

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-347. A joint resolution adopted by the Legislature of the State of California relative to persons with disabilities; to the Committee on Finance.

ASSEMBLY JOINT RESOLUTION NO. 17

Whereas, In California and elsewhere, throughout a prolonged period of economic well-being and record low unemployment rates, recent national and California studies both have unaccepted findings that only one-third of adults with disabilities nationally and in California hold part-time or full-time jobs; and

Whereas, In these same studies, 75 percent of those not working stated they wanted to work; and

Whereas, The lack of access to private health insurance or the lack of continuing access to Medi-Cal or Medicare is the main obstacle individuals with significant disabilities face when working or returning to work; and

Whereas, The Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) work incentive rules have the potential to be effective but are underutilized, overly complex, and inconsistently administered. Social Security work incentives are used by only a small fraction of those eligible and often result in benefit by only a small fraction of those eligible and often result in benefit overpayments that must be repaid by the payee; and

Whereas, People with disabilities who are SSDI beneficiaries and SSI recipients have limited choice in employment services; and

Whereas, On January 28, 1999, Senator James M. Jeffords, Senator Edward M. Kennedy, Senator William V. Roth, Jr., and Senator Daniel Patrick Moynihan, introduced Senate Bill 331, cited as the "Work Incentives Improvement Act of 1999," to expand the availability of health care coverage for working individuals with disabilities, establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide these individuals with meaningful opportunities to work, and for other purposes; and

Whereas, On March 18, 1999, Representative Rick A. Lazio, Representative Michael Bilirakis, Representative Nancy L. Johnson, Representative Henry A. Waxman, Representative Tom Bliley, Jr., Representative Bob Matsui, Representative Fortney (Pete) Stark, Representative Brian Bilbray, Representative Steve Horn, of California and other states, introduced House Resolution 1180, cited as the "Work Incentives Improvement Act of 1999," a measure similar to that introduced in the Senate; and

Whereas, The federal act, as introduced, would provide states with the option and incentive grants to set up programs to extend medicaid coverage to certain classes of SSDI and SSI beneficiaries who work, provide more choice of employment services, and establish a \$2 for \$1 earned income offset demonstration project for SSDI beneficiaries; and

Whereas, The federal act, as introduced, contains strong work incentive and planning provisions for individuals with disabilities who work or want to work, and provisions for community work incentive planners to

help individuals understand and use federal and state work incentive programs, Social Security specialists in work incentives at field offices to disseminate accurate information, protection and advocacy assistance when an individual's situation is negatively impacted as a result of work, and an advisory panel to counsel the Commissioner of Social Security and other federal agencies on employment and work incentive programs; and

Whereas, The interconnected provisions of the federal act work in concert to remove work barriers for people with disabilities; and

Whereas, California with disabilities want to live and work side by side with others in their communities and this goal can begin to happen with passage of this historic national legislation; and

Whereas, It is the California Legislature's strongest belief that people have the responsibility and right to meaningful employment opportunities: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature affirms its endorsement of the federal "Work Incentives Improvement Act of 1999," and urges the United States Congress to pass this act at once in order to meet the urgent demands of people with disabilities who work or want to work across the nation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Senate Majority Leader, the Speaker of the House of Representatives, the Chairpersons of the Senate Committees on Appropriations, Budget, and Finance, and to the Chairpersons of the House Committees on Appropriations, Budget, Commerce, and Ways and Means, and to each Senator and Representative from California in the Congress of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 974. A bill to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes (Rept. No. 106-154).

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. JEFFORDS (for himself and Mr. AKAKA):

S. 1571. A bill to amend title 38, United States Code, to provide for permanent eligibility of former members of the Selected Reserve for veterans housing loans; to the Committee on Veterans Affairs.

By Mr. ROTH (for himself, Mr. DODD, Mr. BIDEN, and Mr. INOUE):

S. 1572. A bill to provide that children's sleepwear shall be manufactured in accordance with stricter flammability standards; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself, Mr. CHAFEE, Mr. LEAHY, and Mr. JEFFORDS):

S. 1573. A bill to provide a reliable source of funding for State, local, and Federal ef-

orts to conserve land and water, preserve historic resources, improve environmental resources, protect fish and wildlife, and preserve open and green spaces; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. Res. 180. A resolution reauthorizing the John Heinz Senate Fellowship Program; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JEFFORDS (for himself and Mr. AKAKA):

S. 1571. A bill to amend title 38, United States Code, to provide for permanent eligibility of former members of the Selected Reserve for veterans housing loans; to the Committee on Veterans' Affairs.

PERMANENT ELIGIBILITY OF MEMBERS OF THE SELECTED RESERVE FOR VETERANS

● Mr. JEFFORDS. Mr. President, I would like to draw my colleagues' attention to legislation Senator AKAKA and I are introducing today. Entitled "Permanent Eligibility of Members of the Selected Reserve for Veterans Home Loans," this important legislation does not change existing law, but rather makes permanent a critical benefit for the National Guard and Reserve personnel.

Under current law, selected Reservists and National Guard personnel who complete six years of service are eligible for guaranteed home loans. This is a significant benefit that has been enjoyed by active duty personnel for many years and has proven to be very effective. In 1992, there was broad bipartisan support in both the House and the Senate for extending this benefit to the hard working men and women of the Reserves on a trial basis until 1999. Last year the program was extended to the year 2003. However, as we near that date, no potential recruit may participate in the program because it expires before they are able to complete six years of service. Therefore, we introduce this bill in an effort to make this benefit permanent.

Our Reserves and National Guard are being called upon more and more today. They are a crucial asset to our Nation's military, but the Reserves are not exempt from problems such as low recruiting that currently face our military. This legislation will give the Reserve Component an added recruitment incentive to offer potential service members.

Mr. President, more and more of our service members are taking the giant step of buying a home. Since the start of the VA Home Loan Program in 1992 through 1996, 33,224 loans have been guaranteed by the VA. Only 93 of those

have been foreclosed upon; an incredibly low rate of .37 percent; The foreclosure rate for loans made to other veterans was .97 percent (two and a half times more). In 1996 alone, over \$1.1 billion was given out in home loans under this program. This legislation is good not only for our veterans and Reserves, but it is good for our economy as well. I hope there will be support from both sides on this issue.●

● Mr. AKAKA. Mr. President, I am pleased to join Senator JEFFORDS in introducing a bill that would permanently authorize the Department of Veterans Affairs Home Loan Guaranty Program for members of the Selected Reserve.

As the proud author of the original legislation enacted in 1992 to extend eligibility for the VA Home Loan Guaranty Program to National Guard and Reserve members, I am pleased with the results of the program. Tens of thousands of dedicated reservists who served for at least six years, and continue to serve or have received an honorable discharge, have been able to fulfill the dream of home ownership through this program. The participation of Guard and Reserve members not only benefits these service members, but also stabilizes the financial viability of the program since this group has had a lower default rate than most other program participants.

In anticipation of the October 1999 expiration of the eligibility of reservists for VA-guaranteed home loans, I introduced legislation last year to permanently authorize the VA Home Loan Guaranty Program for members of the Selected Reserve. With bipartisan support in the House and Senate, a revised version of my legislation was enacted into law. While I am pleased that the eligibility of reservists for veterans housing loans was extended September 2003, I believe that permanent authority should be provided to members of the Selected Reserve.

Since the end of the cold war, we have reassessed the role, size, and structure of our Armed Forces. Recognizing the changes in our national military strategy prompted by a new global environment and appreciating the need to address our nation's budget deficit, we have significantly downsized our active duty military forces. As a result, the National Guard and Reserve have played a more prominent role in the Total Force. Reservists are being increasingly called upon to protect and promote our national security interests in regions throughout the world. Most recently, reservists have been serving alongside active duty forces in the Balkans to support NATO air operations over Kosovo. By making permanent the eligibility of members of the Selected Reserve for the VA Home Loan Guaranty Program, we would specifically recognize their vital service to our country and ensure that veterans housing loans will continue to be available to them beyond the near future.

The VA guaranty program is also an important component of a benefits package which makes Guard and Reserve service more attractive to qualified individuals. This is of particular importance during a time when the civilian sector is competing for the same pool of limited applicants, as well as when our military needs are becoming increasingly technical, demanding only the most intelligent, motivated, and competent individuals. Currently, the VA Home Loan Guaranty Program cannot be used as a recruitment tool since the authority expires in four years and reservists are required to serve for at least six years before they qualify for VA-guaranteed loans. A permanent authorization will assist the National Guard and Reserve with their recruitment efforts by allowing veterans housing loans to be offered as an incentive.

Thank you, Mr. President. I urge my colleagues to support this measure which would recognize the vital contributions of National Guard and Reserve members to our country, as well as ensure that veterans housing loans will continue to be available in the future.●

By Mr. LIEBERMAN (for himself, Mr. CHAFFEE, Mr. LEAHY, and Mr. JEFFORDS):

S. 1573. A bill to provide a reliable source of funding for State, local, and Federal efforts to conserve land and water, preserve historic resources, improve environmental resources, protect fish and wildlife, and preserve open and green spaces; to the Committee on Energy and Natural Resources.

NATURAL RESOURCES REINVESTMENT ACT

● Mr. LIEBERMAN. Mr. President, I rise to offer introductory remarks on the Natural Resources Reinvestment Act, a bill that I am introducing today with my colleagues Mr. CHAFFEE, Mr. LEAHY, and Mr. JEFFORDS. Before we adjourned for the summer recess, Congress spent many weeks preoccupied with weighty fiscal matters like how to divvy up a hypothetical budget surplus, whether to grant tax cuts with money that may or may not exist, or whether to do the responsible thing and pay off the national debt with any surplus that might actually materialize. Make no mistake, these are important issues, but they are not the only issues that should cause us concern. Recent visits with citizens in Connecticut reinforced my conviction that one of the most critical, but commonly overlooked, issues facing our nation today is the conservation debt that we have amassed in recent years.

This conservation debt is difficult to define because it cannot be measured in dollars and cents. It is not dependent on interest rates or stock market gyrations. It is not a debt that can be paid off by signing a check when eventually we realize that we have short-changed our children's environmental inheritance.

This conservation debt grows as urban sprawl spreads across prime

farmland and degrades wetlands. It is a debt that multiplies every time a community misses a chance to acquire the watershed lands that help to purify their drinking water. It is a debt that grows irreversibly every time another endangered species is driven down the one-way road to extinction. It is a debt that increases each time an untended urban park is ceded to drug-peddlers through neglect and inattention. It is a debt that builds every time a structure representing our cultural heritage is demolished rather than renovated. It is a debt that we can no longer afford to ignore.

Unfortunately, too little has been said or done recently in Washington to define the steps we—as a nation—should take to pay off the conservation debt and ensure that our children and grandchildren inherit a planet that is healthy, productive, and blessed with abundant, clean, green open space.

Because I am committed to preserving a rich environmental legacy for our children, today I join with Mr. CHAFFEE, from Rhode Island, the esteemed Chairman of the Environment and Public Works Committee on which I serve, and Mr. LEAHY and Mr. JEFFORDS from Vermont to introduce the Natural Resources Reinvestment Act of 1999.

The principle behind our bill is simple: as we deplete federally-owned, non-renewable natural resources such as oil and gas, we should reinvest the proceeds to establish a reliable source of funding for State, local, and federal efforts to conserve land and water, provide recreational opportunities, preserve historic resources, protect fish and wildlife, and preserve open space. The Natural Resources Reinvestment Act honors this principle by re-establishing America's long-standing commitment to protecting land, fish and wildlife, and our cultural heritage and by re-doubling Federal commitments that help states and localities protect the open space and recreational opportunities that Americans cherish so deeply.

