, one point generated near universal agreement from that conference, and that was that something must be done about the complex and costly Federal tax system.

Well, there's nothing simple about taxes anymore, as you have heard here today. As any taxpayer will tell you, the IRS today is five times bigger than the FBI, and it's twice as large as the CIA. To run such a massive operation takes the equivalent of more than 3 million full-time employees. We have more Americans collecting taxes than we have serving in the Armed Forces.

The IRS manages a library of 437 separate tax forms. The IRS mails out over 8 billion pages of tax instructions every year.

Now, our colleague in the House, the distinguished majority leader from Texas, points out that American workers and businesses spent 5.4 billion hours in 1990 just preparing their taxes. That is more time than it takes to build every car, truck, and van that is manufactured in the United States every year. Just to administer a tax system so unwieldy costs our taxpayers almost $14 billion a year.

Even though the IRS demands strict compliance from the American people, it has set far lower standards for itself, as our colleague from Utah points out. It has long permitted itself severe abuses within its own accounting practices—something they would not tolerate from businesses or individuals.

In a report issued last year, the General Accounting Office took the IRS to task for failing to keep its own books and records with the same accuracy that it demands of the taxpayers.

For the last 2 years, in fact, the GAO has not been able to express an opinion on the financial statements of the IRS, and that was due to serious accounting errors and internal control problems. More than 20 months later, the problems still remain.

In testimony before Congress in June, Gregory Holloway of the GAO reported:

> We have made 59 recommendations to improve the IRS's financial management systems and reporting. IRS agreed with these recommendations and has worked to implement them and correct its financial management systems and information problems. However, many of the more significant recommendations have not yet been fully implemented.

There are other ways in which the management problems within the IRS are manifesting themselves. And far too many of my constituents are forced to deal with the fallout on a daily basis.

Madam President, every American has experienced the frustration of filing their Federal tax returns. Even though Congress has tripled funding for the IRS over the last 7 years to the tune of $7.5 billion, the level of service provided to the taxpayers has not grown proportionally. In recent years, the IRS has invested billions of taxpayer dollars in its efforts to modernize its operations, including its information systems—but the GAO has dubbed the results ''chaotic.'' As an ironic consequence, the IRS, the Nation's tax collector, is perhaps the least taxpayer-friendly agency in the entire Federal Government.

Meanwhile, the Federal tax system continues to grow more complicated and hard to understand. In the mid-1950's, the Federal Income Tax Code was comprised of 103 sections and 400,000 words.

Today, it has ballooned to 698 sections—a 578-percent increase—and nearly 1.4 million words.

Adding to the aggravation of the Nation's taxpayers, tax regulations have multiplied just as rapidly.

Between 1955 and 1994, the number of words in the regulations of the Internal Revenue Code increased more than 550 percent, from just over 1 million words to 5.7 million in the IRS Code.

Even if you are a trained speed reader who can read 1,000 words a minute, and you did not do anything else but

devote every hour of every business day to reading these regulations, it would take you almost 3 years to wade through them.

The rapid growth of the Federal Tax Code and its regulations has dramatically increased the complexity of our tax system, to the point where no one but a very few tax specialists can understand it. Even IRS agents are often confused by their own tax laws. The complexity of the Federal tax system means that tax assistance for ordinary American taxpayers is even more urgent now than ever before.

But this desperately needed assistance has not been adequately provided. For example, my State office receives complaints daily from constituents frustrated they cannot get through to a human being at the toll-free lines established by the IRS: The lines are constantly busy. In some cases, my constituents have tried for 3 or 4 days before they finally reached a real, live person.

In July, I received this letter from a taxpayer in St. Paul who was being threatened with a lawsuit by the IRS:

> I am one of those middle-age, lower-middle-class citizens who have pulled myself from extreme tragedy to the point where I am trying to buy my house, I've never had the government or any agency help me.
>
> And now my entire life is threatened because I can't talk to a human being about my taxes. Please help me. I have sent a copy of this to the IRS, the White House, Senator Wellstone, and no one seems to be able to help. I can't believe that I cannot find a human being in the IRS to talk to.

Another constituent of mine who tried repeatedly to reach someone at the hotline shared their frustration with the IRS operator when their call was finally answered. ''Blame it on Congress. They cut our budget,'' said the operator. The IRS employee ended the call by advising my constituent to telephone me and demand more tax dollars for the IRS.

Let us go back over that again. He finally got through after days and was finally able to talk to an operator at the IRS. And the answer he got was ''Blame it on Congress'' because ''they cut our budget.'' And before he got off the phone the operator, the IRS person, told them to call me in Washington and demand more money for the IRS.

I suggest, Madam President, that throwing more dollars at an agency that already cannot account for $1.4 trillion tax dollars it takes in annually is hardly the solution.

The Federal Government enacts laws that we require the people to obey. But in the case of the IRS telephone hotline service, we have failed to provide sufficient assistance to enable average Americans to understand and comply with the laws.

And when innocent incompliance occurs due to the complexity of the tax system, we punish the taxpayers by imposing all sorts of penalties. This is simply not fair.

Let me give you two examples. A certain individual in Minnesota told me about a problem he had. He paid about $35,000 in taxes but didn't file his return until October. But he had filed all the necessary extensions that he needed to file to get the extension on his return. The IRS had already collected about $35,000. But he was still short about $4,000, which he paid plus interest. But even after paying all those taxes he still was find $700 for being late.

Another individual that is self-employed told me that he pays his taxes every year quarterly estimating his taxes, and at one time he received more money in payments from his clients than he expected, and when he paid taxes on that, IRS came back and fined him $500 because he had failed to report that correctly.

Madam President, I do not know if that is fair, or what is intended when we have taxpayers out there trying to meet the laws, obey the codes, and yet are fined by this agency.

Madam President, I am pleased the Senate took action this week to resolve this most frustrating situation by accepting my amendment to the Treasury-Postal appropriations legislation. The amendment will help correct the problem by making the IRS prioritize its toll-free telephone service and allocate the necessary resources to ensure that taxpayers receive adequate assistance and answers to their questions.

This will not solve most of the problems plaguing the IRS, of course, but it marks a start. I am happy to see additional solutions being proposed, and I am especially pleased that our former majority leader, Bob Dole, is speaking loudly about our need to forever end the IRS as we know it.

He has pledged to ''free the American people from tax tyranny,'' and the ideas for IRS reform he has put forward in his economic blueprint have raised the level of this debate.

They deserve a close look by the taxpayers, as we seek to build an IRS that will be a tool for the taxpayers, not a weapon against them.

Thank you very much, Madam President.

Mr. COVERDELL. Madam President, when Senator Dole left the Senate, I looked down at this desk, and I said that I would ''never forget or look at this desk without seeing him or thinking of him.''

He is now engaged in a very long journey. As the Senator from Minnesota just alluded to, he put forward a very broad economic plan that deals with the IRS that we have just been discussing, along with other policies such as the 15-percent across-the-board tax break, and others.

Yesterday, my good colleague from Nebraska came to the floor—and, of course, he was the longest serving Governor of Nebraska, and he has been in the Senate 18 years—and I was taken aback by his comments about Senator Dole.

Just to quote here, he calls it:

> The latest ''Follow the Yellow Brick Road'' path of wizardry blends $550 billion in tax breaks, unspecified spending cuts, and rosy economic scenarios into one shameless political ploy. When the unsuspecting Dorothys of the world pull back in wonderment the curtain, they discover a huffing and puffing candidate, Bob Dole, as the wizard. This is the same wizard who for the first 72 years of his life forswore such economic nonsense. Bob Dole's transformation from a deficit hawk into a carrier pigeon for supply * * *

Well, anyway, I just do not think those kinds of remarks are fitting in public discourse, and certainly here in the Hall of the greatest legislative Chamber in the history of the world I do not think they are fitting remarks. We can debate our differences about our views on tax relief and economic policy without resorting to this kind of language. I do not think it is fitting for the Senate, and I wanted to say so here rather than off in some klatch someplace.

The Senator from Nebraska went on to ridicule the economics of the 1980's which, I might point out, was the longest peacetime economic recovery in the history of the United States. He apologized to America for having supported the Reagan tax cuts, and he said it was worst vote he had ever cast and a mistake.

I find it hard to characterize beginning the longest peacetime recovery as a mistake; or ending double-digit inflation, which had been 13 percent, he now characterizes trying to correct that and correcting that as a mistake; getting interest rates down—people do not remember but they were as high as 22 percent, and this economic recovery, of course, reduced it dramatically, but he characterizes that as a mistake; or was creating 20 million new jobs in that glorious decade a mistake, as he characterizes it and regretted having ever voted to support it; or rebuilding our national defense and economy, winning the war over communism, ending the cold war, and he characterizes that as a mistake.

Madam President, right now I talk a lot about the American family. I do not think we can talk enough about them. In my State, after they pay their Federal taxes, State taxes, local taxes, their share of the increased interest on the national debt, their share of the costs of the burden of regulation in America which is now $7,000 for an average family of four, they have less than half the money they earn in their checking account. They are left with only 47 percent of their wages—unbelievable. No wonder there is much anxiety and pressure and worry in middle-income families of America.

This administration which promised to lower that pressure—it was a very major political statement to the country—really did not get its bags unpacked before it imposed a $491 billion tax increase—the highest in American history.

Madam President, $491 billion, what does that mean to this family I was

just talking about? It means that they lost in the last 3 years somewhere between $2,000 and $2,600 per year less in their checking account which was already under duress.

The result of this tax increase is that we now pay 30.4 percent of the gross domestic product in taxes. This is the highest that it has ever been in American history. The tax burden has never been higher, and under the current economic plan as proposed by President Clinton it will rise to its highest level ever, 19.3 percent of the gross domestic product.

The point I am making here is that for Senator Dole to come forward and say we ought to lower this burden, it means that this family that has lost $2,000-plus per year under the 15 percent across-the-board tax relief will get about $1,200 to $1,400 of that back. That makes a lot of sense. If a family cannot even keep half the wages they earn, I think it is sound policy to try to reverse that and get some of those resources back in that family's checking account so that they can see to the raising of the children, the education, the housing, the transportation, the food, all of that which we depend on the American family to do. We have made it almost impossible for the American family to do that which they are supposed to do.

In addition, that plan embraces a balanced budget amendment to the Constitution. I might point out that Senator EXON of Nebraska was one of the seven that changed his vote which caused the failure of passage of the balanced budget amendment to the Constitution.

Senator Dole has embraced that. We have talked about the IRS here, saying we are going to get into that agency and produce a cultural attitude that is consistent with being a partner to America and not a boss over America, saying that you are going to balance the budget by the year 2002 which will lower interest rates—it will lower what this American family has to pay on the mortgage for their home, car, refrigerator, their credit card.

All of these proposals make a lot of sense, and it is all right that we disagree and debate about the conditions of these, but we ought to do it in a very civil and appropriate way. There ought not to be any name calling on either side of the aisle. The American people expect that of this body.

In closing, Madam President, I cannot think of any policy that is more important for our working families than to try to get this burden down to a more rational level. If you ask all our families, it does not matter what walk of life they come from, what their income strata is, their education, they all say that the appropriate tax burden should be about 25 percent. It is double that. And so I think Senator Dole's suggestion that we ought to pass a little relief back to those family checking accounts makes every bit of sense.

Madam President, I ask unanimous consent that in the intervening time on the schedule, the Senator from Minnesota be added to the end of our time. I think it will take us until about 2:17, or something like that.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTITUENT'S BIRTHDAY

Mr. COVERDELL. Madam President, just as an aside, one of my constituents is in the gallery with his 80-year-old mother celebrating her birthday.

I want to share in her birthday celebration.

At this time, I yield back whatever time is remaining. I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

VOYAGEURS NATIONAL PARK

Mr. GRAMS. Madam President, I rise today to discuss an issue of great importance to the people of northern Minnesota and others who care about Voyageurs National Park.

In 1971, Voyageurs National Park was created in northern Minnesota after years of contentious debate in my home State and within the halls of the Federal Government. While there were some who were opposed to the park's creation, many others supported it under the promise that it would not only protect the area for future generations but would also be an economic benefit for northern Minnesota as well.

Federal officials estimated the park would attract 1.3 million visitors annually, yet 25 years later the National Park Service estimates that the actual number of visitors is 200,000 per year. That is less than one-sixth of its initial projection. Why is the visitor rate so low in Voyageurs? Ask the National Park Service. Ask them about the countless numbers of regulations that they have imposed that would limit the ability of recreationists to enjoy the park such as the restriction under the Endangered Species Act recently repealed by a district court judge and a de facto wilderness designation never approved by Congress.

Perhaps the most significant example of how the Federal Government has failed in its mission to promote visitor use is the Park Service's continued reluctance to conduct a visitor use and facilities study mandated by Congress 13 years ago.

This study, supported by the Park Service back in 1983, was to be a tool that would help the Park Service determine why its visitor-rate projection had not been met. Yet, to date, this study has still not been completed—at the expense of the people of northern Minnesota and those who seek reasonable access to their public lands.

Now, I am not suggesting that economic interests should be the determining factor in the management of this national treasure, but there is no question that the economic survival and security of the men, women, and children who live in the communities surrounding the park must be taken into consideration. More importantly, when the Federal Government gives its word to the people, it must live up to it.

For this reason, I intend to offer an amendment to Interior appropriations which will help restore one of the unfulfilled promises made to the people of northern Minnesota. My amendment, which I will not offer today, would require the Park Service to begin its comprehensive visitor-use and facilities study in consultation with appropriate private and public entities. It does not set a rigorous timetable on when the study must be completed and in no way micromanages the Park Service's activities; it simply requires the Park Service to work with the State of Minnesota, the park's surrounding counties, and individuals to develop a framework under which the study will be completed.

Madam President, the groundwork is set for a team effort to develop this study. I have spoken with county commissioners in northern Minnesota who have expressed strong support for this study and stand ready to help the Park Service develop it. The study was discussed during five hearings before the 104th Congress—both in Minnesota and Washington—and the strong, majority opinion during those hearings, including that of the Park Service, was in favor of the study. It is also my understanding that the Voyageurs Park Superintendent has mentioned that some funding may be available in the coming months to begin the study—for which I commend her. All of these developments make me optimistic that this study can be done. Again, after 13 years that it was directed to do so, the study finally may be done. The time has come for this study to be done.

My amendment will create the framework to accomplish this task and to begin restoring the commitments made long ago to the people of northern Minnesota. I certainly hope that my colleagues in the Senate—including my fellow Senator from Minnesota—will lend their support to this amendment and for doing what is right for the Voyageurs National Park and those who love it.

I yield the floor.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, September 12, the Federal debt stood at $5,216,902,015,633.76.

One year ago, September 12, 1995, the Federal debt stood at $4,964,466,000,000.

Five years ago, September 12, 1991, the Federal debt stood at $3,624,056,000,000.

Ten years ago, September 12, 1986, the Federal debt stood at $2,106,281,000,000. This reflects an increase of more than $3 trillion ($3,110,621,015,633.76) during the 10 years from 1986 to 1996.

DEFENSE OF MARRIAGE ACT

Mr. DORGAN. Mr. President, I did not have an opportunity to speak during consideration of the Defense of Marriage Act, so I would like to take a moment now to explain my vote.

I voted for the Defense of Marriage Act for a very simple reason. For thousands of years, marriage has been an institution that represents a union between a man and a woman, and I do not support changing the definition of marriage or altering its meaning.

Those of the same sex who have a long-term relationship and who wish to provide a legal framework for that relationship should aspire to enact legislation in the States that creates such a legal framework. But that should not include changing the definition of marriage to allow same-sex marriages, and it should not require all States to recognize that legal relationship.

I simply do not believe that we should in any way dilute the meaning of this important institution. Marriage is what binds a husband, wife, and children into a single unit—a family—which is the cornerstone of our society. Those who would say that this important tradition should be altered are simply wrong.

For that reason, I voted for the Defense of Marriage Act.

THE SITUATION IN IRAQ

Mr. CRAIG. Mr. President, I have been glued to the television today in order to keep myself updated on the situation in Iraq. Needless to say, I am more than a little frustrated that no attempts have been made by the President to consult the Congress on this swiftly evolving situation. I do not say this lightly, Mr. President, but CNN reporting is not what I would consider fulfillment of the President's reporting obligation in the War Powers Act.

The War Powers Act states that the ''President in every possible instance shall consult with Congress before'' introducing troops into imminent hostilities and shall also consult with Congress regularly after the introduction of combat troops. Mr. President, that also applies when situations develop into hostilities. This obligation was easily overlooked for the incident on August 31. The Congress was adjourned on recess, making it difficult, if not impossible to brief Members prior to taking action. The Congress stood with the President in an effort to fully support our troops and his decision as Commander in Chief. However, the current situation is quite different. The Congress is here, and we are waiting. Let me be clear, Mr. President, support for our troops is steadfast. But the President cannot assume the continued support of Congress if he fails to keep us informed.

Mr. President, the President acted to counter Saddam Hussein's aggression against the Kurds, and quickly declared victory. The President's policy to-date is not a victory. In less than a week's time, the premature declaration has soured into a situation that has our pilots being shot at in the Northern No-Fly Zone, Hussein gaining a strong foothold in the former Kurdish safe-haven, and a movement of American personnel and equipment into the Persian Gulf. If a strong and clear policy is not defined soon, the President's policy in the gulf will most assuredly become an abject failure. It's time to come to the Congress and the American people with a defined mission, goals and exit strategy. It is time for the President to fulfill his obligations under the War Powers Act.

In my speech on the situation in Iraq, just a week ago today, I expressed concerns about the President's failure to maintain the alliance with our gulf war partners. Without the coalition, we risk losing the necessary strategic advantage we how hold, and our defensive presence in the gulf will necessarily deteriorate. Saddam Hussein is testing our resolve in the Persian Gulf by his efforts to play divide and conquer with the United States and our coalition partners from the gulf war. Without a clearly defined missioned and policy, we will continue to be pulled into a situation that will isolate us in the region and leave few, if any, positive options to resolve the situation.

Saddam Hussein is not an individual to be toyed with. He understands little other than aggression, and we should be wary that for him, embarrassing the United States at any cost may be considered a victory. This is very important, Mr. President, because that cost could include American lives.

Mr. President, the reporting on CNN provides good and timely information, but it does not provide insight, direction, or a clear message about the policy you intend to pursue. Therefore, it is my hope and my purpose to encourage the President to fulfill his obligation to the Congress under the War Powers Act for the American people and for our troops.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT CONCERNING THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 168

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

I hereby report to the Congress on developments concerning the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order 12959 of May 6, 1995. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order 12957 and does not deal with those relating to the emergency declared on November 14, 1979, in connection with the hostage crisis.

1. On March 15, 1995, I issued Executive Order 12957 (60 Fed. Reg. 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by United States persons of the development of Iranian petroleum resources. This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the order was provided to the Speaker of the House of Representatives and the President of the Senate by letter dated March 15, 1995. Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order 12959 to further respond to the Iranian threat to the national security, foreign policy, and economy of the United States.

Executive Order 12959 (60 Fed. Reg. 24757, May 9, 1995) (1) prohibits exportation from the United States to Iran or to the Government of Iran of goods, technology, or services; (2) prohibits the reexportation of certain U.S. goods and technology to Iran from third countries; (3) prohibits transactions such as brokering and other dealing by United States persons in goods and services of Iranian origin or owned or controlled by the Government of Iran; (4) prohibits new investments by United States persons in Iran or in property owned or controlled by the Government of Iran; (5) prohibits U.S. companies and other United States persons

from approving, facilitating, or financing performance by a foreign subsidiary or other entity owned or controlled by a United States person of certain reexport, investment, and certain trade transactions that a United States person is prohibited from performing; (6) continue the 1987 prohibition on the importation into the United States of goods and services of Iranian origin; (7) prohibits any transaction by any United States person or within the United States that evades or avoids or attempts to violate any prohibition of the order; and (8) allowed U.S. companies a 30-day period in which to perform trade transactions pursuant to contracts predating the Executive order.

At the time of signing Executive Order 12959, I directed the Secretary of the Treasury to authorize through specific licensing certain transactions, including transactions by United States persons related to the Iran-United States Claims Tribunal in The Hague, established pursuant to the Algiers Accords, and related to other international obligations and United States Government functions, and transactions related to the export of agricultural commodities pursuant to preexisting contracts consistent with section 5712(c) of title 7, United States Code. I also directed the Secretary of the Treasury in consultation with the Secretary of State, to consider authorizing United States persons through specific licensing to participate in market-based swaps of crude oil from the Caspian Sea area for Iranian crude oil in support of energy projects in Azerbaijan, Kazakstan, and Turkmenistan.

Executive Order 12959 revoked sections 1 and 2 of Executive Order 12613 of October 29, 1987, and sections 1 and 2 of Executive Order 12957 of March 15, 1995, to the extent they are inconsistent with it. A copy of Executive Order 12959 was transmitted to the Speaker of the House of Representatives and the President of the Senate by letters dated May 6, 1995.

2. On March 8, 1996, I renewed for another year the national emergency with respect to Iran pursuant to IEEPA. This renewal extended the current comprehensive trade embargo against Iran in effect since May 1995. Under these sanctions, virtually all trade with Iran is prohibited except for information and informational materials and certain other limited exceptions.

3. There were no amendments to the Iranian Transactions Regulations, 31 CFR Part 560 (the ''ITR'') during the reporting period.

4. During the current 6-month period, the Department of the Treasury's Office of Foreign Assets Control (OFAC) made numerous decisions with respect to applications for licenses to engage in transactions under the ITR, and issued 24 licenses. The majority of denials were in response to requests to authorize commercial exports to Iran and the importation of Iranian-origin goods. The majority of the licenses issued authorized the completion of commodity ''string transactions'' entered into by United States parties with respect to foreign commodities and having no knowledge or control over the Iranian interest in the contracts; the export and reexport of goods, services, and technology essential to ensure the safety of civil aviation and safe operation of certain commercial passenger aircraft in Iran; licenses relating to Iranian participation in the 1996 Atlanta Olympic and Paralympic Games; the importation of Iranian-origin artwork for public exhibition; and certain humanitarian imports and exports. In light of statutory restrictions applicable to goods and technology involved in the air safety cases, the Department of the Treasury continues to consult and coordinate with the Departments of State and Commerce on these matters, consistent with section 4 of Executive Order 12959.

In consultation with the Board of Governors of the Federal Reserve System and bank regulators in New York and California, OFAC revoked the licenses of all Iranian banking agencies in the United States. State regulators then required them to convert to Representative Office status. There are now no Iranian banks authorized to conduct banking business in the United States. Activities have been restricted to ''limited representation,'' allowing only research and coordination with U.S. holders of affiliate correspondent accounts.

Bank Saderat, Iran's New York Representative Office, was nominated by the Central Bank of Iran to act as its agent for procedures outlined in the ''Airbus'' settlement at The Hague. Accordingly, Bank Saderat was separately licensed by OFAC for the limited purpose of collecting information for the Central Bank of Iran about U.S. commercial claims against Iranian banks. The information will be forwarded to and cleared by Iranian and State Department officials and used in making independent determinations as to which claims can be paid from a special escrow account established at the Federal Reserve Bank of New York.

The U.S. financial community continues to interdict transactions associated with Iran and to consult with OFAC about their appropriate handling. During this reporting period, OFAC took decisive action to prevent the U.S. clearing of third country dollar travelers checks sold by Iranian banks.

5. The U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the ITR. Various enforcement actions carried over from previous reporting periods are continuing and new reports of violations are being aggressively pursued. Since March 11, 1996, OFAC has collected two civil penalties totaling $6,000. The violations underlying these collections involve unlicensed exports to Iran. Civil penalty action is pending against 12 U.S. companies and financial institutions for violations of the Regulations.

6. The expenses incurred by the Federal Government in the 6-month period from March 15 through September 14, 1996, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iran are approximately $850,000, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of Political-Military Affairs, and the Office of the Legal Adviser), and the Department of Commerce (the Bureau of Export Administration and the General Counsels Office).

7. The situation reviewed above continues to involve important diplomatic, financial, and legal interests of the United States and its nationals and presents an extraordinary and unusual threat to the national security, foreign policy, and economy of the United States. The declaration of the national emergency with respect to Iran contained in Executive Order 12957 and the comprehensive economic sanctions imposed by Executive Order 12959 underscore the United States Government opposition to the actions and policies of the Government of Iran, particularly its support of international terrorism and its effort to acquire weapons of mass destruction and the means to deliver them. The Iranian Transactions Regulations issued pursuant to Executive Orders 12957 and 12959 continue to advance important objectives in promoting the nonproliferation and antiterrorism policies of the United States. I will exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 13, 1996*.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on September 13, 1996, he had presented to the President of the United States, the following enrolled bill:

S. 1669.—An act to name the Department of Veterans Affairs medical center in Jackson, Mississippi, as the ''G.V. (Sonny) Montgomery Department of Veterans Affairs Medical Center.''

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–4076. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report regarding the NASA Industrial Plant (NIP) at Downey, California; to the Committee on Commerce, Science, and Transportation.

EC–4077. A communication from the Secretary of Defense, transmitting, a notice of retirement; to the Committee on Armed Services.

EC–4078. A communication from the Manager of the Federal Crop Insurance Corporation, Farm Sevice Agency in the Department of Agriculture, transmitting, pursuant to law, four rules including one entitled ''Catastrophic Risk Protection Endorsement; Final Rule,'' (RIN0563–AB09, 0563–AB56, 0563–AB11) received on September 12, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4079. A communication from the Director of the Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a rule regarding advanced control room designs and advanced human interfaces (received on September 12, 1996); to the Committee on Environment and Public Works.

EC–4080. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, five rules including one entitled ''Approval and Promulgation of Implementation Plans; Washington,'' (FRL5603–7, 5609–3, 5601–5, 5606–4, 5607–2) received on September 12, 1996; to the Committee on Environment and Public Works.

EC–4081. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, a rule entitled ''United States Standards for Grades of Frozen Oakra (Final Rule)'' (FV–95–328) received on September 12, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4082. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, a rule entitled ''United States Standards for Grades of Frozen Field Peas and Frozen Black-Eye Peas (Final Rule)'' (FV–95–329) received on September 12, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4083. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a report regarding tied aid credits; to the committee on Banking, Housing, and Urban Affairs.

EC–4084. A communication from the Chairman of the Surface Transportation Board, transmitting, pursuant to law, a report regarding a rule entitled ''Rail General Exemption Authority—Exemption of Ferrous Recyclables,'' (received on September 12, 1996); to the Committee on Commerce, Science, and Transportation.

EC–4085. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, a report regarding eight rules including a rule entitled ''Amendment to Class E Airspace; Lebanon, NH,'' (RIN2120–AA66, 2120–AA64, 2120–A64) received on September 12, 1996; to the Committee on Commerce, Science, and Transportation.

EC–4086. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Notice 96–48 (received on September 12, 1996); to the Committee on Finance.

EC–4087. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Notice 96–46 (received on September 12, 1996); to the Committee on Finance.

EC–4088. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report with respect to Notice 96–47 (received on September 12, 1996); to the Committee on Finance.

EC–4089. A communication from the Assistant Attorney General of the Antitrust Division, transmitting, pursuant to law, a rule entitled ''Removal of 28 C.F.R. Part 25—Recommendations to the President on Civil Aeronautics Board Decisions,'' (RIN 1105–AA41) received on September 12, 1996; to the Committee on the Judiciary.

EC–4090. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law a report regarding a rule regarding distribution of shares by a registered Open-End Management Investment Company, (RIN 3235–AG59) received on September 12, 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC–4091. A communication from the Director of Regulations Policy in Management Staff, Office of Policy, Food and Drug Administration, Department of Health & Human Services, transmitting, pursunat to law, a rule with respect to current good manufacturing practices for blood and blood components (received on September 12, 1996); to the Committee on Labor and Human Resources.

EC–4092. A communication from the Secretary of Veterans Affairs, transmitting, a draft of proposed legislation ''Department of Veterans Affairs Employment Reduction Assistance Act of 1996;'' to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 655. A bill to authorize the hydrogen research, development, and demonstration programs of the Department of Energy, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1786. A bill to regulate fishing in certain waters of Alaska.

H.R. 3198. A bill to reauthorize and amend the National Geologic Mapping Act of 1992, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1010. A bill to amend the ''unit of general local government'' definition for Federal payments in lieu of taxes to include unorganized boroughs in Alaska and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 1719. A bill to require the Secretary of the Interior to offer to sell to certain public agencies the indebtedness representing the remaining repayment balance of certain Bureau of Reclamation projects in Texas, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1804. A bill to make technical and other changes to the laws dealing with the Territories and Freely Associated States of the United States.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 1889. A bill to authorize the exchange of certain lands conveyed to the Kenai Native Association pursuant to the Alaska Native Claims Settlement Act, to make adjustments to the National Wilderness System, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2033. A bill to repeal requirements for unnecessary or obsolete reports from the Department of Energy, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAMS:

S. 2072. A bill to amend the Internal Revenue Code of 1986 to eliminate the requirement that States pay unemployment compensation on the basis of services performed by election workers; to the Committee on Finance.

By Mr. NICKLES:

S. 2073. A bill to require the District of Columbia to comply with the 5-year time limit for welfare recipients, to prohibit any future waiver of such limit, and for other purposes; read the first time.

By Mr. THURMOND:

S. 2074. A bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWN:

S. Res. 291. A resolution to designate November 18, 1996, as ''American Free Enterprise Day''; to the Committee on the Judiciary.

By Mr. PRESSLER (for himself and Mr. GRAHAM):

S. Res. 292. A resolution designating the second Sunday in October of 1996 as ''National Children's Day,'' and for other purposes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMS:

S. 2072. A bill to amend the Internal Revenue Code of 1986 to eliminate the requirement that States pay unemployment compensation on the basis of services performed by election workers; to the Committee on Finance.

THE ELECTION WORKERS UNEMPLOYMENT REFORM ACT

• Mr. GRAMS. Mr. President, I offer legislation that would remove a costly and unnecessary burden imposed by Washington upon our State and local governments.

Current Federal law requires States and counties to pay unemployment tax and benefits for people who work as election officials—even if they work as few as two days a year.

This requirement has created a serious inequity for State and local governments. Under the law, polling place officials are considered as employees for unemployment insurance purposes, regardless of the number of days they work. Local governments are liable for payment of unemployment insurance for those election workers who apply for it after the elections, since they are being ''laid off from the employment through no fault of his or her own.'' As a consequence, their unemployment benefits could far exceed the stipend they receive for services on election day, because unemployment benefits are based on income from the previous year.

During this time of belt-tightening at every level of government, many communities are having difficulty financing even the most fundamental activities, including election administration. Requiring local governments to spend their precious tax dollars paying unemployment benefits for such short-term employees would add a tremendous financial burden to budgets that in many cases are already strained to the breaking point.

Mr. President, this current requirement does more harm than good to those it intends to protect. It hurts those civic-minded Americans who play a vital role in our democratic system through their willingness to serve as election officials, because it diverts limited public funds that would otherwise be used to balance local budgets or increase the salaries of election workers. It also makes it more difficult to retain and recruit an adequate number of qualified people to serve as election officials in our communities.

My legislation seeks to free our communities and the taxpayers from this costly and unnecessary, federally imposed burden. It simply eliminates the requirement that state and local governments must pay unemployment compensation tax on the basis of services performed by election workers. Instead, it gives the States the freedom to design and run their own unemployment compensation programs for their election workers.

I might add that according to the Congressional Budget Office, this bill is budget neutral.

Mr. President, this is a reasonable and moderate attempt to correct an inequity for our States, cities, and counties, whose budgets are already tightly stretched providing the services upon which our communities depend. I therefore urge my colleagues to support this legislation.●

By Mr. THURMOND:

S. 2074. A bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers; to the Committee on Finance.

ESTATE TAXES LEGISLATION

Mr. THURMOND. Mr. President, I rise today to join my colleagues in discussing reform of our tax system. I commend the Senator from Georgia, for his leadership on this issue. I wish to address another aspect of our unfair tax system—the estate tax.

Today I am introducing a bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers. This bill is very simple. It repeals, in its entirety, subtitle B of the Internal Revenue Code of 1986. This repeal is effective for estates of decedents dying and gifts and generation-skipping transfers made after the date of enactment.

Mr. President, the Federal estate and gift tax structure is perhaps the most unfair and inefficient revenue source used by our Government. First, these taxes represent multiple taxation on savings and investment. Income is initially taxed when it is earned. If any of that income is saved, the earnings on the savings are taxed. A third level of taxation occurs as capital gains taxes are paid. Finally, after a lifetime of savings and investment, estate and gift taxes are assessed. Estate and gift tax rates are much higher than income tax rates.

Second, these taxes inhibit economic growth and job creation. Family owned businesses, farms, and ranches are the source of most new jobs created in the United States. Yet it is these family owned businesses that are most affected by estate and gift taxes. In many cases, family businesses do not have sufficient liquid assets to pay estate taxes upon the death of the owner. Frequently the business is liquidated or they sell the farm. As a result, jobs are lost and economic activity ceases.