Notwithstanding our current conservation debt, America has made many wise conservation investments over the years. Therefore, the Natural Resources Reinvestment Act is not spun entirely from whole cloth, but also improves upon those things we have done well. For example, the Land and Water Conservation Fund, which has served as the primary Federal source of funds for the acquisition of recreational lands since 1965, has been a tremendous success by any measure. It has helped protect more than seven million acres of open space and contributed to the development of 37,000 parks and recreation areas across the country. Everglades and Saguaro National Parks, the Appalachian Trail, the Martin Luther King, Jr., National Historic Site, and Niagara Falls are few examples of treasured places across the country that have been created or protected with help from the Land and Water Conservation Fund.

Because the Outer Continental Shelf petroleum royalty system is already in collecting billions of dollars every year, rather than introducing new taxes, this bill would simply ensure that taxes historically raised for conservation purposes actually result in conservation activity. Despite the notable successes and broad bipartisan support and authorization for \$900 million dollars, Congress has failed to appropriate sufficient money for Land and Water Conservation Fund. More than \$11 billion dollars of authorized conservation funding has been funneled back into the general treasury since the Fund was established. Again, this bill requires no new taxes—it simply ensures that existing revenues are spent on the conservation priorities that communities across the country have identified.

The stateside portion of the Land and Water Conservation Fund—the money that is supposed to help states and local communities direct their own conservation and recreation goals—has gone completely unfunded since 1995. This is particularly troubling for me because Connecticut has the smallest percentage of federally-owned land of any state in the union.

The Natural Resources Reinvestment Act ensures that the Land and Water Conservation Fund will receive full authorized funding every year. The bill also builds on the success of the Fund, by authorizing a new program for State Lands of National or Regional Interest to help protect areas of unique ecological, recreational, aesthetic, or regional value that would not be eligible for traditional Land and Water Conservation Fund support. We also provide full funding for other successful programs with an existing claim on Outer Continental Shelf revenues, including the Historic Preservation Fund, and the Urban Park and Recreation Recovery program. Every year our bill will reinvest \$250 million dollars of Outer Continental Shelf petroleum revenues in State fish and wildlife conservation efforts, with special emphasis on projects that protect nongame and threatened or endangered species.

The Natural Resources Reinvestment Act also creates a \$900 million Environmental Stewardship Fund to be distributed to States for the purposes of conserving, protecting, and restoring their natural resources beyond what is required by current law. The Environmental Stewardship Fund is designed so that States have the flexibility to devise innovative solutions to their individual conservation challenges. This commitment to helping, but not dictating how, communities achieve their conservation goals is exceptionally important.

Over the last year, the State of Connecticut has acquired 3,725 acres of open space worth more than \$15 million dollars in 24 different municipalities. These open space purchases represent important steps toward the state goal of setting aside 21% of Connecticut

land as open space. However, that goal is still more than 345,000 acres away from being reality. Each state has unique conservation and recreation priorities and the NRRA ensures that they will have flexible federal assistance they need to put their plans into practice. Because the NRRA would support diverse ideas and approaches to conserving and protecting the nation's natural and cultural resources, each state will also benefit from the innovation and lessons learned by other states from coast to coast.

Finally, the Natural Resources Reinvestment Act clarifies and improves existing laws to leverage opportunities to protect farmland and watersheds, and mitigate the extent to which transportation projects encroach on open and green space. While these improvements are made in federal laws, they affect local decisions. For example, the NRRA amends the 1996 Farm Bill so that state and local conservation organizations can help acquire easements designed to maintain productive farmland as productive farms. This provision of the NRRA gives communities a powerful tool to help make sure that family farms are not squeezed out of American communities as cities and towns grow and prosper in the 21st century.

By amending the Federal Water Pollution Control Act so that up to 10% of the State Revolving Loan Fund can be used for matching grants to purchase land that protects watersheds, the NRRA recognizes that flexibility is critical for cost-effective delivery of clean and healthy drinking water to American homes and businesses. This provision of the NRRA recognizes that protecting watersheds—the Earth's natural water filtration and purification systems—by preserving open space can be an important and relatively inexpensive component of municipal water supply strategies.

America's world-class network of roads and highways represents the foundation of our national commerce. It also embodies many families' tickets to staying in touch with friends and relatives across the country and their passports for exploring the beauty and history of our nation. The NRRA amends the Transportation Equity Act for the 21st century so that highway development funds can be used to purchase open space and green corridors that will help mitigate the effects of transportation-related growth and development.

The Natural Resources Reinvestment Act represents a strong, renewed federal commitment to protecting our natural and historical resources nationwide at local, state, and regional levels. It demonstrates our dedication to ensuring that revenues from oil and gas leasing on federal lands are reinvested in our heritage for current and future generations alike. Mr. President, I ask that the bill be printed in the RECORD.

The bill follows:

S. 1573

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Natural Resources Reinvestment Act of 1999".

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Stewardship Council.

TITLE I—OPEN SPACE AND HISTORIC PRESERVATION

Sec. 101. Findings and purposes.

Subtitle A—Land and Water Conservation Fund

Sec. 111. Secure funding for the Land and Water Conservation Fund.

Sec. 112. Financial assistance to States.

Subtitle B—Urban Park and Recreation Recovery

Sec. 121. Urban park and recreation recovery.

Subtitle C—Historic Preservation

Sec. 131. Historic Preservation Fund.

Subtitle D—State Land and Water of National or Regional Interest

Sec. 141. State land and water of national or regional interest.

Subtitle E—Payments for Federal Ownership

Sec. 151. Authorization of appropriations for payments for entitlement land and the Refuge Revenue Sharing Fund.

TITLE II—STATE CONSERVATION ASSISTANCE

Sec. 201. Short title.

Sec. 202. Findings and purpose.

Sec. 203. Definitions.

Sec. 204. Environmental Stewardship Fund.

Sec. 205. Apportionment of Fund receipts to States.

Sec. 206. Use of funds by States.

Sec. 207. State plans.

Sec. 208. Effect on leasing and development.

TITLE III—FISH AND WILDLIFE CONSERVATION

Sec. 301. Findings and purposes.

Sec. 302. Definitions.

Sec. 303. Conservation programs.

Sec. 304. Fish and Wildlife Conservation Fund.

Sec. 305. Apportionment of Fund receipts to States.

Sec. 306. Technical amendments.

TITLE IV—NEW OPEN SPACE INITIATIVES

Subtitle A—Watersheds

Sec. 401. Findings and purpose.

Sec. 402. Land acquisition and restoration program.

Subtitle B—Transportation

Sec. 411. Findings and purpose.

Sec. 412. Surface transportation program.

Sec. 413. Federal-aid system.

Subtitle C—Farmland

Sec. 421. Farmland protection.

SEC. 2. DEFINITIONS.

In this Act:

(1) LEASED TRACT.—The term "leased tract" means a tract—

(A) leased under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) for the purpose of drilling for, developing, and producing oil and natural gas resources; and

(B) comprising a unit consisting of a block, a portion of a block, or a combination of blocks or portions of blocks, as specified in the lease, and as depicted on an outer Continental Shelf Official Protraction Diagram.

(2) OUTER CONTINENTAL SHELF.—The term “outer Continental Shelf” has the meaning given the term in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

(3) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

(A) IN GENERAL.—The term “qualified outer Continental Shelf revenues” means—

(i) all sums received by the United States from each leased tract or portion of a leased tract located in the western or central Gulf of Mexico; less

(ii) such sums as may be credited to States under section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)) and amounts needed for adjustments and refunds as overpayments for rents, royalties, or other purposes.

(B) INCLUSIONS.—The term “qualified outer Continental Shelf revenues” includes royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases granted under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) for a leased tract or portion of a leased tract described in subparagraph (A)(i).

(4) REVENUES.—The term “revenues” means all sums received by the United States as rents, royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases granted under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STEWARDSHIP COUNCIL.—The term “Stewardship Council” means the inter-agency council established by section 3.

SEC. 3. STEWARDSHIP COUNCIL.

(a) ESTABLISHMENT.—There is established an interagency council to be known as the “Land and Water Resource Stewardship Council”.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Stewardship Council shall be composed of the following members or their designees:

(A) The Administrator of the Environmental Protection Agency.

(B) The Secretary of the Interior.

(C) The Administrator of the National Oceanic and Atmospheric Administration.

(D) The Secretary of Agriculture.

(E) 2 Members of the Senate—

(i) to be appointed by the President of the Senate; and

(ii) to serve in a nonvoting capacity.

(F) 2 Members of the House of Representatives—

(i) to be appointed by the Speaker of the House of Representatives; and

(ii) to serve in a nonvoting capacity.

(2) CHAIRPERSON.—The members of the Stewardship Council shall elect a Chairperson not less often than once every 2 years.

(c) DUTIES.—

(1) IN GENERAL.—The Stewardship Council shall be responsible for reviewing and selecting applications for grants for State land and water of national or regional interest under section 14 of the Land and Water Conservation Fund Act of 1965 (as added by section 141 of this Act), reviewing and approving the State plans required under section 207, and coordinating technical assistance at the request of any State, Indian tribe, or Territory.

(2) CONSULTATION.—In making decisions and reviewing State plans, the Stewardship Council shall consult with and seek recommendations from other appropriate Federal agencies.

(d) FREQUENCY OF MEETINGS.—The President shall—

(1) convene the first meeting of the Stewardship Council not later than 30 days after the date of enactment of this Act; and

(2) convene additional meetings as often as appropriate, but not less often than quarterly, to ensure that this Act is fully carried out.

(e) PROCEDURES.—

(1) QUORUM.—Three members of the Stewardship Council shall constitute a quorum.

(2) VOTING AND MEETING PROCEDURES.—The Stewardship Council shall establish procedures for voting and the conduct of meetings by the Stewardship Council.

TITLE I—OPEN SPACE AND HISTORIC PRESERVATION

SEC. 101. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) Congress enacted the land and water conservation fund in 1964 and the Historic Preservation Fund in 1976, and provided that revenues from activities in the outer Continental Shelf would fund each program;

(2) however, since 1964, of \$21,000,000,000 authorized for the land and water conservation fund, only \$9,000,000,000 has been appropriated, and since 1977, of \$2,776,000,000 authorized for the Historic Preservation Fund, only \$845,000,000 has been appropriated;

(3) prior to dedicating outer Continental Shelf revenues for new programs to benefit the Nation, Congress should dedicate outer Continental Shelf revenues to the original purposes for which those funds were intended;

(4) since the establishment of the land and water conservation fund, the fund has been responsible for the preservation of nearly 7,000,000 acres of park land, refuges, and open spaces, and the development of more than 37,000 State and local parks and recreation projects;

(5) since the establishment of the Historic Preservation Fund, the fund has been responsible for identifying more than 1,000,000 historic sites throughout the United States and certifying 1,145 local governments as partners in preserving historic sites;

(6) as the loss of open space and the phenomenon of sprawl in rural, suburban, and urban areas of the Nation continues to increase, it is increasingly important to conserve natural, historic, and cultural resources of the Nation;

(7) the land and water conservation fund and the Historic Preservation Fund serve valuable purposes to address the needs of the Nation today as they did when they were enacted, and they are vital programs to assist State and local governments in their efforts to address those needs;

(8) the land and water conservation fund should be augmented to provide a new program to encourage State, local, and private partnerships for conservation of non-Federal land of national and regional significance that will fulfill national conservation priorities while allowing the land to remain under State and local control; and

(9) the purposes of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.) and payments in lieu of taxes are consonant with those of the land and water conservation fund and the Historic Preservation Fund, and complement those programs.

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

(1) to provide a secure source of funding for Federal land acquisition to meet State, local, and urban conservation and recreation needs through the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.) and the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.); and

(2) to recognize and to preserve the historic places of the United States through the Na-

tional Historic Preservation Act (16 U.S.C. 470 et seq.).

Subtitle A—Land and Water Conservation Fund

SEC. 111. SECURE FUNDING FOR THE LAND AND WATER CONSERVATION FUND.

Section 3 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6) is amended—

(1) by striking “SEC. 3. APPROPRIATIONS.—Moneys” and inserting the following:

“SEC. 3. APPROPRIATIONS.

“(a) IN GENERAL.—Except as provided in subsection (b), moneys”; and

(2) by adding at the end the following:

“(b) SPECIAL APPROPRIATION.—

“(1) IN GENERAL.—For each of fiscal years 1999 through 2015, from qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999) covered into the fund in the preceding fiscal year, there is appropriated the lesser of—

“(A) \$900,000,000; or

“(B) the amount that is equal to 34 percent of the amount of qualified outer Continental Shelf revenues covered into the fund during the preceding fiscal year;

to remain available until expended.

“(2) PURPOSES.—

“(A) IN GENERAL.—Notwithstanding section 5, for each of fiscal years 1999 through 2015, funds appropriated by paragraph (1) shall be available for the purposes specified in this paragraph.

“(B) ADMINISTRATIVE EXPENSES.—

“(i) IN GENERAL.—Of the amount made available for a fiscal year by paragraph (1), the Secretary of the Interior may deduct not more than 2 percent for payment of administrative expenses incurred in carrying out this subsection.

“(ii) PERIOD OF AVAILABILITY.—A deduction by the Secretary under clause (i) for a fiscal year shall be available for obligation by the Secretary until September 30 of the following fiscal year.

“(iii) DISTRIBUTION OF UNOBLIGATED FUNDS.—Not later than 60 days after the end of a fiscal year, the Secretary shall distribute under subparagraphs (C) and (D) any unobligated amount of a deduction under clause (i) for which the period of availability under clause (ii) terminated on September 30 of the fiscal year.

“(C) FEDERAL PURPOSES.—Of the amount made available for a fiscal year by paragraph (1) remaining after the deduction under subparagraph (B)(i), 50 percent shall be available for Federal purposes under section 7.

“(D) STATE PURPOSES.—

“(i) IN GENERAL.—Of the amount made available for a fiscal year by paragraph (1) remaining after the deduction under subparagraph (B)(i), 50 percent shall be available for providing financial assistance to States under section 6 and for any other State purpose authorized under this Act.

“(ii) DISTRIBUTION.—Amounts made available by clause (i) shall be distributed among States in accordance with section 6.

“(iii) LOCAL GOVERNMENT SHARE.—Not less than 50 percent of the amount provided to a State for each fiscal year under this subparagraph shall be provided by the State to local governments to provide natural areas, open space, park land, or recreational areas.

“(3) ANNUAL BUDGET SUBMISSIONS.—

“(A) IN GENERAL.—In the annual budget submission of the President for the fiscal year concerned, the President shall specify the specific purposes for which the funds made available under paragraph (2)(C) are to be used by the Secretary of the Interior and the Secretary of Agriculture.

“(B) USE BY SECRETARIES.—Funds made available for a fiscal year under paragraph

(2)(C) shall be used by the Secretary concerned for the purposes specified by the President in the annual budget submission of the President for the fiscal year unless Congress, in the general appropriation Acts for the Department of the Interior or the Department of Agriculture for the fiscal year, specifies that any part of the funds is to be used by the Secretary concerned for another purpose.

“(4) PRIORITY LISTS.—

“(A) IN GENERAL.—For the purposes of assisting the President in preparing an annual budget submission under paragraph (3), the Secretary of the Interior and the Secretary of Agriculture shall prepare Federal priority lists for the expenditure of funds made available under paragraph (2)(C).

“(B) CONSULTATION.—The priority lists shall be prepared in consultation with the head of the affected bureau or agency, taking into account the best professional judgment regarding the land acquisition priorities and policies of the bureau or agency.

“(C) FACTORS.—In preparing the priority lists, the Secretaries shall consider—

“(i) the potential adverse impacts that might result if a land acquisition is not undertaken;

“(ii) the availability of a land appraisal and other information necessary to complete the acquisition in a timely manner; and

“(iii) such other factors as the Secretaries consider appropriate.”

SEC. 112. FINANCIAL ASSISTANCE TO STATES.

(a) ALLOCATION OF AMOUNTS AVAILABLE FOR STATE PURPOSES.—Section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8) is amended by striking subsection (b) and inserting the following:

“(b) DISTRIBUTION AMONG STATES.—

“(1) IN GENERAL.—For each fiscal year, the Secretary shall distribute sums made available from the fund for State purposes among the States in accordance with this subsection. The determination of the distribution by the Secretary shall be final.

“(2) FORMULA.—For each fiscal year, the Secretary shall distribute the sums made available from the fund for State purposes as follows:

“(A) 30 percent shall be distributed equally among the States.

“(B) 70 percent shall be distributed among the States based on the ratio that—

“(i) the population of each State; bears to

“(ii) the total population of all States.

“(3) MAXIMUM ALLOCATION.—For each fiscal year, the total allocation to any 1 State under paragraph (2) shall not exceed 10 percent of the total amount allocated to all States under this subsection for the fiscal year.

“(4) TREATMENT OF DISTRICT OF COLUMBIA, TERRITORIES, AND INDIAN TRIBES.—

“(A) ALLOCATION.—For the purpose of paragraph (2)(A)—

“(i) the District of Columbia shall be treated as 1 State;

“(ii) Puerto Rico, the Virgin Islands, Guam, and American Samoa—

“(I) shall be treated collectively as 1 State; and

“(II) shall each be allocated an equal share of the amount distributed under subclause (I); and

“(iii) Indian tribes, and Alaska Native villages and Regional or Village Corporations (as defined or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.))—

“(I) shall be treated collectively as 1 State; and

“(II) shall be allocated the amount distributed under subclause (I) in a manner determined by the Secretary of the Interior.

“(B) OTHER PURPOSES.—Each of the areas referred to in subparagraph (A), and each In-

dian tribe, shall be treated as a State for all other purposes of this Act.

“(5) AVAILABILITY OF ALLOCATIONS.—

“(A) IN GENERAL.—For each fiscal year—

“(i) the Secretary shall notify each State of the allocation to the State under this subsection; and

“(ii) the allocation shall be available to the State, after the date of notification to the State, for planning, acquisition, or development projects in accordance with this Act.

“(B) PERIOD OF AVAILABILITY.—Any amount of an allocation to a State that is not paid or obligated by the Secretary during the period consisting of the fiscal year in which notification is provided under subparagraph (A) and the 2 fiscal years thereafter shall be re-distributed by the Secretary in accordance with this subsection, without regard to paragraph (3).”

(b) STATE PLAN.—Section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8) is amended by striking subsection (d) and inserting the following:

“(d) STATE PLAN.—

“(1) REQUIREMENT.—

“(A) IN GENERAL.—To be eligible for financial assistance for acquisition or development projects under this Act, a State, in consultation with local subdivisions, non-profit and private organizations, and interested citizens, shall prepare and submit to the Secretary a State plan that meets the requirements of this paragraph.

“(B) SUITABLE PLAN.—To meet the requirement for a plan under subparagraph (A), a State may use, in accordance with criteria developed by the Secretary, a comprehensive statewide outdoor recreation plan, a State recreation plan, or a State action agenda, if—

“(i) in the judgment of the Secretary, the plan or agenda encompasses and furthers the purposes of this Act; and

“(ii) the Governor of the State certifies that the plan or agenda was developed (and revised, if applicable) with ample opportunity for public participation.

“(C) CRITERIA FOR PUBLIC PARTICIPATION.—In consultation with appropriate persons and entities, the Secretary shall develop criteria for public participation which shall constitute the basis for certification by the Governor under subparagraph (B)(ii).

“(D) REQUIRED ELEMENTS.—A State plan under subparagraph (A) shall contain—

“(i) the name of the State agency that has the authority to represent and act for the State in dealing with the Secretary for the purposes of this Act;

“(ii) an evaluation of the demand for and supply of outdoor conservation, recreation, and open space resources in the State;

“(iii) a program for the implementation of the plan; and

“(iv) such other information as the Secretary determines to be necessary.

“(E) CONSIDERATION OF OTHER RESOURCES, PROGRAMS, AND PLANS.—A State plan under subparagraph (A) shall—

“(i) take into account relevant Federal resources and programs; and

“(ii) be coordinated to the maximum extent practicable with other State, regional, and local plans.

“(2) FINANCIAL ASSISTANCE FOR PREPARATION OR MAINTENANCE OF STATE PLAN.—The Secretary may provide financial assistance to a State for—

“(A) the development of a State plan under paragraph (1) if the State does not have a State plan; or

“(B) the maintenance of a State plan.”

(c) PROJECTS FOR LAND AND WATER ACQUISITION.—Section 6(e)(1) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8(e)(1)) is amended in the first

paragraph by striking “, but not including incidental costs relating to acquisition”.

(d) CONVERSION TO OTHER THAN PUBLIC OUTDOOR RECREATION USES.—Section 6(f) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8(f)) is amended by striking paragraph (3) and inserting the following:

“(3) CONVERSION TO OTHER THAN PUBLIC OUTDOOR RECREATION USES.—

“(A) IN GENERAL.—No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses.

“(B) APPROVAL OF CONVERSION.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall approve the conversion of property under this paragraph only if the State demonstrates that no prudent or feasible alternative exists to the conversion of the property.

“(ii) EXCEPTIONS.—Clause (i) does not apply to a property that—

“(I) is no longer viable for use for an outdoor conservation or recreation facility because of a change in demographic conditions; or

“(II) must be abandoned because of environmental contamination that endangers public health or safety.

“(C) SUBSTITUTION OF OTHER CONSERVATION OR RECREATION PROPERTY.—

“(i) IN GENERAL.—Subject to clause (ii), any conversion of property under this paragraph shall satisfy any conditions that the Secretary determines to be necessary to ensure the substitution of other conservation or recreation property of at least equal market value and reasonably equivalent usefulness and location, in a manner consistent with the State plan required under subsection (d).

“(ii) WETLAND.—Wetland and interests in wetland that are identified in a State plan and proposed to be acquired as suitable replacement property within the State and that are otherwise acceptable to the Secretary shall be considered to be of reasonably equivalent usefulness to the property proposed for conversion.”

(e) CONFORMING AMENDMENTS.—

(1) Section 6(e) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8(e)) is amended—

(A) in the matter preceding paragraph (1), by striking “State comprehensive plan” and inserting “State plan”; and

(B) in paragraph (1), by striking “, or wetland areas and interests therein as identified in the wetlands provisions of the comprehensive plan”.

(2) Section 32(e) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(e)) is amended in the last proviso of the first paragraph by striking “existing comprehensive statewide outdoor recreation plan found adequate for purposes of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)” and inserting “State plan required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8)”.

(3) Section 102(a)(2) of the National Historic Preservation Act (16 U.S.C. 470b(a)(2)) is amended by striking “comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)” and inserting “State plan required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8)”.

(4) Section 8(a) of the National Trails System Act (16 U.S.C. 1247(a)) is amended in the first sentence—

(A) by striking “comprehensive statewide outdoor recreation plans” and inserting “State plans”; and

(B) by inserting “of 1965 (16 U.S.C. 4601-4 et seq.)” after “Fund Act”.

(5) Section 11(a)(2) of the National Trails System Act (16 U.S.C. 1250(a)(2)) is amended by striking “(relating to the development of Statewide Comprehensive Outdoor Recreation Plans)” and inserting “(16 U.S.C. 4601-8) (relating to the development of State plans)”.