Estate and gift taxes further stifle economic growth because of the increased cost for capital accumulation. When lifetime savings are taxed at high rates, the incentive to save is reduced. Spending and consumption replaces savings and investment. As a result, wage rates and employment suffer.

Third, estate and gift taxes result in economic inefficiencies, as taxpayers attempt to avoid or minimize these taxes, or allocate resources for estate planning. A survey by the Center for the Study of Taxation found that 80 percent of owners of family businesses reported taking some steps to plan for estate taxes. Such mechanisms included life insurance, buy/sell agreements, restructuring family partnerships and trusts, and charitable bequests. According to a report on this survey, 62 percent of the family businesses stated they would not have spent the time or money on estate planning. They did so because they felt estate and gift taxes threatened the survival of their businesses.

Mr. President, with all the negative economic consequences resulting from estate and gift taxes, one must ask if these taxes are worth the cost. I, and many others, have concluded they are not.

There is a misconception that such taxes only affect the very wealthy and that these taxes generate large amounts of revenue. The fact is, these taxes impact everyone, directly or indirectly. Furthermore, these taxes are a minor revenue source for the Federal Government, accounting for only 1 percent of total Federal receipts. The amounts actually collected must be offset by the billions spent each year for enforcement and compliance activities.

Mr. President, it is time to abolish Federal estate and gift taxes. These taxes are unfair and inefficient. They hinder economic growth, destroying family businesses and jobs. They result in resources being diverted to estate planning activities, away from economic growth. These consequences, as well as the actual costs of collecting these taxes, do not justify such taxes or the minimal revenues they produce. I urge my colleagues to support repeal of the Federal estate and gift taxes. I ask unanimous consent that a copy of the bill be printed following my remarks.

S. 2074

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Estate and Gift Taxes Repeal Act of 1996''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Federal estate and gift tax structure is an unfair and inefficient revenue source. Such taxes represent a multiple tax on earnings. After paying income taxes, capital gains taxes, and property taxes, lifetime savings are finally subjected to estate taxes at rates that are generally higher than income tax rates.

(2) Owners of family-owned businesses and farms are among those who suffer the greatest impact of such taxes. Many businesses fail after the death of the founder because of estate taxes. Families faced with these taxes are often forced to liquidate farms or businesses to pay estate taxes. In the process, jobs and financial security for family members and employees are destroyed.

(3) The estate tax results in inefficiency in the economy because of ''estate planning'' and other tax avoidance mechanisms.

(4) Estate and gift taxes have a negative impact on economic growth. Such taxes foster spending and consumption, rather than savings and investment. Repeal of these taxes would result in increased capital formation, additional jobs, and a higher gross domestic product. Increased economic activity and investments would also result in additional personal and corporate income tax revenues.

(5) Estate and gift taxes are a minor revenue source for the Federal Government. In fiscal year 1995, estate and gift taxes accounted for only 1 percent of total Federal receipts. Furthermore, the Government spends billions of dollars each year for administrative and compliance costs for these taxes.

(6) The repeal of Federal estate and gift taxes is consistent with and will be a major step toward establishing a tax code based on fairness, simplicity, neutrality, visibility, and stability.

SEC. 3. REPEAL OF FEDERAL TRANSFER TAXES.

(a) GENERAL RULE.—Subtitle B of the Internal Revenue Code of 1986 is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to the estates of decedents dying, and gifts and generation-skipping transfers made, after the date of the enactment of this Act.

ADDITIONAL COSPONSORS

S. 151

At the request of Mr. BUMPERS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 151, a bill to reduce Federal spending by restructuring the Air Force's F–22 program to achieve initial operating capability in 2010 and a total inventory of no more than 42 aircraft in 2015.

S. 152

At the request of Mr. BUMPERS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 152, a bill to reduce Federal spending and rapidly enhance strategic airlift by terminating the C–17 aircraft program after fiscal year 1996 and by providing for a program to meet the remaining strategic airlift requirements of the Department of Defense with non-developmental aircraft.

S. 153

At the request of Mr. BUMPERS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 153, a bill to reduce Federal spending and enhance military satellite communications by reducing funds for the MILSTAR II satellite program and accelerating plans for deployment of the Advanced EHF Satellite/MILSTAR III.

S. 154

At the request of Mr. BUMPERS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 154, a bill to prohibit the expenditure of appropriated funds on the Advanced Neutron Source.

S. 155

At the request of Mr. BUMPERS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 155, a bill to reduce Federal spending by prohibiting the backfit of Trident I ballistic missile submarines to carry D–5 Trident II submarine-launched ballistic missile.

S. 773

At the request of Mrs. KASSEBAUM, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 773, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for improvements in the process of approving and using animal drugs, and for other purposes.

S. 1963

At the request of Mr. ROCKEFELLER, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 1963, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 1987

At the request of Mr. FAIRCLOTH, the names of the Senator from New Hampshire [Mr. SMITH], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 1987, a bill to amend titles II and XVIII of the Social Security Act to prohibit the use of social security and medicare trust funds for certain expenditures relating to union representatives at the Social Security Administration and the Department of Health and Human Services.

S. 2030

At the request of Mr. LOTT, the names of the Senator from Vermont [Mr. LEAHY], and the Senator from Michigan [Mr. ABRAHAM] were added as cosponsors of S. 2030, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles, and for other purposes.

AMENDMENT NO. 5264

At the request of Mr. FRIST, his name was added as a cosponsor of Amendment No. 5264 proposed to H.R. 3756, a bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1997, and for other purposes.

SENATE RESOLUTION 291—TO DESIGNATE NOVEMBER 18, 1996, AS ''AMERICAN FREE ENTERPRISE DAY''

Mr. BROWN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 291

Whereas American prosperity is founded on the free enterprise system of individual opportunity and economic freedom;

Whereas the roots of American free enterprise can be found in the experiences of the people of Jamestown and Plymouth, the earliest American colonies;

Whereas the basis of free enterprise is the right to ownership of private property, which ensures to individuals the fruits of their own labor and encourages the virtues of self-reliance, thrift, and industriousness;

Whereas the settlers at Jamestown and Plymouth were initially deprived of the fruits of their own labor and therefore lacked the incentive for private initiative and hard work;

Whereas William Bradford, Governor of the Plymouth Plantation, wrote that in response to the misery and want experienced by the people of Plymouth he decided ''that they should set corn every man for his own particular; and that regard trust to themselves . . . This had very good success, for it made all hands very industrious, so as much more corn was planted than otherwise would have been by any means the Governor or any other could use.'';

Whereas on November 18, 1618, ''The Great Charter'' endowed the colonists of Virginia with the right to profit from property under their individual control for the first time; and

Whereas the result of the Great Charter was a blossoming of individual initiative and self-sufficiency that laid the foundations for the American tradition of economic freedom, propserity, and self-government: Now, therefore, be it

Resolved, That the Senate—

(1) commends the men and women of our first colonies who began the American tradition of hard work and individual initiative;

(2) honors all those who have defended the right of individuals to own property, pursue their own initiative, and to reap the fruits of their own labor; and

(3) designates November 18, 1996, as ''American Free Enterprise Day''.

The President is authorized and requested to issue a proclamation calling upon the people of the United States and Federal, State, and local administrators to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 292—DESIGNATING ''NATIONAL CHILDREN'S DAY''

Mr. PRESSLER (for himself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 292

Whereas the people of the United States should celebrate children as the most valuable asset of the Nation;

Whereas the children represent the future, hope, and inspiration of the United States;

Whereas the children of the United States should be allowed to feel that their ideas and dreams will be respected because adults in the United States take time to listen;

Whereas many children of the United States face crisis of grave proportions, especially as they enter adolescent years;

Whereas it is important for parents to spend time listening to their children on a daily basis;

Whereas modern societal and economic demands often pull the family apart;

Whereas encouragement should be given to families to set a special time for all family members to engage together in family activities;

Whereas adults in the United States should have an opportunity to reminisce on their youth to recapture some of the fresh insight, innocence, and dreams that they may have lost through the years;

Whereas the designation of a day to commemorate the children of the United States will provide an opportunity to emphasize to children the importance of developing an ability to make the choices necessary to distance themselves from impropriety and to contribute to their communities;

Whereas the designation of a day to commemorate the children of the Nation will emphasize to the people of the United States the importance of the role of the child within the family and society;

Whereas the people of the United States should emphasize to children the importance of family life, education, and spiritual qualities; and

Whereas children are the responsibility of all Americans, thus everyone should celebrate the children of the United States, whose questions, laughter, and tears are important to the existence of the United States: Now, therefore, be it

Resolved, That the Senate designates the second Sunday in October of 1996 as ''National Children's Day'' and requests that the President issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. PRESSLER. Mr. President, as a parent myself, I understand the pride and joy we all have in our children. Along with many of my colleagues, I am submitting a resolution today declaring the second Sunday in October,

''National Children's Day.'' I am proud to be a cosponsor of this resolution for the seventh consecutive year. As it has been for the past 6 years, National Children's Day is about hope—the hopes we have for children and the hope they must have for themselves. The significant contributions children make to our lives should not go unnoticed.

National Children's Day gives Americans the opportunity to reflect on what we as parents, community leaders, and policymakers can do for the children of today and tomorrow. The future of today's children looks bright for a number of reasons. Republicans in Congress are serious about balancing the budget. We would like to give America's children a unique gift of freedom—freedom from national debt. By balancing the budget and reducing the debt, children will have a chance to experience as adults a far better quality of life than we enjoy today. A balanced budget means lower interest rates, which would make a college education and a first home more affordable. Positive welfare reform, improved access to health care, and some of the toughest-ever child protection laws have helped to make the United States an even better environment for our children.

Technology, too, has opened up an exciting new world of possibilities for young people. Computers are becoming commonplace in classrooms. By utilizing advanced telecommunications, we can expand distance learning opportunities, especially for children in small cities and towns. When I was a kid growing up in Humboldt, SD, library books were my windows to the world. Today's children can sit at their computers, access the internet, and literally see, learn about, and talk to the world. These opportunities are truly remarkable.

While the outlook for our children is very positive, we must not lose sight of the challenges that lie ahead. National Children's Day also is about protecting our children from all evil forces, internal or external. Children were the tragic victims in Oklahoma City and, of course, on TWA Flight 800. These and other acts of terror cannot be tolerated. Our children deserve the continued assurance of a childhood full of hope and free from fear.

Each day, children from across South Dakota write letters to me asking for my help. Recently, I received a letter from Brandon Rausch, a young boy in South Dakota working toward a Boy Scout award. He wrote urging me to do something about gangs and school violence. South Dakota recently has experienced an increase in juvenile violence, drug and alcohol abuse, and other destructive behavior. Although South Dakota still has one of the lowest crime rates in our Nation, we no longer are immune from the social problems that used to impact only our Nation's largest cities. I would tell Brandon, his friends, his parents, and his teachers that I will do my best to help his community keep the streets safe. Ultimately, we all must work together to defeat crime. Parents, teachers, law enforcement officers, religious and community leaders, and yes, even our kids, must work together. Teamwork is the best work. That is more true today than ever because we live in a world where children are asked to grow up faster than ever.

Mr. President, children from across the Nation visit our Senate offices every day. Among those children from South Dakota who have visited my office recently are Karna Lillebo; Jennifer, Kayla, and Jeremy Nebelsick; Travis and Ryan Oorlog; Matt, Nick, and Katie Padron; Robb, TJ, and Tiffany Rolfing; and Michael and Timothy Wrenn. I am pleased they had the great opportunity to visit Washington to experience the splendor and beauty of our Nation's capital. These children and all others deserve the very best we can offer them.

My colleagues may be interested to learn that Father Robert Fox from my home State of South Dakota serves as the national chairman of National Children's Day. He has been the chair for some time now. He still keeps in contact with Mary McCusker, who, along with her husband, Dr. Patrick McCusker, began celebrating National Children's Day on the second Sunday in October 47 years ago. Father Fox has been instrumental in gaining worldwide recognition for National Children's Day. In fact, Immaculate Heart Messenger, a publication that Father Fox edits, recently promoted the celebration of children across our Nation and in countries around the globe.

Over the past 47 years, the meaning of National Children's Day has remained the same. National Children's Day promises children, as a Nation, that we will stand by them. As a Nation, we adults will strive to provide for them, to look out for them, and to be their friends and their partners. National Children's Day reminds us we live both for today and tomorrow. National Children's Day is a celebration of our Nation's pride and hope in our children now and for the future.

I want to thank my colleagues, Senators GRAHAM, DEWINE, CHAFEE, GORTON, KASSEBAUM, SPECTOR, STEVENS, THURMOND, FRIST, WARNER, and LOTT for their continued support of this effort. Our bipartisan efforts during this Congress ensure that every day will be National Children's Day, but on the second Sunday in October, we should all pause for a moment and remember those for whom we all work—our children.

AMENDMENTS SUBMITTED

THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

MCCAIN (AND OTHERS) AMENDMENT NO. 5317

Mr. MCCAIN (for himself, Mr. COATS, Mr. STEVENS, Mr. LOTT, Mr. ABRAHAM, Mr. ASHCROFT, and Mr. PRESSLER) proposed an amendment to the bill (H.R. 3662) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes; as follows:

At the appropriate place in the _____, insert the following:

SEC. _____. (a) Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

''§ 1311. Continuing appropriations

''(a)(1) If any regular appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year or a joint resolution making continuing appropriations is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to continue any project or activity for which funds were provided in the preceding fiscal year—

''(A) in the corresponding regular appropriation Act for such preceding fiscal year; or

''(B) if the corresponding regular appropriation bill for such preceding fiscal year did not become law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

''(2) Appropriations and funds made available, and authority granted, for a project or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

''(A) the rate of operations provided for in the regular appropriation Act providing for such project or activity for the preceding fiscal year,

''(B) in the absence of such an Act, the rate of operations provided for such project or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year,

''(C) the rate of operations provided for in the House or Senate passed appropriation bill for the fiscal year in question, except that the lower of these two versions shall be ignored for any project or activity for which there is a budget request if no funding is provided for that project or activity in either version,

''(D) the rate provided in the budget submission of the President under section 1105(a) of title 31, United States Code, for the fiscal year in question, or

''(E) the annualized rate of operations provided for in the most recently enacted joint resolution making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this Act.

''(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a project or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

''(A) the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides

for such project or activity) or a continuing resolution making appropriations becomes law, as the case may be, or

''(B) the last day of such fiscal year.

''(b) An appropriation or funds made available, or authority granted, for a project or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such project or activity under current law.

''(c) Appropriations and funds made available, and authority granted, for any project or activity for any fiscal year pursuant to this section shall cover all obligations or expenditures incurred for such project or activity during the portion of such fiscal year for which this section applies to such project or activity.

''(d) Expenditures made for a project or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such project or activity for such period becomes law.

''(e) This section shall not apply to a project or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

''(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period, or

''(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

''(f) For purposes of this section, the term 'regular appropriation bill' means any annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of projects and activities:

''(1) Agriculture, rural development, and related agencies programs.

''(2) The Departments of Commerce, Justice, and State, the judiciary, and related agencies.

''(3) The Department of Defense.

''(4) The government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.

''(5) The Departments of Labor, Health and Human Services, and Education, and related agencies.

''(6) The Department of Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.

''(7) Energy and water development.

''(8) Foreign assistance and related programs.

''(9) The Department of the Interior and related agencies.

''(10) Military construction.

''(11) The Department of Transportation and related agencies.

''(12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.

''(13) The legislative branch.''.

(b) CLERICAL AMENDMENT.—The analysis of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

''1311. Continuing appropriations.''.

(c) PROTECTION OF OTHER OBLIGATIONS.—Nothing in the amendments made by this section shall be construed to effect Government obligations mandated by other law, including obligations with respect to Social Security, Medicare, and Medicaid.

SEC. 3. EFFECTIVE DATE AND SUNSET.

(a) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to fiscal years beginning with fiscal year 1997.

(b) SUNSET.—The amendments made by this Act shall sunset and have no force or effect 6 years after the date of enactment of this Act.

CHAFEE AMENDMENT NO. 5318

(Mr. GORTON (for Mr. CHAFEE) proposed an amendment to the bill, H.R. 3662, supra; as follows:

Beginning on page 15, strike line 23 and all that follows through page 16, line 11, and insert the following: ''section 101(c) of the Omnibus Consolidation Rescissions and Appropriations Act of 1996 is amended in section 315(c)(1)(E) (110 Stat. 1321–201; 16 U.S.C. 460*l*–6a note) by striking 'distributed in accordance with section 201(c) of the Emergency Wetlands Resources Act' and inserting 'available to the Secretary of the Interior until expended to be used in accordance with clauses (i), (ii), and (iii) of section 201(c)(A) of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911(c)(A)).'''.