(6) Section 11 of the Wild and Scenic Rivers Act (16 U.S.C. 1282) is amended—

(A) in subsection (a)—

(i) by striking “comprehensive statewide outdoor recreation plans” and inserting “State plans”; and

(ii) by striking “(78 Stat. 897)” and inserting “(16 U.S.C. 4601-4 et seq.)”; and

(B) in subsection (b)(2)(B), by striking “(relating to the development of statewide comprehensive outdoor recreation plans)” and inserting “(16 U.S.C. 4601-8) (relating to the development of State plans)”.

(7) Section 206(d) of title 23, United States Code, is amended—

(A) in paragraph (1)(B), by striking “statewide comprehensive outdoor recreation plan required by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.)” and inserting “State plan required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8)”; and

(B) in paragraph (2)(D)(ii), by striking “statewide comprehensive outdoor recreation plan that is required by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.)” and inserting “State plan that is required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8)”.

(8) Section 202(c)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(9)) is amended by striking “statewide outdoor recreation plans developed under the Act of September 3, 1964 (78 Stat. 897), as amended” and inserting “State plans required by section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8)”.

Subtitle B—Urban Park and Recreation Recovery

SEC. 121. URBAN PARK AND RECREATION RECOVERY.

(a) **AUTHORITY TO DEVELOP NEW AREAS AND FACILITIES.**—Section 1003 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2502) is amended in the first sentence by striking “areas, facilities,” and inserting “areas and facilities, development of new recreation areas and facilities (including acquisition of land for such development).”.

(b) **DEFINITIONS.**—Section 1004 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2503) is amended—

(1) in subsection (j)—

(A) by striking “Governor;” and inserting “Governor, the District of Columbia;” and

(B) by striking “and” at the end of the subsection;

(2) in subsection (k), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(1) ‘acquisition grants’ means matching capital grants to general purpose local governments and special purpose local governments to cover the direct and incidental costs of purchasing new park land to be permanently dedicated and made accessible for public conservation and recreation; and

“(m) ‘development grants’ means matching capital grants to general purpose local governments and special purpose local governments to cover the costs of developing and constructing existing or new neighborhood recreation sites, including indoor and outdoor recreation facilities, support facilities, and landscaping, but excluding routine maintenance and upkeep activities.”.

(c) **FEDERAL ASSISTANCE GRANTS.**—Section 1005 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2504) is amended by striking subsection (a) and inserting the following:

“(a) **ELIGIBILITY.**—

“(1) **IN GENERAL.**—Eligibility of general purpose local governments to compete for assistance under this title shall be based on need, as determined by the Secretary.

“(2) **ELIGIBLE GOVERNMENTS.**—General purpose local governments that are eligible to compete for assistance under this title include—

“(A) a political subdivision included in a consolidated metropolitan statistical area, primary metropolitan statistical area, or metropolitan statistical area, as those terms are used in the most recent census;

“(B) any other city or town within an area referred to in subparagraph (A) with a total population of 50,000 individuals or more in the 1970 or any subsequent census; and

“(C) any other political subdivision, county, parish, or township with a total population of 250,000 individuals or more in the 1970 or any subsequent census.”.

(d) **REHABILITATION AND INNOVATION GRANTS.**—Section 1006(a) of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2505(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “rehabilitation and innovative grants directly” and inserting “rehabilitation grants, innovation grants, development grants, or acquisition grants”; and

(2) in paragraph (1)—

(A) by striking “rehabilitation and innovation grants” and inserting “rehabilitation grants, innovation grants, development grants, and acquisition grants”; and

(B) by striking “authorities: *Provided,*” and all that follows through “eligible applicant” and inserting “authorities, except that the grantee of a grant under this section shall provide assurances to the Secretary that the grantee will maintain public conservation and recreation opportunities at assisted areas and facilities owned or managed by the grantee in accordance with section 1010”; and

(3) in paragraph (2)—

(A) in the first sentence, by striking “rehabilitation or innovative projects” and inserting “projects eligible for rehabilitation grants, innovation grants, development grants, or acquisition grants”; and

(B) in the second sentence, by striking “, except” and all that follows and inserting “and on a reimbursable basis.”.

(e) **RECOVERY ACTION PROGRAMS.**—Section 1007(a) of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2506(a)) is amended—

(1) in the first sentence, by inserting “development,” after “commitments to ongoing planning;” and

(2) in paragraph (2), by inserting “development and” after “adequate planning for”.

(f) **STATE ACTION INCENTIVES.**—Section 1008 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2507) is amended—

(1) by inserting “(a) **IN GENERAL.**—” before the first sentence; and

(2) by striking the last sentence of subsection (a) (as designated by paragraph (1)) and inserting the following:

“(b) **COORDINATION WITH LAND AND WATER CONSERVATION FUND ACTIVITIES.**—

“(1) **PREPARATION OF PROGRAMS AND PLANS.**—The Secretary and general purpose local governments are encouraged to coordinate preparation of recovery action programs required by section 1007 with development of State plans required under section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8), including by allowing flexibility in preparation of recovery

action programs so that the programs may be used to meet State and local requirements for receipt by local governments of—

“(A) funds provided as grants from the land and water conservation fund; or

“(B) State grants for similar purposes or for other conservation or recreation purposes.

“(2) **CONSIDERATION OF FINDINGS, PRIORITIES, STRATEGIES, AND SCHEDULES.**—The Secretary shall encourage States to consider the findings, priorities, strategies, and schedules included in the recovery action programs of urban local governments in the development and revision of State plans in accordance with the public participation and coordination requirements of section 6(d) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8(d)).”.

(g) **CONVERSION OF RECREATION PROPERTY.**—The Urban Park and Recreation Recovery Act of 1978 is amended by striking section 1010 (16 U.S.C. 2509) and inserting the following:

“**SEC. 1010. CONVERSION OF RECREATION PROPERTY.**

“(a) **IN GENERAL.**—No property acquired, improved, or developed under this title shall, without the approval of the Secretary, be converted to other than public recreation uses.

“(b) **APPROVAL OF CONVERSION.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary shall approve the conversion of property under this section only if the grantee demonstrates that no prudent or feasible alternative exists to the conversion of the property.

“(2) **EXCEPTIONS.**—Paragraph (1) does not apply to a property that—

“(A) is no longer a viable recreation facility due to a change in demographic conditions; or

“(B) must be abandoned because of environmental contamination that endangers public health or safety.

“(c) **SUBSTITUTION OF OTHER CONSERVATION OR RECREATION PROPERTY.**—Any conversion of property under this section shall satisfy any conditions that the Secretary determines to be necessary to ensure the substitution of other conservation or recreation property of at least equal market value and reasonably equivalent usefulness and location, in a manner consistent with the 5-year action program for park and recreation recovery required under section 1007(a).”.

(h) **FUNDING.**—Section 1013 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2512) is amended—

(1) by striking the section heading and all that follows through “There are hereby” and inserting the following:

“**SEC. 1013. FUNDING.**

“(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are”; and

(2) by adding at the end the following:

“(c) **SPECIAL APPROPRIATION.**—For each of fiscal years 1999 through 2015, from revenues due and payable to the United States as qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999), there is appropriated, for the purpose of making grants to local governments under this Act, the lesser of—

“(1) \$100,000,000; or

“(2) the amount that is equal to 4 percent of those revenues; to remain available until expended.

(i) **LIMITATION ON USE OF FUNDS.**—Section 1014 of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2513) is repealed.

Subtitle C—Historic Preservation

SEC. 131. HISTORIC PRESERVATION FUND.

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended—

(1) by striking "SEC. 108. To" and inserting the following:

"SEC. 108. HISTORIC PRESERVATION FUND.

"(a) ESTABLISHMENT.—To";

(2) in subsection (a) (as designated by paragraph (1)), by striking "There shall be covered into such fund" and all that follows through "(43 U.S.C. 338)," and inserting "There shall be deposited in the fund for each fiscal year after fiscal year 1999, from revenues due and payable to the United States as qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999), the lesser of \$150,000,000 or the amount that is equal to 5 percent of those revenues.";

(3) by striking the third sentence of subsection (a) (as so designated by paragraph (1)) and all that follows through the end of the subsection and inserting "Such moneys shall be used only to carry out this Act."; and

(4) by adding at the end the following:

"(b) AVAILABILITY.—Of amounts in the fund, up to \$150,000,000 shall be available fiscal year 2000 and each fiscal year thereafter, for obligation or expenditure without further Act of appropriation to carry out this Act, and shall remain available until expended.

"(c) INVESTMENT.—The Secretary of the Treasury shall invest moneys in the fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited in the fund."

Subtitle D—State Land and Water of National or Regional Interest

SEC. 141. STATE LAND AND WATER OF NATIONAL OR REGIONAL INTEREST.

Title I of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.) is amended by adding at the end the following:

"SEC. 14. STATE LAND AND WATER OF NATIONAL OR REGIONAL INTEREST.

"(a) DEFINITIONS.—In this section:

"(1) ACCOUNT.—The term 'account' means the special account for conservation of State land and water of national or regional interest established under subsection (b).

"(2) COUNCIL.—The term 'Council' means the Stewardship Council established by section 3 of the Natural Resources Reinvestment Act of 1999.

"(3) STATE LAND AND WATER OF NATIONAL OR REGIONAL INTEREST.—The term 'State land and water of national or regional interest' means land or water located in a State that is—

"(A) determined by the State to be of clear national or regional significance based on the ecological, aesthetic, recreational, and cultural value of the land or water; and

"(B) not owned by the Federal Government (including any unit of the National Park System, National Forest System, National Wildlife Refuge System, or National Wilderness System).

"(b) STATE LAND AND WATER OF NATIONAL OR REGIONAL INTEREST ACCOUNT.—

"(1) IN GENERAL.—There is established in the fund a special account to provide grants to States for the conservation of State land and water of national or regional interest.

"(2) ALLOCATION.—Notwithstanding section 5, there shall be credited annually to the account, from qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999), the lesser of \$200,000,000 or the amount that is equal to 7 percent of those revenues.

"(c) GRANTS TO STATES.—

"(1) IN GENERAL.—A State may submit an application (including a detailed description of each proposed conservation project) to the Secretary for a grant to fund the conservation of State land and water of national or regional interest.

"(2) FORWARDING OF APPLICATIONS.—On receipt of an application for a grant described in paragraph (1), the Secretary shall forward the application to the Council.

"(3) SELECTION OF GRANT RECIPIENTS.—

"(A) IN GENERAL.—Not later than 90 days after receipt from the Secretary of an application described in paragraph (1), the Council shall—

"(i) review the application;

"(ii) decide whether to recommend that a grant to fund the conservation of State land and water of national or regional interest be awarded to the State making the application; and

"(iii) notify the State of the decision of the Council.

"(B) SELECTION FACTORS.—In deciding whether to recommend the award of a grant under subparagraph (A), the Council shall—

"(i) consider, on a competitive basis as compared with other applications received, the extent to which a proposed conservation project described in a grant application would conserve ecological, aesthetic, recreational, and cultural values of the State land and water of national or regional interest; and

"(ii) give preference to—

"(I) proposed conservation projects that are aimed at protecting ecosystems; and

"(II) proposed conservation projects that are developed in collaboration with private persons or other States.

"(4) MATCHING REQUIREMENTS.—A grant awarded to a State under this subsection shall cover—

"(A) not more than 70 percent of the costs of a conservation project undertaken by the State, in the case of full fee acquisition by the State of State land and water of national or regional interest; and

"(B) not more than 50 percent of the costs of a conservation project undertaken by the State, in the case of acquisition of State land and water of national or regional interest by the State that is less than fee acquisition, such as acquisition of a conservation easement.

"(5) REPORT.—At least 90 days before awarding a grant to a State under this section, the Council shall submit a report describing the proposed grant to—

"(A) the Subcommittee on Interior of the Committee on Appropriations of the Senate; and

"(B) the Subcommittee on Interior of the Committee on Appropriations of the House of Representatives."

Subtitle E—Payments for Federal Ownership

SEC. 151. AUTHORIZATION OF APPROPRIATIONS FOR PAYMENTS FOR ENTITLEMENT LAND AND THE REFUGE REVENUE SHARING FUND.

(a) ENTITLEMENT LAND.—There is authorized to be appropriated for payments to units of general local government under chapter 69 of title 31, United States Code, for entitlement land acquired after the date of enactment of this Act, \$50,000,000.

(b) REFUGE REVENUE SHARING FUND.—There is authorized to be appropriated for payments required under the Act of June 15, 1935 (16 U.S.C. 715s), for refuge land acquired after the date of enactment of this Act, \$25,000,000.

TITLE II—STATE CONSERVATION ASSISTANCE

SEC. 201. SHORT TITLE.

This title may be cited as the "State Conservation Assistance Grants Act of 1999".

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the outer Continental Shelf contains oil, gas, and other nonrenewable resources owned by the public that are developed by the Federal Government and generate significant revenues for the United States;

(2) historically, the development of those mineral resources has been accompanied by adverse environmental impacts on the States adjacent to the outer Continental Shelf in which development has occurred;

(3) consistent with the commitment to devote revenues from offshore oil and gas leases to resource protection through the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.), a portion of revenues derived from the development of mineral resources of the outer Continental Shelf should be reinvested in the United States through conservation of environmental and other public resources, including open and green spaces, habitat for fish and wildlife, wetland, historic sites, parks and other outdoor recreation areas, clean air, and clean water;

(4) the need to reinvest in the public resources described in paragraph (3) has increased significantly, because the United States has experienced unprecedented prosperity, growth, and development that have intensified stress on the natural environment;

(5) in recent years, numerous State and local governments, as well as citizens throughout the United States, have initiated efforts to conserve, protect, and restore those resources; and

(6) the priority for carrying out measures to protect and conserve the public resources described in paragraph (3) should be determined—

(A) at the State and local levels, by individuals who have the greatest interest in enhancing the quality of life in their communities; and

(B) in cooperation with the Federal Government, which has an interest in protecting the resources of the United States.

(b) PURPOSE.—The purpose of this title is to establish a program to provide a reliable source of Federal funding for States to carry out activities to conserve, protect, and restore the natural resources of the United States, including water and air quality, fish and wildlife habitat, marine, estuarine, and coastal ecosystems, wetland, farmland, forest land, and parks and other places of outdoor recreation.

SEC. 203. DEFINITIONS.

In this title:

(1) COASTLINE.—The term "coastline" has meaning given the term "coast line" in section 2 of the Submerged Lands Act (43 U.S.C. 1301).

(2) DISTANCE.—The term "distance" means minimum great circle distance, measured in statute miles.

(3) ELIGIBLE APPLICANT.—The term "eligible applicant" means a State, a municipality (including a subdivision of a State or municipality), or an interstate agency.

(4) ESTIMATED POPULATION.—The term "estimated population" means the population determined by the Secretary of Commerce on the basis of the most recent decennial census for which information is available.

(5) FUND.—The term "Fund" means the Environmental Stewardship Fund established by section 204.

(6) GOVERNOR.—The term "Governor" means the chief executive officer of a State.

(7) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(8) POPULATION DENSITY.—The term "population density", with respect to a State,

means the quotient obtained by dividing the estimated population of the State by the geographic area of the State.

(9) STATE.—The term “State” means—

(A) any of the 50 States, the Territories, and the District of Columbia; and

(B)(i) when used in a political sense, the tribal government of an Indian tribe; and

(ii) when used in a geographic sense, the land under the jurisdiction of the tribal government of an Indian tribe.

(10) TERRITORY.—The term “Territory” means Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 204. ENVIRONMENTAL STEWARDSHIP FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Environmental Stewardship Fund”, to be used in carrying out this title, consisting of—

(1) such amounts as are deposited in the Fund under subsection (b); and

(2) any interest earned on investment of amounts in the Fund under subsection (c).

(b) TRANSFERS TO FUND.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), for each fiscal year, there shall be deposited in the Fund from qualified outer Continental Shelf revenues the lesser of \$900,000,000 or the amount that is equal to 34 percent of the amount of those revenues.

(c) EXPENDITURES FROM FUND.—On request by the Stewardship Council, and without further Act of appropriation, the Secretary of the Treasury shall transfer from the Fund to the Stewardship Council such amounts as the Stewardship Council determines are necessary to carry out this title.

(d) INVESTMENT OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(e) TRANSFERS OF AMOUNTS.—

(1) IN GENERAL.—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

SEC. 205. APPORTIONMENT OF FUND RECEIPTS TO STATES.

(a) ADMINISTRATIVE EXPENSES.—For each fiscal year, without further Act of appropriation, the Stewardship Council may use, for payment of administrative expenses incurred in carrying out this title, not more than 2 percent of the sums deposited in the Fund for the preceding fiscal year.

(b) AVAILABLE AMOUNT.—For each fiscal year, without further Act of appropriation, the Secretary of the Treasury shall distribute in accordance with this section an amount equal to the sum of—

(1) the amount of the sums deposited in the Fund for the preceding fiscal year remaining after the use authorized under subsection (a); and

(2) the interest earned on investment of those sums under section 204(d) for the preceding fiscal year.

(c) APPORTIONMENT.—

(1) APPORTIONMENT TO HISTORICALLY OIL AND GAS PRODUCTIVE COASTAL STATES.—

(A) IN GENERAL.—For each fiscal year, the Stewardship Council shall apportion from the amount available under subsection (b) the amount specified in subparagraph (B) for the fiscal year to coastal States any portion of the coastline of which is located within a distance of 200 miles of the geographic center of a leased tract that was leased at any time during the period of 1953 through 1997, and produced oil or gas during that period, based on the ratio that—

(i) the revenues received during that period from the leased tracts the geographic centers of which are located within a distance of 200 miles of any portion of the coastline of the coastal State; bears to

(ii) the total of the revenues described in clause (i) with respect to all such coastal States.

(B) AMOUNTS.—The amount specified in this subparagraph is—

(i) for fiscal year 2000, \$100,000,000;

(ii) for fiscal year 2001, \$80,000,000;

(iii) for fiscal year 2002, \$60,000,000;

(iv) for fiscal year 2003, \$40,000,000;

(v) for fiscal year 2004, \$20,000,000; and

(vi) for fiscal year 2005 and each fiscal year thereafter, \$10,000,000.

(2) APPORTIONMENT TO INDIAN TRIBES, DISTRICT OF COLUMBIA, AND TERRITORIES.—

(A) APPORTIONMENT TO INDIAN TRIBES.—For each fiscal year, 0.5 percent of the portion of the amount available under subsection (b) remaining after the apportionments under paragraph (1) shall be apportioned to the Indian tribes collectively, to be distributed by the Secretary.

(B) APPORTIONMENT TO THE DISTRICT OF COLUMBIA AND TERRITORIES.—For each fiscal year, 0.5 percent of the portion of the amount available under subsection (b) remaining after the apportionments under paragraph (1) shall be apportioned to the District of Columbia and the Territories collectively, to be distributed in equal amounts among the District of Columbia and each of the Territories.

(3) APPORTIONMENT TO OTHER STATES.—

(A) IN GENERAL.—For each fiscal year, the portion of the amount available under subsection (b) remaining after the apportionments under paragraphs (1) and (2) shall be apportioned to the States not receiving an apportionment under paragraph (2) as follows:

(i) 25 percent in the ratio that the miles of coastline in each such State bears to the total miles of coastline in all such States.

(ii) 25 percent in the ratio that the geographic area of each such State bears to the total geographic area of all such States.

(iii) 35 percent in the ratio that the estimated population of each such State bears to the total estimated population of all such States.

(iv) 15 percent in the ratio that the population density of each such State bears to the sum of the population densities of all such States.

(B) MINIMUM AND MAXIMUM APPORTIONMENTS.—For each fiscal year, the amounts apportioned under this paragraph shall be adjusted proportionately so that no State receiving an apportionment under subparagraph (A) is apportioned a sum that is—

(i) less than 0.5 percent of the portion of the amount available under subsection (b)

remaining after the apportionments under paragraph (1) for the fiscal year; or

(ii) more than 5 percent of that amount.

(d) PERIOD FOR OBLIGATION OF APPORTIONMENTS.—If the Secretary of the Treasury determines that any portion of an apportionment to a State has not been obligated by the State during the fiscal year for which the apportionment is made or during the 2 fiscal years thereafter, the Secretary of the Treasury shall—

(1) reduce, by the amount of the unobligated portion of the State’s apportionment, the apportionment to the State for the succeeding fiscal year; and

(2) apportion to the States during that fiscal year, in accordance with subsection (c), the amount of the unobligated portion.

SEC. 206. USE OF FUNDS BY STATES.

(a) HISTORICALLY OIL AND GAS PRODUCTIVE COASTAL STATES.—Each State described in section 205(c)(1)(A) shall use—

(1) not more than 27 percent of the apportionment to the State under section 205(c)(2)—

(A) to mitigate the adverse environmental impacts resulting from the siting, construction, expansion, or operation of outer Continental Shelf facilities beyond the mitigation required under other law;

(B) to pay administrative costs incurred by the State or a political subdivision of the State in approving, disapproving, or permitting outer Continental Shelf development and production activities under applicable law, including the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) and the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.); and

(C) to repurchase leases for outer Continental Shelf development and production; and

(2) the balance of the apportionment to the State under section 205 to fund activities described in subsection (c).

(b) OTHER STATES.—

(1) IN GENERAL.—Amounts apportioned under section 205 to a State other than a State subject to subsection (a) shall be used to make grants to eligible applicants to pay the Federal share of the cost of carrying out eligible activities described in subsection (c).

(2) FEDERAL SHARE.—The Federal share of the cost of carrying out an eligible activity shall be determined by the Governor, but shall not exceed 70 percent.

(c) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—An eligible activity described in this subsection is any activity—

(A) the implementation of which would improve air and water quality, result in the acquisition of open space or a park, preserve a historic site, conserve habitat for fish and wildlife, redevelop a brownfield, or otherwise further the purposes of this title in a manner that exceeds the requirements of any Federal law in effect as of the date of enactment of this Act;

(B) that has been approved by the Governor, subject to public notice and opportunity for comment; and

(C) that is identified in the current State plan that has been approved by the Stewardship Council.

(2) TYPES OF ELIGIBLE ACTIVITIES.—Specific eligible activities include the following:

(A) CLEAN WATER.—With respect to clean water, an eligible activity may be—

(i) implementation of a project identified in a national estuary program comprehensive management plan under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) or an approved coastal zone management plan;

(ii) State participation in monitoring and exposure assessment related to estrogenic substances; or

(iii) development and support of a watershed management council.

(B) CLEAN AIR.—With respect to clean air, an eligible activity may be—

(i) exceeding attainment levels prescribed under the Clean Air Act (42 U.S.C. 7401 et seq.); or

(ii) implementation of State energy conservation efforts carried out after the date of enactment of this Act.

(C) FARMLAND AND OPEN SPACE PROTECTION.—With respect to farmland and open space protection, an eligible activity may be—

(i) provision of technical assistance for small and rural communities in the development of open space preservation and conservation plans;

(ii) purchase of farmland conservation easements; or

(iii) redevelopment of brownfields for the purpose of public recreation.

(D) MARINE RESOURCES.—With respect to marine resources, an eligible activity may be—

(i) protection of essential fish habitat; or

(ii) acquisition of sensitive coastal areas, including coastal barriers, wetland, and buffer areas and coral reef renovation.

(E) WILDLIFE CONSERVATION.—With respect to wildlife conservation, an eligible activity may be—

(i) implementation of recovery plans to conserve endangered or threatened species;

(ii) landowner incentives for the conservation of endangered or threatened species; or

(iii) conservation of nonlisted species, including sensitive and declining species.