CRAIG (AND KEMPTHORNE) AMENDMENT NO. 5319

(Mr. GORTON (for Mr. CRAIG, for himself and Mr. KEMPTHORNE) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 62 of the Act, line 18, strike ''$1,285,881,000'', and insert ''$1,285,981,000''.

DEWINE AMENDMENT NO. 5320

(Mr. GORTON (for Mr. DEWINE) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 103, line 12: After ''counties of' insert ''Gallia,''.

Expands the moratorium on land acquisition for the Wayne National Forest in Ohio to include Gallia County. Currently, the moratorium includes the counties of Lawrence, Monroe, or Washington, Ohio.

FAIRCLOTH AMENDMENT NO. 5321

Mr. GORTON (for Mr. FAIRCLOTH) proposed an amendment to the bill, H.R. 3662, supra; as follows:

At the appropriate place in title III, insert the following:

SEC. 3 . SNOWBIRD WILDERNESS STUDY AREA.

(a) IN GENERAL.—Section 6(a)(4) of the North Carolina Wilderness Act of 1984 (Public Law 98–324) is amended—

(1) by striking ''eight thousand four hundred and ninety acres'' and inserting ''8,390 acres''; and

(2) by striking ''July 1983'' and inserting ''July 1996''.

(b) MANAGEMENT.—The Secretary of Agriculture shall manage the area removed from wilderness study status by the amendments made by subsection (a) in accordance with the provisions of law applicable to adjacent areas outside the wilderness study area.

GORTON AMENDMENTS NOS. 5322–5325

Mr. GORTON proposed four amendments to the bill, H.R. 3662, supra; as follows:

AMENDMENT NO. 5322

On page 17, line 25, strike ''$165,418,000'' and insert ''$165,726,000''.

On page 64, line 21, strike ''$172,167,000'' and insert ''$171,859,000''.

AMENDMENT NO. 5323

On page 49, line 19, strike section 115 and insert the following:

SEC. 115. Public Law 102–495 is amended by adding the following new section:

''SEC. 10. WASHINGTON STATE REMOVAL OPTION.

''(a) Upon appropriation of $29,500,000 for the Federal Government to acquire the projects in Washington State pursuant to this Act, the State of Washington may, upon the submission to Congress of a binding agreement to remove the projects within a reasonable period of time, purchase the projects from the Federal Government for $2. Such a binding agreement shall provide protection of the existing quality and availability of water from the Elwha River for municipal and industrial uses from possible adverse impacts of dam removal.

''(b) Upon receipt of the payment pursuant to subsection (a), the Federal Government shall relinquish ownership and title of the projects to the State of Washington.

''(c) Upon the purchase of the projects by the State of Washington, section 3 (a), (c), and (d), and sections 4, 7, and 9 of Public Law 102–495 are hereby repealed, and the remaining sections renumbered accordingly.''.

AMENDMENT NO. 5324

On page 29, line 8 after the word ''exceed'' insert: ''$86,520,000 shall be for welfare assistance payments and not to exceed''.

Specifies the amount of funds available for welfare assistance payments in bill language consistent with language contained in the fiscal year 1996 Interior Appropriations bill.

AMENDMENT NO. 5325

On page 16, line 25, strike ''$4,000,000'' and insert ''$3,000,000''.

GORTON (AND BYRD) AMENDMENT NO. 5326

Mr. GORTON (for himself and Mr. BYRD) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 62, line 20, after the word ''including'' delete the linetype and delete ''60''.

GORTON AMENDMENT NO. 5327

Mr. GORTON proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 17, line 25, after ''expended'' insert the following: '', of which $270,000 shall be used for appropriate fish restoration projects not related to dam removal including reimbursement of the State of Washington for emergency actions taken to protect the 1996 run of fall chinook salmon on the Elwha River''.

GORTON (AND BYRD) AMENDMENT NO. 5328

Mr. GORTON (for himself and Mr. BYRD) proposed an amendment to the bill, H.R. 3662, supra; as follows:

After line 13 on page 61 of the bill, insert the following:

SEC. . The second proviso under the heading ''Bureau of Mines, Administrative Provisions'' of Public Law 104–134 is amended by inserting after the word ''authorized'' the word ''hereafter''.

GORTON (AND BYRD) AMENDMENTS NOS. 5329–5330

Mr. GORTON (for himself and Mr. BYRD) proposed two amendments to the bill, H.R. 3662, supra; as follows:

AMENDMENT NO. 5329

On page 118, after line 9, insert the following:

SEC. . The Columbia Wilderness, created by the Oregon Wilderness Act of 1984, Public Law 98–328, located in the Mt. Hood National Forest, Oregon, shall be known and designated as the ''Mark O. Hatfield Wilderness''.

Any references in a law, map, regulation, document, paper, or other record of the United States to the Columbia Wilderness shall be deemed to be a reference to the ''Mark O. Hatfield Wilderness''.

AMENDMENT NO. 5330

On page 20, after line 22, insert the following new paragraph:

Notwithstanding any other provision of law, remaining balances, including interest, from funds granted to the National Park Foundation pursuant to the National Park System Visitor Facilities Fund Act of 1983 (P.L. 97–433, 96 Stat. 2277) shall be available to the National Park Foundation for expenditure in units of the National Park System for the purpose of improving visitor facilities.

(Purpose: This bill language would allow the National Park Foundation to expend remaining balances and accrued interest from funds granted to it by the National Park Service in Fiscal Years 1984 and 1985 pursuant to the National Park System Visitor Facilities Fund Act of 1983 (P.L. 97–433, 96 Stat. 2277). That Act provided for the expenditure of funds by the Foundation to improve the quality of visitor facilities in the park system nation-wide.)

GORTON AMENDMENT NO. 5331

Mr. GORTON proposed an amendment to the bill H.R. 3662, supra; as follows:

On page 104, line 9, strike line 1 and all that follows through page 104, line 14.

GORTON (AND BYRD) AMENDMENT NO. 5332

Mr. GORTON (for himself and Mr. BYRD) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 11, line 2, strike all after ''Act,'' through ''until expended'' on line 8 and insert the following: ''and of which $2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program''.

HATFIELD AMENDMENTS NOS. 5333–5334

Mr. GORTON (for Mr. HATFIELD) proposed two amendments to the bill, H.R. 3662, supra; as follows:

AMENDMENT NO. 5333

On page 74, line 9, insert the following: ''The Pacific Northwest Research Station Silviculture Lab in Bend, Oregon is hereby named the Robert W. Chandler Building. The dedication provides commemorative recognition to Robert W. Chandler, editor of the Bend Bulletin newspaper, longtime community servant and advocate for sound silvicultural practices in Central and Eastern Oregon.''

AMENDMENT NO. 5334

On page 9, line 22, insert the following:

''The Bureau of Land Management's Visitors Center in Rand, Oregon is hereby named the William B. Smullin Visitor Center. The dedication provides commemorative recognition to William B. Smullin, founder of California Oregon Broadcasting, Incorporated, who brought broadcasting to Northern California and Southern Oregon.''

HUTCHISON AMENDMENT NO. 5335

Mr. GORTON (for Mrs. HUTCHISON) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 12, line 21, strike ''$50,802,000'' and insert ''$50,552,000''.

On page 62, line 18, strike '1,285,881,000'' and insert ''1,286,131,000''.

JOHNSTON AMENDMENT NO. 5336

Mr. GORTON (for Mr. JOHNSTON) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 61, after line 13, insert the following new section:

SEC. 1 . Visitor Center Designation at Jean Lafitte National Historical Park.

(a) The visitor center at Jean Lafitte National Historical Park, located at 418 Rue Decatur in New Orleans, Louisiana is hereby designated as the ''Laura C. Hudson Visitor Center''.

(b) Any reference in law, regulation, paper, record, map, or any other document in the United States to the visitor center referred to in subsection (a) shall be deemed to be a reference to the ''Laura C. Hudson Visitor Center''.

MURKOWSKI (AND OTHERS) AMENDMENT NO. 5337

Mr. GORTON (for Mr. MURKOWSKI, for himself, Mr. BURNS, and Mr. CRAIG) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 74, after line 8, insert the following new paragraph:

The Secretary of Agriculture shall by March 31, 1997 report to the Committees on Appropriations of the House of Representatives and the Senate on the status and disposition of all salvage timber sales started under the authority of Section 2001 of PL 104–121 and subsequently withdrawn or delayed and completed under different authorities as a consequence of the July 2, 1996 Directive on the implementation of Section 2001 issued by the Secretary.

MURKOWSKI (AND STEVENS) AMENDMENT NO. 5338

Mr. GORTON (for Mr. MURKOWSKI, for himself and Mr. STEVENS) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 104, strike all in lines 15 thru 23, and insert in lieu thereof:

SEC. 318. ''None of the funds available to the Department of the Interior or the Department of Agriculture by this or any other Act may be used to prepare, promulgate, implement, or enforce any rule or regulation pursuant to Title VIII of the Alaska National Interest Lands Conservation Act to assert jurisdiction, management, or control over any waters (other than non-navigable waters on federal lands), non-federal lands, or lands selected by, but not conveyed to, the State of Alaska pursuant to the Submerged Lands Act of 1953 or the Alaska Statehood Act, or an Alaska Native Corporation pursuant to the Alaska Native Claims Settlement Act.''

NICKLES AMENDMENT NO. 5339

Mr. GORTON (for Mr. NICKLES) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 83, line 21 of the bill, insert the following before the period: ''*Provided further*, That funds made available to the Choctaw Nation of Oklahoma in this Act, including Indian Self-Determination Act compact 'tribal shares,' medicaid/medicare collections and carry-over funds may be used to support construction of a facility to replace the Talihina Indian Hospital so long as the current level of health care services is not diminished''.

ROBB (AND WARNER) AMENDMENT NO. 5340

Mr. GORTON (for Mr. ROBB, for himself and Mr. WARNER) proposed amendment to the bill, H.R. 3662, supra; as follows:

On page 12, line 23, after ''Kentucky,'' add: ''and of which $1,500,000 shall be for acquisition at Back Bay National Wildlife Refuge and of which $1,000,000 shall be for acquisition at Rappahannock National Wildlife Refuge.''

SARBANES AMENDMENT NO. 5341

Mr. GORTON (for Mr. SARBANES) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 27, line 21, before the period, insert the following: '': *Provided further*, That the State of Maryland may set aside the greater of $1,000,000 on 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231 et seq.) if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects''.

STEVENS AMENDMENT NO. 5342

Mr. GORTON (for Mr. STEVENS) proposed an amendment to the bill, H.R. 3662, supra; as follows:

On page 4, line 3, after ''expended'' insert the following: '': *Provided further*, That $250,000 of the funds available to the Bureau of Land Management for the Alaska conveyance shall be available for activities preparatory to resumption of leasing of oil and gas in the National Petroleum Reserve in Alaska pursuant to Public Law 96–514''.

GORTON (AND OTHERS) AMENDMENT NO. 5343

Mr. GORTON (for himself, Mr. HATFIELD, and Mrs. MURRAY) proposed an amendment to the bill, H.R. 3662, supra; as follows:

At the appropriate section in title III, insert the following new section:

SEC. . Notwithstanding any other provision of law, for fiscal year 1997 the Secretaries of Agriculture and Interior are authorized to limit competition for watershed restoration project contracts as part of the ''Jobs in the Woods'' component of the President's forest Plan for the Pacific Northwest to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, and northern California

that have been affected by reduced timber harvesting on Federal lands.

BROWN AMENDMENTS NOS. 5344–5346

(Ordered to lie on the table.)

Mr. BROWN submitted three amendments intended to be proposed by him to the bill, H.R. 3662, supra; as follows:

AMENDMENT NO. 5344

At the appropriate place in the bill insert the following new section:

"SEC. . FEE EQUITY STUDY.

''(1) It is the policy of the Congress that entrance, tourism, and recreational use fees for the use of Federal lands and facilities not discriminate against any State or any region of the country.

''(2) Not later than October 1, 1997, the Secretary of the Interior, in cooperation with the heads of other affected agencies shall prepare and submit to the Senate and House Appropriations Committees a report that—

''(A) identifies all Federal lands and facilities that provide tourism or recreational use; and

''(B) analyzes by State and region any fees charged for entrance to or for tourism or recreational use of Federal lands and facilities in a State or region, individually and collectively.

''(3) Not later than October 1, 1998, the Secretary of the Interior, in cooperation with the heads of other affected agencies, shall prepare and submit to the Senate and House Appropriations Committees any recommendations that the Secretary may have for implementing the policy stated in subsection (1).''

AMENDMENT NO. 5345

At the appropriate place in the bill insert the following new section:

SEC. 2. PURPOSE.

Section 2(b) of the National Trails System Act (16 U.S.C. 1241(b)) is amended by striking ''recreation, scenic and historic'' and inserting ''recreation, scenic, historic, and discovery''.

SEC. 3. AUTHORIZATION OF NATIONAL DISCOVERY TRAILS.

Section 3(a) of the National Trails System Act (16 U.S.C. 1242(a)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) National discovery trails, established by section 5(a), which shall—

''(A) be extended, continuous, interstate trails;

''(B) be located so as to—

''(i) provide for outstanding outdoor recreation and travel; and

''(ii) represent metropolitan, urban, rural, and back-country regions of the United States;

''(C) connect representative examples of United States trails and communities; and

''(D) provide for the conservation and enjoyment of significant natural, cultural, and historic resources associated with each trail corridor.''.

SEC. 4. DESIGNATION OF THE AMERICAN DISCOVERY TRAIL AS A NATIONAL DISCOVERY TRAIL.

(a) DESCRIPTION.—Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

''(20) The American Discovery Trail, a trail of approximately 6,000 miles extending from Cape Henlopen State Park in Delaware to Point Reyes National Seashore in California, traveling through Delaware, Maryland, the District of Columbia, West Virginia, Kentucky, and Ohio, near Cincinnati splitting into the Northern Midwest route through Ohio, Indiana, Illinois, Iowa, Nebraska, and Colorado and the Southern Midwest route through Indiana, Illinois, Missouri, Kansas, and Colorado, rejoining in Denver, and continuing through Colorado, Utah, Nevada, and California. The trail is generally described in volume 2 of the National Park Service feasibility study dated June 1995, which shall be on file and available for public inspection in the office of the Director of the National Park Service. The trail shall be administered by the Secretary of the Interior in cooperation with a nonprofit organization and other affected land managing agencies. The trail shall not be subject to section 5(d), 7(a)(2), 7(e), or 7(f).''.

(b) PLAN FOR NEW NATIONAL DISCOVERY TRAILS.—Section 5(e) of the National Trails System Act (16 U.S.C. 1244(e)) is amended by striking ''Continental Divide'' and all that follows through ''as part of the system'' and inserting ''Continental Divide National Scenic Trail or the North Country National Scenic Trail, or a national discovery trail, except for the American Discovery Trail, as part of the system''.

(c) PLAN FOR THE AMERICAN DISCOVERY TRAIL.—Section 5 of the National Trails System Act (16 U.S.C. 1244) is amended by adding at the end the following:

''(g) PLAN FOR THE AMERICAN DISCOVERY TRAIL.—Not later than 3 full fiscal years after the date of enactment of this subsection, the responsible nonprofit organization for the American Discovery Trail established by subsection (a)(20) shall, after consultation with the Secretary of the Interior, other affected land managing agencies, the Governors of affected States, county and local political jurisdictions, and local organizations maintaining component trails, submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the protection, management, development, and use of the trail, not to conflict with any agency direction, including—

''(1) specific objectives and practices to be observed in the administration and management of the trail, including—

''(A) the identification of all significant natural, historical, and cultural resources to be preserved;

''(B) model agreements necessary for joint trail administration among interested parties;

''(C) an identified carrying capacity of the trail; and

''(D) an implementation plan;

''(2) a 10-year trail corridor protection plan to preserve the values for which the trail was established and recognized by the United States;

''(3) general and site-specific development plans, including anticipated costs; and

''(4) the process to be followed by the nonprofit organization in partnership with the Secretary of the Interior to implement the trail markers described in section 7(c) to conform to approved trail logo or emblem requirements.''.

SEC. 5. ADMINISTRATION.

Section 7 of the National Trails System Act (16 U.S.C. 1246) is amended by adding at the end the following:

''(l) NATIONAL DISCOVERY TRAILS.—The Secretary charged with the overall administration of a trail under section 5(a) shall administer a national discovery trail in cooperation with a nonprofit organization.''.