(d) COMPLIANCE WITH APPLICABLE LAWS.—All activities funded with an apportionment to a State under section 205 shall comply with all applicable Federal, State, and local laws (including regulations).

(e) LIMITATIONS ON USE OF FUNDS.—A State shall not use an apportionment to the State under section 205—

(1) to carry out an activity in satisfaction of liability for natural resource damages under Federal or State law; or

(2) to carry out an activity otherwise required by law.

SEC. 207. STATE PLANS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, as a condition of receipt of apportionments under this title, the Governor of each State eligible to receive an apportionment under section 205 shall—

(1) develop and submit to the Stewardship Council a State plan for the use of the apportionments, including—

(A) identification of high-priority environmental concerns of the State; and

(B) consideration of relevant Federal and State resources;

(2) obtain and maintain the approval of the Stewardship Council of the State plan; and

(3) to the maximum extent practicable, coordinate the actions under the State plan with ongoing conservation planning efforts in the State.

(b) REVISIONS.—The Governor shall revise and resubmit the plan for approval, as necessary, but not less often than once every 2 years.

(c) CRITERIA FOR APPROVAL.—The Stewardship Council shall approve a State plan submitted under subsection (a), or a revision of a State plan submitted under subsection (b), if the State plan or revision—

(1) provides for use of apportionments to the State in accordance with this title; and

(2) addresses high-priority conservation issues, or projects that are identified in a State comprehensive conservation plan.

(d) REVOCATION OF APPROVAL.—The Stewardship Council may revoke approval of a

State plan if the Stewardship Council determines that—

(1) the State is not using apportionments to the State in accordance with this title; or

(2) the Governor of the State fails to revise the plan as required under subsection (b).

(e) PUBLIC PARTICIPATION.—The plan, and each revision of the plan, shall be developed after public notice and an opportunity for public participation.

(f) CERTIFICATION BY THE GOVERNOR.—The Governor shall certify to the Stewardship Council that the plan, and each revision of the plan, was developed with an opportunity for public participation and in accordance with all applicable State laws.

(g) REPORTING OF EXPENDITURES.—The plan shall contain a description of activities funded with amounts appropriated under this title for the preceding 2 years.

SEC. 208. EFFECT ON LEASING AND DEVELOPMENT.

Nothing in this title—

(1) affects any moratorium on leasing of outer Continental Shelf leases for drilling; or

(2) constitutes an incentive to encourage the development of outer Continental Shelf resources where those resources are not being developed as of the date of enactment of this Act.

TITLE III—FISH AND WILDLIFE CONSERVATION

SEC. 301. FINDINGS AND PURPOSES.

The Fish and Wildlife Conservation Act of 1980 is amended by striking section 2 (16 U.S.C. 2901) and inserting the following:

“SEC. 2. FINDINGS AND PURPOSES.

“(a) FINDINGS.—Congress finds that—

“(1) fish and wildlife are of ecological, educational, esthetic, cultural, recreational, economic, and scientific value to the United States;

“(2) healthy populations of species of fish and wildlife should be achieved and maintained for the benefit of present and future generations of Americans;

“(3) management and conservation of fish and wildlife require adequate funding for State programs and coordination with Federal, local, and tribal governments, private landowners, and interested organizations within each State;

“(4) coordination and comprehensive planning of conservation efforts and funding sources under existing programs, such as the Federal aid in wildlife program and the Federal aid in sport fish restoration program, are being carried out by many States and should be encouraged;

“(5) increasing coordination and comprehensive planning of State conservation efforts and funding sources would provide significant benefits to the conservation and management of species; and

“(6) conservation efforts and funding should emphasize species that are not hunted, fished, or trapped, as nongame programs receive less than \$100,000,000 annually among all 50 States, compared with an estimated \$1,000,000,000 annually for game-focused programs.

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

“(1) to provide assistance to the States for the conservation of fish and wildlife, especially nongame fish and wildlife; and

“(2) to encourage implementation and coordination of comprehensive fish and wildlife conservation programs.”.

SEC. 302. DEFINITIONS.

Section 3 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2902) is amended—

(1) by striking “As used in this Act—” and inserting “In this Act:”;

(2) in paragraphs (1), (2), and (4), by striking “plan” each place it appears and inserting “program”;

(3) in paragraph (8), by striking “the Trust Territory of the Pacific Islands.”;

(4) by redesignating paragraphs (6), (7), and (8) as paragraphs (7), (9), and (10), respectively;

(5) by inserting after paragraph (5) the following:

“(6) LEASED TRACT.—The term ‘leased tract’ means a tract—

“(A) leased under section 8 of the outer Continental Shelf Lands Act (43 U.S.C. 1337) for the purpose of drilling for, developing, and producing oil and natural gas resources; and

“(B) comprising a unit consisting of a block, a portion of a block, or a combination of blocks or portions of blocks, as specified in the lease, and as depicted on an Outer Continental Shelf Official Protraction Diagram.”; and

(6) by inserting after paragraph (7) (as redesignated by paragraph (4)) the following:

“(8) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

“(A) IN GENERAL.—The term ‘qualified outer Continental Shelf revenues’ means—

“(i) all sums received by the United States from each leased tract or portion of a leased tract located in the western or central Gulf of Mexico; less

“(ii) such sums as may be credited to States under section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)) and amounts needed for adjustments and refunds as overpayments for rents, royalties, or other purposes.

“(B) INCLUSIONS.—The term ‘qualified outer Continental Shelf revenues’ includes royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases granted under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) for a leased tract or portion of a leased tract described in subparagraph (A)(i).”.

SEC. 303. CONSERVATION PROGRAMS.

(a) IN GENERAL.—The Fish and Wildlife Conservation Act of 1980 is amended by striking section 4 (16 U.S.C. 2903) and inserting the following:

“SEC. 4. CONSERVATION PROGRAMS.

“(a) IN GENERAL.—Not later than 5 years after the date of receipt by a State of an initial apportionment under section 7, the State shall develop and begin implementation of a conservation program for species of fish and wildlife in the State that emphasizes fish and wildlife species that are not hunted, trapped, or fished (including associated habitats of those species) and is based on best available and appropriate scientific information and data.

“(b) REQUIRED ELEMENTS.—A conservation program under subsection (a) shall include—

“(1) information on the distribution and abundance of species (including species having a low population and declining species, as determined to be appropriate by the designated State agency) that are indicative of the diversity and health of wildlife of the State;

“(2) identification of the extent and condition of wildlife habitats and community types essential to the conservation of species;

“(3) identification of problems that may adversely affect species and habitats;

“(4) priority research and surveys to identify factors that may assist in restoration and more effective conservation of species and habitats;

“(5) determinations of actions that should be taken to conserve the species and habitats, and establishment of priorities for implementing any recommended actions;

“(6) periodic monitoring of species and habitats, including—

“(A) assessment of the effectiveness of the conservation actions determined under paragraph (5); and

“(B) development of recommendations for implementing conservation actions to appropriately respond to new information or changing conditions;

“(7) review of the State conservation program, and, if appropriate, revision of the conservation program at least once every 10 years; and

“(8) coordination, to the maximum extent feasible, by the designated State agency, during the development, implementation, review, and revision of the conservation program, with Federal, State, and local agencies and Indian tribes that—

“(A) manage significant areas of land or water within the State; or

“(B) administer programs that significantly affect the conservation of species or habitats.”

(b) **APPROVAL BY THE SECRETARY OF CONSERVATION PROGRAMS.**—The Fish and Wildlife Conservation Act of 1980 is amended by striking section 5 (16 U.S.C. 2903) and inserting the following:

“SEC. 5. APPROVAL BY THE SECRETARY OF CONSERVATION PROGRAMS.

“(a) **IN GENERAL.**—

“(1) **APPROVAL.**—The Secretary shall approve a conservation program if the conservation program meets the requirements of section 4, is substantial in character and design, and has been made available for public comment.

“(2) **INDIVIDUAL CONSERVATION ACTIONS.**—

“(A) **IN GENERAL.**—In the absence of an approved conservation program, the Secretary may approve conservation actions that are intended to conserve primarily species of fish and wildlife that are not hunted, trapped, or fished and the habitats of those species.

“(B) **CRITERIA FOR APPROVAL.**—Under subparagraph (A), the Secretary may approve a conservation action for a species of fish or wildlife if—

“(i) the proposal for the conservation action—

“(I) includes an estimate of the population and distribution of the species and a description of the significant habitat of the species;

“(II) provides for regular monitoring of the effectiveness of the conservation action; and

“(III) is substantial in character and design;

“(ii) the conservation action is a high priority action in conserving the species; and

“(iii) the State is making reasonable efforts to develop or revise a conservation program that complies with this Act.

“(3) **EFFECT OF APPROVAL.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the development, implementation, and revision of conservation programs approved under paragraph (1) and the development and implementation of conservation actions approved under paragraph (2) shall be eligible for funding using funds apportioned to the States under section 7.

“(B) **LIMITATION ON USE OF FUNDS.**—Of the funds apportioned to a State under section 7 for a fiscal year, a pro rata portion of the amount required under section 6(b) to be used for the conservation of endangered or threatened species shall be used by the State for that purpose.

“(b) **CONSOLIDATION OF PLANNING EFFORTS.**—

“(1) **WILDLIFE PLANNING EFFORTS.**—With respect to conservation of wildlife, the State may include the information required to be included in a conservation program under section 4 in the plan developed by the State under the Act entitled ‘An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other

purposes’, approved September 2, 1937 (16 U.S.C. 669 et seq.), in which case the Secretary shall approve the conservation program for the purposes of, and in accordance with, this Act and that Act.

“(2) **FISH PLANNING EFFORTS.**—With respect to conservation of fish, the State may include the information required to be included in a conservation program under section 4 in the plan developed by the State under the Act entitled ‘An Act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes’, approved August 9, 1950 (16 U.S.C. 777 et seq.), in which case the Secretary shall approve the conservation program for the purposes of, and in accordance with, this Act and that Act.”

SEC. 304. FISH AND WILDLIFE CONSERVATION FUND.

The Fish and Wildlife Conservation Act of 1980 is amended by striking section 6 (10 U.S.C. 2905) and inserting the following:

“SEC. 6. FISH AND WILDLIFE CONSERVATION FUND.

“(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the ‘Fish and Wildlife Conservation Fund’ (referred to in this section as the ‘Fund’), consisting of—

“(1) such amounts as are appropriated to the Fund under subsection (b); and

“(2) any interest earned on investment of amounts in the Fund under subsection (d).

“(b) **TRANSFERS TO FUND.**—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), for each fiscal year, there are appropriated to the Fund, from revenues due and payable to the United States as qualified outer Continental Shelf revenues (as defined in section 2 of the Natural Resources Reinvestment Act of 1999), the lesser of—

“(1) \$250,000,000, of which \$75,000,000 shall be used for conservation of endangered or threatened species under section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535); or

“(2) the amount that is equal to 10 percent of those revenues, of which an amount equal to 3 percent of those revenues shall be used for conservation of endangered or threatened species under that section.

“(c) **EXPENDITURES FROM FUND.**—

“(1) **IN GENERAL.**—Upon request by the Secretary and without further Act of appropriation, for fiscal year 2000 and each fiscal year thereafter, the Secretary of the Treasury shall transfer from the Fund to the Secretary such amounts as the Secretary determines are necessary to provide funding for administrative expenses and apportionments under section 7.

“(2) **USE OF FUNDS BY STATES.**—

“(A) **IN GENERAL.**—Funds apportioned to a State under section 7 shall be used to carry out activities eligible for funding under section 5.

“(B) **MAINTENANCE OF EFFORT.**—Funds made available to States from the Fund shall supplement, but not supplant, funds made available to the States from—

“(i) the Federal aid to wildlife restoration fund established by section 3 of the Act entitled ‘An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes’, approved September 2, 1937 (16 U.S.C. 669b); and

“(ii) the Sport Fish Restoration Account established by section 9504 of the Internal Revenue Code of 1986.

“(d) **INVESTMENT OF AMOUNTS.**—

“(1) **IN GENERAL.**—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet cur-

rent withdrawals. Investments may be made only in interest-bearing obligations of the United States.

“(2) **ACQUISITION OF OBLIGATIONS.**—For the purpose of investments under paragraph (1), obligations may be acquired—

“(A) on original issue at the issue price; or

“(B) by purchase of outstanding obligations at the market price.

“(3) **SALE OF OBLIGATIONS.**—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

“(4) **CREDITS TO FUND.**—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

“(e) **TRANSFERS OF AMOUNTS.**—

“(1) **IN GENERAL.**—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

“(2) **ADJUSTMENTS.**—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.”

SEC. 305. APPORTIONMENT OF FUND RECEIPTS TO STATES.

The Fish and Wildlife Conservation Act of 1980 is amended by striking section 7 (16 U.S.C. 2906) and inserting the following:

“SEC. 7. APPORTIONMENT OF FUND RECEIPTS TO STATES.

“(a) **DEDUCTION FOR ADMINISTRATIVE EXPENSES.**—

“(1) **IN GENERAL.**—For each fiscal year, the Secretary may deduct, for payment of administrative expenses incurred in carrying out this Act, not more than 6 percent of the total amount of the Fish and Wildlife Conservation Fund established by section 6 available for apportionment for the fiscal year.

“(2) **PERIOD OF AVAILABILITY.**—A deduction by the Secretary under paragraph (1) for a fiscal year shall be available for obligation by the Secretary until September 30 of the following fiscal year.

“(3) **APPORTIONMENT OF UNOBLIGATED FUNDS.**—Not later than 60 days after the end of a fiscal year, the Secretary shall apportion under subsections (b) and (c) any unobligated amount of a deduction for which the period of availability under paragraph (2) terminated on September 30 of the fiscal year.

“(b) **APPORTIONMENT TO DISTRICT OF COLUMBIA AND TERRITORIES.**—For each fiscal year, after making the deduction under subsection (a), the Secretary shall make the following apportionments from the amount of the Fish and Wildlife Conservation Fund remaining available for apportionment:

“(1) To each of the District of Columbia and the Commonwealth of Puerto Rico, a sum equal to not more than ½ of 1 percent of that remaining amount.

“(2) To each of Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, a sum equal to not more than ⅓ of 1 percent of that remaining amount.

“(c) **APPORTIONMENT TO OTHER STATES.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), for each fiscal year, after making the deduction under subsection (a) and the apportionment under subsection (b), the Secretary shall apportion the amount of the Fish and Wildlife Conservation Fund remaining available for apportionment among the States not receiving an apportionment under subsection (b) in the following manner:

“(A) ⅓ based on the ratio that the geographic area of each such State bears to the total geographic area of all such States.

“(B) ⅔ based on the ratio that the population of each such State bears to the total population of all such States.

“(2) MINIMUM AND MAXIMUM APPORTIONMENTS.—For each fiscal year, the amounts apportioned under this subsection shall be adjusted proportionately so that no State receiving an apportionment under paragraph (1) is apportioned a sum that is—

“(A) less than 1 percent of the amount available for apportionment under this subsection for the fiscal year; or

“(B) more than 5 percent of that amount.

“(d) PERIOD OF AVAILABILITY OF APPORTIONMENTS.—

“(1) IN GENERAL.—An apportionment to a State under subsection (b) or (c) for a fiscal year shall be available for obligation by the State until the end of the fourth succeeding fiscal year.

“(2) REAPPORTIONMENT OF UNOBLIGATED FUNDS.—Any amount apportioned to a State under subsection (b) or (c) for which the period of availability under paragraph (1) terminated at the end of a fiscal year shall be reapportioned to the States in accordance with subsections (b) and (c) during the following fiscal year.

“(e) COST SHARING.—Not more than 70 percent of the cost of any activity funded under this Act may be funded using amounts apportioned to a State under this section.”.

SEC. 306. TECHNICAL AMENDMENTS.

(a) Section 9 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2908) is amended by striking “conservation plans” and inserting “conservation programs”.

(b) Section 13(b) of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2912) is amended in the second sentence by striking “Committee on Merchant Marine and Fisheries” and inserting “Committee on Resources”.

(c) The Fish and Wildlife Conservation Act of 1980 is amended—

(1) by striking sections 8, 11, and 12 (16 U.S.C. 2907, 2910, 2911); and

(2) by redesignating sections 9, 10, and 13 (16 U.S.C. 2908, 2909, 2912) as sections 8, 9, and 10, respectively.

(d) Section 3(5) of the North American Wetlands Conservation Act (16 U.S.C. 4402(5)) is amended by striking “under the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901–2912)” and inserting “in section 3 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2902)”.

(e) Section 16(a) of the North American Wetlands Conservation Act (16 U.S.C. 4413) is amended in the first sentence by striking “section 13(a)(5) of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2912(a))” and inserting “section 10(a)(5) of the Fish and Wildlife Conservation Act of 1980”.

TITLE IV—NEW OPEN SPACE INITIATIVES

Subtitle A—Watersheds

SEC. 401. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) properly managed watersheds can protect and enhance surface water quality by—

(A) processing nutrients;

(B) trapping sediments; and

(C) providing settings where runoff contaminants can be chemically and biologically neutralized before the contaminants enter surface and ground water;

(2) properly managed watersheds can reduce erosion of stream banks and surrounding land by—

(A) reducing the volume and velocity of peak runoff flows; and

(B) helping to protect sensitive stream bank and stream bed areas often critical to the protection of the biological integrity of surface and ground waters; and

(3) the purchase of easements in, or fee title to, critical land from willing sellers can

be a useful tool in ensuring the implementation of an effective program for enhancing and protecting the quality of surface and ground waters.

(b) PURPOSE.—The purpose of this title is to encourage the acquisition or restoration of contiguous watersheds and wetland by providing funding for the acquisition or restoration of wetland, adjacent land, or buffer strips under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 402. LAND ACQUISITION AND RESTORATION PROGRAM.

(a) FUNDING.—Title III of the Federal Water Pollution Control Act (33 U.S.C. 1311 et seq.) is amended by adding at the end the following:

“SEC. 321. SAVE OUR WATERSHEDS PROGRAM.

“(a) CONSIDERATION OF ACQUISITION.—Each plan prepared by the appropriate State, local, or other non-Federal entity under section 118, 314, 319(g), or 320 shall—

“(1) evaluate the effectiveness of the acquisition or restoration of land or interests in land as a means of meeting the goals of the plan; and

“(2) include programs to encourage State, local, private, or other non-Federal funding of acquisitions or restorations if acquisition or restoration of land or interests in land is found by the entity to be an effective tool for plans prepared under this Act.

“(b) FUNDING.

“(1) SRF FUNDING.—

“(A) IN GENERAL.—A State may use funds from the water pollution control revolving fund of the State established under title VI for the acquisition or restoration of land in accordance with a plan developed under section 118, 314, 319(g), or 320.

“(B) SRF FUNDING LIMITATION.—Not more than 10 percent of the funds awarded to a State under title VI may be used for the acquisition or restoration of land in accordance with this section.

“(2) PREFERENCES FOR FUNDING.—In considering requests for funding of a plan for the acquisition or restoration of land or interests in land under this section, the Administrator shall provide a preference to requests with respect to which Federal funds will be matched by—

“(A) the State;

“(B) the entity responsible for developing and implementing the plan; or

“(C) other non-Federal entities.

“(c) POSSESSION OF LAND.—

“(1) IN GENERAL.—All land or interests in land acquired or restored under this section shall be held by an entity chosen by the Governor or a designee.

“(2) FEDERAL POSSESSION PROHIBITED.—An officer or employee of the Environmental Protection Agency or any other Federal agency shall not hold any land or interests in land acquired or restored under this section.

“(d) USE OF LAND.—

“(1) IN GENERAL.—Land acquired or restored under this section using Federal funds shall be made available for public recreational purposes to the maximum extent practicable considering the environmental sensitivity and suitability of the land.

“(2) INCOMPATIBLE PURPOSE EXCEPTION.—Land acquired or restored under this section shall not be made available for public recreational purposes if public recreational activities would be incompatible with the purposes for which the land was acquired or restored.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 601(a) of the Federal Water Pollution Control Act (33 U.S.C. 1381(a)) is amended—

(A) in paragraph (2), by striking “and” at the end; and

(B) by inserting before the period at the end the following: “, and (4) for acquiring or restoring land under section 321”.

(2) Section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)) is amended in the first sentence—

(A) in paragraph (2), by striking “and” at the end; and

(B) by inserting before the period at the end the following: “, and (4) for acquiring or restoring land under section 321”.

Subtitle B—Transportation

SEC. 411. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) historically, transportation projects have contributed to suburban sprawl, loss of open space, and degradation of the local environment; and

(2) comprehensive transportation planning should incorporate environmental mitigation and preservation of open space to the extent locally desired and practicable.

(b) PURPOSE.—The purpose of this subtitle is to incorporate efforts to mitigate transportation-related growth and development in surface transportation and highway projects.

SEC. 412. SURFACE TRANSPORTATION PROGRAM.

Section 133(b) of title 23, United States Code, is amended by inserting after paragraph (11) the following:

“(12) Acquisition of open space and conservation easements to mitigate transportation-related growth and development.”.

SEC. 413. FEDERAL-AID SYSTEM.

Section 103(b)(6) of title 23, United States Code, is amended by adding at the end the following:

“(Q) Acquisition of open space and conservation easements to mitigate transportation-related growth and development.”.

Subtitle C—Farmland

SEC. 421. FARMLAND PROTECTION.

Section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3830 note; Public Law 104-127) is amended—

(1) by redesignating subsection (c) as subsection (h); and

(2) by striking subsections (a) and (b) and inserting the following:

“(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means—

“(1) any agency of any State or local government, or federally recognized Indian tribe; and

“(2) any organization that—

“(A) is organized for, and at all times since its formation has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986; and

“(B)(i) is an organization described in section 501(c)(3) of the Code that is exempt from taxation under section 501(a) of the Code;

“(ii) is described in section 509(a)(2) of the Code; or

“(iii) is described in section 509(a)(3) of the Code and is controlled by an organization described in section 509(a)(2) of the Code.

“(b) AUTHORITY.—The Secretary of Agriculture shall establish and carry out a farmland protection program under which the Secretary shall provide grants to eligible entities to provide the Federal share of the cost of purchasing conservation easements or other interests in land with prime, unique, or other productive soil for the purpose of protecting topsoil by limiting non-agricultural uses of the land.

“(c) FEDERAL SHARE.—The Federal share of the cost of purchasing a conservation easement or other interest described in subsection (b) shall not more than 50 percent.

“(d) TITLE; ENFORCEMENT.—Title to a conservation easement or other interest described in subsection (b) may be held, and

the conservation requirements of the easement or interest enforced, by any eligible entity.

“(e) STATE CERTIFICATION.—The attorney general of the State in which land is located shall take such actions as are necessary to ensure that a conservation easement or other interest under this section is in a form that is sufficient to achieve the conservation purpose of the farmland protection program established under this section, the law of the State, and the terms and conditions of any grant made by the Secretary under this section.

“(f) CONSERVATION PLAN.—Any land for which a conservation easement or other interest is purchased under this section shall be subject to the requirements of a conservation plan to the extent that the plan does not negate or adversely affect the restrictions contained in any easement.