SEC. 6. CONFORMING AMENDMENTS.

(a) Section 5 of the National Trails System Act (16 U.S.C. 1244) is amended—

(1) in the section heading, by striking ''AND NATIONAL HISTORICAL'' and inserting '', NATIONAL HISTORIC, AND NATIONAL DISCOVERY''; and

(2) in the second sentence of subsection (a), by striking ''National Scenic and National Historic Trails'' and inserting ''national scenic, national historic, and national discovery trails''.

(b) The National Trails System Act (16 U.S.C. 1241 et seq.) is amended—

(1) by striking ''scenic and national historic'' each place it appears and inserting ''scenic, national historic, and national discovery'';

(2) by striking ''scenic or national historic'' each place it appears and inserting ''scenic, national historic, or national discovery''; and

(3) by striking ''scenic, or national historic'' each place it appears and inserting ''scenic, national historic, or national discovery''.

AMENDMENT NO. 5346

At the end of the amendment, add the following:

TITLE ____—CACHE LA POUDRE

SEC. ____01. PURPOSE.

The purpose of this title is to designate the Cache La Poudre Corridor within the Cache La Poudre River Basin and to provide for the interpretation, for the educational and inspirational benefit of present and future generations, of the unique and significant contributions to our national heritage of cultural and historical lands, waterways, and structures within the Corridor.

SEC. ____02. DEFINITIONS.

In this title:

(1) COMMISSION.—The term ''Commission'' means the Cache La Poudre Corridor Commission established by section ____04(a).

(2) CORRIDOR.—The term ''Corridor'' means the Cache La Poudre River National Corridor established by section ____03(a).

(3) GOVERNOR.—The term ''Governor'' means the Governor of the State of Colorado.

(4) PLAN.—The term ''Plan'' means the corridor interpretation plan prepared by the Commission pursuant to section ____08(a).

(5) POLITICAL SUBDIVISION OF THE STATE.—The term ''political subdivision of the State'' means a political subdivision of the State of Colorado, any part of which is located in or adjacent to the Corridor, including a county, city, town, water conservancy district, or special district.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. ____03. ESTABLISHMENT OF THE CACHE LA POUDRE CORRIDOR.

(a) ESTABLISHMENT.—There is established in the State of Colorado the Cache La Poudre Corridor.

(b) BOUNDARIES.—The boundaries of the Corridor shall include the lands within the 100-year flood plain of the Cache La Poudre River Basin, beginning at a point where the Cache La Poudre River flows out of the Roosevelt National Forest and continuing east along said floodplain to a point one quarter of one mile west of the confluence of the Cache La Poudre River and the South Platte Rivers in Weld County, Colorado, comprising less than 35,000 acres, and generally depicted as the 100-year flood boundary on the Federal Flood Insurance maps listed below:

(1) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0146B, April 2, 1979. United States Department of Housing and Urban Development, Federal Insurance Administration.

(2) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0147B, April 2, 1979. United States Department of Housing and Urban Development, Federal Insurance Administration.

(3) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0162B, April 2, 1979. United States Department of Housing and Urban Development, Federal Insurance Administration.

(4) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0163C, March 18, 1986. Federal Emergency Management Agency, Federal Insurance Administration.

(5) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0178C, March 18, 1986. Federal Emergency Management Agency, Federal Insurance Administration.

(6) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080102 0002B, February 15, 1984. Federal Emergency Management Agency, Federal Insurance Administration.

(7) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0179C, March 18, 1986. Federal Emergency Management Agency, Federal Insurance Administration.

(8) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0193D, November 17, 1993. Federal Emergency Management Agency, Federal Insurance Administration.

(9) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0194D, November 17, 1993. Federal Emergency Management Agency, Federal Insurance Administration.

(10) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0208C, November 17, 1993. Federal Emergency Management Agency, Federal Insurance Administration.

(11) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080101 0221C, November 17, 1993. Federal Emergency Management Agency, Federal Insurance Administration.

(12) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0605D, September 27, 1991. Federal Emergency Management Agency, Federal Insurance Administration.

(13) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080264 0005A, September 27, 1991. Federal Emergency Management Agency, Federal Insurance Administration.

(14) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0608D, September 27, 1991. Federal Emergency Management Agency, Federal Insurance Administration.

(15) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0609C, September 28, 1982. Federal Emergency Management Agency, Federal Insurance Administration.

(16) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0628C, September 28, 1982. Federal Emergency Management Agency, Federal Insurance Administration.

(17) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080184 0002B, July 16, 1979. United States Department of Housing and Urban Development, Federal Insurance Administration.

(18) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0636C, September 28, 1982. Federal Emergency Management Agency, Federal Insurance Administration.

(19) FLOOD INSURANCE RATE MAP, LARIMER COUNTY, COLORADO.—Community-Panel No. 080266 0637C, September 28, 1982. Federal Emergency Management Agency, Federal Insurance Administration.

As soon as practicable after the date of enactment of this Act, the Secretary shall publish in the Federal Register a detailed description and map of the boundaries of the Corridor.

(c) PUBLIC ACCESS TO MAPS.—The maps shall be on file and available for public inspection in—

(1) the offices of the Department of the Interior in Washington, District of Columbia, and Denver, Colorado; and

(2) local offices of the city of Fort Collins, Larimer Country, the city of Greeley, and Weld County.

SEC. ___04. ESTABLISHMENT OF THE CACHE LA POUDRE CORRIDOR COMMISSION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established the Cache La Poudre Corridor Commission.

(2) FUNCTION.—The Commission, in consultation with appropriate Federal, State, and local authorities, shall develop and implement an integrated plan to interpret elements of the history of water development within the Corridor.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 15 members appointed not later than 6 months after the date of enactment of this Act. Of these 15 members—

(A) 1 member shall be a representative of the Secretary of the Interior which member shall be an ex officio member;

(B) 1 member shall be a representative of the Forest Service, appointed by the Secretary of Agriculture, which member shall be an ex officio member;

(C) 3 members shall be recommended by the Governor and appointed by the Secretary, of whom—

(i) 1 member shall represent the State;

(ii) 1 member shall represent Colorado State University in Fort Collins; and

(iii) 1 member shall represent the Northern Colorado Water Conservancy District;

(D) 6 members shall be representatives of local governments who are recommended by the Governor and appointed by the Secretary, of whom—

(i) 1 member shall represent the city of Fort Collins;

(ii) 2 members shall represent Larimer County, 1 of which shall represent agriculture or irrigated water interests;

(iii) 1 member shall represent the city of Greeley;

(iv) 2 members shall represent Weld County, 1 of which shall represent agricultural or irrigated water interests; and

(v) 1 member shall represent the city of Loveland; and

(E) 3 members shall be recommended by the Governor and appointed by the Secretary, and shall—

(i) represent the general public;

(ii) be citizens of the State; and

(iii) reside within the Corridor.

(2) CHAIRPERSON.—The chairperson of the Commission shall be elected by the members of the Commission from among members appointed under subparagraph (C), (D), or (E) of paragraph (1). The chairperson shall be elected for a 2-year term.

(3) VACANCIES.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(c) TERMS OF SERVICE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each member of the Commission shall be appointed for a term of 3 years and may be reappointed.

(2) INITIAL MEMBERS.—The initial members of the Commission first appointed under subsection (b)(1) shall be appointed as follows:

(A) 3-YEAR TERMS.—The following initial members shall serve for a 3-year term:

(i) The representative of the Secretary of the Interior.

(ii) 1 representative of Weld County.

(iii) 1 representative of Larimer County.

(iv) 1 representative of the city of Loveland.

(v) 1 representative of the general public.

(B) 2-YEAR TERMS.—The following initial members shall serve for a 2-year term:

(i) The representative of the Forest Service.

(ii) The representative of the State.

(iii) The representative of Colorado State University.

(iv) The representative of the Northern Colorado Water Conservancy District.

(C) 1-YEAR TERMS.—The following initial members shall serve for a 1-year term:

(i) 1 representative of the city of Fort Collins.

(ii) 1 representative of Larimer County.

(iii) 1 representative of the city of Greeley.

(iv) 1 representative of Weld County.

(v) 1 representative of the general public.

(3) PARTIAL TERMS.—

(A) FILLING VACANCIES.—A member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which a predecessor was appointed shall be appointed only for the remainder of the member's term.

(B) EXTENDED SERVICE.—A member of the Commission may serve after the expiration of that member's term until a successor has taken office.

(d) COMPENSATION.—Members of the Commission shall receive no compensation for their service on the Commission.

(e) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

SEC. ___05. STAFF OF THE COMMISSION.

(a) STAFF.—The Commission shall have the power to appoint and fix the compensation of such staff as may be necessary to carry out the duties of the Commission.

(1) APPOINTMENT AND COMPENSATION.—Staff appointed by the Commission—

(A) shall be appointed without regard to the city service laws (including regulations); and

(B) shall be compensated without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(b) EXPERTS AND CONSULTANTS.—Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(c) STAFF OF OTHER AGENCIES.—

(1) FEDERAL.—Upon request of the Commission, the head of a Federal agency may detail, on a reimbursement basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out the Commission's duties. The detail shall be without interruption or loss of civil service status or privilege.

(2) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(3) STATE.—The Commission may—

(A) accept the service of personnel detailed from the State, State agencies, and political subdivisions of the State; and

(B) reimburse the State, State agency, or political subdivision of the State for such services.

SEC. ___06. POWERS OF THE COMMISSION.

(a) HEARINGS.—

(1) IN GENERAL.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out this title.

(2) SUBPOENAS.—The Commission may not issue subpoenas or exercise any subpoena authority.

(b) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(c) MATCHING FUNDS.—The Commission may use its funds to obtain money from any source under a program or law requiring the recipient of the money to make a contribution in order to receive the money.

(d) GIFTS.—

(1) IN GENERAL.—Except as provided in subsection (e)(3), the Commission may, for the purpose of carrying out its duties, seek, accept, and dispose of gifts, bequests, or donations of money, personal property, or services received from any source.

(2) CHARITABLE CONTRIBUTIONS.—For the purpose of section 170(c) of the Internal Revenue Code of 1986, a gift to the Commission shall be deemed to be a gift to the United States.

(e) REAL PROPERTY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Commission may not acquire real property or an interest in real property.

(2) EXCEPTION.—Subject to paragraph (3), the Commission may acquire real property in the Corridor, and interests in real property in the Corridor—

(A) by gift or device;

(B) by purchase from a willing seller with money that was given or bequeathed to the Commission; or

(C) by exchange.

(3) CONVEYANCE TO PUBLIC AGENCIES.—Any real property or interest in real property acquired by the Commission under paragraph (2) shall be conveyed by the Commission to an appropriate non-Federal public agency, as determined by the Commission. The conveyance shall be made—

(A) as soon as practicable after acquisition;

(B) without consideration; and

(C) on the condition that the real property or interest in real property so conveyed is used in furtherance of the purpose for which the Corridor is established.

(f) COOPERATIVE AGREEMENTS.—For the purpose of carrying out the Plan, the Commission may enter into cooperative agreements with Federal agencies, State agencies, political subdivisions of the State, and persons. Any such cooperative agreement shall, at a minimum, establish procedures for providing notice to the Commission of any action that may affect the implementation of the Plan.

(g) ADVISORY GROUPS.—The Commission may establish such advisory groups as it considers necessary to ensure open communication with, and assistance from Federal agencies, State agencies, political subdivisions of the State, and interested persons.

(h) MODIFICATION OF PLANS.—

(1) IN GENERAL.—The Commission may modify the Plan if the Commission determines that such modification is necessary to carry out this title.

(2) NOTICE.—No modification shall take effect until—

(A) any Federal agency, State agency, or political subdivision of the State that may be affected by the modification receives adequate notice of, and an opportunity to comment on, the modification;

(B) if the modification is significant, as determined by the Commission, the Commission has—

(i) provided adequate notice of the modification by publication in the area of the Corridor; and

(ii) conducted a public hearing with respect to the modification; and

(C) the Governor has approved the modification.

SEC. ___07. DUTIES OF THE COMMISSION.

(a) PLAN.—The Commission shall prepare, obtain approval for, implement, and support the Plan in accordance with section ___08.

(b) MEETINGS.—

(1) TIMING.—

(A) INITIAL MEETING.—The Commission shall hold its first meeting not later than 90 days after the date on which its last initial member is appointed.

(B) SUBSEQUENT MEETINGS.—After the initial meeting, the Commission shall meet at the call of the chairperson or 7 of its members, except that the commission shall meet at least quarterly .

(2) QUORUM.—Ten members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(3) BUDGET.—The affirmative vote of not less than 10 members of the Commission shall be required to approve the budget of the Commission.

(c) ANNUAL REPORTS.—Not later than May 15 of each year, following the year in which the members of the Commission have been appointed, the Commission shall publish and submit to the Secretary and to the Governor, an annual report concerning the Commission's activities.

SEC. ___08. PREPARATION, REVIEW, AND IMPLEMENTATION OF THE PLAN.

(a) PREPARATION OF PLAN.—

(1) IN GENERAL.—Not later than 2 years after the Commission conducts its first meeting, the Commission shall submit to the Governor a Corridor Interpretation Plan.

(2) DEVELOPMENT.—In developing the Plan, the Commission shall—

(A) consult on a regular basis with appropriate officials of any Federal or State agency, political subdivision of the State, and local government that has jurisdiction over or an ownership interest in land, water, or water rights within the Corridor; and

(B) conduct public hearings within the Corridor for the purpose of providing interested persons the opportunity to testify about matters to be addressed by the Plan.

(3) RELATIONSHIP TO EXISTING PLANS.—The Plan—

(A) shall recognize any existing Federal, State, and local plans;

(B) shall not interfere with the implementation, administration, or amendment of such plans; and

(C) to the extent feasible, shall seek to coordinate the plans and present a unified interpretation plan for the Corridor.

(b) REVIEW OF PLAN.—

(1) IN GENERAL.—The Commission shall submit the Plan to the Governor for the Governor's review.

(2) GOVERNOR.—The Governor may review the Plan and if he concurs in the Plan, may submit the Plan to the Secretary, together with any recommendations.

(3) SECRETARY.—The Secretary shall approve or disapprove the Plan within 90 days. In reviewing the Plan, the Secretary shall consider the adequacy of—

(A) public participation; and

(B) the Plan in interpreting, for the educational and inspirational benefit of present and future generations, the unique and significant contributions to our national heritage of cultural and historical lands, waterways, and structures within the Corridor.

(c) DISAPPROVAL OF PLAN.—

(1) NOTIFICATION BY SECRETARY.—If the Secretary disapproves the Plan, the Secretary shall, not later than 60 days after the date of disapproval, advise the Governor and the Commission of the reasons for disapproval, together with recommendations for revision.

(2) REVISION AND RESUBMISSION TO GOVERNOR.—Not later than 90 days after receipt of the notice of disapproval, the Commission shall revise and resubmit the Plan to the Governor for review.

(3) RESUBMISSION TO SECRETARY.—If the Governor concurs in the revised Plan, he may submit the revised Plan to the Secretary who shall approve or disapprove the revision within 60 days. If the Governor does not concur in the revised Plan, he may resubmit it to the Commission together with his recommendations for further consideration and modification.

(d) IMPLEMENTATION OF PLAN.—After approval by the Secretary, the Commission shall implement and support the Plan as follows:

(1) CULTURAL RESOURCES.—

(A) IN GENERAL.—The Commission shall assist Federal agencies, State agencies, political subdivisions of the State, and nonprofit organizations in the conservation and interpretation of cultural resources within the Corridor.

(B) EXCEPTION.—In providing the assistance, the Commission shall in no way infringe upon the authorities and policies of a Federal agency, State agency, or political subdivision of the State concerning the administration and management of property, water, or water rights held by such agency, political subdivision, or private persons or entities, or affect the jurisdiction of the State of Colorado over any property, water, or water rights within the Corridor.

(2) PUBLIC AWARENESS.—The Commission shall assist in the enhancement of public awareness of, and appreciation for, the historical, recreational, architectural, and engineering structures in the Corridor, and the archaeological, geological, and cultural resources and sites in the Corridor—

(A) by encouraging private owners of identified structures, sites, and resources to adopt voluntary measures for the preservation of the identified structure, site, or resource; and

(B) by cooperating with Federal agencies, State agencies, and political subdivisions of the State in acquiring, on a willing seller basis, any identified structure, site, or resource which the Commission, with the concurrence of the Governor, determines should be acquired and held by an agency of the State.

(3) RESTORATION.—The Commission may assist Federal agencies, State agencies, political subdivisions of the State, and nonprofit organizations in the restoration of any identified structure or site in the Corridor with consent of the owner. The assistance may include providing technical assistance for historic preservation, revitalization, and enhancement efforts.

(4) INTERPRETATION.—The Commission shall assist in the interpretation of the historical, present, and future uses of the Corridor—

(A) by consulting with the Secretary with respect to the implementation of the Secretary's duties under section ___10;

(B) by assisting the State and political subdivisions of the State in establishing and maintaining visitor orientation centers and other interpretive exhibits within the Corridor;

(C) by encouraging voluntary cooperation and coordination, with respect to ongoing interpretive services in the Corridor, among Federal agencies, State agencies, political subdivisions of the State, nonprofit organizations, and private citizens; and

(D) by encouraging Federal agencies, State agencies, political subdivisions of the State, and nonprofit organizations to undertake new interpretive initiatives with respect to the Corridor.

(5) RECOGNITION.—The Commission shall assist in establishing recognition for the Corridor by actively promoting the cultural, historical, natural, and recreational resources of the Corridor on a community, regional, statewide, national, and international basis.

(6) LAND EXCHANGES.—The Commission shall assist in identifying and implementing land exchanges within the State of Colorado by Federal and State agencies that will expand open space and recreational opportunities within the flood plain of the Corridor.

SEC. ___09. TERMINATION OF TRAVEL EXPENSES PROVISION.

Effective on the date that is 5 years after the date on which the Secretary approves the Plan, section ___04 is amended by striking subsection (e).

SEC. ___10. DUTIES OF THE SECRETARY.

(a) ACQUISITION OF LAND.—The Secretary may acquire land and interests in land within the Corridor that have been specifically identified by the Commission for acquisition by the Federal Government and that have been approved for such acquisition by the Governor and the political subdivision of the State where the land is located by donation, purchase with donated or appropriated funds, or exchange. Acquisition authority may only be used if such lands cannot be acquired by donation or exchange. No land or interest in land may be acquired without the consent of the owner.

(b) TECHNICAL ASSISTANCE.—The Secretary shall, upon the request of the Commission, provide technical assistance to the Commission in the preparation and implementation of the Plan pursuant to section ___08.

(c) DETAIL.—Each fiscal year during the existence of the Commission, the Secretary shall detail to the Commission, on a nonreimbursable basis, 2 employees of the Department of the Interior to enable the Commission to carry out the Commission's duties under section ___07.

SEC. ___11. OTHER FEDERAL ENTITIES.

(a) DUTIES.—Subject to section ___12, a Federal entity conducting or supporting activities directly affecting the flow of the Cache La Poudre River through the Corridor, or the natural resources of the Corridor shall consult with the Commission with respect to such activities;

(b) AUTHORIZATION.—

(1) IN GENERAL.—The Secretary or Administrator of a Federal agency may acquire land in the flood plain of the Corridor by exchange for other lands within such agency's jurisdiction within the State of Colorado, based on fair market value, if the lands have been identified by the Commission for acquisition by a Federal agency and the Governor and the political subdivision of the State or the owner where the lands are located concur in the exchange. Land so acquired shall be used to fulfill the purpose for which the Corridor is established.

(2) AUTHORIZATION TO CONVEY PROPERTY.—The first sentence of section 203(k)(3) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)(3)) is amended by striking ''historic monument, for the benefit of the public'' and inserting ''historic monument or any such property within the State of Colorado for the Cache La Poudre Corridor, for the benefit of the public''.

SEC. ___12. EFFECT ON ENVIRONMENTAL AND OTHER STANDARDS, RESTRICTIONS, AND SAVINGS PROVISIONS.

(a) EFFECT ON ENVIRONMENTAL AND OTHER STANDARDS.—

(1) VOLUNTARY COOPERATION.—In carrying out this title, the Commission and Secretary shall emphasize voluntary cooperation.

(2) RULES, REGULATIONS, STANDARDS, AND PERMIT PROCESSES.—Nothing in this title shall be considered to impose or form the basis for imposition of any environmental, occupational, safety, or other rule, regulation, standard, or permit process that is different from those that would be applicable had the Corridor not been established.

(3) ENVIRONMENTAL QUALITY STANDARDS.—Nothing in this title shall be considered to impose the application or administration of any Federal or State environmental quality standard that is different from those that will be applicable had the Corridor not been established.

(4) WATER STANDARDS.—Nothing in this title shall be considered to impose any Federal or State water use designation or water quality standard upon uses of, or discharges to, waters of the State or waters of the United States, within or adjacent to the Corridor, that is more restrictive than those that would be applicable had the Corridor not been established.

(5) PERMITTING OF FACILITIES.—Nothing in the establishment of the Corridor shall abridge, restrict, or alter any applicable rule, regulation, standard, or review procedure for permitting of facilities within or adjacent to the Corridor.

(6) WATER FACILITIES.—Nothing in the establishment of the Corridor shall affect the continuing use and operation, repair, rehabilitation, expansion, or new construction of water supply facilities, water and wastewater treatment facilities, stormwater facilities, public utilities, and common carriers.

(7) WATER AND WATER RIGHTS.—Nothing in the establishment of the Corridor shall be considered to authorize or imply the reservation or appropriation of water or water rights for any purpose.

(b) RESTRICTIONS ON COMMISSION AND SECRETARY.—Nothing in this title shall be construed to vest in the Commission or the Secretary the authority to—

(1) require a Federal agency, State agency, political subdivision of the State, or private person (including an owner of private property) to participate in a project or program carried out by the Commission or the Secretary under the title;

(2) intervene as a party in an administrative or judicial proceeding concerning the application or enforcement of a regulatory authority of a Federal agency, State agency, or political subdivision of the State, including, but not limited to, authority relating to—

(A) land use regulation;

(B) environmental quality;

(C) licensing;

(D) permitting;

(E) easements;

(F) private land development; or

(G) other occupational or access issue;

(3) establish or modify a regulatory authority of a Federal agency, State agency, or political subdivision of the State, including authority relating to—

(A) land use regulation;

(B) environmental quality; or

(C) pipeline or utility crossings;

(4) modify a policy of a Federal agency, State agency, or political subdivision of the State;

(5) attest in any manner the authority and jurisdiction of the State with respect to the acquisition of lands or water, or interest in lands or water;

(6) vest authority to reserve or appropriate water or water rights in any entity for any purpose;

(7) deny, condition, or restrict the construction, repair, rehabilitation, or expansion of water facilities, including stormwater, water, and wastewater treatment facilities; or

(8) deny, condition, or restrict the exercise of water rights in accordance with the substantive and procedural requirements of the laws of the State.

(c) SAVINGS PROVISION.—Nothing in this title shall diminish, enlarge, or modify a right of a Federal agency, State agency, or political subdivision of the State—

(1) to exercise civil and criminal jurisdiction within the Corridor; or

(2) to tax persons, corporations, franchises, or property, including minerals and other interests in or on lands or waters within the urban portions of the Corridor.

(d) ACCESS TO PRIVATE PROPERTY.—Nothing in this title requires an owner of private property to allow access to the property by the public.

SEC. ___13. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated not to exceed $50,000 to the Commission to carry out this Act.

(b) MATCHING FUNDS.—Funds may be made available pursuant to this section only to the extent they are matched by equivalent funds or in-kind contributions of services or materials from non-Federal sources.

THE DEPARTMENT OF JUSTICE APPROPRIATIONS ACT, 1997 DEPARTMENT OF COMMERCE AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

FAIRCLOTH (AND OTHERS) AMENDMENT NO. 5347

(Ordered to lie on the table.)

Mr. FAIRCLOTH (for himself, Mr. SIMON, Ms. MOSELEY-BRAUN, and Mr. ABRAHAM) submitted an amendment intended to be proposed by them to the bill (H.R. 3814) making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes; as follows:

At the appropriate place, insert the following new section:

EXTENSION OF EXPIRED VISAS FOR CERTAIN NURSES

SEC. . (a) ALIENS WHO PREVIOUSLY ENTERED THE UNITED STATES PURSUANT TO AN H–1A VISA.—

(1) Notwithstanding any other provision of law, the visa of any nonimmigrant described in paragraph (2) is hereby extended through September 30, 1997.

(2) A nonimmigrant described in this paragraph is a nonimmigrant—

(A) who entered the United States as a nonimmigrant described in section 101(a)(15)(H)(i)(a);

(B) who was within the United States on or after September 1, 1995; and

(C) whose visa has expired or will expire before September 30, 1997.

(b) CHANGE OF EMPLOYMENT.—A nonimmigrant whose visa is extended by operation of this section shall be eligible to change employers in accordance with section

214.2(h)(2)(i)(D) of title 8, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act).

(c) REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall issue regulations to carry out the provisions of this section.

(d) INTERIM TREATMENT.—A nonimmigrant whose visa is extended by operation of this section, and the spouse and child of such nonimmigrant, shall be considered as having continued to maintain lawful status as a nonimmigrant through September 30, 1997.

THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

BAUCUS AMENDMENTS NOS. 5348–5349

(Ordered to lie on the table.)

Mr. BAUCUS submitted two amendments intended to be proposed by him to the bill, H.R. 3662, supra; as follows:

AMENDMENT NO. 5348

At the appropriate place in title I, insert the following:

SEC. 1___. GENERAL MANAGEMENT PLANS FOR GLACIER NATIONAL PARK.

A new general management plan for Glacier National Park shall not become effective in fiscal year 1997 or 1998 until—

(1) the Director of the National Park Service has submitted to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives the proposed final general management plan; and

(2) each of the Senate and the House of Representatives has been in session for 90 days.

AMENDMENT NO. 5349

At the appropriate place in title I, insert the following:

SEC. 1___. YELLOWSTONE NATIONAL PARK.

Not later than April 1, 1997, the Secretary of the Interior, acting through the Director of the National Park Service, and the Secretary of Agriculture, acting through the Chief of the Forest Service, shall—

(1) enter into a memorandum of understanding that, for fiscal year 1998 and each fiscal year thereafter—

(A) provides for the timely maintenance of the Beartooth Highway in Yellowstone National Park, with the costs of maintenance shared equally by the National Park Service and the Forest Service; and

(B) ensures that the Beartooth Highway will be cleared of snow and ice by not later than the Friday before Memorial Day of each year (absent weather conditions that would make clearing the highway hazardous); and

(2) submit a copy of the memorandum of understanding to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Tuesday, September 17, 1996, beginning at 9:30 a.m. to conduct a hearing on economic development on Indian reservations. The hearing will be held in room 485 of the Russell Senate Office Building.

Those wishing additional information should contact the Committee on Indian Affairs at 224–2251.

ADDITIONAL STATEMENTS

NATIONAL CHILDREN'S DAY

• Mr. GRAHAM. Mr. President, I rise today to join my friend Senator PRESSLER in introducing legislation to celebrate the children of our Nation by establishing National Children's Day on Sunday, October 13, 1996.

National Children's Day will enable us to pay tribute to children and to focus on issues that are so important to their health, development, and education, Many children today face crises of grave proportions, especially as they enter adolescent years. It is of particular concern that over 5 million children go hungry at some point each month, and that there has been a 60-percent increase in the number of children needing foster care in the last 10 years. It is also appropriate that adults in the United States have an opportunity to reminisce on their youth to recapture some of the fresh insight, innocence, and dreams that they may have lost through the years.

There are times when Congress can enact simple measures that ensure that the needs of our Nation's children are being recognized. It is the least we can do to celebrate the contributions children make in each of our lives and to all America.

I urge our colleagues to join us in cosponsoring National Children's Day.•

H. JOSEPH GERBER

• Mr. LIEBERMAN. Mr. President, I would like to take this time to remember Joseph Gerber, the founder and chairman of Gerber Scientific, Inc. and a Connecticut resident, who died in early August when Congress was out of session. I will sorely miss this great Connecticut businessman and innovator and send his family my sincere sympathy for their loss.

Mr. Gerber was nicknamed ''Thomas Edison'' in the apparel industry for his countless inventions—he was awarded over 650 U.S. and foreign patents for his technological innovations. His contributions to advanced manufacturing transformed many sectors including signmaking, graphic arts, printed circuit boards, optics, and automotive and aerospace technologies. He generously donated some of his inventions to the Smithsonian Institution—they can be found in the Smithsonian's National Museum of American History as part of its permanent collection.

Mr. Gerber was a champion of invention from very early on. As a junior at Rensselaer Polytechnic Institute, he invented a revoluntionary graphical numerical computer. This product—the Gerber Variable Scale—was rolled out to launch the Gerber Scientific Instrument Co. In a matter of five decades, Gerber Scientific grew from an initial investment of $3,000 to a major supplier of automated manufacturing systems. Today, Gerber Scientific, headquartered in South Windsor, CT, boasts worldwide sales exceeding $350 million. Mr. Gerber's creativity, motivation and business savvy propelled this corporation into success.

H. Joseph Gerber received many honors, awards and honorary doctorates. In 1953, he was chosen as one of The Ten Outstanding Young Men of the United States for contributions to his community, State, and Nation by the U.S. Junior Chamber of Commerce. He accepted the Connecticut Medal of Technology awarded by the Governor in 1994, was a member of the National Academy of Engineers and the Connecticut Academy of Science and Engineering and served as a trustee of Rensselaer Polytechnic Institute. In 1994, President Clinton awarded Mr. Gerber the National Medal of Technology.

H. Joseph Gerber was equally inspirational in his personal achievements. He was born in Vienna, Austria in 1924, but his family's life was shattered by Nazi occupation. He was imprisoned in a Nazi labor camp when he was 15, but he and his mother were able to flee Austria to the United States in 1940. He quickly learned to speak English, and, while working to support his mother, graduated from Weaver High School in Hartford in 2 years and then from Rennselaer Polytechnic Institute in less than 3 years with an aeronautical engineering degree. I salute H. Joseph Gerber and pause for a moment of reflection in memory of this very accomplished and generous man.•

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

• Mr. FRIST. Mr. President, I rise today to recognize an important achievement by this body, as well as to congratulate my colleagues on the Health Insurance Portability and Accountability Act being signed into law. Last year, I joined Senators KASSEBAUM and KENNEDY in introducing this important piece of legislation. It has enjoyed broad bipartisan support in both the House of Representatives and the U.S. Senate.

Last summer, the Committee on Labor and Human Resources, of which I am a member, reported out this legislation unanimously. This spring, the bill passed with overwhelming support in the Senate. Mr. President, as you may recall, the vote was 100 to 0.

I regret that this very popular bill—that the General Accounting Office told us would help 25 million Americans—was filibustered for 94 days by our Democratic colleagues and therefore enactment was unnecessarily delayed.

First, we heard from our friends across the aisle that the bill contained poison pills—provisions that would jeopardize support for the overall bill.

The most fiercely opposed was inclusion of a medical savings account provision.

To back up a bit, I would like to read the language of an amendment that I offered, and that passed, during consideration of the bill by the Committee on Labor and Human Resources. Specifically, the committee added a sense of the committee that the establishment of medical savings accounts should be encouraged as part of any health insurance reform legislation passed by the Senate through the use of tax incentives relating to contributions to, the income growth of, and the qualified use of, such accounts.

Although the Labor Committee does not have jurisdiction over the Internal Revenue Code, this amendment articulated our support that MSAs should be a part of the final package. Furthermore, the Kassebaum-Kennedy legislation addressed the issue of medical savings accounts within its area of jurisdiction, the Public Health Service Act. The bill allows health maintenance organizations [HMO's] to offer deductibles in conjunction with a medical savings account. This was a necessary change to current law because the current HMO Act prohibits managed care plans from offering significant copayments and deductibles which would typify a catastrophic plan design. By including this language, the committee hoped to level the playing field for all health delivery systems in offering a medical savings account product. My own MSA legislation, introduced last year, also accomplishes this goal.

The medical savings account provisions included in the Health Insurance Portability and Accountability Act are much more narrow than the bill I introduced last year to establish MSA's. However, I believe the provision has much to offer the population it is directed toward: small employers and the self-employed. This population could greatly benefit from expanding their choices of affordable health plan options. In addition, it is worth encouraging individuals to become better consumers of their health care dollars. The MSA provision included in the Health Insurance Portability and Accountability Act attempts to accomplish this goal.

Mr. President, the Journal of the American Medical Association recently published a study by the RAND Corp. regarding medical savings accounts. RAND currently conducts the largest private program of health policy research in the United States. RAND has an exceptional program of health care research that has helped advance knowledge about how cost, quality, and access to care can be improved. Its research agenda has kept pace with the Nation's emerging health policy concerns and has helped shape the way policymakers, health professionals, and the public think about these issues.

We should note that the RAND study concludes that MSA's could prove attractive to some sick and lower income people as well as to the healthy and well-to-do. The report implies that this is an effort worth demonstrating—and certainly not poisonous—especially when we focus on extending the option to populations that now have difficulty finding affordable health care options.

Above all, the goal of the Health Insurance Portability and Accountability Act continues to be the implementation of the very basic reforms of portability and limits on pre-existing conditions. The Senate has debated both these issues for the past 6 years. The bills have even passed the Senate in previous years, but ultimately failed to become law. These reforms represent what we all support and are important to the many people who experience a sense of job-lock or pre-existing conditions. The General Accounting Office [GAO] estimates that 25 million people will benefit from this bill.

Yet, even once the MSA provision was resolved the group-to-individual portability provisions came under attack. We need to remember why health insurance reform legislation was pursued by this Congress. The goal of this bill has always been to insure that people who play by the rules will not be denied access to health insurance. That must be the litmus test for the ultimate success of this legislation. The conference agreement continues to insure that individuals who change or lose their jobs will have access to a choice of health insurance policies. The goal of portability remains strong in the bill.

Mr. President, this Congress has delivered on its promise to enact market-based insurance reforms that increase everyone's security that they will not lose their health insurance. I congratulate the majority leader, Senators KASSEBAUM and ROTH, and the other conferees for ultimately refusing to allow politics as usual to stand in the way of adopting these national rules.●

Mr. COVERDELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAMS). Without objection, it is so ordered.

The Senator from South Carolina is recognized.

Mr. THURMOND. I thank the Chair.

(The remarks of Mr. THURMOND pertaining to the introduction of S. 2074 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THURMOND. Mr. President, I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

FEDERAL TRADE COMMISSION REAUTHORIZATION ACT OF 1996

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of calendar No. 575, H.R. 3553.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3553) to amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PRESSLER. Mr. President, H.R. 3553, the Federal Trade Commission Reauthorization Act of 1996, would reauthorize the Federal Trade Commission [FTC] for the next 2 fiscal years. The bill would authorize appropriations of $107 million in fiscal year 1997 and $111 million in fiscal year 1998. The expenditures authorized by this bill would be sufficient to permit the FTC to maintain existing staffing levels of 979 full-time equivalent employees.

H.R. 3553 is identical to S. 1840 which I introduced along with Senators GORTON, HOLLINGS, BRYAN, and SNOWE. Before we introduced S. 1840 on June 5, 1996, the Committee on Commerce, Science, and Transportation held a hearing on May 7, 1996, to review the FTC's activities. The Commerce Committee ordered the bill favorably reported during executive session on June 6, 1996. Because the House and Senate bills are identical, I am asking the Senate to adopt the House passed version so that we may send the bill to the President without the need for a conference.

The FTC was created as an independent regulatory agency in 1914 by the Federal Trade Commission Act. The agency is charged with the dual mission of consumer protection and antitrust enforcement.

Congress last authorized appropriations for the FTC in 1994. That authorization expires at the end of fiscal year 1996. The 1994 authorization followed a 12-year period in which appropriations to the FTC were not authorized. In that authorization act, significant changes were made to the FTC's authorizing statutes.

Mr. President, H.R. 3553, like its identical companion bill S. 1840, makes no further changes in the authorizing statutes. It is a simple authorization of appropriations and S. 1840 was in no way controversial during its committee consideration. I urge the Senate to pass H.R. 3553 as received from the House.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3553) was deemed read the third time and passed.

MEASURE READ FOR THE FIRST TIME—S. 2073

Mr. COVERDELL. Mr. President, I understand that S. 2073, introduced today by Senator NICKLES, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 2073) to require the District of Columbia to comply with the 5-year time limit for welfare recipients, to prohibit any future waiver of such limit, and for other purposes.

Mr. COVERDELL. Mr. President, I now ask for its second reading, and I object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 104–34

Mr. COVERDELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Constitution and Convention of the International Telecommunication Union [ITU], with annexes, signed at Geneva on December 22, 1992, Treaty Document No. 104–34, transmitted to the Senate by the President on September 13, 1996; that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Constitution and Convention of the International Telecommunication Union (ITU), with Annexes, signed at Geneva on December 22, 1992, and amendments to the Constitution and Convention, signed at Kyoto on October 14, 1994, together with declarations and reservations by the United States as contained in the Final Acts. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Constitution and Convention and the amendments thereto.

The 1992 Constitution and Convention replace the ITU Convention signed in Nairobi in 1982. Prior to the 1992 Constitution and Convention, the ITU Convention had been routinely replaced at successive Plenipotentiary Conferences every 5 to 10 years. The 1992 Constitution and Convention represent the first basic instruments of the ITU intended to be permanent. Basic provisions on the organization and structure of the ITU and fundamental substantive rules governing international telecommunications matters are embodied in the Constitution. The ITU Convention is comprised of provisions on the functioning of the ITU and its constituent parts.

The 1992 Constitution and Convention reflect the effort by ITU Member countries to restructure the ITU to make it more effective in responding to the changes taking place in telecommunications. The United States is pleased with the restructuring of the ITU. The changes adopted are expected to enable the ITU to meet challenges brought on by the dynamic telecommunications environment.

The 1994 ITU Plenipotentiary Conferences was convened less than 4 months after the entry into force of the Constitution and Convention to amend the 1992 Constitution and Convention. Recognizing that more time should be allowed to evaluate the extensive changes to the structure of the ITU, the Conference adopted only a few minor amendments, which were acceptable to the United States.

In signing the 1992 Constitution and Convention and the 1994 amendments, the United States made certain declarations and reservations. The specific declarations and reservations are discussed in the report of the Department of State.

The 1992 Constitution and Convention entered into force July 1, 1994, for states which, by that date, had notified the Secretary General of the ITU of their approval thereof and, in the same manner, the amendments to the Constitution and Convention entered into force on January 1, 1996.

Subject to the U.S. declarations and reservations mentioned above, I believe the United States should be a party to the ITU Constitution and Convention, as amended. They will improve the efficiency of management of the ITU and will allow it to be more responsive to the needs of the United States Government and private sector. It is my hope that the Senate will take early action on this matter and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 13, 1996*.

AMENDING THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 570, S. 1983.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1983) to amend the Native American Graves Protection and Repatriation Act to provide for Native Hawaiian organizations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1983) was deemed read the third time and passed, as follows:

S. 1983

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

SECTION 1. AMENDMENTS TO THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT.

(a) WRITTEN CONSENT REQUIRED IF NATIVE AMERICAN REMAINS ARE EXCAVATED OR REMOVED FOR PURPOSES OF STUDY.—Section 3(c) of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002(c) is amended—

(1) in paragraph (3), by striking ''and'' at the end of the paragraph;

(2) in paragraph (4), by striking the period and inserting ''; and''; and

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

''(5) in the case of any intentional excavation or removal of Native American human remains for purposes of study, such remains are excavated or removed after written consent is obtained from—

''(A) lineal descendants, if known or readily ascertainable; or

''(B) each appropriate Indian tribe or Native Hawaiian organization.''.

(b) REQUIREMENTS FOR INADVERTENT DISCOVERIES.—Section 3(d) of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002(d)) is amended—

(1) in paragraph (1), by striking ''with respect to tribal lands, if known or readily ascertainable'' and inserting ''. With respect to tribal lands, such notification shall be provided to each appropriate Indian tribe or Native Hawaiian organization,''; and

(2) in paragraph (2), by adding at the end the following: ''Any person or entity that disposes of or controls any such cultural item shall adhere to the applicable requirements of subsection (c).''.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination on the Executive Calendar: No. 719, the nomination of Vice Adm. Dennis C. Blair, to be vice admiral.

I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination was considered and confirmed, as follows:

NAVY

The following named officer for reappointment to the grade of vice admiral in the

United States Navy while assigned to a position of importance and responsibility under title 10 U.S.C., section 601:

To be vice admiral

Vice Adm. Dennis C. Blair, 000–00–0000.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR MONDAY, SEPTEMBER 16, 1996

Mr. COVERDELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 12 noon on Monday, September 16; further, that immediately following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the Calendar be dispensed with, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin 2 hours of morning business, with the time between 12 noon and 1 p.m. under the control of Senator DASCHLE, or his designee, and the time between 1 p.m. and 2 p.m. under the control of Senator COVERDELL, or his designee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, I further ask unanimous consent that at 2 p.m. on Monday, the Senate resume consideration of the Interior appropriations bill, and at the hour of 3 p.m., Senator BUMPERS be recognized to offer his amendment relative to grazing fees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. COVERDELL. Mr. President, for the information of all Senators, under the previous order, there will be 2 hours for morning business on Monday. At 2 p.m., the Senate will resume the Interior appropriations bill. No rollcall votes will occur on Monday, and any rollcall votes ordered during the session of the Senate on Monday will be stacked to occur on Tuesday at 9:30 a.m. on a case-by-case basis. The Senate could be asked to turn to any other legislation that may be cleared for action.

ADJOURNMENT UNTIL 12 NOON, MONDAY, SEPTEMBER 16, 1996

Mr. COVERDELL. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 2:35 p.m., adjourned until Monday, September 16, 1996, at 12 noon.

CONFIRMATION

Executive nomination confirmed by the Senate September 13, 1996:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF VICE ADMIRAL IN THE UNITED STATES NAVY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10 UNITED STATES CODE, SECTION 601:

To be vice admiral

VICE ADM. DENNIS C. BLAIR. 000–00–0000.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10511–S10567

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 2072–2074, and S. Res. 291 and 292. **Pages S10554, S10556–57**

Measures Reported: Reports were made as follows:

H.R. 655, to authorize the hydrogen research, development, and demonstration programs of the Department of Energy, with an amendment in the nature of a substitute.

H.R. 1786, to regulate fishing in certain waters of Alaska.

H.R. 3198, to reauthorize and amend the National Geologic Mapping Act of 1992.

S. 1010, to amend the ''unit of general local government'' definition for Federal payments in lieu of taxes to include unorganized boroughs in Alaska, with an amendment in the nature of a substitute.

S. 1719, to require the Secretary of the Interior to offer to sell to certain public agencies the indebtedness representing the remaining repayment balance of certain Bureau of Reclamation projects in Texas, with an amendment in the nature of a substitute.

S. 1804, to make technical and other changes to the laws dealing with the Territories and Freely Associated States of the United States, with an amendment in the nature of a substitute.

S. 1889, to authorize the exchange of certain lands conveyed to the Kenai Native Association pursuant to the Alaska Native Claims Settlement Act, to make adjustments to the National Wilderness System, with an amendment.

S. 2033, to repeal requirements for unnecessary or obsolete reports from the Department of Energy, with amendments. **Page S10554**

Measures Passed:

FTC Authorizations: Senate passed H.R. 3553, to amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission, clearing the measure for the President. **Pages S10565–66**

Native American Graves Protection and Repatriation Act: Senate passed S. 1983, to amend the Native American Graves Protection and Repatriation Act to provide for Native Hawaiian organizations. **Page S10566**

Department of the Interior Appropriations, 1997: Senate began consideration of H.R. 3662, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, on Friday, September 13, 1996, taking action on the following amendments proposed thereto: **Pages S10512–33, S10535–36, S10539**

Adopted:

Gorton (for Chafee) Amendment No. 5318, to provide that a portion of the admission and user fees collected by the United States Fish and Wildlife Service under the recreational fee demonstration program shall be available to the Secretary of the Interior until expended to be used in accordance with certain priorities specified in the Emergency Wetlands Resources Act of 1986. **Pages S10529–31**

Gorton (for Craig/Kempthorne) Amendment No. 5319, to transfer funds from the Running Creek Ranch land acquisition project to the National Forest Service for an old logging road inventory in Idaho. **Pages S10529–31**

Gorton (for DeWine) Amendment No. 5320, to expand the moratorium on land acquisition for the Wayne National Forest in Ohio to include Gallia County. **Pages S10529–31**

Gorton (for Faircloth) Amendment No. 5321, to remove a parcel of land from the Snowbird Wilderness Study area in North Carolina so that a road can be repaired. **Pages S10529–31**

Gorton Amendment No. 5322, to transfer certain funds to a Lake Chelan National Recreation Area road repair project. **Pages S10529–31**

Gorton Amendment No. 5323, to specify that any agreement with the State of Washington shall provide protection of the existing quality and availability of water. **Pages S10529–31**

Gorton Amendment No. 5324, relating to Bureau of Indian Affairs welfare assistance payments. **Pages S10529–31**

Gorton Amendment No. 5325, to specify that certain funds be made available for Everglades research, planning, and interagency coordination in support of land acquisition. **Pages S10529–31**

Gorton/Byrd Amendment No. 5326, of a technical nature. **Pages S10529–31**

Gorton Amendment No. 5327, to allow the National Park Service to reimburse the State of Washington for fish restoration activities. **Pages S10529–31**

Gorton/Byrd Amendment No. 5328, to extend authority for the transfer of certain Bureau of Mines facilities. **Pages S10529–31**

Gorton/Byrd Amendment No. 5329, to designate the Colombia Wilderness in Oregon as the ''Mark O. Hatfield Wilderness''. **Pages S10529–31**

Gorton/Byrd Amendment No. 5330, to provide for the use of funds for improving visitor facilities in national parks. **Pages S10529–31**

Gorton Amendment No. 5331, to strike the provision deeming approval of a telescope site on Mt. Graham consistent with the Arizona-Idaho Conservation Act. **Pages S10529–31**

Gorton/Byrd Amendment No. 5332, to clarify the amount of funds provided to the U.S. Fish and Wildlife Service for the Natural Communities Conservation Plan. **Pages S10529–31**

Gorton (for Hatfield) Amendment No. 5333, to provide for the naming of the Pacific Northwest Research Station Silviculture Lab in Bend, Oregon as the Robert W. Chandler Building. **Pages S10529–31**

Gorton (for Hatfield) Amendment No. 5334, to provide for the naming of the Bureau of Land Management's Visitors Center in Rand, Oregon as the William B. Smullin Visitor Center. **Pages S10529–31**

Gorton (for Hutchison) Amendment No. 5335, to move $250,000 from the U.S. Fish and Wildlife Service's Lower Rio Grande National Wildlife Refuge land acquisition project to the Forest Service's Lake McClellan dredging project in the State of Texas. **Pages S10529–31**

Gorton (for Johnston) Amendment No. 5336, to designate the visitor center at Jean Lafitte National Historical Park in New Orleans, Louisiana as the ''Laura C. Hudson Visitor Center''. **Pages S10529–31**

Gorton (for Murkowski) Amendment No. 5337, to provide that the Secretary of Agriculture shall by March 31, 1997 report to the Committees on Appropriations of the House of Representatives and the Senate on the status and disposition of all salvage timber sales started under the authority of Section 2001 of P.L. 104–121 and subsequently withdrawn or delayed and completed under different authorities as a consequence of the July 2, 1996 Directive on the implementation of Section 2001 issued by the Secretary. **Pages S10529–31**

Gorton (for Murkowski/Stevens) Amendment No. 5338, to protect State's management of fish and game resources in Alaska. **Pages S10529–31**

Gorton (for Nickles) Amendment No. 5339, to provide for the use of certain funds for the construction of a health care facility by the Choctaw Nation of Oklahoma. **Pages S10529–31**

Gorton (for Robb/Warner) Amendment No. 5340, to provide $1 million for land acquisition at Rappahannock National Wildlife Refuge in Virginia. **Pages S10529–31**

Gorton (for Sarbanes) Amendment No. 5341, to authorize the State of Maryland to set aside a portion of amounts made available under the Surface Mining Control and Reclamation Act of 1977 for use in undertaking acid mine drainage abatement and treatment projects. **Pages S10529–31**

Gorton (for Stevens) Amendment No. 5342, to provide that $250,000 of the funds available to the Bureau of Land Management for the Alaska conveyance shall be available for activities preparatory to resumption of leasing of oil and gas in the National Petroleum Reserve in Alaska pursuant to Public Law 96–514. **Pages S10529–31**

Gorton (for Hatfield/Murray) Amendment No. 5343, to provide that the Secretaries of Agriculture and Interior are authorized to limit competition for watershed restoration project contracts as part of the ''Jobs in the Woods'' component of the President's Forest Plan for the Pacific Northwest to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, and northern California that have been affected by reduced timber harvesting on Federal lands. **Page S10532**

A unanimous-consent agreement was reached providing for further consideration of the bill on Monday, September 16, 1996. **Page S10567**

Appointments:

Advisory Committee on the Records of Congress: The Chair, on behalf of the Secretary of the Senate, pursuant to Public Law 101–509, appointed Sheilah Mann, of Maryland, to the Advisory Committee on the Records of Congress for the 104th Congress. **Page S10536**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

The Constitution and Convention of the International Telecommunication Union (ITU), with Annexes, signed at Geneva on December 22, 1992 (Treaty Doc. 104–34).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S10566**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the report concerning the national emergency with respect to Iran; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–168). **Pages S10552–53**

Nominations Confirmed: Senate confirmed the following nominations:

1 Navy nomination in the rank of admiral.

Nominations Received: Senate received the following nominations: **Pages S10566–67**

Robert S. LaRussa, of Maryland, to be an Assistant Secretary of Commerce.

Richard W. Bogosian, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Coordinator for Rwanda/Burundi.

1 Army nomination in the rank of general.

Routine lists in the Marine Corps.

Messages From the President: **Pages S10552–53**

Communications: **Pages S10553–54**

Statements on Introduced Bills: **Pages S10554–56**

Additional Cosponsors: **Page S10556**

Amendments Submitted: **Pages S10557–64**

Notices of Hearings: **Page S10564**

Additional Statements: **Pages S10564–65**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 2:35 p.m., until 12 noon, on Monday, September 16, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10567.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will next meet at noon on Monday, September 16.

Committee Meetings

ENVIRONMENTAL COMPLIANCE PROBLEMS FACING DRYCLEANERS

Committee on Commerce: Subcommittee on Oversight and Investigations held a hearing on Environmental Compliance Problems Facing Drycleaners. Testimony was heard from public witnesses.

CONGRESSIONAL PROGRAM AHEAD

Week of September 16 through 21, 1996

Senate Chamber

During the week, Senate will continue consideration of H.R. 3662, Interior Appropriations, 1997, and consider further appropriations bills, and any cleared executive and legislative business, and conference reports, when available.

(Senate will recess on Tuesday, September 17, 1996, from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: September 16, Subcommittee on Foreign Operations, to hold hearings to review benefits to the United States of U.S. foreign assistance, 3 p.m., SD–138.

Committee on Commerce, Science, and Transportation: September 17, to hold closed hearings to examine aviation security challenges, 9:30 a.m., S–407, Capitol.

September 17, Subcommittee on Science, Technology, and Space, to hold hearings on issues relating to computational biology, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: September 17, to hold hearings to examine issues with regard to United States climate change policy, 9:30 a.m., SD–366.

September 18, Full Committee, to hold hearings on S. 1920, to amend the Alaska National Interest Lands Conservation Act, and S. 1998, to provide for expedited negotiations between the Secretary of the Interior and the villages of Chickaloon-Moose Creek Native Association, Inc., Ninilichik Native Association, Inc., Seldovia Native Association, Inc., Tyonek Native Corporation and Knikatnu, Inc. regarding the conveyances of certain lands in Alaska Under the Alaska Native Claims Settlement Act, 9:30 a.m., SD–366.

September 19, Subcommittee on Parks, Historic Preservation and Recreation, to hold hearings on S. 1539, to establish the Los Caminos del Rio National Heritage Area along the Lower Rio Grande Texas-Mexico border, S. 1583, to establish the Lower Eastern Shore American Heritage Area, S. 1785, to establish in the Department

of the Interior the Essex National Heritage Area Commission, and S. 1808, to establish a program for the preservation of additional historic property throughout the Nation, 9:30 a.m., SD–366.

Committee on Environment and Public Works: September 19, Subcommittee on Drinking Water, Fisheries, and Wildlife, to hold hearings on S. 1660, National Invasive Species Act, and to examine efforts to reduce the threat posed by nonindigenous aquatic nuisance species, 9:30 a.m., SD–406.

Committee on Foreign Relations: September 18, Subcommittee on East Asian and Pacific Affairs, to hold hearings on United States policy and recent developments with regard to Indonesia, 9:30 a.m., SD–419.

Committee on Governmental Affairs: September 18, to hold hearings on S. 1794, to provide for the forfeiture of retirement benefits in the case of any Member of Congress, congressional employee, or Federal justice or judge who is convicted of an offense relating to official duties of that individual, and for the forfeiture of the retirement allowance of the President for such a conviction, 9 a.m., SD–342.

September 19, Full Committee, to hold hearings on S. 1724, to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, 10 a.m., SD–342.

September 20, Full Committee, business meeting, to consider pending calendar business, 10 a.m., SD–342.

Committee on the Judiciary: September 17, Subcommittee on Terrorism, Technology, and Government Information, to hold hearings to examine the threat of terrorism in the United States from weapons of mass destruction, and the Government response, 10 a.m., SD–226.

September 18, Full Committee, to hold hearings on S. 1961, to establish the United States Intellectual Property Organization, and to amend the provisions of title 35, United States Code, relating to procedures for patent applications, commercial use of patents, reexamination reform, 10 a.m., SD–226.

September 18, Full Committee, to hold hearings to examine the Bailey decision's effect on certain prosecutions with regard to violent and drug trafficking crimes, 2 p.m., SD–226.

September 19, Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine the power of the Federal courts to impose taxes, 2 p.m., SD–226.

Committee on Labor and Human Resources: September 17, to hold oversight hearings on activities of the National Labor Relations Board, 10 a.m., SD–430.

Committee on Small Business: September 17, to hold hearings to examine the impact of Union Salting Campaigns on small businesses, 9 a.m., SR–428A.

Committee on Veterans Affairs: September 17, to hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion, 9:30 a.m., 334 Cannon Building.

September 19, Full Committee, to hold hearings on the implementation of Public Law 102–4, the medical and scientific bases for associations between herbicide exposure and disease, 10 a.m., SR–418.

Committee on Indian Affairs: September 17, to hold hearings to examine economic development on Indian reservations, 9:30 a.m., SR–485.

Special Committee on Aging: September 19, to hold hearings to examine Social Security reform proposals, 9:30 a.m., SD–562.

House Chamber

Monday, No Legislative Business.

Tuesday, Consideration of 25 suspensions:

1. H.R. 2679, North Platte National Wildlife Refuge;
2. H.R. 2505, Alaska Land Bank Protection;
3. H.R. 2941, National Park Service Administrative Reform Act;
4. H.R. 3802, Electronic Freedom of Information Act;
5. H.J. Res. 191, Conferring Honorary U.S. Citizenship to Mother Teresa;
6. H.R. 3968, Federal Courts Improvement Act;
7. S. 533, Clarifying Rules Governing Removal of Cases to Federal Court;
8. S. 677, Repealing A Redundant Venue Provision;
9. H.R. 3723, Economic Espionage Act of 1996;
10. S. 1507, Parole Commission Phaseout Act of 1995;
11. H.R. 3676, Carjacking Correction Act of 1996;
12. H.R. 3803, The George Bush School of Government and Public Service;
13. H.R. 3936, Space Commercialization Promotion Act of 1996;
14. H.R. 4039, Social Security Clarifying Amendments;
15. H.R. 1684, James Madison Commemorative Coin Act;
16. H.R. 2026, George Washington Commemorative Coin Act of 1995;
17. H.R. 1776, Black Revolutionary War Patriots Commemorative Coin Act;
18. H.R. 2594, Railroad Unemployment Insurance;
19. H.R. 2940, Deepwater Port Modernization Act;
20. H.R. 3576, Designating the Robert Kurtz Rodibaugh U.S. Courthouse;
21. H.R. 3535, Designating the W. Edwards Deming Federal Building;
22. H.R. 3923, Aviation Disaster Family Assistance Act of 1996;
23. H.R. 3348, Snow Removal Policy Act of 1996;
24. H.R. 4040, Intermodal Safe Container Act Amendments of 1996; and

25. S. 1995, Authorizing Air and Space Museum Annex at Dulles Airport.

Any Recorded Votes Ordered Will Be Postponed Until 5:00 P.M.

Wednesday and the balance of the week:

Consideration of H.R. 1858, Regulatory Burden Relief Act, (subject to a rule);

Consideration of H.R. 3675, Department of Transportation Appropriations Act for FY97 Conference Report (subject to a rule);

Consideration of H.R. 3610, Department of Defense Appropriations Act for FY97 Conference Report (subject to a rule);

Consideration of H.R. , FY97 Omnibus Appropriations (subject to a rule); and

Consideration of H.R. 2202, Immigration in the National Interest Conference Report (subject to a rule).

Additional conference reports may be brought to the floor at any time.

House Committees

Committee on Agriculture, September 18, Subcommittee on Department Operations, Nutrition, and Foreign Agriculture, hearing to review contracting practices and other activities at the USDA relating to Team Nutrition, 1 p.m., 1300 Longworth.

September 19, full Committee, hearing to review the Conservation Reserve Program, regulations, and the implementation of the Conservation Title of the Federal Agriculture Improvement Reform Act of 1996, 9:30 a.m., 1300 Longworth.

Committee on Banking and Financial Services, September 18, hearing on recent events surrounding Sumitomo Corporation, 10 a.m., 2128 Rayburn.

Committee on Commerce, September 19, Subcommittee on Oversight and Investigations, hearing on Perspectives on Pharmaceutical Pricing Practices, 10 a.m., 2123 Rayburn.

Committee on Economic and Educational Opportunities, September 19, Subcommittee on Early Childhood, Youth and Families, hearing on Federally Funded Youth Programs and Local Initiatives, 10 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, September 17, Subcommittee on Civil Service, hearing on Fire Fighter Pay and Benefits, 2 p.m., 2154 Rayburn.

September 17, Subcommittee on National Economic Growth, Natural Resource, and Regulatory Affairs, to consider pending business, 3 p.m., 2247 Rayburn.

September 17, Subcommittee on Postal Service, hearing on H.R. 3717, Postal Reform Act of 1996, 1 p.m., 311 Cannon.

September 18, full Committee, to consider pending business, 10 a.m., 2154 Rayburn.

September 19, Subcommittee on Government Management, Information and Technology, hearing on Internal Revenue Service Financial Management: Has There Been Any Improvement?, 10:30 a.m., 210 Cannon.

September 19, Subcommittee on National Security, International Affairs, and Criminal Justice, hearing on Heroin: The Re-emerging Threat, 9 a.m., 2154 Rayburn.

September 19, Subcommittee on Human Resources and Intergovernmental Resources, to continue hearings on ''The Status of Efforts to Identify Persian Gulf War Syndrome, Part IV'', 10 a.m., 2247 Rayburn.

September 20, Subcommittee on Civil Service, hearing on Drug Free Workplace: White House Standards, 9 a.m., 2154 Rayburn.

Committee on International Relations, September 17, to markup the following measures: H. Con. Res. 132, relating to the extradition of Martin Pang from Brazil to the United States; H. Con. Res. 145, concerning the removal of Russian Armed Forces from Moldova; H. Con. Res. 189, expressing the sense of the Congress regarding the importance of U.S. membership in regional South Pacific organizations; and H. Res. 515, expressing the sense of the House of Representatives with respect to the persecution of Christians worldwide, 3 p.m., 2172 Rayburn.

September 18, hearing on U.S. Policy in the Persian Gulf, 10 a.m., 2172 Rayburn.

September 18, Subcommittee on the Western Hemisphere, hearing on the Shootdown of Brothers to the Rescue: What Happened?, 2 p.m., 2172 Rayburn.

September 19, full Committee, hearing on Bosnian Elections: A Postmortem, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, September 18, to consider pending business, 1 p.m., 2141 Rayburn.

September 18, Subcommittee on Commercial and Administrative Law, hearing on H.J. Res. 189, granting the consent of Congress to the Interstate Insurance Receivership Compact; and to hold a hearing and markup of the following: A joint resolution ratifying a compact between several States facilitating the provision of mutual assistance in response to various emergency situations; and a joint resolution ratifying amendments to the Washington Metropolitan Area Transit Regulation Compact improving the Authority's procurement procedures and making explicit various current practices regarding court jurisdiction and meetings of the Authority's Board, 9:30 a.m., 2141 Rayburn.

September 18, Subcommittee on Crime, hearing on prison industries, 9 a.m., 2226 Rayburn.

September 19, Subcommittee on Immigration and Claims, hearing on H.R. 1023, Ricky Ray Hemophilia Relief Fund Act of 1995, 10 a.m., 2226 Rayburn.

Committee on National Security, September 17, Subcommittee on Military Personnel, hearing on POW/MIA issues, 12 p.m., 2118 Rayburn.

September 18, full committee, hearing on the July 25, 1996 terrorist attack against U.S. military forces in Dhahran, Saudi Arabia, 9:30 a.m., 2118 Rayburn.

September 19, full committee, to meet to honor retiring members of the Committee, 2 p.m., 2118 Rayburn.

September 19, Subcommittee on Military Procurement, oversight hearing on Department of Energy nuclear weapons activities, 10 a.m., 2118 Rayburn.

September 20, Subcommittee on Military Research and Development, hearing on counterterrorism technology, 10 a.m. 2118 Rayburn.

Committee on Resources, September 17, oversight hearing on Equal access to the courts under the Endangered Species Act; to be followed by a hearing on H.R. 3862, Citizen's Fair Housing Act of 1996, 2 p.m., 1324 Longworth.

September 18, to mark up the following bills: H.R. 2392, to amend the Umatilla Basin Project Act to establish boundaries for irrigation districts within the Umatilla Basin; H.R. 3258, to direct the Secretary of the Interior to convey certain real property located within the Carlsbad project in New Mexico to Carlsbad Irrigation District; H.R. 2561, Glacier Bay National Park and Preserve Boundary Adjustment Act of 1995; H.R. 3973, to provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives; H.R. 3819, to amend the act establishing the National Park Foundation; H.R. 3155, to amend the Wild and Scenic Rivers Act by designating the Wekiva River, Seminole Creek, and Rock Springs Run in the State of Florida for study and potential addition to the national wild and scenic rivers system; H.R. 3568, to designate 51.7 miles of the Clarion River, located in Pennsylvania, as a component of the National Wild and Scenic Rivers System; and H.R. 3497, to expand the boundary of the Snoqualmie National Forest, 11 a.m., 1324 Longworth.

September 19, Subcommittee on Fisheries, Wildlife and Oceans, to continue oversight hearings on the National Wildlife Refuge System, examining in some detail the operation and maintenance of the 510 units that comprise the System, 10 a.m., 1334 Longworth.

September 19, Subcommittee on Water and Power Resources, oversight hearing on accounting practices for Federal hydropower marketing, 2 p.m., 1334 Longworth.

Committee on Rules, September 17, hearing on H.R. 3024, United States-Puerto Rico Political Status Act, 1 p.m., and to consider H.R. 1858, Financial Institutions Regulatory Relief Act, 4 p.m., H–313 Capitol.

Committee on Science, September 17, Subcommittee on Technology, hearing on Technological Advances in Genetics Testing: Implications for the Future, 1:30 p.m., 2318 Rayburn.

September 19, full Committee, hearing on Technological Solutions to Improve Aviation Security, 11:30 a.m., 2318 Rayburn.

Committee on Small Business, September 18, hearing on H.R. 3994, Entrepreneur Development Program Act of 1996, a proposed reform of the 8(a) Program, 10 a.m., 2359 Rayburn.

Committee on Transportation and Infrastructure, September 17, Subcommittee on Railroads, oversight hearing on the Federal Employers' Liability Act, 2 p.m., 2167 Rayburn.

September 18, Subcommittee on Railroads, oversight hearing on the Rails to Trails Act, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, September 18, to markup H.R. 4068, Veterans Medicare Subvention Demonstration Project Act 9 a.m., 334 Cannon.

Committee on Ways and Means, September 17, Subcommittee on Health, hearing on Medicare Subvention, 2 p.m., 1100 Longworth.

September 17 and 19, Subcommittee on Human Resources, hearing on implementation of the recently-enacted welfare reform law, 2 p.m., on September 17 and 10 a.m., on September 19, B–318 Rayburn.

September 19, Subcommittee on Trade, hearing on Accession of China and Taiwan to the World Trade Organization, 10:30 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, September 19, hearing on Diversity/Human Resources, 1 p.m., H–405 Capitol.

Joint Meetings

Conferees: September 17, on H.R. 3540, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1997, 3 p.m., S–128, Capitol.

Joint hearing: September 17, Senate Committee on Veterans Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion, 9:30 a.m., 334 Cannon Building.

Next Meeting of the SENATE

12 noon, Monday, September 16

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 2 p.m.), Senate will resume consideration of H.R. 3662, Interior Appropriations, 1997.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Monday, September 16

House Chamber

Program for Monday: No legislative business is scheduled.

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