“(g) TECHNICAL ASSISTANCE.—The Secretary may use not more than 10 percent of the amount that is made available for a fiscal year under subsection (h) to provide technical assistance to carry out this section.”

• Mr. CHAFFEE. Mr. President, I am very pleased to join with my colleague, Senator LIEBERMAN, as well as Senators LEAHY and JEFFORDS, in introducing a bill to strengthen the environmental infrastructure of our nation, and to lay the foundation for conservation efforts for the new century.

This bill—the Natural Resource Reinvestment Act of 1999 (NRRA)—will also help shape the debate now taking place in Congress on spending revenues from the oil and gas activities in the Outer Continental Shelf. Rarely are we confronted with choices that will profoundly influence the natural legacy of this nation. The current debate over OCS revenues presents us with such a choice.

Let me first applaud the tremendous work already undertaken by my colleagues who have introduced legislation on this subject, particularly Senators LANDRIEU, FEINSTEIN, BOXER and GRAHAM, as well as Senators MURKOWSKI and BINGAMAN, who oversee these bills in the Energy and Natural Resources Committee. At the same time, there is room for additional voices on this subject.

I would like to identify four basic principles that are embodied in our legislation, and that I believe should govern Congress' deliberations on spending OCS revenues. These principles hearken back to those espoused by Congress when it created the Land and Water Conservation Fund and the Historic Preservation Fund, the only two programs that by law are funded from OCS receipts.

First, OCS revenues should be reinvested in the nation's public resources—our environmental, natural, cultural and historic resources. Second, reinvestment in public resources should be meaningful and lasting—the capital assets of our nation. Third, revenues must be distributed in an equitable manner across the nation. Fourth, the funding must be permanent.

The NRRA allocates \$2.5 billion in OCS receipts to three major areas: \$1.35 billion to land and water and historic

preservation (title I); \$900 million to states for matching conservation grants (title II); and \$250 million for state fish and wildlife conservation (title III). In the event that total OCS receipts falls short of \$2.5 billion, each program will receive a pro-rated, percent share of the funds.

The funds generally must be spent for conservation and environmental improvement activities, in keeping with the vision that revenues from development of non-renewable resources should be returned to the conservation of other natural resources. The funds are distributed to all 50 states in an equitable manner, derived from receipts from past, present and future OCS activities, but based on a formula and derived from qualified revenues that do not encourage additional OCS activity.

The NRRA recognizes that the existing programs created by Congress, to be funded with revenues from OCS activities, should receive their full share before new programs funded by those revenues are created. Title I of the NRRA fulfills the promise that Congress made 35 years ago when it created the LWCF. The LWCF is authorized to receive \$900 million annually from OCS revenues, but receives only a fraction of this amount in appropriations. One of the greatest conservation laws ever enacted, it provides money for Federal land and water acquisitions, and matches state dollars for local parks, beaches, gardens and other open spaces.

The NRRA would fully fund the LWCF automatically, without further Congressional action. I attempted such an effort in 1988 with the American Heritage Trust Act, and nothing would please me more than to see this effort fulfilled before I leave the Senate.

Created in 1976, the Historic Preservation Fund is also funded with OCS revenues, but of \$150 million authorized annually, it receives roughly \$45 million—30 percent. The Fund is responsible for registering more than one million historic sites across the nation, and with additional funding, restoration work can be carried out. The bill would fully fund it at \$150 million.

In addition, the bill provides full funding, \$100 million, for the Urban Parks and Recreation Renewal Program, which supports parks and open spaces in large urban areas. Funds are also authorized for the Payment in Lieu of Taxes Program and the Refuge Revenue Sharing Program, which provide annual payments to local governments to compensate for the removal of newly acquired public lands from the property tax base.

The NRRA seeks to improve and expand the LWCF in order to revitalize it, modernize it and bring it into the new century. Since the creation of the LWCF, the conservation needs of the country have evolved in ways that require greater flexibility and creativity than the traditional methods authorized in the original law.

The NRRA establishes a new program to increase the LWCF by \$200 million

to support state efforts to conserve land and water of regional or national significance. The program would provide Federal funding for state and private partnerships, in order to meet nationally important land protection priorities in a way that ensures state or local control of lands and waters. This program would help conserve some of the nation's most treasured areas, such as the Great Lakes, the Everglades, the Mississippi Delta, the Northern Forest of New England, the midwestern prairie lands, and the southwestern desert.

Let me cite one example of why we need this new program. With over five million acres of woodland on the auction block in Maine this past year, The Nature Conservancy negotiated an extraordinary deal that would protect 185,000 acres around the Upper St. John River, which is the largest, least developed river system east of the Mississippi River. The Nature Conservancy has already raised over \$10 million in private funds for this project, and hopes to receive some of a \$50 million bond which will be on the Maine ballot in the fall. The Federal government should be a partner as well. However, many folks in Maine do not want additional Federal acquisitions, so the traditional Federal LWCF program is not a possibility. Yet Maine's annual state-side LWCF allocation would be too small to handle such an expensive project. A new program could leverage the private and State dollars without requiring Federal ownership.

Recognizing that priorities for protecting and conserving resources should be determined at the state and local levels, in cooperation with the Federal government and the use of Federal dollars, the bill creates a new grants program for state activities to promote conservation and improvement of environmental quality.

Specifically, \$900 million is apportioned among all 50 states, based on a formula using the following criteria: population, length of coastline, geographic area, and population density. This formula is based on the premise that all states share in the benefits of development of OCS resources. It also recognizes the many factors that put pressure on the nation's resources. Because the formula is not tied to OCS oil and gas production, it does not create incentives for further activity. Lastly, with a ceiling of 5 percent, and a floor of 0.5 percent, the formula ensures that no state receives a disproportionate amount.

The funds can be used for clean air, clean water, cleanup of brownfields, conservation of fish and wildlife habitat, and preservation of open space and farmland. Projects must exceed standards required under existing law, be approved by the Governor after public notice and comment, and must be included in the state plan approved by a Stewardship Council comprised of Federal agency and Congressional representatives.

Federal funding for projects must also be matched with at least 30 percent by non-Federal dollars. This matching requirement is extremely important in that it provides leverage for Federal dollars, and that it encourages states to use the money wisely.

There are special provisions for states that have historically borne the activities in the OCS. Specifically, \$300 million over five years, and \$10 million annually thereafter, is provided for these states in addition to the amounts they receive under the formula. The funds may be used for OCS mitigation activities, as well as the activities enumerated above.

The NRRA establishes a separate title for the conservation of fish and wildlife, to receive \$250 million in OCS revenues, of which \$75 million is to be spent on conservation of endangered or threatened species.

Although the States are the principle stewards of our nation's fish and wildlife, their efforts to perform this role are chronically under-funded. It is high time that the Federal government assist them. And it is high time that we protect our nation's fish and wildlife before they become threatened or endangered, rather than wait until the costs and controversies are so great. At the same time, we must get a steady flow of funds for endangered and threatened species to help their recovery.

The key to species conservation is, of course, protection of the habitat. Habitat protection, in turn, requires comprehensive planning and collaboration to determine which habitat is important. Many State fish and wildlife agencies already engage in comprehensive planning, and work closely with neighboring States and the Federal government. The tremendous work conducted in the Mississippi Alluvial Valley through the Partners in Flight program exemplifies what States can do when they have adequate funding. Indeed, the States have recently completed comprehensive plans for all migratory birds, and plans are underway for amphibians and reptiles.

The NRRA amends the 1980 Fish and Wildlife Conservation Act to encourage implementation and coordination of comprehensive fish and wildlife conservation programs. The bill also places an emphasis on species that are not hunted, fished or trapped. This emphasis seeks to rectify the current imbalance in which non-game programs among all 50 states receive less than \$100 million annually, while game-focused programs receive more than \$1 billion annually. Less than 10 percent of state fish and wildlife funding is targeted at the conservation of 86 percent of fish and wildlife species.

Three new programs are created in the bill. To promote watershed protection, the NRRA amends Title III of the Federal Water Pollution Control Act to allow up to 10 percent of the State Revolving Loan Fund to be spent as 50 percent matching grants for open space

acquisition to protect watersheds and water quality. To address transportation-related development, the NRRA amends current law to allow surface transportation and highway funding to be used for the purchase of open space and green corridors that mitigate transportation-related growth and development. Lastly, to promote the protection of farmland, the NRRA amends the Federal Agriculture Improvement and Reform Act of 1996 to allow State and local conservation organizations to participate in the purchase of conservation easements for farmland protection.

Almost 90 years ago, Teddy Roosevelt said that "of all the questions which can come before this nation, short of actual preservation of its existence in a great war, there is none which compares in importance with the central task of leaving this land a better land for our descendants than it is for us." When a rugged coastline is marred by condos, or farmland is replaced by a strip mall, or a breathtaking vista is pocked with smokestacks, we lose something very valuable, most likely for good. Our bill ensures that the tools are available to leave this land in better condition for our descendants, and remains true to the vision of Teddy Roosevelt.

I urge my colleagues to cosponsor this worthwhile legislation.●

● Mr. JEFFORDS. Mr. President, I rise today as an original cosponsor of the Natural Resources Reinvestment Act of 1999 (NRRA) and thank Senator LIEBERMAN for his leadership on this issue. The purpose of this bill is to reinvest revenues from oil and gas production on outer continental shelf lands to establish a reliable source of funding for State, local and Federal efforts to conserve land and water, provide recreational opportunities, preserve historic resources, protect fish and wildlife, and preserve open and green spaces.

This Congress, the subject of permanent funding for the Land and Water Conservation Fund (LWCF) has received significant attention. The Land and Water Conservation Fund, a special account created in 1964, is the primary vehicle for funding land conservation efforts in the United States and is used for acquisitions and maintenance for our national parks, forests, and wildlife refuges. Four federal agencies—the Park Service, Bureau of Land Management, Fish and Wildlife Service, and Forest Service—receive these funds. In addition, the Park Service has administered a matching grants program to assist states (and localities) in acquiring and developing recreation sites and facilities. The fund accumulates money from diverted revenues from off-shore oil leases.

Unfortunately, the main fund has not recently been fully funded and the state grant program has not received any funding since 1995. The promise of this worthy program has never been fully realized and many opportunities

to conserve precious lands and to work with our state and local partners have been lost. People across the country are realizing that they cannot afford to lose more opportunities to protect the lands they consider important to their quality of life.

Many of us think of large tracks of land, like the Green Mountain National Forest in my home state of Vermont, when we think about federal conservation programs. When we think about the Land and Water Conservation Fund, however, we should also envision soccer fields, swing-sets, picnic areas, town beaches and wildlife preserves across the country. The LWCF has made it possible to protect some of the most valuable wildlife habitat in the United States, and also for small communities to afford public recreation facilities that would otherwise not be possible, bringing the benefits of outdoor recreation close to where we live and work.

In addition to the LWCF, the NRRA establishes permanent funding for Urban Parks and Recreation Recovery, the Historic Preservation Fund, and creates several new open space initiatives. The bill also establishes an Environmental Stewardship Fund for states to conserve, protect, and restore their natural resources beyond what is required by current law. The Fund is designed so that states have the flexibility to create their own plans that address their particular needs, while including citizens through a comment process.

The Natural Resources Reinvestment Act demonstrates a commitment to conserving and protecting our national natural and historical resources. I urge my colleagues to support this bill that would secure the funding of our conservation and open space programs for the future.●

ADDITIONAL COSPONSORS

S. 37

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 37, a bill to amend title XVIII of the Social Security Act to repeal the restriction on payment for certain hospital discharges to post-acute care imposed by section 4407 of the Balanced Budget Act of 1997.

S. 59

At the request of Mr. THOMPSON, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 59, a bill to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

S. 118

At the request of Mr. REID, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Washington (Mrs. MURRAY), the Senator from Ohio (Mr. VOINOVICH), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors