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House of Representatives

The House met at 4 p.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord, sometimes we are bewildered by what occurs around us. Forgive us, if we think our difficulties are so extraordinary. The fear of pain reveals us as human. We are vulnerable when anticipating troublesome times.

If we are to suffer, Lord, let it not be for our misdeeds, mistaken judgments or because we have infringed on the rights of others. If any one of us is suffering, let there be no disgrace.

You reveal Yourself as the God of compassion, You are close to all who suffer. Be their strength that in Your name, they may persevere in seeking justice and doing what is right.

Even the weakest among us, by being faithful, can give You glory now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. GILMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. GILMAN led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1066. An act to amend the National Agricultural Research, Extension and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes.

S. 1109. An act to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1482. An act to amend the National Marine Sanctuaries Act, and for other purposes.

The message also announced that pursuant to Public Law 106–65, the Chair, on behalf of the Majority Leader, and in consultation with the Chairman of the Senate Committee on Armed Services, announces the appointment of the following individuals to serve as members of the Commission on the National Military Museum:

John G. Campbell, of Virginia.

Henriette V. Warfield, of Virginia.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 18, 2000.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 18, 2000, at 9:27 a.m.

That the Senate passed without amendment H.R. 2296.

That the Senate passed without amendment H.R. 5212.

That the Senate passed without amendment H. Con. Res. 428.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

UNITED NATIONS CONSIDERING RESOLUTION CONDEMNING ISRAEL REGARDING ONGOING VIOLENCE IN MIDDLE EAST

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

NOTICE

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Mr. GILMAN. Mr. Speaker, most of our colleagues are fully aware that Israel is being treated abysmally at the hands of the United Nations, principally in the General Assembly. Regrettably, the Palestinians have promoted and have adopted anti-Israel and anti-peace process resolutions.

Today, unfortunately, is no different. Despite UN Secretary General Kofi Annan's recent statement that, ''words can inflame or soothe, and everyone needs a restoration of calm and quiet so as to create the best possible atmosphere for resumption of peace talks,'' the UN General Assembly is presently in an emergency session in which they will be considering, despite U.S. opposition, a resolution condemning Israel regarding the ongoing violence in the Middle East.

As our U.S. Ambassador to the UN, Richard Holbrooke, stated, ''the General Assembly wants to beat up on Israel'' once again. It sounds to me that it is similar to the UN's ''Zionism is Racism'' resolutions of old. Accordingly, I urge our colleagues to join in condemning this latest act of incitement at the UN.

CHINA BOLDLY TRYING TO PICK OUR PRESIDENT

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, news reports say a Chinese spokesman said, ''America is our enemy, and we must prepare to fight them.'' Now, if that is not enough to infuriate Ronald Reagan, the spokesman further stated, ''China does not want to see George Bush get elected.'' He said, ''Bush will support and bolster Taiwan, and Bush will, in fact, build a missile shield around America, weakening China.'' I say that is a compliment to George Bush.

Because think about it, last election, China got away with funneling cash illegally to the Democratic National Committee. No investigation. This time they are boldly trying to pick our President. Beam me up, Congress. It is time to mandate an independent investigation into this Chinese business.

Mr. Speaker, I yield back the lessons we should have learned at Pearl Harbor.

NATIONAL SECURITY THREATENED BY A LETTER

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, here we go again. The Clinton-Gore administration is illegally threatening vital national security interests of the American public.

This time the illegality involved a letter written by Russian Prime Minister Viktor Chernomyrdin to Vice President GORE about a secret, illegal nuclear arms deal with an unidentified terrorist nation ''that was not to be conveyed to third parties, including the United States Congress.''

Yes, sadly, Vice President GORE kept his promise to the Russian Prime Minister instead of his promise to the American public.

He did not tell Congress about the letter or about Moscow's continued sale of nuclear equipment to Iran, a blatant violation of the Nuclear Nonproliferation Act.

Instead of being open and honest with Congress about this high level national security threat, GORE simply filed the letter away and kept silent.

Mr. Speaker, America deserves an administration that will work with Congress to protect the national security interest of our Nation.

Mr. Speaker, I yield back Mr. GORE's flagrant disregard for our Constitution, our security, and our country.

COSPONSOR H. RES. 635, EXECUTIVE STEEL DEFENSE RESOLUTION

(Mr. VISCLOSKY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Speaker, I ask all of my colleagues to consider cosponsoring House Resolution 635, the Executive Steel Defense Resolution. We currently have 205 cosponsors calling upon the President of the United States to initiate a section 201 trade case to bring to an end illegally traded steel in the U.S. domestic market.

Despite investing $35 billion to modernize, despite the loss of 240,000 jobs, despite cutting back capacity by 20 percent, despite doubling productivity since 1983 because of collusion overseas, because of illegal dumping from countries overseas, particularly during the intervening time from 1998 until now, we have seen six bankruptcies of steel companies. We have seen an additional 6,000 steelworkers lose their jobs. We have seen capacity utilization decline from 90 percent to 75 percent.

We cannot afford to wait till the next Congress. We cannot afford to wait for the next administration. I call upon President Clinton to immediately file a section 201.

REMEMBERING COURAGEOUS SAILORS ABOARD U.S.S. ''COLE''

(Mrs. FOWLER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. FOWLER. Mr. Speaker, today we remember those courageous sailors aboard the U.S.S. *Cole* whose dedication and conviction to freedom and democracy cost them their lives. We honor the sacrifice of those who were killed and pray for the speedy recovery of those who were injured and for the families of all those brave Americans.

To EMC Fred Stozier of Jacksonville, my thoughts are with him and his family as he recovers from his injuries.

We can never be completely immune from the darker forces of terrorism that lurk in every corner of the world. We must counter these threats with a complete commitment to preparedness and strength. Our adversaries must know we will not shy away from our responsibility to preserve our national security and the precious ideals of democracy. The sacrifice of these Americans on the altar of freedom will never be forgotten. May God bless their souls and may God bless America.

UNITED STATES IN THIRD YEAR OF IMPORT STEEL CRISIS

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOLLOHAN. Mr. Speaker, what happens when a crisis is not resolved, a crisis that is allowed to grow, both in scope and intensity? In time, that crisis will become a disaster. Such a time is near at hand for our domestic steel industry.

We are in the third year of an import steel crisis. Our steel companies and workers are buckling under the weight of unprecedented, record-breaking foreign imports, much of it illegal. Thousands of our workers have been laid off. Six of our steel companies in the last 2 years have gone bankrupt. With this year's imports running higher than ever, the continued existence of a viable steel industry in this country is at risk.

The only way to avert such a disaster is to cut imports, to reverse the trend which is threatening an industry that is vital to our economy and our national defense.

That is why I join the gentleman from New York (Mr. QUINN) in introducing the bipartisan Executive Steel Defense Resolution. That is why I have joined the gentleman from Indiana (Mr. VISCLOSKY); the gentleman from Ohio (Mr. REGULA); the gentleman from Ohio (Mr. NEY); the gentleman from West Virginia (Mr. WISE), from my home State; the gentleman from Pennsylvania (Mr. KLINK); the gentleman from Pennsylvania (Mr. MASCARA); and the gentleman from Pennsylvania (Mr. DOYLE) in the bipartisan effort to achieve relief against disastrous steel import levels.

We call on the President to initiate a 201 proceeding, Mr. Speaker.

EFFORTS TO REDUCE PUBLIC DEBT AND PROTECT SOCIAL SECURITY AND MEDICARE HELD HOSTAGE BY ADMINISTRATION

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERGER. Mr. Speaker, our efforts to reduce public debt and protect

the Social Security and Medicare Trust Funds are being held hostage by the Clinton-Gore administration.

It has been 36 days since Congress proposed locking away Social Security and Medicare surpluses and dedicating 90 percent of the total surplus to paying off the public debt; and still no response from President Clinton and Vice President AL GORE.

There is a good reason they have not responded. They want to overspend.

President Clinton has threatened to veto seven appropriations bills because he claims they do not spend enough. Vice President GORE's budget proposal spends the entire surplus and raids the Social Security Trust Fund.

The President and Vice President should put debt reduction and protection of Social Security and Medicare ahead of spending and support the 90–10 debt reduction plan proposed by the Republican Congress.

REMEMBERING CHERONE LOUIS GUNN, KILLED ON U.S.S. ''COLE''

(Mr. COLLINS asked and was given permission to address the House for 1 minute.)

Mr. COLLINS. Mr. Speaker, on October 12, a terrorist bomb left, not only a hole in the side of the U.S.S. *Cole*, but a hole in the lives of families and friends of the 17 sailors killed by the blast. This is especially true of friends and family of 23-year-old Signalman Seaman Recruit Cherone Louis Gunn.

Seaman Gunn's life was marked by service to family, friends, community and Nation. His neighbors in Rex, Georgia remember him for always being available to help the local youth.

His passion to serve his community fueled his ambition to serve in law enforcement.

His desire to serve his Nation was expressed by his decision to follow his father's footsteps and join the Navy, where he would gain valuable experience which would help him enter law enforcement upon the end of his tour of duty.

□ 1615

Mr. Speaker, Cheron Louis Gunn always sought to serve his country, knowing the risk inherent in the military and in law enforcement. Yet he did not shrink from making his commitment.

I wish to offer my condolences to the Gunn family. It may be inadequate consolation, but it is important to remember that Seaman Gunn serves as a bright example of the qualities of honor and self-sacrifice which inspire the men and women of our Armed Forces.

CORRECTING ENROLLMENT OF H.R. 2348, AUTHORIZING BUREAU OF RECLAMATION TO PROVIDE COST SHARING FOR ENDANGERED FISH RECOVERY IMPLEMENTATION PROGRAMS FOR UPPER COLORADO

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 151) to make a correction in the enrollment of the bill, H.R. 2348, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore (Mr. BLILEY). Is there objection to the request of the gentleman from Oregon?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 151

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H.R. 2348) entitled ''An Act to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.'', the Clerk of the House of Representatives shall make the following correction:

Strike section 4 and insert:

''SEC. 4. EFFECT ON RECLAMATION LAW.

''Specifically with regard to the acreage limitation provisions of Federal reclamation law, any action taken pursuant to or in furtherance of this title will not—

''(1) be considered in determining whether a district as defined in section 202(2) of the Reclamation Reform Act of 1982 (43 U.S.C. 390bb) has discharged its obligation to repay the construction cost of project facilities used to make irrigation water available for delivery to land in the district;

''(2) serve as the basis for reinstating acreage limitation provisions in a district that has completed payment of its construction obligations; or

''(3) serve as the basis for increasing the construction repayment obligation of the district and thereby extending the period during which the acreage limitation provisions will apply.''.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5308, FIVE NATIONS CITIZENS LAND REFORM ACT OF 2000

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H.R. 5308) to amend laws relating to the lands of the citizens of the Muscogee (Creek), Seminole, Cherokee, Chickasaw and Choctaw Nations, historically referred to as the Five Civilized Tribes, and for other purposes, the Clerk be authorized to make the following correction that I have placed at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALDEN of Oregon:

At the end of section 403, add the following new paragraph:

''(2) OTHER CONSTRUCTION NOT VALID.—Nothing in this subsection is intended to or shall be construed to create, affect, or imply the existence or nonexistence of authority of any federally recognized Indian tribe over—

''(A) any other federally recognized Indian tribe;

''(B) the members of any other federally recognized Indian tribe; or

''(C) any land in which any other federally recognized Indian tribe or any member of any other federally recognized Indian tribe has or is determined by the Secretary or a court of competent jurisdiction to have any interest.''.

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

There was no objection.

CHEYENNE RIVER SIOUX TRIBE EQUITABLE COMPENSATION ACT

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that when proceedings resume on the unfinished business of the motion to suspend the rules and pass the Senate bill (S. 964) to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes, as amended, that the amendment be deemed to include the corrections that I have placed at the desk.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALDEN of Oregon:

Strike Title IV of the bill and insert instead—

''TITLE IV—CONVEYANCE OF KINIKLIK VILLAGE

''SEC. 401. CONVEYANCE OF KINIKLIK VILLAGE.

''(a) That portion of the property identified in United States Survey Number 628, Tract A, containing 0.34 acres and Tract B containing 0.63 acres located in Section 26, Township 9 North, Range 10 East, Seward Meridian, containing 0.97 acres, more or less, and further described as Tracts A and B Russian Creek Church Mission Reserve according to U.S. Survey 628 shall be offered for a period of one year for sale by quitclaim deed from the United States by and through the Forest Service to Chugach Alaska Corporation under the following terms:

''(1) Chugach Alaska Corporation shall pay consideration in the amount of $9,000.00;

''(2) In order to protect the historic values for which the Forest Service acquired the land, Chugach Alaska Corporation shall agree to and the conveyance shall contain the same reservations required by 43 CFR §§2653.5(a) and 2653.11(b) for protection of historic and cemetery sites conveyed to a Regional Corporation pursuant to section 14(h)(1) of the Alaska Native Claims Settlement Act.

''(b) Notwithstanding any other provision of law, the Forest Service shall deposit the proceeds from the sale to the Natural Resource Damage Assessment and Restoration Fund established by Public Law 102–154 and may be expended without further appropriation in accordance with Public Law 102–229.''.

Mr. WALDEN of Oregon (during the reading). Mr. Speaker, I ask unanimous

consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 5 p.m.

Accordingly (at 4 o'clock and 18 minutes p.m.), the House stood in recess until 5 p.m.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLILEY) at 5 p.m.

HONORING MEMBERS OF THE CREW OF THE GUIDED MISSILE DESTROYER U.S.S. ''COLE''

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of the resolution (H. Res. 631) honoring the members of the crew of the guided missile destroyer U.S.S. *Cole* (DDG–67) who were killed or wounded in the terrorist bombing attack on that vessel in Aden, Yemen, on October 12, 2000, expressing the sympathies of the House of Representatives to the families of those crew members, commending the ship's crew for their heroic damage control efforts, and condemning the bombing of that ship, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 631

Whereas the guided missile destroyer U.S.S. COLE (DDG–67) was severely damaged on October 12, 2000, when a boat bomb exploded alongside that ship while on a refueling stop in Aden, Yemen;

Whereas the explosion resulted in a 40-by-45 foot hole in the port side of the ship at the waterline and left seven of the ship's crew dead, ten of who as of October 17, 2000, are missing and presumed dead, and over three dozen wounded;

Whereas the U.S.S. COLE had stopped in Aden for routine refueling while in transit from the Red Sea to the Persian Gulf to conduct forward maritime presence operations in the Persian Gulf region as part of the U.S.S. George Washington battle group;

Whereas the members of the United States Navy killed and wounded in the bombing were performing their duty in furtherance of the national security interests of the United States;

Whereas United States national security interests continue to require the forward deployment of elements of the Armed Forces;

Whereas the members of the Armed Forces are routinely called upon to perform duties that place their lives at risk;

Whereas the crew members of the U.S.S. COLE who lost their lives as a result of the bombing of their ship on October 12, 2000, died in the honorable service to the Nation and exemplified all that is best in the American people; and

Whereas the heroic efforts of the surviving crew members of the U.S.S. COLE after the attack to save their ship and rescue their wounded shipmates are in the highest tradition of the United States Navy: Now, therefore, be it

Resolved, That the House of Representatives, in response to the terrorist bombing attack on the U.S.S. COLE (DDG–67) on October 12, 2000, while on a refueling stop in Aden, Yemen, hereby—

(1) honors the members of the crew of the U.S.S. COLE who died as a result of that attack and sends heartfelt condolences to their families, friends, and loved ones.

(2) honors the members of the crew of the U.S.S. COLE who were wounded in the attack for their service and sacrifice, expresses its hopes for their rapid and complete recovery, and extends its sympathies to their families;

(3) commends the crew of the U.S.S. COLE for their heroic damage control efforts; and

(4) condemns the attack against the U.S.S. COLE as an unprovoked and cowardly act of terrorism.

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. SPENCE) is recognized for 1 hour.

GENERAL LEAVE

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 631.

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

There was no objection.

Mr. SPENCE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Missouri (Mr. SKELTON), pending which I yield myself such time as I may consume.

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

Mr. SPENCE. Mr. Speaker, it is with a profound sense of sadness that I join my colleague, the gentleman from Missouri (Mr. SKELTON), in offering this resolution for consideration by the House.

Last Thursday, October 12, 2000, a small boat exploded alongside the U.S.S. *Cole* during a brief refueling stop in the port of Aden in Yemen. The blast ripped a 40 by 45 foot hole in her side, killing 17 sailors and wounding some three dozen more.

This unprovoked and cowardly act of terrorism was perpetrated against an American warship while en route to the Persian Gulf to conduct maritime operations in the legitimate pursuit of our national security interests abroad.

The resolution before the House condemns this senseless act of violence against our military forces and expresses the sympathies of the House of Representatives to the families of those crew members who were killed or wounded in the attack.

What can you say? What can you do? How can you really express to the families of these young men and women our profound sympathies and appreciation for their commitment?

Mr. Speaker, as we meet today, hundreds of thousands of young Americans from all corners of our great Nation are serving in the military, overseas and here at home. They go about their daily duty quietly and without fanfare. Yet, until something like this happens, we, as a Nation, tend to forget what they do every single day of the year to uphold our values, to protect our freedom and deter those who seek to do us harm.

Mr. Speaker, we forget; freedom is not free.

The resolution before us today appropriately, I think, recognizes and honors the price of freedom paid by the members of the crew of the U.S.S. *Cole*.

We are free and secure as a Nation today because of all the men and women of our military who fought to gain our freedom and independence, in the very first instance during the Revolutionary War, and have gone all over this world in war and peace since that time defending that freedom, every day. People who are no longer with us, they have done it.

Mr. Speaker, I do not know. I think as we honor these today, who have paid the price for freedom, and their families too, I think of all the others who have gone before too, who have paid the price, with their lives, their limbs, their health, many were prisoners of war, many are still missing in action, we should remember every single day we live that the price of freedom has been paid by other people, so that we can be free today.

Mr. Speaker, I urge my colleagues to support this resolution.

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

Mr. SKELTON. Mr. Speaker, I yield myself such 3 minutes.

Mr. Speaker, Members speak on this floor for many reasons. We debate, we advocate, we commemorate, we celebrate.

Today, though, I rise to give honor to a crew of brave Americans, the crew of the U.S.S. *Cole*, and to give warning.

I want to honor those who gave their lives or were wounded while serving their country in a distant port, far away from home and in the cause of furthering the national security interests of our country. I also want to honor the surviving crew members, who stayed with the crippled ship and worked valiantly to recover their wounded or missing shipmates and to repair the damage to their ship.

And while I say I speak to give them honor, truly it is they who honor us. They and the millions of others who wear our country's uniform, who honor America by their gift of service and dedication.

I also want to extend my deepest sympathies to the families and to the friends of those who perished in this tragedy. Although I know they are saddened by their loss, they should take comfort in that their loved ones died pursuing the most noble of callings, serving in the Armed Forces of the United States. They should know that we in Congress, and indeed the people of this great Nation, are grateful for their extraordinary service and sacrifice.

Finally, Mr. Speaker, I rise today to give warning. Those who committed this barbarous act are already being judged beyond our capacity to review. But to those whose dark and craven hearts conceived it, hear this: While you may walk free today in a sunshine you have denied so many others, so many families, so many communities, know simply and surely that you will be held accountable.

Our memory is long, our reach is no less so. This outrage cost lives, Mr. Speaker, and it left others in peril. We hear that this many men were hurt, or that many women were hurt. No, Mr. Speaker. They are all American sailors, one and all, and an injury to anyone is an insult to America.

I do not doubt that such insult was the goal of the perpetrators. But they should understand that they will pay a price for this heinous act. Justice and the memory of those whose lives have been lost demand no less.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I rise in support of this resolution. My heartfelt condolences go out to the families of the men and women who were killed or wounded in this cowardly act, an act that was despicable and premeditated.

This tragedy is a distressing reminder though of how dangerous the world has become since the end of the Cold War. As the unprovoked attack on the U.S.S. *Cole* demonstrates, the men and women of the Armed Services are exposed daily to very real threats of death, violence and destruction. For these reasons, our men and women in uniform, indeed, all Americans, must remain vigilant in the defense of freedom and our interests. Equally important, we must do everything we can to provide for our military personnel the resources necessary to protect them as they defend our interests around the world and that of our allies.

While these brave defenders of freedom will greatly be missed, their spirit and legacy lives on. It is their values and their beliefs of duty, honor, courage and commitment to God, country, family and our fellow men and women that serve as an example for all of us to live and aspire.

I urge the President to take appropriate action against the perpetrators once the investigation is concluded and to take appropriate measured response.

Mr. Speaker, I rise in strong support of this resolution, and my heart goes out to the deceased sailors of the U.S.S. *Cole*.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. SISISKY).

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

Mr. Speaker, you have just heard it again. We said it last Thursday on this floor; the world is still a very dangerous place.

Many members of the Virginia delegation last Saturday met with the families of the wounded and the deceased in Norfolk, and many of us in this body just returned from Norfolk where we attended services honoring those who gave their lives on the U.S.S. *Cole*.

First, our condolences and prayers go out to the sailors who were hurt or killed and their families. We will continue to provide them with the best care and assistance that we possibly can.

For all of us from Hampton Roads, the fact that the U.S.S. *Cole*'s home port is Norfolk, and I use the present tense, because that ship is coming home, the fact that U.S.S. *Cole* is a Norfolk ship brought this terrible tragedy a little closer to home.

It reminds us how much these young men and women in uniform really mean to us. They are our sons and our daughters, husbands and wives, fathers and mothers, neighbors and friends.

Knowing what happened makes us feel immeasurable pride in their lives, inconsolable grief for their deaths, and gratitude for the homecoming of their shipmates. Their ship made a sacrifice for which we feel an unbearable sense of loss.

In the Bible, when his friends died in battle, King David said: ''They were beloved and pleasant in life, and in death they were together; they were swifter than eagles, they were strong as lions.''

That is exactly what we say.

And now it is our responsibility to love and support their families, protect and defend their country, and honor their memory forever.

But those who survive may face the toughest challenge, and I want them to know that all Americans are deeply grateful for their service to our country.

Indeed, this world is still a very dangerous place.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. ORTIZ), a member of the Committee on Armed Services.

Mr. ORTIZ. Mr. Speaker, I rise today with a heavy heart in support of House Resolution 631, to honor the men and women of the U.S.S. *Cole*.

□ 1715

Mr. Speaker, I thank the gentleman from South Carolina (Chairman SPENCE) and the gentleman from Missouri (Mr. SKELTON), the ranking member, as well as the leadership, for moving rapidly and allowing the House of Representatives to speak to this important national moment.

I represent Navy country in south Texas, so we have a special perspective of their service and a loss in a hostile action. Two of the soldiers who lost their lives in the insidious act of terror were south Texas' Specialist Third Class Ronchester Mananga Santiago of Kingsville and Fireman Gary Graham Swenchonis, Jr. of Rockport, Texas.

Texas also lost Information Systems Technician Seaman Timothy Lee Gauna of Rice.

Two women from south Texas were also on the ship, Elizabeth Sanchez LaFountaine of Brownsville, who sustained a broken leg, and Esther Arriaga Hood of Corpus Christi, who is still aboard the *Cole*.

Texans are proud that our sons and daughters seek to serve a larger purpose by volunteering to serve in the United States military service. It is, Mr. Speaker, a noble undertaking, but it often means that those sons and daughters pay a heavy price to serve and protect the United States' interests.

Our hearts wrench at the thought of our neighbors answering the door to see the drawn faces of naval officers there to deliver the most devastating news a parent can ever hear.

This should bring home the reality of all others that service in our military today is a highly dangerous prospect for our soldiers and sailors.

Just because we are not at war does not guarantee a level of safety for those who serve in our military. This tragic incident has brought together the ship's crew in a way no other experiences could, the way only sailors have seen and been in battle together can understand.

These young people have learned to depend upon each other in the aftermath of this cowardly act. They worked tirelessly to save the U.S.S. *Cole* after the explosion.

Mr. Speaker, we mourn the young people who perished. We will hold up those who were injured, and we will continue to pray for the safety of men and women in uniform around the world. We offer our condolences to the families.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Hawaii (Mr. ABERCROMBIE), a member of the committee.

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

Mr. ABERCROMBIE. Mr. Speaker, it is with deep admiration that I rise to express gratitude and respect for the sacrifices given of the men and women serving on board the U.S.S. *Cole*.

Speaking as the senior Democrat on the Subcommittee on Military Personnel of the Committee on Armed Services, I want to indicate that these men and women, like thousands of other Americans across the world, volunteered each and every day to defend and protect this Nation. Sadly, on October 12, several sailors of the U.S.S. *Cole* paid the ultimate sacrifice in defense of our country while carrying out their duties.

My heart and prayers are with these sailors' friends, families and loved ones.

Despite the explosion that ripped through the U.S.S. *Cole* and wounded many members of the crew, these dedicated sailors continue to defend their ship and rescue other wounded shipmates. Their actions exemplify the perseverance of Americans and the finest tradition of our Armed Services.

I want to commend and pay tribute to these selfless Americans for their service and dedication and wish them a speedy recovery.

Mr. Speaker, terrible events such as these put a face to patriotism. They remind us that those in uniform around the world are young men and women from our towns and cities who volunteer in service to their country. Last year, they graduated from high school down the street; perhaps they worked at the corner store. Today they unflinchingly stare danger in the face with selfless dedication.

This tragedy reminds us of the human element of our armed forces and highlights the importance of maintaining a focus on those policies that best serve these young patriots, our military personnel, and enhance the quality of their lives.

Finally, this tragedy offers a window into the composition of today's military. I want to quote, Mr. Speaker, in conclusion, a piece from yesterday's Boston Globe: ''The faces of the 17 sailors who were killed aboard the U.S.S. *Cole* by a terrorist bomb attack last week are a portrait of today's America, a mosaic of colors of which the U.S. military is justly proud. To call out their given names is to sing a contemporary chorus of 'This Land is Your Land.' Two of the casualties even represent a grim kind of civil rights milestone: They are the first women killed in naval action.''

Mr. Speaker, the crew of the U.S.S. *Cole* embodies what is great in America—our people and their courage, dedication, commitment, and sacrifice. To the crew of the U.S.S. *Cole*, their families, friends and loved ones, thank you for your service to a most grateful nation.

Mr. SPENCE. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. BILBRAY).

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

Mr. BILBRAY. Mr. Speaker, our hearts go out and our prayers go out to the families of the 17 men and women who were lost in this tragic incident in the Red Sea. Coming from a naval family myself, born on a Navy base and raised with a father who went off to sea months at a time, I understand the challenges that not only the active duty personnel go through but also the trials and tribulations of those who are left behind, the families, the loved ones.

This is a great Nation that demands great sacrifices to maintain its greatness, and I think we underestimate the price of our greatness so often. This last week, we were able to see exactly what kind of price Americans have to pay for our greatness. San Diego has some of the largest military installations in the world, Mr. Speaker. In fact, it is the largest naval facility on the West Coast.

San Diego is especially proud of our military tradition; but this week, we are grieving for the loss of our native daughter, Lakiba Nicole Palmer. Ms. Palmer was only 22 years old and a seaman recruit fresh out of boot camp. She was looking forward to a bright new future and a challenging new career.

Along with another woman, Seaman Palmer sadly are the first women killed in a hostile action against an American combat ship.

Mr. Speaker, what is particularly tragic for this family and to our community is that she was looking so much towards her service as an American sailor. She was an athlete at San Diego High School in my district, Mr. Speaker, and she was a member of the all-academic team on the track in 1995. It was known that she was a fierce competitor who always tried harder than anyone else.

Mr. Speaker, our hearts go out to the family of this young lady and our sympathies to the family. And I just ask every one of us to remember when we vote here in the House at what price the freedom of representative government comes to and what a great responsibility we have, not just to our colleagues and our citizens, but also to our men and women who stand in harm's way every day and every night.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. REYES), a member of the Committee on Armed Services.

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding me the time and thank him for his leadership, as well as the gentleman from South Carolina (Chairman SPENCE), at this terrible tragic time for our country.

Mr. Speaker, I rise in strong support of H. Res. 631, honoring the crew of the U.S.S. *Cole* and extending our sympathy to their families and their loved ones. My wife, Carolina, and I attended the memorial service held this morning for the brave sailors who have lost their lives in this tragic and despicable act of terrorism.

All of our thoughts and our prayers are with them and their family members as they persevere under these very difficult times. My thoughts this morning, on a gray and somewhat drizzly midmorning ceremony, were that we simply do not do enough for our men and women in uniform and for their families.

It is truly unfortunate that it takes the loss of fine American men and women like these sailors to remind us again of the dangers and sacrifices that the men and women of our armed forces face each and every day. However, at the memorial service this morning, it was also reminded that we sometimes forget the everyday sacrifices that the families and the loved ones of our service members make each and every time their husbands, wives, sons, and daughters deploy.

We simply do not do enough for our men and women in uniform and their families. I am moved by their strength under these difficult circumstances and a difficult time and their commitment to the importance of their loved ones' mission and service to their country.

In return for that strength, we can only offer them our prayers and our guarantees that our country will not stop until we find the individuals responsible for this horrific act of senseless violence and bring them to justice.

Mr. Speaker, in closing, I fervently believe we do not do enough for our men and women in uniform and for their families.

Mr. SKELTON. Mr. Speaker I yield 2 minutes to the gentleman from the Norfolk, Virginia, area (Mr. SCOTT).

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

Mr. Speaker, I join my colleagues in paying homage to the brave young crew members of the U.S.S. *Cole* who made the ultimate sacrifice for their country, as well as those who are still missing and others who were injured and, of course, the families of all of these fine sailors.

Mr. Speaker, this is a particular tragedy for Virginia, because the U.S.S. *Cole* is home-based to the Norfolk Naval Base in Virginia. We were honored to have the President of the United States, the Secretary of Defense, the Secretary of the Navy, the Chairman of the Joint Chiefs of Staffs, both of our United States Senators, as well as all of the local congressmen in Norfolk today for the memorial service.

Mr. Speaker, while it is imperative that we take swift action to bring those responsible to justice, we must not jump to hasty conclusions. We should remember that after the Oklahoma bombing, an innocent man was arrested for that heinous act, simply because of his ethnicity.

When we determine who is responsible for this attack, we will remember President Clinton's frequent admonition that America takes care of its own. When we determine who is responsible, our response will make those who did it sorry they did it, and we will cause others who might be thinking of doing the same to change their minds.

Mr. Speaker, all of the crew members of the U.S.S. *Cole* are to be saluted for their bravery and dedication to duties. These casualties remind us that freedom is not free. Their service to our Nation will long be remembered.

Mr. SPENCE. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I gladly join my fellow colleagues in supporting this commemoration and this resolution.

I grew up in a military family. I remember when I was a young boy, I was 10 years old, my father was stationed in Japan. We lived in a small enclave of military families. All the kids' fathers were pilots, and one day the news came that the Chinese had shot down one of our friend's father's plane, and I still remember the heartache and the crying and the tears just as a little boy.

I remember seeing that and wondering what it was all about. But this family would no longer have a father, a wife would no longer have a husband, and there would be a vacant place around the Thanksgiving table and the Christmas tree. These sacrifices that our military people make, I do not think anybody knows the name of that gentleman and many gentlemen like him, men and women who have given their lives during the Cold War and since in order to protect our country.

They are truly heroes; and wherever they go, whatever job there is in the military, they know they are taking the chance, the chance of giving their lives and leaving their own loved ones alone in order to protect all of us and our loved ones. And how much greater tribute and how much greater sacrifice and how much greater service can there be than that?

□ 1730

So this resolution and the sacrifice of the American sailors who perished and suffered injuries on the U.S.S. *Cole* is something that we have to commemorate. This represents the voice of Congress, this resolution, in expressing our condolences to the families of those heroes who made the ultimate sacrifice for their country.

Unfortunately, the official radio of the United States government, the Voice of America, has been prevented by our State Department, this administration, from doing the same thing that we are now doing in this resolution.

On October 16, the State Department, in an official message to the Voice of America, denied approval of the Voice of America editorial that would have been broadcast worldwide expressing the sorrow of the American people over the loss of our sailors, the damage done to the U.S.S. *Cole* and the loss of life of our brave defenders.

I am submitting for the RECORD a copy of this disgraceful State Department message to Voice of America saying that they cannot commemorate, cannot broadcast, this opinion about our brave men and the sacrifice they made. I will read that, for those who are listening and are reading the CONGRESSIONAL RECORD.

Mr. Speaker, this is from the State Department to a request from the Voice of America to have an editorial memorializing these brave Americans who gave their lives for us.

It said: ''This editorial will reach an audience that is caught up in violence in Israel and the Occupied Territories. The 17 or so dead sailors,'' that is American dead sailors, ''does not compare to the 100+ Palestinians who have died in recent weeks where we have remained silent.''

I would suggest it is the job of this administration and of the State Department to care more about our American military personnel who give their lives than it is to care about things, tragic events that are going on overseas. If our military people give their lives for their country, they should expect that we will memorialize them in a fitting way, and that this administration and that the State Department will not get in the way because of some far-flung event in another part of the world.

This is an insult. This is an insult to those brave people who gave their lives. As we remember them today, let us pass this resolution. Let us say our prayers for those families, and let us be very sincere in this effort. I am sorry that I had to read this State Department position here today, but I think it is important for the American people to know just what the attitude of this administration is toward our people who are defending this country and give their lives for us.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURTHA), a distinguished member of the Committee on Appropriations.

Mr. MURTHA. Mr. Speaker, I have a young sailor, a bosun's mate, Richard Ying, that was hurt severely aboard the U.S.S. *Cole*. My staff has talked to him several times. I tried to call and he was in rehabilitation. He is back home, and they expect him to be back in Windber, Pennsylvania, by Friday.

The gentleman from Florida (Mr. YOUNG) and I had anticipated trying to go to visit the U.S.S. *Cole* over the weekend just to see how it was going. All of us sympathize with the families who lost loved ones, and all of us feel badly about the ones that were wounded.

But there is something else here that shows how good our troops are operating. It was marvelous. I went aboard the U.S.S. *Roberts* when it hit a mine. It had a hole about the size of a bus in the side. This hole was even bigger, 40 feet. People do not realize how close it came to sinking. We are talking about a ship that was in the harbor in water that was calm, and it almost sank. If it had not been for the heroic effort of this crew, actually using buckets to bail out the water, we would have probably lost that ship.

So I want to commend the men and women that served on the *Cole* for the phenomenal job they did in saving this ship. All of us hate to see our men and women in harm's way. We have responsibilities and we cannot withdraw from those responsibilities. But one thing for sure, that ship was saved by the dedication of the men and women who served aboard the *Cole*.

I add my commiseration and sympathy to the families, but I want to commend the captain and the shipmates aboard the U.S.S. *Cole* for the phenomenal job they did in saving that magnificent vessel.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. FROST).

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

Mr. Speaker, as we all know by now, 17 sailors were either killed or are missing from the attack on the U.S.S. *Cole*. Information Systems Technician Seaman Timothy Gauna, a constituent of mine from Rice, Texas, is among the missing. Like all the sailors aboard the U.S.S. *Cole*, he was serving his country bravely and honorably when this vicious attack took place.

I join the Gauna family, and all the families of the missing sailors, in hoping that they will soon be accounted for.

Immediately after the attack, Mr. Speaker, I had the chance to visit personally with seaman Gauna's family. I spoke with a mother who is proud of her son's courage and patriotism. I talked to various family members who admire Tim's dedication to America.

I do not know all the sailors on the U.S.S. *Cole*, Mr. Speaker, but I know the family of Seaman Gauna. They, like all of the U.S.S. *Cole*'s sailors and their families, have America's gratitude and our prayers.

I was moved by the memorial service today in Norfolk that a number of us attended. There the entire Nation joined injured sailors, some fresh from the hospital, their IVs still attached to their arms, in paying tribute to their fallen and missing comrades.

But our obligation to these brave men and women is greater than that, Mr. Speaker. We must continue to be vigilant in the face of threats from terrorists around the world. We must find the criminals responsible for this cowardly act, and they must be brought to justice. Make no mistake, Mr. Speaker, these terrorists will soon learn that America responds quickly and forcefully whenever we are attacked.

The FBI has now more than 60 agents in place investigating this attack, and the Navy has assigned six U.S. warships to Aden harbor to assist the U.S.S. *Cole* and its exhausted crew.

Mr. Speaker, every time anyone in uniform gets into a ship, a plane, or a tank, they risk their lives in defense of America. For that, we owe these great men and women of the United States Armed Forces our most profound gratitude. They have it, Mr. Speaker, as well as the solemn promise that America stands with them always and everywhere.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished ranking member and the chairman of the committee for this resolution.

Mr. Speaker, this morning I joined my colleagues to memorialize our fallen and missing sailors of the U.S.S.

Cole. What I am most reminded of, as I saw the humanity and love and respect permeating and moving throughout that huge and enormously sad audience, was the greatness of America.

The Chaplain who offered the invocation reminded us that freedom is not free. This morning was a moment personally of profound grief, for my State of Texas suffered great losses. But the country suffered a loss, because these were bright and young and energetic and aspiring young people, none over the age of 26.

So I join in the support of this resolution, and I join this Nation in expressing sadness, loss, and resolve. I celebrate the lives of these young people, some found, some still missing.

It is impossible to capture the pain of the family members, mothers and fathers, grandmothers and grandfathers, aunts, uncles, cousins, sisters and brothers who bear this great loss. But I do believe we can speak today for this Nation that gathers around and embraces each other in time of trouble.

We must salute the Navy, along with the entire military. These young sailors who dedicated their lives to the Navy, and like gladiators of old, took pride in their service to country, and wore their patriotism as a shield so the world could sleep under a blanket of freedom.

Mr. Speaker, I think it is important to say to those who have done this dastardly act that we have no fear, and that those who would do this evil act, that we will find them and they will pay the appropriate price. We must be safe, but the only way that we are safe is with these strong men and women who have offered themselves to protect our freedom.

There is a poem, Mr. Speaker, that I would like to offer, ''Genuine Grace in Command'':

''Define me a legend,
A soldier of infinite truth;
Define for me a soldier of valor, successful or obtuse,
Enlighten me of nobility,
A birthright of kings and queens.
Fill all the pages of history books with stories forever sung.
I swear I can hear them saying:
It is simple, the reason we fight:
Freedom, liberty, integrity,
These were given as our birthright.''

As I close, Mr. Speaker, in my salute to these fallen and missing heroes and to their families, let me simply repeat Psalm 23.4:

''Even as I go through the valley of the shadow of death, I will fear no evil, for Thou art with me.''

We in this Nation, we as a Congress, we as family members, we fear no evil, for Thou art with us.

Mr. Speaker, this morning I traveled to Norfolk, Virginia where I took part in a memorial service with President Clinton, Defense Secretary Cohen, Attorney General Reno, Secretary Danzi, Members of Congress from both the House and the Senate, members from all the military branches, the sailors and family from the U.S.S. *Cole,* the Norfolk Naval community, to honor our fallen sailors who dedicate their lives to ensuring our freedom here in the United States.

This morning was a moment of profound grief for me as I joined the country in expressing sadness, loss and resolve; and the celebration of the lives of our fallen sons and daughters through love and prayers. It is impossible for me to describe the pain that the family members and the country bears over this great loss. But I can speak of the love that this Nation has for those who dedicated their lives to the Navy, and like the gladiators of old, took pride in their service to country, and wore their patriotism as a shield so the world could sleep under a blanket of freedom.

As I think of our brave fallen soldiers, I am reminded of a poem entitled Genuine Grace in Command:

Define for me a legend, a soldier of infinite truth, define for me a soldier of valor, successful or obtuse? Enlighten me of nobility, a birthright of kings and queens? Fill all the pages of history books, with stories forever sung!

But while you regale nameless faces of glory, times over and over again! I beg you remember the individuals, who's honors I now proudly present!

I speak here of soldiers with humility, yet clearly a leaders. Quietly commanding, entirely through their presence within. Their desires were not for greatness, simply the survival of team! Their goal not for fame or fortune, but to share their gift till the end!

Many times we are left with a memory, which overshadows us all! Many times we are left and dishearten, wondering why we fought for the cause?

And yet here were soldiers who never questioned, the mission life had set them on! Perhaps the greatest gift they gave us was the understanding of truth!

I swear I can hear them saying, it's simple the reason we fight. Freedom, liberty, integrity, these were given as our birthright.

We must fight to preserve what was given us, even fight unmercifully to the end!

We shall provide their tomorrow even their better life! Let it not dishearten you, the lack which they seem to know. There will come a day when we are remembered for what we had to show!

To the sailors of the U.S.S. *Cole* who sacrificed their lives for us, you will be remembered for the sacrifice you showed the world.

I pay tribute to our missing and lost U.S. Sailors:

Electronics Technician Chief Petty Officer Richard Costelow, of Morrisville, Pennsylvania.

Hull Maintenance Technician Third Class Kenneth Clodfelter, of Mechanicsville, Virginia.

Mess Management Specialist Seaman Lakeina Francis, of Woodleaf, North Carolina.

Information Systems Technician Seaman Timothy Gauna, from Rice, Texas.

Signalman Seaman Apprentice Cherone Gunn, of Rex, Georgia.

Seaman James McDaniels, of Norfolk, Virginia.

Engineman Second Class Mac Nieto, of Fond Du Lac, Wisconsin.

Electronics Warfare Technician Third Class Ronald Owens of Vero Beach Florida.

Engineman Fireman Joshua Parlett, of Churchville, Maryland.

Seaman Apprentice Lakiba Nicole Palmer of San Diego, California.

Fireman Apprentice Patrick Roy of Cornwall on Hudson, New York.

Electronics Warfare Technician Second Class Kevin Rux, of Portland, North Dakota.

Mess Management Specialist Third Class Ronchester Santiago, of Kingsville, Texas.

Operations Specialist Second Class Timothy Saunders, of Ringold, Virginia.

Fireman Gary Swenchonis, Jr., of Rockport, Texas.

Ensign Andrew Triplett, of Mason, Mississippi.

Seaman Apprentice Craig Wibberley, of Williamsport, Maryland.

They were the best America had to offer, for they took upon themselves an oath taken by men and women from the beginning of time, and that is the oath of service to country.

For those of you who have caused this misery, I assure you, this country will not rest until you are found and brought to justice. The United States will not shy away from its commitment for ensuring peace, freedom and stability in the Middle East and around the world.

Mr. SPENCE. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

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

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

Mr. Speaker, I want to commend the gentleman from South Carolina (Chairman SPENCE) and the ranking member, the gentleman from Missouri (Mr. SKELTON), for introducing this important resolution at this time.

I am pleased to join in supporting this timely bipartisan resolution condemning the terrorist attack on the U.S.S. *Cole* and honoring its courageous crew and those who lost their lives or were injured, and recognizing the heroic efforts that were made to save this ship despite massive damage to its hull.

The terrorist attack on the U.S.S. *Cole,* which was docked in Yemen for refueling, reminds us all that despite our best efforts, it is not always possible to harden every U.S. target abroad.

It also highlights the need for increased intelligence capacity in these dangerous parts of the world.

Our U.S. embassy in Yemen is a highly secure facility with substantial set backs, making it hard to hit with terrorist bombs. The search for softer targets is how the determined new terrorists now operate as we harden more and more traditional U.S. diplomatic targets abroad.

Greater intelligence efforts are essential as these ruthless terrorists search for our soft underbelly. In this day of local criminal elements supporting terrorist networks through collaboration in the drug trade, and in supplying stolen vehicles, explosives, and safe houses, we often overlook one key source of better intelligence on terrorists; that is, the police in the tough regions such as the Middle East.

We need better and closer cooperation on the police front, both in fighting the crime and terrorism from

abroad targeting our Nation, and we need their help.

Under Director Louis Freeh, the FBI has been trying to help some moderate and friendly Arab nations get an international law enforcement style type regional police training at the police academy, the ILEA, off the ground in the Middle East. These police schools help create the vital cop-to-cop relations and links on the ground that result in greater crime-fighting information and information-sharing with our U.S. law enforcement entities, and especially among the various regional police agencies.

Washington bureaucratic inertia stalled these FBI efforts in the Middle East until our House Committee on International Relations recently urged action on that initiative. Movement is now underway for a Middle East regional police training school, costing the taxpayer no monies to satisfy State Department bureaucratic concerns.

Another lesson from the U.S.S. *Cole* attack is the need for prompt and aggressive law enforcement response to preserve evidence, to interview witnesses, to pursue leads before the terrorists and their followers flee to safe havens. We must make certain that those responsible are brought to justice.

I am proud that our committee played a key role in giving the FBI new commercial leasing authority for transport planes for a quick response to these kinds of attacks.

□ 1745

I commend our FBI, our diplomatic security and other agencies for their quick action to help secure facilities in Aden and the efforts to apprehend those responsible for this heinous crime.

I want to again commend the authors of this resolution in bringing this issue to the floor today as our Nation honors the crew of the U.S.S. *Cole*. With all of us working together, I am certain we can bring those responsible to justice for this attack and work to ensure that we minimize the likelihood of any other similar attack in the future.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from North Dakota (Mr. POMEROY).

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

I think that, in this hour, it perhaps does us good to put aside for a minute the geopolitical discussions advanced by the gentleman from New York (Chairman GILMAN), my friend speaking before me, and concentrate instead on the loss that we have suffered, memorialize and honor the service of the men and women of the U.S.S. *Cole*, and grieve with them the loss of their classmates.

When the terrible news about this terrorist attack flashed across the television sets of this country, we had a sick feeling across the entire country about this senseless loss of life in a pathetic, cowardly terrorist act.

This feeling of sadness became much deeper when we learned that one of the dead was one of our own. Kevin Shawn Rux from Portland, North Dakota. Kevin was 30 years old. He was an electronic warfare technician, second class. He was the son of a Navy man, the nephew of another Navy man, and he was in his 11th year of service to our country in the United States Navy.

Earlier, in the week, Kevin had called his wife Olivia in Norfolk, Virginia to extend his love on their 10th anniversary. He was halfway across the world, serving his country. On his anniversary, perhaps his last visit with Olivia, he extended his love in this fashion.

We cannot really fully appreciate, until a tragedy drives us to really think about it, the measure of commitment and sacrifice that the men and women in our military make. I mean they are some of our finest. They are in really up-close personal ways some of our very finest.

Some of those who went to high school with Mr. Rux were quoted as saying, ''He was a friendly, good student, wrestler, not a trouble maker, had his head screwed on straight.'' His former wrestling coach was quoted as saying, ''Kevin was a tough little cookie. He was all business. He was consistent. He was always there. He knew his role.''

Well, those observations of a high school wrestling coach were very true of his service to our country in the Navy as well. He had his head screwed on straight. He was always there. He was a tough little cookie.

What a tragedy for his wife and his family. What a tragedy for us in North Dakota. What a tragedy for our country to have lost sailors the caliber of Mr. Rux.

So I ask that we in this time think and pray for the departed and their families. They have served their country very well.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, today I rise to both celebrate and mourn the loss of life of those who carried our freedom and beliefs across the seas aboard the U.S.S. *Cole*.

One of the 17 who died was 35-year-old Richard Costelow who grew up in my county of Bucks County, Pennsylvania. Richard attended Morrisville High School, and he graduated in 1983. As one of his teachers remembered him, Richard ''gave 100 percent every day. That kind of kid doesn't come along too often.''

Richard joined the Navy in 1988 and worked his way up to the ranks to electronic technician, first class. As the President mentioned at this morning's memorial service, he spent 5 years in the White House Communications Office and received the prestigious National Defense Service Medal.

My heart goes out to the Costelow family, his wife Sharla, and their three boys as well as to his parents and extended family.

Today we mourn this tragic loss, but we will never forget those who served to protect the ideals we as a Nation hold dear.

Mr. Speaker, it is particularly grotesque that these young men and women killed and injured in this event were in service of the greatest beacon of freedom ever in the history of the world, and that so often those who commit these acts of terrorism are individuals who themselves are victimized by brutal leaders who, while keeping their boot on the faces of the people of their countries, use the United States as a scapegoat for the frustration and the agony that their own people feel.

Someday we will conquer this ignorance, and someday all of the peoples of the world will be free. Until that day comes, we will rely on the Richard Costelows of the world to protect us from those who live in ignorance.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, I thank the gentleman from Missouri (Mr. SKELTON), the ranking member of the House Committee on Armed Services for yielding me this time.

Mr. Speaker, I rise in support of House Resolution 631 in honor of the crew members killed and wounded on the U.S.S. *Cole*.

As a member of the House Committee on Armed Services, I am continually impressed by the dedication to duty of those serving in the armed services. These young men and women volunteer. They volunteer, and they put their lives on the line to defend the freedoms that many of us take for granted.

Last week, this Nation was reminded of their sacrifice. Seventeen people died, and 39 were injured serving aboard the U.S.S. *Cole* when a cowardly act of terrorism changed their lives forever and the lives of their families.

This incident opens up old wounds such as the 1983 bombing of the Marine barracks in Lebanon that killed 241 and the 1996 bombing of the Khobar Towers that killed 19.

Our Nation is blessed with many virtues. Unfortunately, these incidents affirm that none are as precious as the men and women who risk their lives in the service of this country.

It has been said ''For those who manned the battle line the bugle whispers low, and freedom has a taste and price the protected never know.''

Our hearts go out to the families of the brave men and women we honor today. They are now part of the soul of our great Nation.

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

Mr. SMITH of Michigan. Mr. Speaker, well, again, thanks to the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON), ranking member.

Seventeen young crew members in the U.S. Navy were serving their country. In an instant, their lives were taken as a result of this terrorist attack on the U.S.S. *Cole*. Of those killed, most were young. Most came from our typical American hometown. They all left families and friends to mourn them. My thoughts and prayers go out to those families and friends. We, as a country, grieve with them.

I feel, I think, some of this grief as I remember that day in 1957 when we received word that my brother's plane had gone down, and he was killed. The family is never quite the same.

A senseless tragedy like this attack on the U.S.S. *Cole*, I think, allows us to reflect on all those military service members and their families who sacrifice so much while serving this great country.

Our brave men and women in all the branches of the armed services stand ready to defend America, not only within our borders, but throughout unpredictable international waters and lands.

Let us continually stand behind them and support them and humbly recognize their sacrifices. I think too often we take their services for granted. We would not be enjoying the freedoms we have now without the sacrifices of so many during our great country's history.

I hope we will often remember how important America's military is to ensure the freedoms and liberties we have in this country.

Again, my very sincere condolences go out to the family and the loved ones of those service men and women who had their life taken. May God help them through this difficult time.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Mr. Speaker, we all send our deep-felt thoughts to the families of those who are lost and injured. Any of us who have military facilities in our districts know that the daily sacrifice that the men and women in uniform give to this Nation is something that keeps us free and frankly keeps the world free. Without American service personnel, this world would not be a world filled with burgeoning democracies.

But for those families whose tragic loss by these cowardly terrorists, every Member in this Chamber, everyone in the administration will take every effort to make sure that they are caught and punished.

America is the leading force in the world for freedom, and often we are the leading target of the mad men of this world. They will not succeed. We will join together with other freedom-loving Nations, and we will end terrorism. We will win this fight, and we will do this united with many of our friends across the globe.

All of my constituents and all my colleagues again send our prayers to the families and our gratitude to all the men and women in uniform.

The SPEAKER pro tempore (Mr. BLILEY). The Chair announces that the gentleman from South Carolina (Mr. SPENCE) has 7½ minutes remaining. The gentleman from Missouri (Mr. SKELTON) has 3 minutes remaining.

The gentleman from South Carolina (Mr. SPENCE) has the right to close.

Mr. SPENCE. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. WELDON), chairman of the Subcommittee on Military Research and Development of our Committee on Armed Services.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank the distinguished chairman for yielding me time. I thank both the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON), our distinguished ranking member, for this particular legislation.

I rise with a deep sense of sorrow shared by all of our colleagues on both sides of the aisle in remembering those brave Americans who paid the ultimate price for the freedom and democracy that we enjoy.

It is appropriate, Mr. Speaker, that, during this time of reflection on the lives of these individuals, these young sons and daughters and mothers and fathers, these young relatives of so many families in America that have been taken away from us, that we reflect on the value of our military and the role they perform every day of the year.

Mr. Speaker, we lost 17 brave Americans. We lost dads who left kids. We lost daughters who left behind moms and dads. We lost people who were involved in their community and charity events and church organizations. We lost future leaders of America. Perhaps even among them was a Member of Congress. I heard the President say today that one of the individuals actually had worked at the White House, helping with the computer system.

These were not just sailors. These were individuals who were destined to become a part of the American fabric, who were going to eventually assume their leadership role in both the military and also in civilian life. Tragically, they were cut down.

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I would ask our colleagues to remember the individuals that are being honored here tonight and the entire crew of the ship, and that we think about the implications of having a Navy where one-third of our ships are right now deployed, and over one-half of those ships underway steaming across the seas to distant lands to protect America. We have military personnel in dozens of cities and countries around the world today performing important functions of keeping peace, allowing us to have that forward presence and making sure that the world is stable.

Sometimes I think we take that for granted as a nation, and it takes this kind of incident to remind us that these are human beings; that we have the responsibility to give them the proper benefits, the responsibility to give them the proper equipment, and the proper training.

I agree with what the President has been saying and what Governor Bush has been saying and Vice President Gore. We do have the best military in the world, and it is the best-trained military in the world. But I can tell my colleagues that I am concerned. We cannot cut our Navy back from 585 to 317 and keep the level of deployments up. We cannot continue to have 35 deployments in 9 years all over the world and not expect additional pressures like what we have seen.

Mr. Speaker, there needs to be a full investigation of this incident, and there needs to be a full accounting for those who perpetrated the act and the reasons why this act occurred.

But today we remember those brave souls, those brave heroes, and I join with my colleagues in extending our warmest and deepest sympathy to the families and loved ones of these brave sailors. I ask all of us in America to reflect on the importance of our military and make a renewed commitment in honor of those brave 17 Americans and the entire crew of the *Cole* that we will continue to provide the full support of all Americans in providing the funding for an adequate military, for the proper quality of life, for proper health care, and for all those other commitments that America needs to make to its uniformed personnel.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, I thank the ranking member for yielding me this time, and I rise in strong support for this resolution introduced by the chairman of the House Committee on Armed Services and the ranking member.

At a tragic time like this, it is important to remember that freedom is not defended by ships or airplanes or tanks, freedom is defended by people; people from all walks of life and people from all around the country; people who are capable of doing individual things and making their contribution to the Nation. These sailors who were victims of a very cruel and vicious act are amongst freedom's best, are amongst America's best.

Terrorist acts are supposed to inspire terror. I think that this resolution, I think the comments of many of the Members today, I think the sentiments of the American public, I think the moving memorial service earlier today indicates that America is anything but terrorized by this act. Instead, we are

galvanized to do the best that we can by our men and women in uniform, to continue the policy of trying to extend freedom around the world and to protect it wherever it is threatened.

So today at this time I think we want to extend our deepest and sincerest condolences to the families and again to pay tribute to these fine young Americans.

Mr. SKELTON. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Virginia (Mr. PICKETT), a member of the Committee on Armed Services.

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

Today, in Norfolk, Virginia, we were touched as a Navy family, community, and Nation as we mourned the brave American sailors who paid the ultimate sacrifice on board the U.S.S. *Cole* in the name of liberty and freedom. These men and women, our fathers and sons, brothers and sisters, mothers and daughters, were violently attacked as they stood watch for their country. Instantly, the promise and hope of 17 voices were forever quieted by an act of hate. Even now, the captain, officers, and crew of the U.S.S. *Cole* are working around the clock to save their ship. Let there be no mistake, the United States condemns those responsible for these acts and will relentlessly pursue the attackers until their identity is known and justice is served.

Sometimes, Mr. Speaker, in times of peace and prosperity, which we largely enjoy today, it is easy to forget the perils our men and women in uniform face each day. Our sailors, soldiers, airmen, and Marines put their lives on the line not just when they are deployed in harm's way in the world's volatile areas like those aboard the *Cole*, but also each day as they train to get ready for such missions. These brave Americans heard the call of duty to serve their country, and like all men and women in the service, the U.S.S. *Cole* answered that call to travel to far-off lands to keep the peace and carry American ideals to places where they are so desperately needed. Their bravery is exemplary of the American spirit and one reason the United States serves as a beacon of hope and freedom to others around the world.

To these servicemen and women courageously serving their country, we say thank you. We will find these attackers and they will be brought to justice.

Mr. SKELTON. Mr. Speaker, I yield 30 seconds to the gentleman from Indiana (Mr. ROEMER), who is a member of the Permanent Select Committee on Intelligence.

Mr. ROEMER. Mr. Speaker, I thank my good friend on the Committee on Armed Services for yielding me this time.

I know my entire State and my district back home in Indiana send their thoughts and prayers not only to the 17 families but all our families that are present overseas today and tomorrow doing the great job they do to protect this great Nation.

As a member of the Permanent Select Committee on Intelligence, a few days ago I received a briefing out at Langley, and I know that the intelligence community is working tirelessly, day in and day out, to follow every lead to gather all the evidence and the facts so that we can find out who did this and make sure when we find out that there is swift justice. We will find the culprits and the cowards that inflicted this on our people, and justice hopefully will be done soon.

Our prayers go to our service personnel and to our intelligence and military community to help us address this very serious situation.

The SPEAKER pro tempore (Mr. PEASE). The time of the gentleman from Missouri (Mr. SKELTON) has expired. The gentleman from South Carolina (Mr. SPENCE) has 4½ minutes remaining.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I yield 30 seconds of that time to the gentleman from New Jersey (Mr. ANDREWS), a member of our committee.

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

Mr. ANDREWS. Mr. Speaker, I thank the gentleman for yielding me this time, and let me extend my profound and personal sense of grief and appreciation to the families of those brave Americans who served on the *Cole*.

Let me say this. I know these words will be of little comfort to those who have suffered such a great loss, but to those who question the character of the young people in America today, I would say that we have a resounding answer. We had young people who were willing to enlist voluntarily in the service of their country and give their lives. They have done so with great honor. We are very proud of them, and their families should know they have given their lives nobly and will not be forgotten.

Mr. SKELTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, it was the Roman orator Cicero who once said that gratitude is the greatest of all virtues. This morning in a ceremony next to the U.S.S. *Eisenhower* at Norfolk, Virginia, commemorating the lives of those 17 sailors, feelings came to each of us; feelings of sympathy for the families of those injured and those deceased, admiration for the sailors who carried on and saved their ship and did so well by doing their duty, and anger, anger at those who perpetrated this deed. And yet that anger will fade into determination to cause America to seek justice.

I will repeat the words of Admiral Robert Natter, as he spoke during the ceremony: ''All Americans should remember. Remember the *Cole*.''

Mr. SPENCE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we are gathered here on this very solemn occasion to honor these people who have paid the price for our freedom. How can we honor them? What can we say? What can we do?

I think one thing we can do as a Nation is to assure those families of these young men and women, and the ones who were injured and all the other members of our armed forces today who are paying the price every day in all kinds of ways all over this world. The price for what? Freedom.

We have heard many of us use the word freedom many times today. And some might wonder, what does that have to do with it? That is what it is all about. These young men and women not only today but in the past who served our country have not only given us our freedom but defended it every day all over this world at great sacrifice. Why is that freedom so important? Without it, where would we be?

Some wonder about some of us who are so strong for national defense, that is why. Freedom is so important. Without freedom, we would not have the environment necessary to consider all the other problems we have in this country to deal with. First, we must have our freedom. In a free society we can then go about dealing with the rest of our problems. But I never, never, never get away from the fact that we, every day, take for granted what other people before us over the years have done in giving us and defending our freedom for us today who have not paid that price.

As I said earlier, I think every day we should honor people, not just one day every so often when these kinds of things happen. We should every day pay honor to those who have given us our very freedom.

Mr. GEPHARDT. Mr. Speaker, events are sometimes so horrible that words alone do not fully describe the pain and sorrow that is in all of our hearts. The tragedy aboard the U.S.S. *Cole* was just such an event. This act of cowardice and malice against 17 Americans who were simply doing their duty is beyond all reason.

These brave soldiers died in the line of duty, and the resolution before us honors those who so valiantly gave their lives in the service of their country.

It is a simple gesture, but it is so necessary.

Our fallen sailors are the true heroes of our society.

They worked day after day and week after week to protect our nation from harm. They spent their time promoting peace in the world. They were symbols of American values—democracy, diversity, human tolerance and understanding, opportunity and freedom.

Today, America is stronger because of your brave service overseas—and the world is a better place because of your sacrifice.

We say as a country that we will not let heinous acts of terrorism deter us from our mission of peace in the Middle East and around the world. We will not rest until the people responsible for this crime are brought to justice. And we will not shrink from our duties in the world—we will continue to maintain our presence and promote freedom, democracy, and better relations among all people.

I want to extend my deepest sympathies to the victims' families. Our thoughts and prayers are with you. You, too, have made the ultimate sacrifice, and we as a country are forever in your debt. Our hearts and gratitude also go out to the injured and their families who have also suffered from this attack.

I salute the brave souls who fought to reclaim their ship—to save their vessel under the most difficult, wrenching circumstances. They are a tribute to our armed forces and they embody the best values in our society.

Finally, I want to say, humbly, that America will never forget our fallen heros. We will always honor the sacrifice you have made so that others might live in peace.

Mr. WATTS of Oklahoma. Mr. Speaker, I rise in strong support of H. Res. 631, honoring our servicemen and women who were victims of the terrorist attack on the destroyer U.S.S. *Cole.*

I was saddened and outraged by the cowardly attack carried out against the U.S.S. *Cole* on October 12 off the Yemeni Coast. First and foremost, my thoughts and prayers are with the families and friends of those who laid down their lives serving their country and representing the highest traditions of the United States Navy.

As I sat and watched the television that dark Thursday morning, I could not help but feel for the loved ones of the fallen. I hope that time and reflection and God's healing hand can put their pain at ease.

The 17 sailors who perished and the over three dozen wounded were carrying out a mission of vital national interest to America. They were part of a carrier battle group that projects our forward maritime presence by taking station in the Persian Gulf region. These brave Americans's knew they were going into a volatile region. They were made ever more aware of their situation as fighting broke out between the Israeli government and Palestinians. However, members of our armed forces are regularly called upon to carry out their assignments that place them in harms way. Still, when even one American dies in the line of duty, it is a time for reflection and sorrow.

The heroic damage control efforts of the U.S.S. *Cole*'s crew after the explosion saved not only the ship, but lives. After the blast that ripped a 40 by 45 foot hole in the port side of the ship and exploded windows on land, the crew was able to maintain composure and stop the flooding. I can only image what it must have taken for a sailor aboard to see the havoc but still have the courage and presence of mind to do their duty by sealing off the bulkheads and evacuating the injured.

The terrorists that carried out this cowardly mission perished in the blast, but there are numerous responsible parties that financed, trained, and planned the attack. Our government must locate these perpetrators and bring them to justice no matter where they are in the world as soon as possible.

America must always be vigilant for those who wish to do harm to our troops and citizens. We must never let those who harm U.S. citizens go unpunished. However, America will not be deterred by this act from carrying out missions that are vital to our national interests in the region.

Mr. KIND. Mr. Speaker, I join my colleagues in honoring the entire crew of the U.S.S. *Cole*, and in offering my heartfelt condolences to the families of those sailors who gave their lives in service to their country.

As often as I can, I offer my sincere appreciation and admiration to the men and women who proudly serve in uniform on behalf of the United States of America. The efforts of these fine Americans, both in peacetime and in war, not only have allowed this nation to achieve its stature as the greatest institution of democracy and liberty the world has ever known, but have ensured the high level of security and prosperity we now know.

However, on this day we must sadly confront the harsh reality that national security is not without risk. Today we are reminded that our soldiers, sailors and airmen are, in fact, our front line of defense in an unpredictable and sometimes dangerous world. We realize, as is carved in granite at the National Korean War Memorial, ''peace is not free.'' Sometimes the cost of peace comes at a very high price.

The sailors of the U.S.S. *Cole*, those cruelly snatched from this Earth, those injured in the blast, and those still on board who bravely worked to assist their mates and who continue to struggle to maintain their ship, represent the noblest principles of our nation and of our history.

Almost 140 years ago, when consecrating the graves of Americans who gave their lives in the fields of Gettysburg, President Abraham Lincoln said: ''The world will little note nor long remember what we say here, but we must never forget what they did here.'' Few words ring as true through the ages, or as appropriate on this solemn day.

Today, my colleagues and I grieve and pray with the families who lost loved ones on board the *Cole*, and with the sailors recovering from injuries sustained in the vicious attack. Our nation's resolve to find those responsible for this tragedy is strong, and our will to ensure justice is unbending. All Americans, across this nation and at all points of the globe, must never forget the ultimate sacrifice of these men and women and of their families. But, I submit, each of us must also strive to better remember and honor the acts of bravery and sacrifice our men and women in uniform commit each and every day.

Mr. GREEN of Texas. Mr. Speaker, I rise today to mourn the brave young men from Texas who died in last week's attack against the U.S.S. *Cole*—Ronchester M. Santiago of Kingsville, Timothy L. Gauna of Rice, and Gary G. Swenchonis, Jr. of Rockport.

These young men, none older than 26, were pillars of their communities who joined the U.S. Navy to serve their country and protect our national security. Specialist Third Class Santiago, a cook aboard the *Cole,* was remembered as an excellent student and well-respected by his peers.

Seaman Gauna, an information systems technician, was a standout on his high school basketball and baseball teams. He also served as a bilingual teacher's aide at a local elementary school after graduation, before joining the Navy.

Fireman Swenchonis, who had not joined the Navy until January 1999, was remembered as a good student, always willing to volunteer or lend a helping hand.

They are just three of the 17 sailors killed or presumed dead in this despicable act of terrorism. Our sympathies are with the families of those sailors, along with the families of the injured, including Kesha Stidham of Austin, who lies in critical condition.

As the Navy continues to recover its dead, the FBI, along with military and Yemeni authorities, are working around the clock to find those who are responsible. I congratulate them on their quick work so far and hope that additional leads and arrests will be forthcoming.

Let those who conceived this brutal act, however, heed our words. America will not stand idly by as her young men and women are slaughtered by cowardly men in cowardly acts. You will be found, you will be brought to justice, and you will be punished.

Mr. Speaker, our resolve will not be affected by this attack. The United States will continue to work for peace and stability to the Middle East, and we will continue to oppose those who seek to deal in the currency of violence and terror.

Mr. EVERETT. Mr. Speaker, I would like to pay tribute to Petty Officer First Class Douglas Hancock, a brave young sailor from Enterprise who was injured in the disgusting and cowardly act of terrorism that was the attack on the guided missile destroyer U.S.S. *Cole* (DDG–67).

In the early hours of October 12, 2000, a worried Grady White called my office asking for my assistance in determining whether his grandson was injured or killed in the attack. Due to some confusion over who was listed on Douglas' notification list, the Hancock family was worried they might not be contacted. The Navy did an admirable job keeping all the families of the crew members of the U.S.S. *Cole* informed under the circumstances. However, when CNN ran footage of injured sailors being carried into the hospital, Mrs. Becky Hancock, Douglas' mother, was both relieved and worried when she recognized Douglas' face as one of the injured sailors.

Douglas Hancock suffered a broken jaw and cuts from the explosion. He was one of the 37 injured. He was not among the seven confirmed dead or the ten missing and presumed dead. He is going home to his close-knit family and friends.

I salute Petty Officer Douglas Hancock and the rest of the U.S.S. *Cole*'s crew for their bravery and service to our nation.

Mr. HORN. Mr. Speaker, it is with great sadness that we honor the brave young men and women who lost their lives in last week's shocking attack on the U.S.S. *Cole* in the Port of Aden, Yemen. This terrorist attack provides us with another painful reminder that the United States military must always remain vigilant in a world often hostile to our country's interests.

Our military is constantly threatened by enemies of peace throughout the world. From peace-keeping operations in the Balkans, to preventing communist aggression on the Korean Peninsula, to keeping a cautioned eye on the increasing turmoil in the Middle East—our military is spread disturbingly thin. In order to deter our enemies and protect the lives of our courageous servicemen and women, Congress must continue to make every effort to strengthen our armed forces' ability to stop these types of attacks from happening in the first place.

This tragedy also reminds us that though we are living in an era of relative peace and prosperity, we must never take it for granted. America would not be free today without the sacrifices of the brave individuals who choose to serve our country for many reasons, but who all share the risk and sacrifice this service brings. The men and women of our armed

forces exemplify personal courage by facing fear, danger and adversity every day. And they carry out their duties with honor, integrity, and respect.

Our hearts, and our prayers, go out to the families of the young men and women killed in Yemen, and to all American military men and women serving our nation all over the world. Their sacrifice and their spirit call upon each generation of Americans to recognize and appreciate those who pay the ultimate price for our nation's freedom. We will always remember and honor their sacrifice.

Mrs. KELLY. Mr. Speaker, almost a week ago, people all over the world awoke to the news of a terrorist strike against one of our naval ships. Like countless other Americans, I was stunned by the early reports. Over the next several hours and days, the gravity of the situation became clearer. The Navy has reported that seventeen sailors were killed by this blast and another 33 were injured. Today, I join many with my colleagues in rising to honor these men and women who gave their lives to protect our nation and all she stands for.

Today, the families of those lost honored them at a memorial service in Norfolk, Virginia, the *Cole*'s home port. Throughout the ceremony we were reminded of the sacrifice by not only those in uniform, but their families as well. Unfortunately this sacrifice is often forgotten, but it is never unappreciated. It is truly an extraordinary person who is willing to commit to this type of service and dedicate his/her life to something larger than him/herself. It is an individual's commitment to the service of this country that we are reminded of as we mourn those who gave their lives. My own district also suffered the loss of a loved one in this attack. Patrick Roy, a onetime resident of Cornwall on Hudson, New York was a Fireman Apprentice on the U.S.S. *Cole,* and I offer my deepest sympathies to his friends and family.

I want to applaud the efforts of the remainder of the *Cole*'s personnel who did their job, manned their stations and saved their ship even while they knew that they had suffered the possible terrible loss of shipmates and members of their naval family.

The United States military has served as liberator and protector and has provided a source of hope for millions around the world in times of peace and in war. While it may be of little solace to those who have lost a loved one, the men and women of the *Cole* who gave their lives in an effort to serve as a protector will remain beacons of hope and will be remembered as heroes. My deepest condolences go out to all of the friends and families who have lost a loved one in this cowardly attack.

Mr. SWEENEY. Mr. Speaker, today I commend the valiant sailors of the U.S.S. *Cole* and to express my deepest condolences to the families and loved ones who suffered losses due to an act of terrorism.

On October 12, 2000, the Navy family suffered a tremendous loss, when the U.S.S. *Cole* fell victim to terrorism while attempting to refuel at the Port of Aden in Yemen. My heart continues to go out to the families and friends of the American sailors who were killed, injured or are still missing. I comment our valiant sailors who responded quickly to this tragedy, minimizing casualties and damage to their ship.

It was an honor to assist three families from my District as they waited to hear news on their loved ones. Fortunately, the families and friends of Petty Officer Kevin Benoit of Cairo, NY, Ensign & Deck Division Commander Gregory McDearmon of Ballston Lake, NY, and Chief Petty Officer Charles Sweet of Broadalbin, NY, after hours of waiting, received word that their loved ones were safe.

It is important that we always remember that these brave men and women are serving our Nation and we should pay tribute to them. These sailors have made the ultimate sacrifice in service to their country. This is a loss felt by the entire nation.

This tragedy highlights the constant dangers faced by our armed forces around the world. Our country must remain vigilant in protecting them from future terrorist or other attacks. Our government must work diligently to protect and provide aid to those who are injured and work with the families who are going through a period of grieving.

Again, Mr. Speaker, our prayers go out to the sailors, their families and friends.

Mr. FROST. Mr. Speaker, last Thursday a terrible and cowardly act of terrorism was made against America and our armed forces. The U.S.S. *Cole*, which had entered the Yemeni port of Aden, was blindsided by a small boat in a group helping to moor the ship for refueling. The boat was loaded with explosives and blew up alongside the U.S.S. *Cole.*

Mr. Speaker, 17 sailors were either killed or are missing from the blast, and 39 were injured.

Information Systems Technician Seaman Timothy Gauna, a constituent of mine from Rice, Texas, is among the missing. Like all the sailors aboard the U.S.S. *Cole*, he was serving his country bravely and honorably when this vicious attack took place. I join the Gauna family, and all the families of the missing sailors, in hoping that they will soon be accounted for.

Immediately after the attack Mr. Speaker, I flew down to North Texas to visit Seaman Gauna's family. There, I spoke with a mother who is proud of her son's courage and patriotism. And I talked to various family members who admire Tim's dedication to America.

I do not know all the sailors on the U.S.S. *Cole*, Mr. Speaker, but I know the family of Seaman Gauna. They—like all of the U.S.S. *Cole's* sailors and their families—have America's gratitude, and our prayers.

That's why I was so moved by the memorial service today in Norfolk, Virginia. There, the entire nation joined injured sailors—some fresh from the hospital, their IV's still attached to their arms—in paying tribute to their fallen and missing comrades.

But our obligation to these brave men and women is greater than that, Mr. Speaker. We must continue to be vigilant in the face of threats from terrorists around the world. We must find the criminals responsible for this cowardly atrocity, and they must be brought to justice.

Make no mistake, Mr. Speaker, these terrorists will soon learn that America responds quickly and forcefully whenever we are attacked. The FBI now has more than 60 agents in place investigating this attack and the Navy has assigned six U.S. warships to Aden harbor to assist the U.S.S. *Cole* and its exhausted crew.

Mr. Speaker, every time anyone in uniform gets into a ship, a plane, or a tank, they risk their lives in defense of America. For that, we owe the great men and women of the United States Armed Forces our most profound gratitude. They have it, Mr. Speaker, as well as the solemn promise that America stands with them—always and everywhere.

Mr. LEWIS of California. Mr. Speaker, when we are confronted by the despicable, cowardly attack on the U.S.S. *Cole* during a simple refueling stop in a troubled port, our first reaction is anger and a desire to punish those who are responsible.

But today I believe we should put those thoughts aside and consider instead on the sacrifice made by those members of the *Cole*'s crew, and reflect on how our country—and the entire world—depends on such sacrifices by all our men and women in uniform around the globe.

These crew members put themselves at risk to bring peace to a region that could self-destruct at any time if our warships were not present. The U.S.S. *Cole* was in Yemen, a nation with a history of antagonism to the United States, to help establish a new relationship of trust and friendship. They put their lives on the line not only to keep the peace, but spread its benefits.

The force of the explosion gouged a 40-foot-by-40 foot hole in the side of the *Cole*. If this attack had occurred to a ship of almost any other navy in the world, the ship would have sunk with many lives lost. But the *Cole*'s crew showed the intense training, high skill level and sheer determination that we have come to expect of all of America's armed forces. Twice in three days they contained the damage, keeping the ship afloat and saving many of their injured colleagues.

Because of the unselfish dedication of Americans like those on the U.S.S. *Cole,* the United States is one of the few nations in history that can reduce military tensions anywhere simply with the presence of our warships. The hearts of peace-loving people around the world are lifted at the sight of a U.S. Navy ship steaming into port. And sadly, the angry dreams of those who would disrupt the peace focus on destroying those peacekeepers, as well.

The crew of the U.S.S. *Cole* knew that they could be in danger in an unsettled region, and would not be deterred from performing their duty as our front-line peacekeepers. We are aware that there are those who will go to any extreme, including trying to sink the *Cole,* in a desperate effort to undermine America's commitment to bring peace to this war-torn part of the world. When the attack came, the crew of the *Cole* would not allow their ship to sink.

Our nation is deeply saddened by the loss of the brave men and women who gave their lives so that peace may spread around the world. But we say to the enemies who would attack us in the hopes of spreading war: Look carefully at the lesson of determination that is the U.S.S. *Cole.* We will not be deterred.

Mr. THOMPSON of California. Mr. Speaker, I join Chairman SPENCE and Ranking member SKELTON, and all Americans, in honoring the crew of the U.S.S. *Cole* and expressing the nation's sympathies to the families of those killed or injured.

Like my colleagues, I was struck by the photographs of the 17 sailors killed or presumed dead that appeared in the newspapers in the days following the terrorist attack against the *Cole*. Even the eldest of them—aged 35—died all too young.

As has been stated elsewhere, the photos put faces to the phrase ''in harm's way.'' Particularly young faces.

The phrase is also part and parcel to another: ''doing one's duty.''

We know from service members that the phrase ''doing one's duty'' is more than a combination of words. It is also reflective of a spirit, a commitment, a calling that attracts the very best of our youth to military service.

And it is not a phrase not taken lightly.

The crew of the U.S.S. *Cole* is but one of hundreds of units of men and women deployed around the world. Each knows the risk of such service. Each also knows of the contribution they make to our nation's defense and the defense of freedom around the world.

But, all too often, the contribution and sacrifice these men and women make is taken for granted. Too often, we have only assembled after a tragic incident like the bombing of the *Cole* to belatedly express our appreciation and thanks.

Let us resolve to thank the men and women of our Armed Forces everyday for their dedication, sacrifice, and courage. And let us remember 17 members of the crew of the U.S.S. *Cole* for making the ultimate sacrifice.

To their families and friends, we assure you that their memory will not be forgotten. And the values for which they gave their lives will be forever cherished, honored and protected.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to honor the sacrifice and the memory of the crew of America's guided missile destroyer U.S.S. *Cole* who were killed or wounded on October 12 as a suspected terrorist bomb ripped through the ship's hull. The State of Texas mourns the loss of three of its sons: Fireman Gary Graham Swenchonis, Jr. of Rockport, TX; Information Systems Technician Timothy Guana of Rice, TX; and Petty Officer 3rd Class Ronchester Santiago of Kingsville, TX. We Texans add our sadness and pride in our Nation to the family of Americans in saluting the honor and valor of all seventeen patriots and the remaining crew of the U.S.S. *Cole*.

The Nation especially grieves the loss of our first female sailors killed in hostile action aboard a U.S. combat ship. It is important to acknowledge that this historic sacrifice was made by two African American women. Lakeina Monique Francis of Woodleaf, North Carolina, a 19 year-old Mess Management Specialist Seaman, followed in her father's footsteps to serve her country in the Navy. Lakiba Nicole Palmer of San Diego, California was a 22 year-old Seaman Recruit. History will record their sacrifice as a milestone of great proportions. For today, there can be no doubt that America's sons and America's daughters will lay down their lives for freedom and peace around the globe. I urge this Congress to resolve that as this story is written and retold, the names of these women must not be forgotten as has too often been the case for the legacy and sacrifice of African American women throughout our Nation's history.

I stand with my colleagues to offer sincere condolences to every loved one who survives each of the seventeen patriots we honor through this resolution. Their supreme sacrifice compels us to live for peace and redouble our efforts to broker a lasting Middle East peace with the strongest determination.

Mr. Speaker, on this occasion, I pray God's blessing on the memories of these sailors, God's comfort for their families, and may God bless an America that is more resolute that ever to preserve the peace!

Mr. DOOLEY of California. Mr. Speaker, I rise today to honor the brave American sailors aboard the U.S.S. *Cole* whose lives were taken off the coast of Yemen on October 12, 2000. I would like to express my deepest sympathies to the sailors' families during this difficult time.

We will never forget the sailors and the sacrifice they have made for our country. It is through their courageous service that all Americans are allowed to live in freedom.

I would also like to honor the other sailors aboard the U.S.S. *Cole*, both those injured and non-injured. This tragedy should be a reminder to all Americans that on a daily basis our men and women serving in the military are continually putting their lives on the line for our country in many parts of the world. Even in times of relative peace, the potential dangers faced by our service members never cease to exist.

This horrible incident is of particular concern to me because my District is home to Naval Air Station, Lemoore. Men and Women in my district proudly serve their country and bravely confront serious dangers. I know that the tragedy aboard the U.S.S. *Cole* evokes a painful reminder of these dangers to all military families. My thoughts are with the Navy families in my district who are mourning the loss of their fellow service men and women.

I am hopeful we will find those who were responsible for this cowardly act and hold them accountable. We owe it to the lost sailors and their families.

Today, as the families and friends of the victims come together in Norfolk, Virginia to honor their loved ones, I would like to offer my condolences and prayers. They will not be forgotten.

Ms. PELOSI. Mr. Speaker, I rise to extend my heartfelt support for House Resolution 631, honoring the crew of the U.S.S. *Cole*. Today on a gray and sad day in Norfolk, Virginia and around the country, our nation mourns the loss of life and celebrates the service of sailors on the U.S.S. *Cole*.

My thoughts and prayers go out to the families of the seventeen sailors killed, and the thirty six injured in the terrorist bombing attack off the coast of Yemen. Our nation owes a profound debt of gratitude to these proud sailors who lost their lives or suffered injury defending the American people and the values of freedom and democracy on which our nation stands.

I extend my deep admiration to the entire crew of the U.S.S. *Cole* for the bravery and professionalism they displayed in caring for their wounded and stabilizing their ship. This tragedy underscores the commitment and sacrifice of our nation's fighting men and women who put their lives in danger on a daily basis for the security of our country.

This attack was an unconscionable act of cowardice and those responsible will be sought out and swiftly brought to justice. The United States will stay the course, acting as the leading force of stability and freedom in the fight against terrorism.

We will not be bowed or intimidated by this attack, as will carry the memory of the U.S.S. *Cole* in our hearts to strengthen our resolve and continue the struggle for world peace. Just as these seventeen sailors protected us in life, we shall honor and protect the memory of their sacrifice by standing firm against this type of senseless violence.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution.

There was no objection.

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

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

Mr. SPENCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on House Resolution 631 will be followed by several 5-minute votes on motions to suspend the rules that were debated yesterday.

The vote was taken by electronic device, and there were—yeas 386, nays 0, not voting 46, as follows:

[Roll No. 531]

YEAS—386

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg

Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—46

Barrett (WI)
Becerra
Brown (FL)
Campbell
Cardin
Chenoweth-Hage
Conyers
Delahunt
Dooley
English
Fattah
Forbes
Franks (NJ)
Gephardt
Goode
Graham
Gutierrez
Hansen
Hostettler
Houghton
Jones (OH)
Kasich
Kennedy
Klink
Kolbe
Lazio
Lipinski
McCollum
McIntosh
Miller (FL)
Nethercutt
Ney
Oxley
Pascrell
Pitts
Rodriguez
Ros-Lehtinen
Sanders
Shaw
Spratt
Stupak
Talent
Turner
Walsh
Weygand
Wise

□ 1833

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed on Tuesday, October 17, 2000, in the order in which that motion was entertained.

Votes will be taken in the following order:

H. Con. Res. 415, by the yeas and nays;

H.R. 3218, by the yeas and nays;

Concurring in Senate amendments to H.R. 3671, de novo;

H.R. 4148, de novo; and

S. 964, de novo.

The Chair will reduce to 5 minutes the time for each electronic vote in this series.

NATIONAL CHILDREN'S MEMORIAL DAY

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 415.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. OSE) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 415, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 376, nays 0, not voting 56, as follows:

[Roll No. 532]

YEAS—376

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—56

Barrett (WI)
Bilbray
Bonilla
Brown (FL)
Campbell
Cardin
Chenoweth-Hage
Conyers
Cubin
Delahunt
Dooley
English
Fattah
Forbes
Franks (NJ)
Gephardt
Goode
Graham
Gutierrez
Hansen
Herger
Hostettler
Houghton
Hoyer
Kasich
Kennedy
Klink
Kolbe
Lazio
Lipinski

Lucas (OK)
McCollum
McIntosh
Miller (FL)
Napolitano
Nethercutt
Ney
Oxley
Packard
Pascrell
Pitts
Radanovich
Rodriguez
Ros-Lehtinen
Sanders
Schakowsky
Shaw
Sherwood
Stearns
Stupak
Talent
Turner
Walsh
Watt (NC)
Weygand
Wise

□ 1840

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid upon the table.

Stated for:

Mr. STEARNS. Mr. Speaker, on rollcall No. 532, I was unavoidably detained. Had I been present, I would have voted "yea."

SOCIAL SECURITY NUMBER CONFIDENTIALITY ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 3218.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. OSE) that the House suspend the rules and pass the bill, H.R. 3218, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 0, not voting 47, as follows:

[Roll No. 533]

YEAS—385

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—47

Barrett (WI)
Brown (FL)
Campbell
Cardin
Chenoweth-Hage
Conyers
Cubin
Cunningham
Delahunt
Dickey
Dooley
English
Fattah
Forbes
Franks (NJ)
Gephardt
Goode
Graham
Gutierrez
Hansen
Hostettler
Houghton
Jones (NC)
Kasich
Kennedy
Kleczka
Klink
Kolbe
Lazio
Lipinski
McCollum
McIntosh
Miller (FL)
Nethercutt
Ney
Oxley
Pascrell
Pitts
Rodriguez
Ros-Lehtinen
Sanders
Shaw
Stupak
Talent
Turner
Weygand
Wise

□ 1847

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FISH AND WILDLIFE PROGRAMS IMPROVEMENT AND NATIONAL WILDLIFE REFUGE SYSTEM CENTENNIAL ACT OF 2000

The SPEAKER pro tempore (Mr. PEASE). The unfinished business is the question of suspending the rules and concurring in the Senate amendments to the bill, H.R. 3671.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 3671.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TRIBAL CONTRACT SUPPORT COST TECHNICAL AMENDMENTS OF 2000

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 4148, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 4148, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CHEYENNE RIVER SIOUX TRIBE EQUITABLE COMPENSATION ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 964, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the Senate bill, S. 964, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

REAPPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The SPEAKER pro tempore. Without objection, and pursuant to section 491 of the Higher Education Act, 20 USC 1098(c), the Chair announces the Speaker's reappointment of the following member on the part of the House to the Advisory Committee on Student Financial Assistance for a 3-year term:

Mr. Henry Givens, St. Louis, Missouri.

There was no objection.

CONFERENCE REPORT ON H.R. 4635, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

Mr. WALSH submitted the following conference report and statement on the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes:

CONFERENCE REPORT (H. REPT. 106–988)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4635) ''making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter stricken and inserted by said amendment, insert:

Section 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

(1) H.R. 5482, as introduced on October 18, 2000.

(2) H.R. 5483, as introduced on October 18, 2000.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

; And the Senate agree to the same.

JAMES T. WALSH,
TOM DELAY,
DAVE HOBSON,
JOE KNOLLENBERG,
RODNEY FRELINGHUYSEN,
ANNE M. NORTHUP,
JOHN E. SUNUNU,
VIRGIL GOODE, Jr.,
BILL YOUNG,
ALAN B. MOLLOHAN,
MARCY KAPTUR,
CARRIE P. MEEK,
DAVID E. PRICE,
BUD CRAMER,
DAVE OBEY,
Managers on the Part of the House.

CHRISTOPHER S. BOND,
CONRAD BURNS,
RICHARD C. SHELBY,
LARRY E. CRAIG,
KAY BAILEY HUTCHISON,
TED STEVENS,
PETE V. DOMENICI,
BARBARA A. MIKULSKI,
PATRICK LEAHY,
FRANK R. LAUTENBERG,
TOM HARKIN,
ROBERT C. BYRD,
HARRY REID,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying report.

This conference agreement includes more than the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001. The conference agreement has been expanded to include the Energy and Water Development Appropriations Act, 2001, as well as the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001. Both of these Acts have been enacted into law by reference in this conference report; however, a copy of the referenced legislation has been included in this statement for convenience.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS

The conference agreement would enact the provisions of H.R. 5482 as introduced on October 18, 2000. The text of that bill follows:

A BILL Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $22,766,276,000, to remain available until expended: Provided, That not to exceed $17,419,000 of the amount appropriated shall be reimbursed to ''General operating expenses'' and ''Medical care'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, $1,634,000,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5) and (11) of that section, shall be charged to the account: Provided further, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98–77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $19,850,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2001, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $162,000,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 38 U.S.C. 3698, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,400.

In addition, for administrative expenses necessary to carry out the direct loan program, $220,000, which may be transferred to and

merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $52,000, as authorized by 38 U.S.C. chapter 31, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,726,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $432,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $532,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical care'' may be expended for the administrative expenses to carry out the guaranteed loan program authorized by 38 U.S.C. chapter 37, subchapter VI.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq., $20,281,587,000, plus reimbursements: Provided, That of the funds made available under this heading, $900,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 2001, and shall remain available until September 30, 2002: Provided further, That of the funds made available under this heading, not to exceed $500,000,000 shall be available until September 30, 2002: Provided further, That of the funds made available under this heading, not to exceed $28,134,000 may be transferred to and merged with the appropriation for ''General operating expenses'': Provided further, That the Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care; and, notwithstanding 31 U.S.C. 3302(b), amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under this heading and the purposes of paying a contractor a percent of the amount collected as a result of an audit carried out by the contractor: Provided further, That all amounts so collected under the preceding proviso with respect to a designated health care region (as that term is defined in 38 U.S.C. 1729A(d)(2)) shall be allocated, net of payments to the contractor, to that region.

In addition, in conformance with Public Law 105–33 establishing the Department of Veterans Affairs Medical Care Collections Fund, such sums as may be deposited to such Fund pursuant to 38 U.S.C. 1729A may be transferred to this account, to remain available until expended for the purposes of this account.

None of the foregoing funds may be transferred to the Department of Justice for the purposes of supporting tobacco litigation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 2002, $351,000,000, plus reimbursements.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities, $62,000,000 plus reimbursements: Provided, That technical and consulting services offered by the Facilities Management Field Service, including project management and real property administration (including leases, site acquisition and disposal activities directly supporting projects), shall be provided to Department of Veterans Affairs components only on a reimbursable basis, and such amounts will remain available until September 30, 2001.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,050,000,000: Provided, That expenses for services and assistance authorized under 38 U.S.C. 3104(a) (1), (2), (5) and (11) that the Secretary determines are necessary to enable entitled veterans (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed $45,000,000 shall be available until September 30, 2002: Provided further, That funds under this heading shall be available to administer the Service Members Occupational Conversion and Training Act.

NATIONAL CEMETERY ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of the National Cemetery Administration, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of two passenger motor vehicles for use in cemeterial operations; and hire of passenger motor vehicles, $109,889,000: Provided, That travel expenses shall not exceed $1,125,000: Provided further, That of the amount made available under this heading, not to exceed $125,000 may be transferred to and merged with the appropriation for ''General operating expenses''.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $46,464,000: Provided, That of the amount made available under this heading, not to exceed $28,000 may be transferred to and merged with the appropriation for ''General operating expenses''.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is $4,000,000 or more or where funds for a project were made available in a previous major project appropriation, $66,040,000, to remain available until expended: Provided, That except for advance planning of projects (including market-based assessments of health care needs which may or may not lead to capital investments) funded through the advance planning fund and the design of projects funded through the design fund, none of these funds shall be used for any project which has not been considered and approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2001, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2001; and (2) by the awarding of a construction contract by September 30, 2002: Provided further, That the Secretary shall promptly report in writing to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above: Provided further, That no funds from any other account except the ''Parking revolving fund'', may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is less than $4,000,000, $162,000,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is less than $4,000,000: Provided, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the department which are necessary because of loss

or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, income from fees collected, to remain available until expended, which shall be available for all authorized expenses except operations and maintenance costs, which will be funded from ''Medical care''.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, $100,000,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 2408, $25,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2001 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2001 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for ''Construction, major projects'', ''Construction, minor projects'', and the ''Parking revolving fund'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the ''Medical care'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2001 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2000.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2001 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2001, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2001, that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2001, which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. Notwithstanding any other provision of law, collections authorized by the Veterans Millennium Health Care and Benefits Act (Public Law 106–117) and credited to the appropriate Department of Veterans Affairs accounts in fiscal year 2001, shall not be available for obligation or expenditure unless appropriation language making such funds available is enacted.

SEC. 109. In accordance with section 1557 of title 31, United States Code, the following obligated balance shall be exempt from subchapter IV of chapter 15 of such title and shall remain available for expenditure until September 30, 2003: funds obligated by the Department of Veterans Affairs for a contract with the Institute for Clinical Research to study the application of artificial neural networks to the diagnosis and treatment of prostate cancer through the Cooperative DoD/VA Medical Research program from funds made available to the Department of Veterans Affairs by the Department of Defense Appropriations Act, 1995 (Public Law 103–335) under the heading ''Research, Development, Test and Evaluation, Defense-Wide''.

SEC. 110. As HR LINK$ will not be part of the Franchise Fund in fiscal year 2001, funds budgeted in customer accounts to purchase HR LINK$ services from the Franchise Fund shall be transferred to the General Administration portion of the ''General operating expenses'' appropriation in the following amounts: $78,000 from the ''Office of Inspector General'', $358,000 from the ''National cemetery administration'', $1,106,000 from ''Medical care'', $84,000 from ''Medical administration and miscellaneous operating expenses'', and $38,000 shall be reprogrammed within the ''General operating expenses'' appropriation from the Veterans Benefits Administration to General Administration for the same purpose.

SEC. 111. Not to exceed $1,600,000 from the ''Medical care'' appropriation shall be transferred to the ''General operating expenses'' appropriation to fund personnel services costs of employees providing legal services and administrative support for the Office of General Counsel.

SEC. 112. Not to exceed $1,200,000 may be transferred from the ''Medical care'' appropriation to the ''General operating expenses'' appropriation to fund contracts and services in support of the Veterans Benefits Administration's Benefits Delivery Center, Systems Development Center, and Finance Center, located at the Department of Veterans Affairs Medical Center, Hines, Illinois.

SEC. 113. Not to exceed $4,500,000 from the ''Construction, minor projects'' appropriation and not to exceed $2,000,000 from the ''Medical care'' appropriation may be transferred to and merged with the Parking Revolving Fund for surface parking lot projects.

SEC. 114. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available in this Act for ''Medical care'' appropriations of the Department of Veterans Affairs may be obligated for the realignment of the health care delivery system in Veterans Integrated Service Network 12 (VISN 12) until 60 days after the Secretary of Veterans Affairs certifies that the Department has: (1) consulted with veterans organizations, medical school affiliates, employee representatives, State veterans and health associations, and other interested parties with respect to the realignment plan to be implemented; and (2) made available to the Congress and the public information from the consultations regarding possible impacts on the accessibility of veterans health care services to affected veterans.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFERS OF FUNDS)

For activities and assistance to prevent the involuntary displacement of low-income families, the elderly and the disabled because of the loss of affordable housing stock, expiration of subsidy contracts (other than contracts for which amounts are provided under another heading in this Act) or expiration of use restrictions, or other changes in housing assistance arrangements, and for other purposes, $13,940,907,000 and amounts that are recaptured in this account to remain available until expended: Provided, That of the total amount provided under this heading, $13,430,000,000, of which $9,230,000,000 shall be available on October 1, 2000 and $4,200,000,000 shall be available on October 1, 2001, shall be for assistance under the United States Housing Act of 1937 (''the Act'' herein) (42 U.S.C. 1437): Provided further, That the foregoing amounts shall shall be for use in connection with expiring or terminating section 8 subsidy contracts, for amendments to section 8 subsidy contracts, for enhanced vouchers (including amendments and renewals) under any provision of law authorizing such assistance under section 8(t) of the United States Housing Act of 1937 (47 U.S.C. 1437f(t)), contract administrators, and contracts entered into pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act: Provided further, That amounts available under the first proviso under this heading shall be available for section 8 rental assistance under the Act: (1) for the relocation and replacement of housing units that are demolished or disposed of pursuant to section 24 of the United States Housing Act of 1937 or to other authority for the revitalization of severely distressed public housing, as set forth in the Appropriations Acts for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies for fiscal years 1993, 1994, 1995, and 1997, and in the Omnibus Consolidated Rescissions and Appropriations Act of 1996; (2) for the conversion of section 23 projects to assistance under section 8; (3) for funds to carry out the family unification program; (4) for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency; (5) for tenant protection assistance, including replacement and relocation assistance; and (6) for the 1-year renewal of section 8 contracts for units in a project that is subject to an approved plan of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990: Provided further, That of the total amount provided under this heading, $11,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: Provided further, That of the total amount provided under this heading, $40,000,000 shall be made available to nonelderly disabled families affected by the designation of a public housing development under section 7 of the Act, the establishment of preferences in accordance with section 651 of the Housing and Community Development Act of 1992 (42 U.S.C. 1361l), or the restriction of occupancy to elderly families in accordance with section 658 of such Act, and to the extent the Secretary determines that such amount is not needed to fund applications for such affected families, to other nonelderly disabled families: Provided further, That of the total amount provided under this heading,

$452,907,000 shall be made available for incremental vouchers under section 8 of the United States Housing Act of 1937 on a fair share basis and administered by public housing agencies:

Provided further, That of the total amount provided under this heading, up to $7,000,000 shall be made available for the completion of the Jobs Plus Demonstration: Provided further, That amounts available under this heading may be made available for administrative fees and other expenses to cover the cost of administering rental assistance programs under section 8 of the United States Housing Act of 1937: Provided further, That the fee otherwise authorized under section 8(q) of such Act shall be determined in accordance with section 8(q), as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998: Provided further, That $1,833,000,000 is rescinded from unobligated balances remaining from funds appropriated to the Department of Housing and Urban Development under this heading or the heading ''Annual Contributions for Assisted Housing'' or any other heading for fiscal year 2000 and prior years: Provided further, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall not be available for this rescission: Provided further, That the Secretary shall have until September 30, 2001, to meet the rescission in the proviso preceding the immediately preceding proviso: Provided further, That any obligated balances of contract authority that have been terminated shall be canceled.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437), $3,000,000,000, to remain available until expended, of which up to $50,000,000 shall be for carrying out activities under section 9(h) of such Act, for lease adjustments to section 23 projects and $43,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: Provided, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937: Provided further, That of the total amount, up to $75,000,000 shall be available for the Secretary of Housing and Urban Development to make grants to public housing agencies for emergency capital needs resulting from emergencies and natural disasters in fiscal year 2001.

PUBLIC HOUSING OPERATING FUND

For payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $3,242,000,000, to remain available until expended: Provided, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

(INCLUDING TRANSFERS OF FUNDS)

For grants to public housing agencies and Indian tribes and their tribally designated housing entities for use in eliminating crime in public housing projects authorized by 42 U.S.C. 11901–11908, for grants for federally assisted low-income housing authorized by 42 U.S.C. 11909, and for drug information clearinghouse services authorized by 42 U.S.C. 11921–11925, $310,000,000, to remain available until expended: Provided, That of the total amount provided under this heading, up to $3,000,000 shall be solely for technical assistance, technical assistance grants, training, and program assessment for or on behalf of public housing agencies, resident organizations, and Indian tribes and their tribally designated housing entities (including up to $150,000 for the cost of necessary travel for participants in such training) for oversight, training and improved management of this program, $2,000,000 shall be available to the Boys and Girls Clubs of America for the operating and start-up costs of clubs located in or near, and primarily serving residents of, public housing and housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996, and $10,000,000 shall be used in connection with efforts to combat violent crime in public and assisted housing under the Operation Safe Home Program administered by the Inspector General of the Department of Housing and Urban Development: Provided further, That of the amount under this heading, $10,000,000 shall be provided to the Office of Inspector General for Operation Safe Home: Provided further, That of the amount under this heading, $20,000,000 shall be available for the New Approach Anti-Drug program which will provide competitive grants to entities managing or operating public housing developments, federally assisted multifamily housing developments, or other multifamily housing developments for low-income families supported by non-Federal governmental entities or similar housing developments supported by nonprofit private sources in order to provide or augment security (including personnel costs), to assist in the investigation and/or prosecution of drug-related criminal activity in and around such developments, and to provide assistance for the development of capital improvements at such developments directly relating to the security of such developments: Provided further, That grants for the New Approach Anti-Drug program shall be made on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, $575,000,000 to remain available until expended, of which the Secretary may use up to $10,000,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: Provided, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (Public Law 104–330), $650,000,000, to remain available until expended, of which $6,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of Indian housing and tenant-based assistance, including up to $300,000 for related travel: Provided, That of the amount provided under this heading, $6,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $54,600,000: Provided further, That for administrative expenses to carry out the guaranteed loan program, up to $150,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees: Provided further, That of the amount provided in this heading, $2,000,000 shall be transferred to the Working Capital Fund for developing and maintaining information technology systems.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739), $6,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $71,956,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $200,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901), $258,000,000, to remain available until expended: Provided, That the Secretary shall renew all expiring contracts that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: Provided further, That the Secretary may use up to 1 percent of the funds under this heading for training, oversight, and technical assistance activities.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, $25,000,000 to remain available until expended, which amount shall be awarded by June 1, 2001, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas: Provided, That all grants shall be awarded on a competitive basis as specified in section 102 of the HUD Reform Act.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

For grants in connection with a second round of empowerment zones and enterprise communities, $90,000,000, to remain available until expended: Provided, That $75,000,000 shall be available for the Secretary of Housing and Urban Development for ''Urban Empowerment Zones'', as authorized in the Taxpayer Relief Act of 1997, including $5,000,000 for each empowerment zone for use in conjunction with economic development activities consistent with the strategic plan of each empowerment zone: Provided further, That $15,000,000 shall be available to the Secretary of Agriculture for grants for designated empowerment zones in rural areas and for grants for designated rural enterprise communities.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $5,057,550,000: Provided, That of the amount provided, $4,409,000,000 is for carrying

out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301), to remain available until September 30, 2003: Provided further, That $71,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, $3,000,000 shall be available as a grant to the Housing Assistance Council, $2,600,000 shall be available as a grant to the National American Indian Housing Council, $10,000,000 shall be available as a grant to the National Housing Development Corporation, for operating expenses not to exceed $2,000,000 and for a program of affordable housing acquisition and rehabilitation, and $45,500,000 shall be for grants pursuant to section 107 of the Act of which $3,000,000 shall be made available to support Alaska Native serving institutions and native Hawaiian serving institutions, as defined under the Higher Education Act, as amended, and of which $3,000,000 shall be made available to tribal colleges and universities to build, expand, renovate, and equip their facilities: Provided further, That not to exceed 20 percent of any grant made with funds appropriated herein (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Housing and Community Development Act of 1974, as amended) shall be expended for ''Planning and Management Development'' and ''Administration'' as defined in regulations promulgated by the department: Provided further, That $15,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: Provided further, That $20,000,000 shall be for grants pursuant to the Self Help Housing Opportunity Program.

Of the amount made available under this heading, $28,450,000 shall be made available for capacity building, of which $25,000,000 shall be made available for ''Capacity Building for Community Development and Affordable Housing'', for LISC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (Public Law 103–120), as in effect immediately before June 12, 1997, of which not less than $5,000,000 of the funding shall be used in rural areas, including tribal areas, and of which $3,450,000 shall be made available for capacity building activities administered by Habitat for Humanity International.

Of the amount made available under this heading, the Secretary of Housing and Urban Development may use up to $55,000,000 for supportive services for public housing residents, as authorized by section 34 of the United States Housing Act of 1937, as amended, and for residents of housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) and for grants for service coordinators and congregate services for the elderly and disabled residents of public and assisted housing and housing assisted under NAHASDA.

Of the amount made available under this heading, $44,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: Provided, That any unobligated balances of amounts set aside for neighborhood initiatives in fiscal years 1998, 1999, and 2000 may be utilized for any of the foregoing purposes: Provided further, That these grants shall be provided in accord with the terms and conditions specified in the statement of managers accompanying this conference report.

Of the amount made available under this heading, notwithstanding any other provision of law, $60,000,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: Provided, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: Provided further, That no more than ten percent of any grant award may be used for administrative costs: Provided further, That not less than $10,000,000 shall be available for grants to establish YouthBuild programs in underserved and rural areas: Provided further, That of the amount provided under this paragraph, $4,000,000 shall be set aside and made available for a grant to Youthbuild USA for capacity building for community development and affordable housing activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amounts made available under this heading, $2,000,000 shall be available to the Utah Housing Finance Agency for the temporary use of relocatable housing during the 2002 Winter Olympic Games provided such housing is targeted to the housing needs of low-income families after the Games.

Of the amount made available under this heading, $292,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this conference report.

For the cost of guaranteed loans, $29,000,000, as authorized by section 108 of the Housing and Community Development Act of 1974: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $1,261,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974: Provided further, That in addition, for administrative expenses to carry out the guaranteed loan program, $1,000,000, which shall be transferred to and merged with the appropriation for ''Salaries and expenses''.

BROWNFIELDS REDEVELOPMENT

For Economic Development Grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $25,000,000, to remain available until expended: Provided, That the Secretary of Housing and Urban Development shall make these grants available on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,800,000,000 to remain available until expended: Provided, That up to $20,000,000 of these funds shall be available for Housing Counseling under section 106 of the Housing and Urban Development Act of 1968: Provided further, That $17,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program (as authorized under subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended); the supportive housing program (as authorized under subtitle C of title IV of such Act); the section 8 moderate rehabilitation single room occupancy program (as authorized under the United States Housing Act of 1937, as amended) to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act; and the shelter plus care program (as authorized under subtitle F of title IV of such Act), $1,025,000,000, to remain available until expended: Provided, That not less than 30 percent of these funds shall be used for permanent housing, and all funding for services must be matched by 25 percent in funding by each grantee: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: Provided further, That up to 1.5 percent of the funds appropriated under this heading is transferred to the Working Capital Fund to be used for technical assistance for management information systems and to develop an automated, client-level Annual Performance Report System: Provided further, That $500,000 shall be made available to the Interagency Council on the Homeless for administrative needs.

SHELTER PLUS CARE RENEWALS

For the renewal on an annual basis of contracts expiring during fiscal years 2001 and 2002 under the Shelter Plus Care program, as authorized under subtitle F of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended, $100,000,000, to remain available until expended: Provided, That each Shelter Plus Care project with an expiring contract shall be eligible for renewal only if the project is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

(INCLUDING TRANSFER OF FUNDS)

For assistance for the purchase, construction, acquisition, or development of additional public and subsidized housing units for low income families not otherwise provided for, $996,000,000, to remain available until expended: Provided, That $779,000,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance, and amendments to contracts for project rental assistance, for the elderly under such section 202(c)(2), and for supportive services associated with the housing, of which amount $50,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects and of which amount $50,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use: Provided further, That of the amount under this heading, $217,000,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance, for amendments to contracts for project rental assistance, and supportive services associated with the housing for persons with disabilities as authorized by section 811 of such Act: Provided further, That $1,000,000, to be divided evenly between the appropriations for the section 202 and section 811 programs, shall be transferred to the Working Capital Fund for the

development and maintenance of information technology systems: Provided further, That the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for section 811 of such Act for tenant-based assistance, as authorized under that section, including such authority as may be waived under the next proviso, which assistance is 5 years in duration: Provided further, That the Secretary may waive any provision of such section 202 and such section 811 (including the provisions governing the terms and conditions of project rental assistance and tenant-based assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate, or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2000, and any collections made during fiscal year 2001, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2001, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $160,000,000,000.

During fiscal year 2001, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $250,000,000: Provided, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $330,888,000, of which not to exceed $324,866,000 shall be transferred to the appropriation for ''Salaries and expenses''; and not to exceed $4,022,000 shall be transferred to the appropriation for ''Office of Inspector General''. In addition, for administrative contract expenses, $160,000,000, of which $96,500,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: Provided, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2001 an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $16,000,000.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications (as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended), $101,000,000, to remain available until expended: Provided, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to $21,000,000,000: Provided further, That any amounts made available in any prior appropriations Act for the cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans that are obligations of the funds established under section 238 or 519 of the National Housing Act that have not been obligated or that are deobligated shall be available to the Secretary of Housing and Urban Development in connection with the making of such guarantees and shall remain available until expended, notwithstanding the expiration of any period of availability otherwise applicable to such amounts.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000; of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $211,455,000, of which $193,134,000, shall be transferred to the appropriation for ''Salaries and expenses''; and of which $18,321,000 shall be transferred to the appropriation for ''Office of Inspector General''. In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $144,000,000, of which $33,500,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: Provided, That to the extent guaranteed loan commitments exceed $8,426,000,000 on or before April 1, 2001, an additional $19,800,000 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments over $8,426,000,000 (including a pro rata amount for any increment below $1,000,000), but in no case shall funds made available by this proviso exceed $14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2002.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $9,383,000 to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $9,383,000 shall be transferred to the appropriation for ''Salaries and expenses''.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $53,500,000, to remain available until September 30, 2002: Provided, That of the amount provided under this heading, $10,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: Provided further, That $3,000,000 shall be for program evaluation to support strategic planning, performance measurement, and their coordination with the Department's budget process: Provided further, That $500,000, to remain available until expended, shall be for a commission as established under section 525 of Preserving Affordable Housing for Senior Citizens and Families into the 21st Century Act.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $46,000,000, to remain available until September 30, 2002, of which $24,000,000 shall be to carry out activities pursuant to such section 561: Provided, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992, $100,000,000 to remain available until expended, of which $1,000,000 shall be for CLEARCorps and $10,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related environmental diseases and hazards.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed $7,000 for official reception and representation expenses, $1,072,000,000, of which $518,000,000 shall be provided from the various funds of the Federal Housing Administration, $9,383,000 shall be provided from funds of the Government National Mortgage Association, $1,000,000 shall be provided from the ''Community development fund'' account, $150,000 shall be provided by transfer from the ''Title VI Indian federal guarantees program'' account, and $200,000 shall be provided by transfer from the ''Indian housing loan guarantee fund program'' account: Provided, That the Secretary is prohibited from using any funds under this heading or any other heading in this Act from employing more than 77 schedule C and 20 noncareer Senior Executive Service employees: Provided further, That not more than $758,000,000 shall be made available to the personal services object class: Provided further, That no less than $100,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of Information Technology Systems: Provided further, That the Secretary shall fill 7 out of 10 vacancies at the GS–14 and GS–15 levels until the total number of GS–14 and GS–15 positions in the Department has been reduced from the number of GS–14 and GS–15 positions on the date of enactment of this provision by two and one-half percent: Provided further, That the Secretary shall submit a staffing plan for the Department by May 15, 2001: Provided further, That the Secretary is prohibited from using funds under this heading or any other heading in this Act to employ more than 14 employees in the Office of Public Affairs or in any position in the Department where the employee reports to an employee of the Office of Public Affairs.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $85,000,000, of which $22,343,000 shall be provided from the various funds of the Federal Housing Administration and $10,000,000 shall be provided from the amount earmarked for Operation Safe Home in the appropriation for ''Drug elimination grants for low-income housing'': Provided, That the Inspector General shall have independent authority over all personnel issues within the Office of Inspector General.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $22,000,000, to remain available until expended, to be derived from the Federal Housing Enterprise Oversight Fund: Provided, That not to exceed such amount shall be available from the General Fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: Provided further, That the General Fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the General Fund estimated at not more than $0.

ADMINISTRATIVE PROVISIONS

FINANCING ADJUSTMENT FACTORS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100–628; 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

FAIR HOUSING AND FREE SPEECH

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2001 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS GRANTS

SEC. 203. (a) ELIGIBILITY.—Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2001 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2001 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2001 do not have the number of cases of acquired immunodeficiency syndrome required under such clause.

(b) AMOUNT.—The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2001, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) ENVIRONMENTAL REVIEW.—Section 856 of the Act is amended by adding the following new subsection at the end:

''(h) ENVIRONMENTAL REVIEW.—For purposes of environmental review, a grant under this subtitle shall be treated as assistance for a special project that is subject to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994, and shall be subject to the regulations issued by the Secretary to implement such section.''.

ENHANCED DISPOSITION AUTHORITY

SEC. 204. Section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997, is amended by striking ''and 2000'' and inserting ''2000, and thereafter''.

MAXIMUM PAYMENT STANDARD FOR ENHANCED VOUCHERS

SEC. 205. Section 8(t)(1)(B) of the United States Housing Act of 1937 is amended by inserting ''and any other reasonable limit prescribed by the Secretary'' immediately before the semicolon.

DUE PROCESS FOR HOMELESS ASSISTANCE

SEC. 206. None of the funds appropriated under this or any other Act may be used by the Secretary of Housing and Urban Development to prohibit or debar or in any way diminish the responsibilities of any entity (and the individuals comprising that entity) that is responsible for convening and managing a continuum of care process (convenor) in a community for purposes of the Stewart B. McKinney Homeless Assistance Act from participating in that capacity unless the Secretary has published in the Federal Register a description of all circumstances that would be grounds for prohibiting or debarring a convenor from administering a continuum of care process and the procedures for a prohibition or debarment: Provided, That these procedures shall include a requirement that a convenor shall be provided with timely notice of a proposed prohibition or debarment, an identification of the circumstances that could result in the prohibition or debarment, an opportunity to respond to or remedy these circumstances, and the right for judicial review of any decision of the Secretary that results in a prohibition or debarment.

HUD REFORM ACT COMPLIANCE

SEC. 207. Except as explicitly provided in legislation, any grant or assistance made pursuant to Title II of this Act shall be made in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 on a competitive basis.

EXPANSION OF ENVIRONMENTAL ASSUMPTION AUTHORITY FOR HOMELESS ASSISTANCE PROGRAMS

SEC. 208. Section 443 of the Stewart B. McKinney Homeless Assistance Act is amended to read as follows:

''SEC. 443. ENVIRONMENTAL REVIEW.

''For purposes of environmental review, assistance and projects under this title shall be treated as assistance for special projects that are subject to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994, and shall be subject to the regulations issued by the Secretary to implement such section.''.

TECHNICAL AMENDMENTS AND CORRECTIONS TO THE NATIONAL HOUSING ACT

SEC. 209. (a) SECTION 203 SUBSECTION DESIGNATIONS.—Section 203 of the National Housing Act is amended by—

(1) redesignating subsection (t) as subsection (u);

(2) redesignating subsection (s), as added by section 329 of the Cranston-Gonzalez National Affordable Housing Act, as subsection (t); and

(3) redesignating subsection (v), as added by section 504 of the Housing and Community Development Act of 1992, as subsection (w).

(b) MORTGAGE AUCTIONS.—The first sentence of section 221(g)(4)(C)(viii) of the National Housing Act is amended by inserting after ''December 31, 2002'' the following: '', except that this subparagraph shall continue to apply if the Secretary receives a mortgagee's written notice of intent to assign its mortgage to the Secretary on or before such date''.

(c) MORTGAGEE REVIEW BOARD.—Section 202(c)(2) of the National Housing Act is amended—

(1) in subparagraph (E), by striking ''and'';

(2) in subparagraph (F), by striking ''or their designees.'' and inserting ''and'';

(3) by adding the following new subparagraph at the end:

''(G) the Director of the Enforcement Center; or their designees.''.

INDIAN HOUSING BLOCK GRANT PROGRAM

SEC. 210. Section 201(b) of the Native American Housing Assistance and Self-Determination Act of 1996 is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6) respectively; and

(2) by inserting after paragraph (3) the following new paragraph:

''(4) LAW ENFORCEMENT OFFICERS.—Notwithstanding paragraph (1), a recipient may provide housing or housing assistance provided through affordable housing activities assisted with grant amounts under this Act to a law enforcement officer on the reservation or other Indian area, who is employed full-time by a Federal, state, county or tribal government, and in implementing such full-time employment is sworn to uphold, and make arrests for violations of Federal, state, county or tribal law, if the recipient determines that the presence of the law enforcement officer on the Indian reservation or other Indian area may deter crime.''.

PROHIBITION ON THE USE OF FEDERAL ASSISTANCE IN SUPPORT OF THE SALE OF TOBACCO PRODUCTS

SEC. 211. None of the funds appropriated in this or any other Act may be used by the Secretary of Housing and Urban Development to provide any grant or other assistance to construct, operate, or otherwise benefit a facility, or facility with a designated portion of that facility, which sells, or intends to sell, predominantly cigarettes or other tobacco products. For the purposes of this provision, predominant sale of cigarettes or other tobacco products means cigarette or tobacco sales representing more than 35 percent of the annual total in-store, non-fuel, sales.

PROHIBITION ON IMPLEMENTATION OF PUERTO RICO PUBLIC HOUSING ADMINISTRATION SETTLEMENT AGREEMENT

SEC. 212. No funds may be used to implement the agreement between the Commonwealth of Puerto Rico, the Puerto Rico Public Housing Administration, and the Department of Housing and Urban Development, dated June 7, 2000, related to the allocation of operating subsidies for the Puerto Rico Public Housing Administration unless the Puerto Rico Public Housing Administration and the Department of Housing and Urban Development submit by December 31, 2000 a schedule of benchmarks and measurable goals to the House and Senate Committees on Appropriations designed to address issues of mismanagement and safeguards against fraud and abuse.

HOPE VI GRANT FOR HOLLANDER RIDGE

SEC. 213. The Housing Authority of Baltimore City may use the grant award of $20,000,000 made to such authority for development efforts at Hollander Ridge in Baltimore, Maryland with funds appropriated for fiscal year 1996 under the heading ''Public Housing Demolition, Site Revitalization, and Replacement Housing Grants'' for use, as approved by the Secretary of Housing and Urban Development—

(1) for activities related to the revitalization of the Hollander Ridge site; and

(2) in accordance with section 24 of the United States Housing Act of 1937.

COMPUTER ACCESS FOR PUBLIC HOUSING RESIDENTS

SEC. 214. (a) USE OF PUBLIC HOUSING CAPITAL AND OPERATING FUNDS.—Section 9 of the United States Housing Act of 1937 is amended—

(1) in subsection (d)(1)(E), by inserting before the semicolon the following: '', including the establishment and initial operation of computer centers in and around public housing through a Neighborhood Networks initiative, for the purpose of enhancing the self-sufficiency, employability, and economic self-reliance of public housing residents by providing them with onsite computer access and training resources'';

(2) in subsection (e)(1)—

(A) in subparagraph (I), by striking the word ''and'' at the end;

(B) in subparagraph (J), by striking the period and inserting ''; and''; and

(C) by adding after subparagraph (J) the following:

''(K) the costs of operating computer centers in public housing through a Neighborhood Networks initiative described in subsection (d)(1)(E), and of activities related to that initiative.''; and

(3) in subsection (h)—

(A) in paragraph (6), by striking the word ''and'' at the end;

(B) in paragraph (7), by striking the period and inserting ''; and''; and

(C) by inserting after paragraph (7) the following:

''(8) assistance in connection with the establishment and operation of computer centers in public housing through a Neighborhood Networks initiative described in subsection (d)(1)(E).''.

(b) DEMOLITION, SITE REVITALIZATION, REPLACEMENT HOUSING, AND TENANT-BASED ASSISTANCE GRANTS FOR PROJECTS.—Section 24 of the United States Housing Act of 1937 is amended—

(1) in subsection (d)(1)(G), by inserting before the semicolon the following: '', including a Neighborhood Networks initiative for the establishment and operation of computer centers in public housing for the purpose of enhancing the self-sufficiency, employability, an economic self-reliance of public housing residents by providing them with onsite computer access and training resources''; and

(2) in subsection (m)(2), in the first sentence, by inserting before the period the following '', including assistance in connection with the establishment and operation of computer centers in public housing through the Neighborhoods Networks initiative described in subsection (d)(1)(G)''.

MARK-TO-MARKET REFORM

SEC. 215. Notwithstanding any other provision of law, the properties known as the Hawthornes in Independence, Missouri shall be considered eligible multifamily housing projects for purposes of participating in the multifamily housing restructuring program pursuant to title V of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998 (Public Law 105–65).

SECTION 236 EXCESS INCOME

SEC. 216. Section 236(g)(3)(A) of the National Housing Act is amended by striking out ''fiscal year 2000'' and inserting in lieu thereof ''fiscal years 2000 and 2001''.

CDBG ELIGIBILITY

SEC. 217. Section 102(a)(6)(D) of the Housing and Community Development Act of 1974 is amended by—

(1) in clause (v), striking out the ''or'' at the end;

(2) in clause (vi), striking the period at the end; and

(3) adding at the end the following new clause:

''(vii)(I) has consolidated its government with one or more municipal governments, such that within the county boundaries there are no unincorporated areas, (II) has a population of not less than 650,000, (III) for more than 10 years, has been classified as a metropolitan city for purposes of allocating and distributing funds under section 106, and (IV) as of the date of enactment of this clause, has over 90 percent of the county's population within the jurisdiction of the consolidated government; or

''(viii) notwithstanding any other provision of this section, any county that was classified as an urban county pursuant to subparagraph (A) for fiscal year 1999, at the option of the county, may hereafter remain classified as an urban county for purposes of this Act.''.

EXEMPTION FOR ALASKA AND MISSISSIPPI FROM REQUIREMENT OF RESIDENT ON BOARD OF PHA

SEC. 218. Public housing agencies in the States of Alaska and Mississippi shall not be required to comply with section 2(b) of the United States Housing Act of 1937, as amended, during fiscal year 2001.

USE OF MODERATE REHABILITATION FUNDS FOR HOME

SEC. 219. Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall make the funds available under contracts NY36K113004 and NY36K113005 of the Department of Housing and Urban Development available for use under the HOME Investment Partnerships Act and shall allocate such funds to the City of New Rochelle, New York.

LOMA LINDA REPROGRAMMING

SEC. 220. Of the amounts made available under the sixth undesignated paragraph under the heading ''Community Planning and Development—Community Development Block Grants'' in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Public Law 105–276) for the Economic Development Initiative (EDI) for grants for targeted economic investments, the $1,000,000 to be made available (pursuant to the related provisions of the joint explanatory statement in the conference report to accompany such Act (House Report 105–769)) to the City of Loma Linda, California, for infrastructure improvements at Redlands Boulevard and California Streets shall, notwithstanding such provisions, be made available to the City for infrastructure improvements related to the Mountain View Bridge.

NATIVE AMERICAN ELIGIBILITY FOR THE ROSS PROGRAM

SEC. 221. (a) Section 34 of the United States Housing Act of 1937 is amended—

(1) in the heading, by striking ''PUBLIC HOUSING'' and inserting ''PUBLIC AND INDIAN HOUSING'';

(2) in subsection (a)—

(A) by inserting after ''residents,'' the following: ''recipients under the Native American Housing Assistance and Self-Determination Act of 1996 (notwithstanding section 502 of such Act) on behalf of residents of housing assisted under such Act,'' and

(B) by inserting after ''public housing residents'' the second place it appears the following: ''and residents of housing assisted under such Act'',

(3) in subsection (b)—

(A) by inserting after ''project'' the first place it appears the following: ''or the property of a recipient under such Act or housing assisted under such Act'';

(B) by inserting after ''public housing residents'' the following: ''or residents of housing assisted under such Act''; and

(C) in subsection (b)(1), by inserting after ''public housing project'' the following: ''or residents of housing assisted under such Act''; and

(4) in subsection (d)(2), by striking ''State or local'' and inserting ''State, local, or tribal''.

(b) ASSESSMENT AND REPORT.—Section 538(b)(1) of the Quality Housing and Work Responsibility Act of 1998 is amended by inserting after ''public housing'' the following: ''and housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996''.

TREATMENT OF EXPIRING ECONOMIC DEVELOPMENT INITIATIVE GRANTS

SEC. 222. (a) AVAILABILITY.—Section 220(a) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74; 113 Stat. 1075) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2001''.

(b) APPLICABILITY.—The Secretary of the Treasury and the Secretary of Housing and Urban Development shall take such actions as may be necessary to carry out such section 220 (as amended by this subsection (a) of this section) notwithstanding any actions taken previously pursuant to section 1552 of title 31, United States Code.

HOME PROGRAM DISASTER FUNDING FOR ELDERLY HOUSING

SEC. 223. Of the amounts made available under Chapter IX of the Supplemental Appropriations Act of 1993 for assistance under the HOME investment partnerships program to the city of Homestead, Florida (Public Law 103–50; 107 Stat. 262), up to $583,926.70 shall be made available to Dade County, Florida, for use only for rehabilitating housing for low-income elderly persons, and such amount shall not be subject to the requirements of such program, except for section 288 of the HOME Investment Partnerships Act (42 U.S.C. 12838).

CDBG PUBLIC SERVICES CAP

SEC. 224. Section 105(a)(8) of the Housing and Community Development Act of 1974 is amended by striking ''1993'' and all that follows through ''City of Los Angeles'' and inserting ''1993 through 2001 to the City of Los Angeles''.

EXTENSION OF APPLICABILITY OF DOWNPAYMENT SIMPLIFICATION PROVISIONS

SEC. 225. Subparagraph (A) of section 203(b)(10) of the National Housing Act (12 U.S.C. 1709(b)(10)(A)) is amended, in the matter that precedes clause (i), by striking ''mortgage'' and all that follows through ''involving'' and inserting ''mortgage closed on or before December 31, 2002, involving''.

USE OF SUPPORTIVE HOUSING PROGRAM FUNDS FOR INFORMATION SYSTEMS

SEC. 226. Section 423 of the Stewart B. McKinney Homeless Assistance Act is amended under subsection (a) by adding the following paragraph:

''(7) MANAGEMENT INFORMATION SYSTEM.—A grant for the costs of implementing and operating management information systems for purposes of collecting unduplicated counts of homeless people and analyzing patterns of use of assistance funded under this Act.''.

INDIAN HOUSING LOAN GUARANTEE REFORM

SEC. 227. Section 184 of the Housing and Community Development Act of 1992 is amended—

(1) in subsection (a), by striking ''or as a result of a lack of access to private financial markets''; and

(2) in subsection (b)(2), by inserting ''refinance,'' after ''acquire,''.

USE OF SECTION 8 VOUCHERS FOR OPT-OUTS

SEC. 228. Section 8(t)(2) of the United States Housing Act of 1937 is amended by inserting after ''contract for rental assistance under section 8 of the United States Housing Act of 1937 for such housing project'' the following: ''(including any such termination or expiration during fiscal years after fiscal year 1996 prior to the effective date of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001)''.

HOMELESS DISCHARGE COORDINATION POLICY

SEC. 229. (a) DISCHARGE COORDINATION POLICY.—Subtitle A of title IV of the Stewart B. McKinney Homeless Assistance Act is amended by adding at the end the following new section:

"SEC. 402. DISCHARGE COORDINATION POLICY.

''The Secretary may not provide a grant under this title for any governmental entity serving as an applicant unless the applicant agrees to develop and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.''.

(b) ASSISTANCE UNDER EMERGENCY SHELTER GRANTS PROGRAM.—Section 414(a)(4) of the Stewart B. McKinney Homeless Assistance Act is amended—

(1) in the matter preceding subparagraph (A), by inserting a comma after ''homelessness'';

(2) by striking ''Not'' and inserting the following: ''Activities that are eligible for assistance under this paragraph shall include assistance to very low-income families who are discharged from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions). Not''.

TECHNICAL CHANGE TO SENIORS HOUSING COMMISSION

SEC. 230. Section 525 of the Preserving Affordable Housing for Senior Citizens and Families into the 21st Century Act'' (42 U.S.C. 12701 note) is amended in subsection (a) by striking ''Commission on Affordable Housing and Health Care Facility Needs in the 21st Century'' and inserting ''Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century''.

INTERAGENCY COUNCIL ON THE HOMELESS REFORMS

SEC. 231. Title II of the Stewart B. McKinney Homeless Assistance Act is amended—

(1) in section 202, under subsection (b) by inserting after the period the following:

''The positions of Chairperson and Vice Chairperson shall rotate among its members on an annual basis.''; and

(2) in section 209 by striking ''1994'' and inserting ''2005''.

SECTION 8 PHA PROJECT-BASED ASSISTANCE

SEC. 232. (a) IN GENERAL.—Paragraph (13) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) is amended to read as follows:

''(13) PHA PROJECT-BASED ASSISTANCE.—

''(A) IN GENERAL.—A public housing agency may use amounts provided under an annual contributions contract under this subsection to enter into a housing assistance payment contract with respect to an existing, newly constructed, or rehabilitated structure, that is attached to the structure, subject to the limitations and requirements of this paragraph.

''(B) PERCENTAGE LIMITATION.—Not more than 20 percent of the funding available for tenant-based assistance under this section that is administered by the agency may be attached to structures pursuant to this paragraph.

''(C) CONSISTENCY WITH PHA PLAN AND OTHER GOALS.—A public housing agency may approve a housing assistance payment contract pursuant to this paragraph only if the contract is consistent with—

''(i) the public housing agency plan for the agency approved under section 5A; and

''(ii) the goal of deconcentrating poverty and expanding housing and economic opportunities.

''(D) INCOME MIXING REQUIREMENT.—

''(i) IN GENERAL.—Not more than 25 percent of the dwelling units in any building may be assisted under a housing assistance payment contract for project-based assistance pursuant to this paragraph.

''(ii) EXCEPTIONS.—The limitation under clause (i) shall not apply in the case of assistance under a contract for housing consisting of single family properties or for dwelling units that are specifically made available for households comprised of elderly families, disabled families, and families receiving supportive services.

''(E) RESIDENT CHOICE REQUIREMENT.—A housing assistance payment contract pursuant to this paragraph shall provide as follows:

''(i) MOBILITY.—Each low-income family occupying a dwelling unit assisted under the contract may move from the housing at any time after the family has occupied the dwelling unit for 12 months.

''(ii) CONTINUED ASSISTANCE.—Upon such a move, the public housing agency shall provide the low-income family with tenant-based rental assistance under this section or such other tenant-based rental assistance that is subject to comparable income, assistance, rent contribution, affordability, and other requirements, as the Secretary shall provide by regulation. If such rental assistance is not immediately available to fulfill the requirement under the preceding sentence with respect to a low-income family, such requirement may be met by providing the family priority to receive the next voucher or other tenant-based rental assistance amounts that become available under the program used to fulfill such requirement.

''(F) CONTRACT TERM.—A housing assistance payment contract pursuant to this paragraph between a public housing agency and the owner of a structure may have a term of up to 10 years, subject to the availability of sufficient appropriated funds for the purpose of renewing expiring contracts for assistance payments, as provided in appropriations Acts and in the agency's annual contributions contract with the Secretary, and to annual compliance with the inspection requirements under paragraph (8), except that the agency shall not be required to make annual inspections of each assisted unit in the development. The contract may specify additional conditions for its continuation. If the units covered by the contract are owned by the agency, the term of the contract shall be agreed upon by the agency and the unit of general local government or other entity approved by the Secretary in the manner provided under paragraph (11).

''(G) EXTENSION OF CONTRACT TERM.—A public housing agency may enter into a contract with the owner of a structure assisted under a housing assistance payment contract pursuant to this paragraph to extend the term of the underlying housing assistance payment contract for such period as the agency determines to be appropriate to achieve long-term affordability of the housing or to expand housing opportunities. Such a contract shall provide that the extension of such term shall be contingent upon the future availability of appropriated funds for the purpose of renewing expiring contracts for assistance payments, as provided in appropriations Acts, and may obligate the owner to have such extensions of the underlying housing assistance payment contract accepted by the owner and the successors in interest of the owner.

''(H) RENT CALCULATION.—A housing assistance payment contract pursuant to this paragraph shall establish rents for each unit assisted in an amount that does not exceed 110 percent of the applicable fair market rental (or any exception payment standard approved by the Secretary pursuant to paragraph (1)(D)), except that if a contract covers a dwelling unit that has been allocated low-income housing tax credits pursuant to section 42 of the Internal Revenue Code of 1986 (26 U.S.C. 42) and is not located in a qualified census tract (as such term is defined in subsection (d) of such section 42), the rent for such unit may be established at any level that does not exceed the rent charged for comparable units in the building that also receive the low-income housing tax credit but do not have additional rental assistance. The rents established by housing assistance payment contracts pursuant to this paragraph may vary from the payment standards established by the public housing agency pursuant to paragraph (1)(B), but shall be subject to paragraph (10)(A).

''(I) RENT ADJUSTMENTS.—A housing assistance payments contract pursuant to this paragraph shall provide for rent adjustments, except that—

''(i) the adjusted rent for any unit assisted shall be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted, local market and may not exceed the maximum rent permitted under subparagraph (H); and

''(ii) the provisions of subsection (c)(2)(C) shall not apply.

''(J) TENANT SELECTION.—A public housing agency shall select families to receive project-based assistance pursuant to this paragraph from its waiting list for assistance under this subsection. Eligibility for such project-based assistance shall be subject to the provisions of section 16(b) that apply to tenant-based assistance. The agency may establish preferences or criteria for selection for a unit assisted under this paragraph that are consistent with the public housing agency plan for the agency approved under section 5A. Any family that rejects an offer of project-based assistance under this paragraph or that is rejected for admission to a structure by the owner or manager of a structure assisted under this paragraph shall retain its place on the waiting list as if the offer had not been made. The owner or manager of a structure assisted under this paragraph shall not admit any family to a dwelling unit assisted under a contract pursuant to this paragraph other than a family referred by the public housing agency from its waiting list. Subject to its waiting list policies and selection preferences, a public housing agency may place on its waiting list a family referred by the owner or manager of a structure and may maintain a separate waiting list for assistance under this paragraph, but only if all families on the agency's waiting list for assistance under this subsection are permitted to place their names on the separate list.

''(K) VACATED UNITS.—Notwithstanding paragraph (9), a housing assistance payment contract pursuant to this paragraph may provide as follows:

''(i) PAYMENT FOR VACANT UNITS.—That the public housing agency may, in its discretion, continue to provide assistance under the contract, for a reasonable period not exceeding 60 days, for a dwelling unit that becomes vacant, but only (I) if the vacancy was not the fault of the owner of the dwelling unit, and (II) the agency and the owner take every reasonable action to minimize the likelihood and extent of any such vacancy. Rental assistance may not be provided for a vacant unit after the expiration of such period.

''(ii) REDUCTION OF CONTRACT.—That, if despite reasonable efforts of the agency and the owner to fill a vacant unit, no eligible family has agreed to rent the unit within 120 days after the owner has notified the agency of the vacancy, the agency may reduce its housing assistance payments contract with the owner by the amount equivalent to the remaining months of subsidy attributable to the vacant unit. Amounts deobligated pursuant to such a contract provision shall be available to the agency to provide assistance under this subsection.

Eligible applicants for assistance under this subsection may enforce provisions authorized by this subparagraph.''.

(b) APPLICABILITY.—In the case of any dwelling unit that, upon the date of the enactment of this Act, is assisted under a housing assistance payment contract under section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) as in effect before such enactment, such assistance may be extended or renewed notwithstanding the requirements under subparagraphs (C), (D), and (E) of such section 8(o)(13), as amended by subsection (a).

DISPOSITION OF HUD-HELD AND HUD-OWNED MULTIFAMILY PROJECTS FOR THE ELDERLY OR DISABLED

SEC. 233. Notwithstanding any other provision of law, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

FAMILY UNIFICATION PROGRAM

SEC. 234. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C 1437f(x)(2)) is amended—

(1) by striking ''any family (A) who is otherwise eligible for such assistance, and (B)'' and inserting ''(A) any family (i) who is otherwise eligible for such assistance, and (ii)''; and

(2) by inserting before the period at the end the following: ''and (B) for a period not to exceed 18 months, otherwise eligible youths who have attained at least 18 years of age and not more than 21 years of age and who have left foster care at age 16 or older''.

PERMANENT EXTENSION OF FHA MULTIFAMILY MORTGAGE CREDIT DEMONSTRATIONS

SEC. 235. Section 542 of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''demonstrate the effectiveness of providing'' and inserting ''provide''; and

(B) in the second sentence, by striking ''demonstration'' and inserting ''the'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''determine the effectiveness of'' and inserting ''provide''; and

(B) by striking paragraph (5), and inserting the following new paragraph:

''(5) INSURANCE AUTHORITY.—Using any authority provided in appropriation Acts to insure mortgages under the National Housing Act, the Secretary may enter into commitments under this subsection for risk-sharing units.'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''test the effectiveness of'' and inserting ''provide''; and

(B) by striking paragraph (4) and inserting the following new paragraph:

''(4) INSURANCE AUTHORITY.—Using any authority provided in appropriation Acts to insure mortgages under the National Housing Act, the Secretary may enter into commitments under this subsection for risk-sharing units.'';

(4) by striking subsection (d);

(5) by striking ''pilot'' and ''PILOT'' each place such terms appear; and

(6) in the section heading, by striking ''**demonstrations**'' and inserting ''**programs**''.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $28,000,000, to remain available until expended.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, and for services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $7,500,000, $5,000,000 of which to remain available until September 30, 2001 and $2,500,000 of which to remain available until September 30, 2002: Provided, That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Executive Service positions: Provided further, That there shall be an Inspector General at the Board who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978, as amended: Provided further, That an individual appointed to the position of Inspector General of the Federal Emergency Management Agency (FEMA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That the Inspector General of the Board shall utilize personnel of the Office of Inspector General of FEMA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $118,000,000, to remain available until September 30, 2002, of which $5,000,000 shall be for technical assistance and training programs designed to benefit Native American Communities, and up to $8,750,000 may be used for administrative expenses, up to $19,750,000 may be used for the cost of direct loans, and up to $1,000,000 may be used for administrative expenses to carry out the direct loan program: Provided, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $53,000,000.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $52,500,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS

OPERATING EXPENSES

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (referred to in the matter under this heading as the ''Corporation'') in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (referred to in the matter under this heading as the ''Act'') (42 U.S.C. 12501 et seq.), $458,500,000, to remain available until September 30, 2002: Provided, That not more than $31,000,000 shall be available for administrative expenses authorized under section 501(a)(4) of the Act (42 U.S.C. 12671(a)(4)) with not less than $2,000,000 targeted for the acquisition of a cost accounting system for the Corporation's financial management system, an integrated grants management system that provides comprehensive financial management information for all Corporation grants and cooperative agreements, and the establishment, operation and maintenance of a central archives serving as the repository for all grant, cooperative agreement, and related documents, without regard to the provisions of section 501(a)(4)(B) of the Act: Provided further, That not more than $2,500 shall be for official reception and representation expenses: Provided further, That not more than $70,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.), of which not to exceed $5,000,000 shall be available for national service scholarships for high school students performing community service: Provided further, That not more than $231,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities including the AmeriCorps program), of which not more than $45,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)); and not more than $25,000,000 may be made available to activities dedicated to developing computer and information technology skills for students and teachers in low-income communities: Provided further, That not more than $10,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.): Provided further, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): Provided further, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: Provided further, That not more than $21,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): Provided further, That not more than $43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): Provided further, That not more than $28,500,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.): Provided further, That not more than $5,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): Provided further, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, shall expand significantly the number of educational awards provided under subtitle D of title I, and shall reduce the total Federal costs per participant in all programs: Provided further, That of amounts available in the National Service Trust account from previous appropriations Acts, $30,000,000 shall be rescinded: Provided further, That not more than $7,500,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc. only to support efforts to mobilize individuals,

groups, and organizations to build and strengthen the character and competence of the Nation's youth: Provided further, That not more than $5,000,000 of the funds made available under this heading shall be made available to the Communities In Schools, Inc. to support dropout prevention activities: Provided further, That not more than $2,500,000 of the funds made available under this heading shall be made available to the Parents as Teachers National Center, Inc. to support childhood parent education and family support activities: Provided further, That not more than $2,500,000 of the funds made available under this heading shall be made available to the Boys and Girls Clubs of America to establish an innovative outreach program designed to meet the special needs of youth in public and Native American housing communities: Provided further, That not more than $1,500,000 of the funds made available under this heading shall be made available to the Youth Life Foundation to meet the needs of children living in insecure environments.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $5,000,000, which shall be available for obligation through September 30, 2002.

ADMINISTRATIVE PROVISION

The Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74) is amended under the heading ''Corporation for National and Community Service, National and Community Service Programs Operating Expenses'' in title III by reducing to $229,000,000 the amount available for grants under the National Service Trust program authorized under subtitle C of title I of the National and Community Service Act of 1990 (the ''Act'') (with a corresponding reduction to $40,000,000 in the amount that may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of the Act), and by increasing to $33,500,000 the amount available for quality and innovation activities authorized under subtitle H of title I of the Act, with the increase in subtitle H funds made available to provide a grant covering a period of three years to support the ''P.A.V.E. the Way'' project described in House Report 106–379.

COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by 38 U.S.C. 7251–7298, $12,445,000, of which $895,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $17,949,000, to remain available until expended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, $63,000,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

SALARIES AND EXPENSES

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $75,000,000, to be derived from the Hazardous Substance Superfund Trust Fund pursuant to section 517(a) of SARA (26 U.S.C. 9507): Provided, That not withstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2001, and existing profiles may be updated as necessary.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $696,000,000, which shall remain available until September 30, 2002.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; and not to exceed $6,000 for official reception and representation expenses, $2,087,990,000, which shall remain available until September 30, 2002: Provided, That none of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol: Provided further, That none of the funds made available in this Act may be used to implement or administer the interim guidance issued on February 5, 1998, by the Environmental Protection Agency relating to title VI of the Civil Rights Act of 1964 and designated as the ''Interim Guidance for Investigating Title VI Administrative Complaints Challenging Permits'' with respect to complaints filed under such title after October 21, 1998, and until guidance is finalized. Nothing in this proviso may be construed to restrict the Environmental Protection Agency from developing or issuing final guidance relating to title VI of the Civil Rights Act of 1964: Provided further, That notwithstanding section 1412(b)(12)(A)(v) of the Safe Drinking Water Act, as amended, the Administrator shall promulgate a national primary drinking water regulation for arsenic not later than June 22, 2001.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $34,094,000, to remain available until September 30, 2002.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $23,931,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; $1,270,000,000 (of which $100,000,000 shall not become available until September 1, 2001), to remain available until expended, consisting of $635,000,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and $635,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $11,500,000 shall be transferred to the ''Office of Inspector General'' appropriation to remain available until September 30, 2002, and $36,500,000 shall be transferred to the ''Science and technology'' appropriation to remain available until September 30, 2002.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $72,096,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $15,000,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants

for State revolving funds and performance partnership grants, $3,628,740,000, to remain available until expended, of which $1,350,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended; $825,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; $75,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $35,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; $335,740,000 shall be for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the conference report and joint explanatory statement of the committee of conference accompanying this Act, except that, notwithstanding any other provision of law, of the funds herein and hereafter appropriated under this heading for such special needs infrastructure grants, the Administrator may use up to 3 percent of the amount of each project appropriated to administer the management and oversight of construction of such projects through contracts, allocation to the Corps of Engineers, or grants to States; and $1,008,000,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multimedia or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities: Provided, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, as amended, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2001 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2001, and notwithstanding section 518(f) of the Federal Water Pollution Control Act, as amended, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to section 319(h) and 518(e) of that Act: Provided further, That for fiscal year 2001, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, as amended, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under Title VI of that Act may be reserved by the Administrator for grants under section 518(c) of such Act: Provided further, That no funds provided by this legislation to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available after June 1, 2001 to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: Provided further, That notwithstanding any other provision of law, all claims for principal and interest registered through any current grant dispute or any other such dispute hereafter filed by the Environmental Protection Agency relative to construction grants numbers C–180840–01, C–180840–04, C–470319–03, and C–470319–04, are hereby resolved in favor of the grantee: Provided further, That EPA, in considering the local match for the $5,000,000 appropriated in fiscal year 1999 for the City of Cumberland, Maryland, to separate and relocate the city's combined sewer and stormwater system, shall take into account non-federal money spent by the City of Cumberland for combined sewer, stormwater and wastewater treatment infrastructure on or after October 1, 1999, and that the fiscal year 1999 and any subsequent funds may be used for any required non-federal share of the costs of projects funded by the federal government under Section 580 of Public Law 106–53.

ADMINISTRATIVE PROVISIONS

For fiscal year 2001 and thereafter, the obligated balances of sums available in multiple-year appropriations accounts shall remain available through the seventh fiscal year after their period of availability has expired for liquidating obligations made during the period of availability.

For fiscal year 2001, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

Section 176(c) of the Clean Air Act, as amended, is amended by adding at the end the following new paragraph:

''(6) Notwithstanding paragraph 5, this subsection shall not apply with respect to an area designated nonattainment under section 107(d)(1) until one year after that area is first designated nonattainment for a specific national ambient air quality standard. This paragraph only applies with respect to the national ambient air quality standard for which an area is newly designated nonattainment and does not affect the area's requirements with respect to all other national ambient air quality standards for which the area is designated nonattainment or has been redesignated from nonattainment to attainment with a maintenance plan pursuant to section 175(A) (including any pre-existing national ambient air quality standard for a pollutant for which a new or revised standard has been issued).''.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,201,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, $2,900,000: Provided, That, notwithstanding any other provision of law, no funds other than those appropriated under this heading shall be used for or by the Council on Environmental Quality and Office of Environmental Quality: Provided further, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

(TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $33,660,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $300,000,000, and, notwithstanding 42 U.S.C. 5203, to remain available until expended, of which not to exceed $2,900,000 may be transferred to ''Emergency management planning and assistance'' for the consolidated emergency management performance grant program; and up to $15,000,000 may be obligated for flood map modernization activities following disaster declarations: Provided, That of the funds made available under this heading in this and prior Appropriations Acts and under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to the State of Florida, $3,000,000 shall be for a hurricane mitigation initiative in Miami-Dade County.

For an additional amount for ''Disaster relief'', $1,300,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, $1,678,000, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000.

In addition, for administrative expenses to carry out the direct loan program, $427,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles as authorized by 31 U.S.C. 1343; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5

U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed $2,500 for official reception and representation expenses, $215,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $10,000,000: Provided, That notwithstanding any other provision of law, the Inspector General of the Federal Emergency Management Agency shall also serve as the Inspector General of the Chemical Safety and Hazard Investigation Board.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, $269,652,000: Provided, That for purposes of predisaster mitigation pursuant to 42 U.S.C. 5131(b) and (c) and 42 U.S.C. 5196(e) and (i), $25,000,000 of the funds made available under this heading shall be available until expended for project grants.

RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

The aggregate charges assessed during fiscal year 2001, as authorized by Public Law 106–74, shall not be less than 100 percent of the amounts anticipated by FEMA necessary for its radiological emergency preparedness program for the next fiscal year. The methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the Fund as offsetting collections and will become available for authorized purposes on October 1, 2001, and remain available until expended.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended, $140,000,000, to remain available until expended: Provided, That total administrative costs shall not exceed 3½ percent of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, as amended, not to exceed $25,736,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $77,307,000 for flood mitigation, including up to $20,000,000 for expenses under section 1366 of the National Flood Insurance Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2002. In fiscal year 2001, no funds in excess of: (1) $55,000,000 for operating expenses; (2) $455,627,000 for agents' commissions and taxes; and (3) $40,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

In addition, up to $17,730,000 in fees collected but unexpended during fiscal years 1994 through 1998 shall be transferred to the Flood Map Modernization Fund and available for expenditure in fiscal year 2001.

Section 1309(a)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)), as amended by Public Law 104–208, is further amended by striking ''September 30, 2000'' and inserting ''December 31, 2001''.

The first sentence of section 1376(c) of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4127(c)), is amended by striking ''September 30, 2000'' and inserting ''December 31, 2001''.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding sections 1366(b)(3)(B)–(C) and 1366(f) of the National Flood Insurance Act of 1968, as amended, $20,000,000 to remain available until September 30, 2002, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which $20,000,000 shall be derived from the National Flood Insurance Fund.

GENERAL SERVICES ADMINISTRATION

FEDERAL CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Federal Consumer Information Center, including services authorized by 5 U.S.C. 3109, $7,122,000, to be deposited into the Federal Consumer Information Center Fund: Provided, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Consumer Information Center activities in the aggregate amount of $12,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2001 in excess of $12,000,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research, development, operations, and services; maintenance; construction of facilities including revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $5,462,900,000, to remain available until September 30, 2002.

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and technology research and development activities, including research, development, operations, and services; maintenance; construction of facilities including revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $6,190,700,000, to remain available until September 30, 2002.

MISSION SUPPORT

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; maintenance; construction of facilities including revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; not to exceed $40,000 for official reception and representation expenses; and purchase (not to exceed 33 for replacement only) and hire of passenger motor vehicles, $2,608,700,000 to remain available until September 30, 2002.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $23,000,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', ''Science, aeronautics and technology'', or ''Mission support'' by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in ''Mission support'' pursuant to the authorization for minor revitalization and construction of facilities, and facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', ''Science, aeronautics and technology'', or ''Mission support'' by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2003.

Notwithstanding the limitation on the availability of funds appropriated for ''Mission support'' and ''Office of Inspector General'', amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 2001 and may be used to enter into contracts for training, investigations, costs associated with personnel relocation, and for other services, to be provided during the next fiscal year. Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Unless otherwise provided for in this Act or in the joint explanatory statement of the committee of conference accompanying this Act, no part of the funds appropriated for ''Human space flight'' may be used for the development of the International Space Station in excess of the amounts set forth in the budget estimates submitted as part of the budget request for fiscal year 2001.

No funds in this or any other Appropriations Act may be used to finalize an agreement prior to December 1, 2001 between NASA and a nongovernment organization to conduct research utilization and commercialization management activities of the International Space Station.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

(INCLUDING TRANSFER OF FUNDS)

During fiscal year 2001, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed $1,500,000,000: Provided, That administrative expenses of the Central Liquidity Facility shall not exceed $296,303: Provided further, That $1,000,000 shall be transferred to the Community Development Revolving Loan Fund, of which $650,000, together with amounts of principal and interest on loans repaid, shall be available until expended for loans to community

development credit unions, and $350,000 shall be available until expended for technical assistance to low-income and community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; authorized travel; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; $3,350,000,000, of which not to exceed $275,592,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 2002: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: Provided further, That $65,000,000 of the funds available under this heading shall be made available for a comprehensive research initiative on plant genomes for economically significant crops: Provided further, That no funds in this or any other Act shall be used to acquire or lease a research vessel with ice-breaking capability built or retrofitted by a shipyard located in a foreign country if such a vessel of United States origin can be obtained at a cost no more than 50 per centum above that of the least expensive technically acceptable foreign vessel bid: Provided further, That, in determining the cost of such a vessel, such cost be increased by the amount of any subsidies or financing provided by a foreign government (or instrumentality thereof) to such vessel's construction: Provided further, That if the vessel contracted for pursuant to the foregoing is not available for the 2002–2003 austral summer Antarctic season, a vessel of any origin may be leased for a period of not to exceed 120 days for that season and each season thereafter until delivery of the new vessel.

MAJOR RESEARCH EQUIPMENT

For necessary expenses of major construction projects pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $121,600,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, $787,352,000, to remain available until September 30, 2002: Provided, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: Provided further, That $10,000,000 shall be available for the Office of Innovation Partnerships.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; $160,890,000: Provided, That contracts may be entered into under ''Salaries and expenses'' in fiscal year 2001 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $6,280,000, to remain available until September 30, 2002.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $90,000,000, of which $5,000,000 shall be for a homeownership program that is used in conjunction with section 8 assistance under the United States Housing Act of 1937: Provided, That of the amount made available, $2,500,000 shall be for an endowment to establish the George Knight Scholarship Fund for the Neighborhood Reinvestment Training Institute.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; and not to exceed $1,000 for official reception and representation expenses; $24,480,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever he deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

TITLE IV—GENERAL PROVISIONS

SEC. 401. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefore in the budget estimates submitted for the appropriations: Provided, That this provision does not apply to accounts that do not contain an object classification for travel: Provided further, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: Provided further, That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefore set forth in the estimates in the same proportion.

SEC. 402. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 403. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 404. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 405. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made; or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 406. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between their domicile and their place of employment, with the exception of any officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905.

SEC. 407. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 408. None of the funds in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 409. None of the funds provided in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 410. Except as otherwise provided under existing law, or under an existing Executive Order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are: (1) a matter of public record and available for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 411. Except as otherwise provided by law, no part of any appropriation contained in this

Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for a contract for services unless such executive agency: (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder; and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning: (A) the contract pursuant to which the report was prepared; and (B) the contractor who prepared the report pursuant to such contract.

SEC. 412. Except as otherwise provided in section 406, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 413. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 414. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

SEC. 415. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 416. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

SEC. 417. Such sums as may be necessary for fiscal year 2001 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 418. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 419. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 2001 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 420. Notwithstanding section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)), funds made available pursuant to authorization under such section for fiscal year 2001 may be used for implementing comprehensive conservation and management plans.

SEC. 421. Notwithstanding any other provision of law, the term ''qualified student loan'' with respect to national service education awards shall mean any loan made directly to a student by the Alaska Commission on Postsecondary Education, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

SEC. 422. Unless otherwise provided for in this Act, no part of any appropriation for the Department of Housing and Urban Development shall be available for any activity in excess of amounts set forth in the budget estimates submitted to the Congress.

SEC. 423. None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

SEC. 424. Except in the case of entities that are funded solely with Federal funds or any natural persons that are funded under this Act, none of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties to lobby or litigate in respect to adjudicatory proceedings funded in this Act. A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.

SEC. 425. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 426. None of the funds provided in title II for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each activity as part of the Budget Justifications. For fiscal year 2001, HUD shall transmit this information to the Committees by December 1, 2000, for 30 days of review.

SEC. 427. None of the funds made available in this Act may be used for the designation, or approval of the designation, of any area as an ozone nonattainment area under the Clean Air Act pursuant to the 8-hour national ambient air quality standard for ozone that was promulgated by the Environmental Protection Agency on July 18, 1997 (62 Fed. Reg. 38,356, p. 38855) and remanded by the District of Columbia Court of Appeals on May 14, 1999, in the case, American Trucking Ass'ns. v. EPA (No. 97–1440, 1999 Westlaw 300618) prior to June 15, 2001 or final adjudication of this case by the Supreme Court of the United States, whichever occurs first.

SEC. 428. Section 432 of Public Law 104–204 (110 Stat. 2874) is amended—

(a) in subsection (c) by inserting ''or to restructure and improve the efficiency of the workforce'' after ''the National Aeronautics and Space Administration'' and before ''the Administrator'';

(b) by deleting paragraph (4) of subsection (h) and inserting in lieu thereof—

''(4) The provisions of subsections (1) and (3) of this section may be waived upon a determination by the Administrator that use of the incentive satisfactorily demonstrates downsizing or other restructuring within the Agency that would improve the efficiency of agency operations or contribute directly to evolving mission requirements.''

(c) by deleting subsection (i) and inserting in lieu thereof—

''(i) REPORTS.—The Administrator shall submit a report on NASA's restructuring activities to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate not later than September 30, 2001. This report shall include—

''(1) an outline of a timetable for restructuring the workforce at NASA Headquarters and field Centers;

''(2) annual Full Time Equivalent (FTE) targets by broad occupational categories and a summary of how these targets reflect the respective missions of Headquarters and the field Centers;

''(3) a description of personnel initiatives, such as relocation assistance, early retirement incentives, and career transition assistance, which NASA will use to achieve personnel reductions or to rebalance the workforce; and

''(4) a description of efficiencies in operations achieved through the use of the voluntary separation incentive.''; and

(d) in subsection (j), by deleting ''September 30, 2000'' and inserting in lieu thereof ''September 30, 2002''.

SEC. 429. Section 70113(f) of title 49, United States Code, is amended by striking ''December 31, 2000'', and inserting ''December 31, 2001''.

SEC. 430. All Departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 431. Title III of the National Aeronautics and Space Act of 1958, Public Law 85–568, is amended by adding the following new section at the end:

''SEC. 312. (a) Appropriations for the Administration for fiscal year 2002 and thereafter shall be made in three accounts, 'Human space flight', 'Science, aeronautics and technology', and an account for amounts appropriated for the necessary expenses of the Office of Inspector General. Appropriations shall remain available for 2 fiscal years. Each account shall include the planned full costs of the Administration's related activities.

''(b) To ensure the safe, timely, and successful accomplishment of Administration missions, the Administration may transfer amounts for Federal salaries and benefits; training, travel and awards; facility and related costs; information technology services; publishing services; science, engineering, fabricating and testing services; and other administrative services among accounts, as necessary.

''(c) The Administrator, in consultation with the Director of the Office of Management and Budget, shall determine what balances from the 'Mission support' account are to be transferred to the 'Human space flight' and 'Science, aeronautics and technology' accounts. Such balances shall be transferred and merged with the 'Human space flight' and 'Science, aeronautics and technology' accounts, and remain available for the period of which originally appropriated.''.

TITLE V—FILIPINO VETERANS' BENEFITS IMPROVEMENTS

SEC. 501. (a) RATE OF COMPENSATION PAYMENTS FOR FILIPINO VETERANS RESIDING IN THE UNITED STATES.—(1) Section 107 of title 38, United States Code, is amended—

(A) by striking ''Payments'' in the second sentence of subsection (a) and inserting ''Except as provided in subsection (c), payments''; and

(B) by adding at the end the following new subsection:

''(c) In the case of benefits under subchapters II and IV of chapter 11 of this title paid by reason of service described in subsection (a) to an individual residing in the United States who is a citizen of, or an alien lawfully admitted for permanent residence in, the United States, the second sentence of subsection (a) shall not apply.''.

(2) The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply to benefits paid for months beginning on or after that date.

(b) ELIGIBILITY FOR HEALTH CARE OF DISABLED FILIPINO VETERANS RESIDING IN THE UNITED STATES.—Section 1734 of such title is amended—

(1) by inserting ''(a)'' before ''The Secretary,''; and

(2) by adding at the end the following:

''(b) An individual who is in receipt of benefits under subchapter II or IV of chapter 11 of this title paid by reason of service described in section 107(a) of this title who is residing in the United States and who is a citizen of, or an alien lawfully admitted for permanent residence in, the United States shall be eligible for hospital and nursing home care and medical services in the same manner as a veteran, and the disease or disability for which such benefits are paid shall be considered to be a service-connected disability for purposes of this chapter.''.

(c) HEALTH CARE FOR VETERANS RESIDING IN THE PHILIPPINES.—Section 1724 of such title is amended by adding at the end the following new subsection:

''(e) Within the limits of an outpatient clinic in the Republic of the Philippines that is under the direct jurisdiction of the Secretary, the Secretary may furnish a veteran who has a service-connected disability with such medical services as the Secretary determines to be needed.''.

TITLE VI—DEBT REDUCTION

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2001 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $5,172,730,916.14.

Titles I–VI of this Act may be cited as the ''Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001''.

The language and allocations set forth in House Report 106–674 and Senate Report 106–410 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

Unless specifically addressed in this report, the conferees agree to retain the reprogramming thresholds for each department or agency at the level established by the fiscal year 2000 conference agreement.

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

READJUSTMENT BENEFITS

Appropriates the budget request of $1,634,000,000 as proposed by the Senate instead of $1,664,000,000 as proposed by the House. The conferees retain bill language as proposed by the Senate ensuring that all administrative services are charged to the general operating expenses appropriation.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $162,000,000 as proposed by the Senate instead of $161,484,000 as proposed by the House.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

(INCLUDING TRANSFER OF FUNDS)

Retains the transfer of $28,134,000 as proposed by the House instead of $27,907,000 as proposed by the Senate from medical care to the general operating expenses appropriation for expenses of the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication.

Retains bill language delaying the availability of $900,000,000 for equipment and land and structures until August 1, 2001 and remaining available until September 30, 2002 as proposed by the Senate instead of $927,000,000 as proposed by the House.

Retains bill language making $500,000,000 available until September 30, 2002 as proposed by the Senate instead of $900,000,000 as proposed by the House.

Deletes bill language limiting $3,000,000,000 for maintenance and operations expenses. The conferees strongly support the redirection of medical resources from the maintenance and operations of unneeded buildings to support direct patient care. The conferees understand that for fiscal year 2001 VA is anticipating spending less than $3,000,000,000 in this area. The conferees direct that VA carefully monitor maintenance and operation expenditures and that significant efforts to reduce those expenditures be undertaken prior to and in conjunction with full CARES evaluation and implementation over the next several years. A report that identifies these fiscal year 2001 costs by network and the efforts to reduce these costs this year should be submitted by March 31, 2001.

Retains bill language proposed by the House prohibiting the transfer of medical care funds to the Department of Justice for the purpose of pursuing tobacco litigation.

The conferees direct the Department to submit one report within four months of enactment of this Act addressing the concerns regarding hepatitis C expenditures, testing and treatment contained in House Report 106–674 and Senate Report 106–410.

The House report contained language directing the VA to reimburse hepatitis C treatment as a complex care component starting in fiscal year 2001. The conferees recognize VA for releasing $20,000,000 from the National Reserve in June 2000 to address the growing need for treatment and the geographic differences in prevalence of the disease. The conferees also note the action by the Department in August 2000 to amend the VERA policy to reimburse hepatitis C treatment as a complex care component effective fiscal year 2001. The conferees direct the Department to continue adjusting testing and treatment funds as more is learned about the prevalence of the disease and keep the Committees on Appropriations informed about funding levels and decisions.

The conferees urge the Department to establish up to five centers of excellence for motor-neuron diseases such as Parkinson's disease and multiple sclerosis.

The conferees urge the implementation of the telemedicine project in Huntsville, Alabama.

The conferees direct that the Department include in the fiscal year 2002 budget justification estimates for all national programs, projects and initiatives totaling $5,000,000 or more. The conferees further direct that the Department include in the fiscal year 2001 operating plan its efforts to implement management efficiencies, including instituting best practices on a national basis.

The conferees direct the Department to continue the demonstration project involving the Clarksburg VAMC and the Ruby Memorial Hospital at West Virginia University.

The conferees direct that of the amounts provided, not to exceed $250,000 may be used to host The Sixth International Paralympic Committee Scientific Congress on ''Sport and Human Performance Beyond Disability.'' The conferees believe this conference is within the mission of VA considering the Department's current programs, which support disabled athletes.

The conferees support the expansion of the Joslin Vision Network to additional pilot sites in fiscal year 2001. Estimated costs for fiscal year 2001 are $5,000,000.

The conferees encourage VA to initiate a national demonstration project of excellence in the care of aging veterans with rehabilitative needs involving a collaborative effort between the Atlanta Veterans Affairs Medical Center, Emory Healthcare, and its affiliated network of community-based services, Atlanta Senior Care.

The conferees are aware that the VA undertakes numerous pilot projects in hospitals and VISNs across the country in hopes of providing better access to medical care more efficiently to our nation's veterans. The conferees trust that the Department's leadership carefully reviews the costs and benefits of pilot projects to determine the project's feasibility and value for standard operation prior to inclusion in the Department's budget justification. No funds may be obligated for new pilot projects authorized by law in fiscal year 2001 exceeding $10,000,000 in cost until a reprogramming request is submitted by the Department and approved by the Committees on Appropriations.

The conferees are concerned with the issues raised in the GAO report ''Disabled Veterans' Care, Better Data and More Accountability Needed to Adequately Assess Care'' regarding VA's ability to measure compliance with maintaining a certain level of care for special disability programs such as spinal cord injury and mental illness. The conferees urge the VA to re-examine GAO's recommendation to establish a work group to monitor these programs. In addition, the conferees direct VA to develop outcome measures applicable to each VISN to evaluate the Department's performance in these areas.

MEDICAL AND PROSTHETIC RESEARCH

Appropriates $351,000,000 for medical and prosthetic research as proposed by the House instead of $321,000,000 as proposed by the Senate.

The conferees are aware of the impact that drug addiction has on the veterans population and are pleased with the VA's leadership role in pursuing and developing new treatments for addiction. The conferees strongly encourage the VA to increase its support for addiction research efforts in this area, and note that an effective research program must include large clinical trials, as well as, biochemical and neuro-pharmacological basic research.

The conferees are encouraged by the progress made by the VA and the National Technology Transfer Center (NTTC) during the past year in identifying promising VA technological advances that offer the potential for commercial applications. The conferees direct that this partnership should be continued at the current level of effort and that a targeted partnership identification process is essential to the successful marketing and licensing process.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

Appropriates $1,050,000,000 for general operating expenses as proposed by the Senate instead of $1,006,000,000 as proposed by the House. Retains bill language proposed by the Senate making $45,000,000 available until September 30, 2002, instead of $50,050,000 as proposed by the House.

Deletes without prejudice the provision proposed by the House regarding transfers. The conferees have no objection to fund transfers authorized by law.

Retains bill language as proposed by the Senate allowing administrative services provided for rehabilitation services to be charged to the general operating expenses account.

The conferees direct that of the amount provided, $826,488,000 is for the Veterans Benefits Administration. Funding priority should be given to hiring additional FTEs for improving claims processing time and accuracy.

The conferees are aware that there is a pressing need for renovating the Lafayette Building at 811 Vermont Avenue to the benefit of both the VA and the Export-Import Bank. The House report included language requesting a feasibility study to be conducted on the potential utilization of enhanced-use leasing authority by the VA as a means of renovating the Lafayette Building. In lieu of the feasibility study recommended by the House, the conferees direct the General Services Administration to work with the VA and the Export-Import Bank on an expedited basis to develop a renovation plan considering all alternatives authorized by law for the Lafayette Building which would ensure the continued ability of both agencies to collocate in the building and submit a joint report to the Committee by June 1, 2001.

The conferees have provided funds for the coreFLS and HR LINK$ projects and expects VA to implement these initiatives as top priorities. The conferees direct VA to submit a report by December 1, 2000 on the milestones and funding commitments for the projects through fiscal year 2002.

NATIONAL CEMETERY ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Appropriates $109,889,000 for the National Cemetery Administration as proposed by the Senate instead of $106,889,000 as proposed by the House.

Retains House language transferring not to exceed $125,000 from the national cemetery administration appropriation to the general operating expenses appropriation for expenses of the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication instead of $117,000 as proposed by the Senate.

Retains language proposed by the House and stricken by the Senate providing a travel limitation of $1,125,000 for the National Cemetery Administration.

The conferees are aware of the provision in the Veterans Millennium Heath Care and Benefits Act (P.L. 106–117) requiring VA to conduct a national cemetery needs survey. The conferees direct the National Cemetery Administration to complete this survey expeditiously and include in a report to the Committees on Appropriations the geographic areas in need of a cemetery within 75 miles of veterans populations, when the currently-available cemeteries will close, and a priority ranking for establishing new cemeteries. The survey should include the Albuquerque area of New Mexico.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

Retains House language transferring not to exceed $28,000 from the Office of Inspector General appropriation to the general operating expenses appropriation for expenses of the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication instead of $30,000 as proposed by the Senate.

CONSTRUCTION, MAJOR PROJECTS

Appropriates $66,040,000 for construction, major projects instead of $62,140,000 as proposed by the House and $48,540,000 as proposed by the Senate.

The conference agreement includes the following changes from the budget estimate:

+$1,000,000 for advanced planning of a national cemetery in Pittsburgh, Pennsylvania.

+$2,500,000 for advanced planning of a national cemetery in Atlanta, Georgia.

+$15,000,000 for land acquisition for a national cemetery in South Florida.

+$12,000,000 for cemetery construction in Oklahoma City, Oklahoma.

+$1,000,000 for design of a nursing home at the Beckley, West Virginia VAMC.

−$26,600,000 from Palo Alto NHCU.

−$0 for the medical design fund.

+$1,400,000 for National Cemetery Administration advance planning.

−$1,735,000 from the working reserve.

The conferees encourage the Department to begin planning efforts for a national cemetery in New Mexico.

CONSTRUCTION, MINOR PROJECTS

Appropriates $162,000,000 for construction, minor projects as proposed by the Senate instead of $100,000,000 as proposed by the House.

The conferees reiterate the expectation that VA will review and approve all minor construction projects in a manner that is consistent with the process applied by the Capital Investment Board which reviews major projects, and consistent with the Capital Asset Realignment for Enhanced Services (CARES) initiative. A central office work group, consisting of both VHA and other Department officials, is to review all minor projects using criteria consistent with those developed for CARES. If the total costs of projects being initiated at any facility or integrated health care system exceeds $4,000,000, the recommendations of the work group must be approved by the Deputy Secretary.

The conferees urge the Department to give highest priority to projects improving female patient privacy in VA health facilities.

The conferees recommend $150,000 for construction of a sunscreen structure for the National Memorial Cemetery of the Pacific.

PARKING REVOLVING FUND

Retains language proposed by the Senate permitting operation and maintenance costs of parking facilities to be funded from the medical care appropriation.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

Appropriates $100,000,000 for grants for construction of state extended care facilities as proposed by the Senate instead of $90,000,000 as proposed by the House.

The conferees note that the VA has not yet promulgated regulations for the state grant program as directed in the Veterans Millennium Health Care and Benefits Act (P.L. 106–117). Until those regulations are issued, many state and local governments which seek to obtain these grants are severely disadvantaged by the lack of criteria available to determine eligibility. The conferees direct the VA to move expeditiously to issue the regulations mandated by P.L. 106–117.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

The conferees encourage the Department to work with California as the state applies for a state cemetery grant.

ADMINISTRATIVE PROVISIONS

Retains language proposed by the Senate requiring receipts collected under the Veterans Millennium Health Care and Benefits Act (P.L. 106–117) to be maintained in the collections fund subject to appropriation.

Retains language proposed by the House extending the availability of previously appropriated funds for artificial neural networks research with the Department of Defense until September 30, 2003.

Retains language proposed by the House transferring funds from the Office of Inspector General ($78,000), national cemetery administration ($358,000), medical care ($1,106,000), and medical administration and miscellaneous operating expenses ($84,000) accounts, and reprogrammed within the general operating expenses account ($38,000) to general operating expenses for HR LINK$ services.

Retains language proposed by the House transferring $1,600,000 from medical care to general operating expenses for general counsel services.

Deletes language proposed by the House directing Capital Investment Board pre-approval for large procurement actions and a report on the establishment of mental illness, education and clinical centers.

Retains language proposed by the Senate transferring up to $1,200,000 from medical care to general operating expenses for Hines Data Center services.

Retains language proposed by the Senate transferring up to $4,500,000 from minor construction and up to $2,000,000 from medical care to the parking revolving fund for surface parking lot projects.

Retains language proposed by the Senate establishing a 60–day wait period for any action related to VISN 12 realignment after the Secretary makes a recommendation and consults all pertinent stakeholders.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $13,940,907,000 for the housing certificate fund, instead of $13,275,388,000 as proposed by the House and $13,171,000,000 as proposed by the Senate. The conference agreement includes:

$12,972,000,000 for expiring section 8 housing assistance contracts, section 8 amendments, and contracts entered into pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act;

$452,907,000 to provide 79,000 ''incremental'' section 8 housing assistance vouchers, to increase the number of low-income individuals and families receiving assistance. The conferees note that HUD took more than 12 months awarding new vouchers despite the fact that a formula dictates their distribution. The delay can be attributed, in large part, to including the voucher Notice of Funding Availability (NOFA) with the ''Super NOFA,'' which is rarely published until March—six months into the fiscal year.

HUD is encouraged to issue the NOFA earlier, so that vouchers can be awarded within eight months of enactment of this appropriations measure. The Committees will be following HUD's progress making these awards, and will act appropriately if the funds are not awarded with alacrity.

$40,000,000 to provide section 8 housing vouchers to non-elderly, disabled residents who are affected by the designation of public and assisted housing as ''elderly-only'' developments as proposed by the Senate instead of $25,000,000 as proposed by the House;

$192,000,000 is for section 8 contract administrators as proposed by the House. The Senate did not provide a specific appropriation for this activity; and

$266,000,000 is for tenant protection vouchers, including for relocating residents impacted by a HOPE VI project.

Deletes language proposed by the House providing $37,000,000 for Shelter Plus Care renewals. A new account called ''Shelter Plus Care'' was created for this purpose.

Deletes language proposed by the House providing $66,000,000 for low-income tax credit vouchers. The Senate did not include a similar provision.

Deletes language proposed by the House providing $660,000 for systems needed to monitor PHAs that increase the payment standard of vouchers. The Senate did not include a similar provision.

Includes language proposed by the House transferring $11,000,000 to the Working Capital Fund for developing and maintaining information technology systems. The Senate did not include a similar provision.

Includes language proposed by the House to cancel obligated balances of terminated contract authority. The Senate did not include a similar provision.

Deletes language proposed by the Senate providing that funds for administrative fees may be used to cover costs of administering section 8 programs. The House did not include a similar provision.

Inserts new language appropriating $7,000,000 to complete the funding required for the Jobs-Plus Demonstration program.

Rescinds $1,833,000,000 in excess section 8 recaptures.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriates $3,000,000,000 for the public housing capital fund instead of $2,955,000,000 as proposed by the Senate and $2,800,000,000 as proposed by the House. Like last year, the conferees recommend increasing this account above the request, and above levels provided in the House and Senate bills, recognizing the serious unmet needs for capital improvements to the nation's public housing.

Transfers $43,000,000 from this account to the Working Capital Fund for the development and maintenance of information technology systems.

Recognizing that public housing for the elderly serves the poorest, the most racially and ethnically diverse, the oldest, and the largest number of seniors of the assisted housing programs, the conferees reiterate the House report regarding the potential importance of the Elderly Plus demonstration which proposes to retrofit these buildings.

PUBLIC HOUSING OPERATING FUND

Appropriates $3,242,000,000 for the public housing operating fund instead of $3,139,000,000 as proposed by the House and $3,192,000,000 as proposed by the Senate. Like the increase to the public housing capital fund, this increase reflects the conferees' commitment to providing adequate resources to public housing—in this case for basic costs like water, gas and electric utilities, security, and routine maintenance.

The conferees remain troubled by the Department's implementation of the ''Public Housing Assessment System'' (PHAS). The system has had problems with the reliability of the inspections, the training and skills of some contract inspectors, and the effectiveness of quality assurance measures. Accordingly, the conferees direct HUD to continue to assess the accuracy and effectiveness of the PHAS system and to take whatever remedial steps may be needed, including implementing the recommendations made by GAO in its July 2000 report. Specifically, the conferees direct HUD to revise its April 2000 quality assurance plan to ensure that quality assurance activities it contains will provide HUD with the information it needs to evaluate (1) inspection contractors' compliance with provisions in their contracts and quality control program, (2) inspectors' performance in applying HUD's inspection protocol, (3) the accuracy of the inspections and resulting scores, and (4) the performance of the program as indicated by the precision and replicability of the inspection protocol. Further, the conferees direct HUD to perform a statistically valid test of PHAS, conduct a thorough analysis of the results, and have the methodology and results reviewed by an independent expert. The Department should provide a report to the Committees on Appropriations by March 1, 2001, that describes the results of these reviews and the steps taken to improve the accuracy and reliability of PHAS. In the interim, HUD should not take any adverse actions against housing authorities solely on the basis of PHAS scores.

DRUG ELIMINATION GRANTS FOR LOW—INCOME HOUSING

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $310,000,000 for drug elimination grants as proposed by the Senate instead of $300,000,000 as proposed by the House.

Includes $20,000,000 for the New Approach Anti-Drug program as proposed by the Senate instead of no funding as proposed by the House.

Includes $3,000,000 for technical assistance grants instead of $5,000,000 as proposed by the House and Senate. This account was reduced from the requested level of $10,000,000, and the House and Senate proposed levels of $5,000,000. The conferees are displeased about HUD's refusal to provide information in a timely way about the amount of funds expended and/or obligated on HUD's gun buyback program—an unauthorized activity according to a legal opinion by the Comptroller General of the United States. Even if HUD's attorneys interpret existing legal authority differently from the Comptroller General, refusing to provide information to the Committees, especially about matters clearly within their purview, is unacceptable and will be dealt with accordingly.

Includes $2,000,000 for the Boys and Girls Clubs of America for operating expenses and start up costs of clubs operating in or near public housing, or in housing assisted under the Native American housing block grant program.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING

(HOPE VI)

Appropriates $575,000,000 for the revitalization of severely distressed public housing program as proposed by the Senate instead of $565,000,000 as proposed by the House.

Recognizing the importance of affordable basic financial services in low-income neighborhoods, the conferees urge grantees to encourage and facilitate the establishment of community credit unions as part of HOPE VI housing revitalization projects. The conferees further direct HUD to provide technical assistance in meeting this goal, working in cooperation with appropriate staff of the National Credit Union Administration (NCUA).

The conferees commend HUD's decision to continue support for the Campus Affiliates Program, a unique partnership of HUD, the Housing Authority of New Orleans, higher education, and the private sector. This program has begun to meet the needs of public housing residents in New Orleans by providing assistance and activities that foster self-sufficiency. The conferees expect HUD to continue to participate in this activity.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $650,000,000 for Native American Housing Block Grants as proposed by the Senate instead of $620,000,000 as proposed by the House.

Appropriates $6,000,000 for technical assistance grants as proposed by the House instead of $4,000,000 as proposed by the Senate. The conferees agree not to provide $2,000,000 to the National American Indian Housing Council (NAIHC) as proposed by the House or $4,000,000 as proposed by the Senate.

Transfers $2,000,000 to the Working Capital Fund for the development and maintenance of information technology systems as proposed by the House. Similar language was not included by the Senate.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Historically, Native Americans have had limited access to private mortgage capital because much of the land in Indian country is held in trust by the Federal government. As such, the land cannot be encumbered or alienated. The Indian Home Loan Guarantee Program was created to address the lack of mortgage capital by authorizing HUD to guarantee loans made by private lenders. Getting a loan, however, depends on the borrower securing a leasehold on tribally-held lands. This leasehold, which is used as security for the mortgage, can only be obtained after the Bureau of Indian Affairs (BIA) conducts a title status report (TSR). HUD cannot endorse the guarantee until a final TSR is completed and is part of the financial package.

Fortunately, HUD and BIA have made considerable progress making their program requirements more compatible with one another; however, if the loan guarantee program is to be used to its greatest potential, additional progress needs to be made, especially on the length of time it takes to complete a TSR. HUD and BIA should continue their dialogue on removing any impediments to this process.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Appropriates $258,000,000 for housing opportunities for persons with AIDS instead of $250,000,000 as proposed by the House and $232,000,000 as proposed by the Senate. Of the amount, one percent is appropriated for technical assistance as proposed by the House instead of .75 percent as proposed by the Senate.

Includes language that requires HUD to renew all expiring HOPWA contracts funded under the non-formula component of the HOPWA program so long as the project meets all other program requirements. The conferees believe that it is critical to maintain the federal investment in existing projects to the maximum extent feasible.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

Appropriates $25,000,000 for rural housing and economic development instead of

$27,000,000 as proposed by the Senate, and $20,000,000 as proposed by the House.

AMERICA'S PRIVATE INVESTMENT COMPANIES PROGRAM ACCOUNT

The conferees are aware that the President and the Speaker of the House of Representatives have agreed to a framework for a ''New Markets Initiative'' that includes providing $37,000,000 in credit subsidy for APIC. As part of this conference agreement, the conferees agree, when the initiative is enacted, to provide these funds through a supplemental appropriation measure, or through another appropriate vehicle.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

Inserts new language providing $75,000,000 for grants to urban empowerment zones to be used in conjunction with economic development activities detailed in the strategic plans of each empowerment zone. Neither the House nor the Senate included a similar provision.

Inserts new language providing $15,000,000 to the Secretary of Agriculture for grants to designated empowerment zones. Neither the House nor the Senate included a similar provision.

As with APIC, the conferees agree to provide an additional $110,000,000 for EZ/ECs when the New Markets Initiative is enacted.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $5,057,550,000 for the community development fund instead of $4,505,000,000 as proposed by the House and $4,800,000,000 as proposed by the Senate.

Inserts language proposed by the House creating the Community Development Fund (CDF) and identifying the various set-asides in the account. The conferees agree to the following earmarks;

$4,409,000,000 for formula grants under the community development block grant program;

$71,000,000 for grants to Indian tribes instead of $67,000,000 as proposed by the House and Senate;

$45,500,000 for section 107 grants. The House provided $39,500,000 for section 107 grants and the Senate provided $41,500,000 for section 107 grants. The conference agreement provides the following earmarks within section 107:

$3,000,000 is for community development work study;

$10,000,000 is for historically black colleges and universities;

$8,000,000 is for the Community Outreach Partnerships program;

$7,000,000 is for insular areas;

$3,000,000 for tribal colleges and universities;

$3,000,000 for Alaska Native-Serving Institutions and native Hawaiian- serving institutions;

$6,500,000 is for Hispanic-Serving Institutions; and

$5,000,000 is for management information systems;

$2,600,000 for the National American Indian Housing Council instead of $3,000,000 as proposed by the House and $2,200,000 as proposed by the Senate;

$10,000,000 for the National Housing Development Corporation (NHDC), for continuation of its program of acquisition, rehabilitation, and preservation of at-risk affordable housing. The conferees direct NHDC to establish benchmarks for performance (addressing matters such as the amount of capital and loan funds raised, the degree to which federal investment is leveraged through non-federal sources, and the number of units of housing acquired and transferred to new owners who will continue and protect the housing's affordability for low-income residents), and to report to the Committees on Appropriations regarding performance and progress in meeting those benchmarks;

$28,450,000 for the Capacity Building for Community Development and Affordable Housing program, authorized by section 4 of P.L. 103–120, as in effect before June 12, 1997, instead of $23,450,000 proposed by the House and $25,000,000 proposed by the Senate. Of the amount provided, at least $5,000,000 shall be for capacity building activities in rural areas as proposed by the Senate instead of $4,000,000 as proposed by the House. Additionally, $3,450,000 is for Habitat for Humanity International as proposed by the House. The Senate did not provide funds for this program;

$60,000,000 for Youthbuild as proposed by the Senate instead of $45,000,000 as proposed by the House. This amount includes $4,000,000 for capacity building activities and $10,000,000 for underserved and rural areas as proposed by the Senate. The House did not include similar language;

$20,000,000 for grants to eligible grantees under section 11 of the Self-Help Housing Opportunity Program Extension Act of 1996, as proposed by the House. The Senate did not include funds for this item;

$44,000,000 for the Neighborhood Initiatives program instead of $10,000,000 as proposed by the House and no funding as proposed by the Senate, of which:

$5,000,000 is for the Institute for Software Research for construction related to a high-technology diversification initiative;

$10,000,000 is for the City of Syracuse for the Neighborhood Initiative Program;

$2,000,000 is for the Louisville Community Development Bank for the Louisville Neighborhood Initiative;

$5,000,000 to the Vandalia Heritage Foundation, Inc. for community and neighborhood revitalization and economic diversification initiatives;

$2,500,000 for the Omaha Housing Initiative to create affordable housing and encourage homeownership in Omah, Nebraska;

2,000,000 for the Community Development Corporation of Kansas City and Health Midwest Partners for Change in Kansas City, Missouri for the revitalization initiative on the northwest corner of 63rd Street and Prospect Avenue;

$2,850,000 for the Missouri Botanical Gardens in St. Louis, Missouri for development and revitalization activities associated with McRee Town;

$2,500,000 for Downtwon Now for revitalization efforts of the Old Post Office District in St. Louis Missouri;

$2,000,000 for the Kansas City Neighborhood Alliance in Kansas City, Missouri for the Neighborhood Preservation Initiative in the Blue Hills and Vineyard neighborhoods;

$1,500,000 for the City of South Bend, Indiana for the redevelopment of the Studebaker Corridor;

$1,500,000 for the Midtown Development Corporation in Kansas City, Missouri for the redevelopment of the Mount Cleveland Community;

$850,000 for the City of Spartanburg, South Carolina for Arkwright/Forest Park revitalization;

$300,000 for the City of Beloit, Wisconsin for the Beloit urban renewal project;

$500,000 for the City of Waterloo, Iowa for the redevelopment of blighted portions of the downtown area;

$500,000 for Patterson Park Development Corporation for the purchase and rehabilitation of homes in the Patterson Park neighborhood in Baltimore, Maryland;

$1,000,000 for the City of Des Moines, Iowa for planning of the redevelopment of the Riverpoint area;

$1,200,000 for City of Milwaukee, Wisconsin for revitalization of the Menomonee Valley industrial area;

$500,000 for the City of Woodbury, New Jersey for downtown economic development activities;

$1,000,000 for the City of Wildwood, New Jersey for revitalization of the Pacific Avenue Business District;

$500,000 for the City of Gardena, California for planning of downtown redevelopment;

$300,000 for the City of Chicago, Illinois for the South Chicago Housing Initiative;

$500,000 for the city of Detroit, Michigan for the Detroit River Promenade Project.

$29,000,000 is appropriated separately for credit subsidy for section 108 loan guarantees as proposed by the Senate instead of $28,000,000 as proposed by the House. Limits loan guarantees to $1,261,000,000 as proposed by the Senate instead of $1,217,000,000 as proposed by the House;

$2,000,000 is for the Utah Housing Finance Agency for temporary housing necessary for the 2002 Olympic Games to be held in Salt Lake City, Utah, as proposed by the Senate. The House did not have similar language;

$15,000,000 is to be transferred to the Working Capital Fund for the development of information technology systems;

$292,000,000 for economic development initiatives. The targeted grants shall be made as follows:

$500,000 for The Palace Theater for its renovation in Manchester, New Hampshire;

$300,000 for the Manchester Historic Association for the restoration of the Millyard Museum in Manchester, New Hampshire;

$700,000 for Lewis and Clark College in Portland, Oregon for construction and program activities at Bicentennial Hall in Portland, Oregon;

$1,000,000 for the Omaha Housing Initiative to create affordable housing and encourage homeownership in Omaha, Nebraska;

$1,000,000 for the LOVE Social Services Center in Fairbanks, Alaska for a facility to serve disadvantaged youth and provide other services;

$250,000 for the Portland Oregon Visitors Association for the Pioneer Courthouse Square Lobby Renovation project in Portland, Oregon;

$250,000 for Portland State University for the Portland State Engineering Building and Central City Streetcar;

$1,100,000 for the Field Museum in Chicago, Illinois for the development of the ''Sue'' exhibit, a showcase of a 67 million-year-old T-Rex;

$1,000,000 for the Community Action Agency of Southern New Mexico, Inc., for construction of a regional food bank and supporting offices;

$700,000 for the City of Santa Fe, New Mexico, to construct a permanent site for the Santa Fe Area Farmers Market at the historic Santa Fe rail yard;

$250,000 for the Boys and Girls Club of Las Cruces, New Mexico to upgrade existing facilities;

$500,000 for Tatum, New Mexico to replace its community center;

$150,000 for the Bataan Death March Memorial renovations in Las Cruces, New Mexico;

$1,000,000 for Granite Falls, Minnesota to aid in recovery efforts from a tornado and severe thunder storms;

$1,020,000 for the University of Idaho for the construction of the Center for Science and Technology in Idaho Falls, Idaho;

$200,000 for Elmore County, Idaho for meeting water system needs in the town of Atlanta;

$1,000,000 for the City of Salmon, Idaho for land acquisition, construction, and alteration for the Sacajawea Interpretive, Cultural, and Education Center;

$500,000 for the Clearwater Economic Development Association in Northern Idaho, for implementation of the Lewis and Clark Bicentennial Plan;

$500,000 for Lewis-Clark State College for start-up activities associated with the Idaho Virtual Incubator;

$1,200,000 for MSU-Billings for the acquisition of a College of Business facility to house economic development activities;

$1,000,000 for Billings, Montana for the completion of the Billings depot project;

$100,000 for Miles Community College in Miles City, Montana for a feasibility study regarding the conveyance of a VA medical facility;

$500,000 for the Jefferson County Local Development Corporation in Whitehall, Montana for economic development activities;

$350,000 for the Human Resources Development Council in Bozeman, Montana for the restoration of a historic property for community services offices;

$300,000 for the City of Columbia Falls, Montana for the restructuring of the Old Main Veterans Facility;

$1,500,000 for the City of Memphis for the construction of the Stax Museum of American Soul Music in Memphis, Tennessee;

$500,000 for the City of Chattanooga, Tennessee, Department of Parks Recreation, Arts, and Culture for revitalization efforts in Alton Park;

$700,000 for Winston-Salem-Forsyth County, North Carolina for the development of the Science Center and Environment Park of Forsyth County, North Carolina;

$700,000 for the redevelopment of Midwest City, Oklahoma from damage from a tornado;

$250,000 for the Allen County Historical Society for the redevelopment of the Funston Museum complex in Iola, Allen County, Kansas;

$1,000,000 for the Detroit Rescue Mission Ministries for the purchase and renovation of a building;

$500,000 for Northern Initiatives to capitalize an Upper Peninsula Michigan Equity Fund to assist in the development of small businesses;

$250,000 for the City of Jackson, Michigan for downtown redevelopment;

$250,000 for William Tyndale College in Tyndale, Michigan for a learning resource center;

$500,000 for the University of Utah for the planning and design of the Museum of Science and Nature;

$700,000 for the Covenant House Michigan for the construction costs of a permanent Rights of Passage facility;

$1,000,000 for West Valley City, Utah for the construction of the West Valley City Multi-Cultural Community Center.

$500,000 for the Heart Mountain Wyoming Foundation for an interactive learning center in Powell, Wyoming;

$500,000 for the Vermont Rural Fire Protection Task Force of Randolph, Vermont for the purchase of equipment;

$500,000 for the Southern Vermont Recreation Center Foundation in Springfield, Vermont;

$500,000 for the Vermont Housing and conservation Board for the development of affordable housing in Northern Vermont;

$500,000 for Marlboro College for a technology incubator facility in downtown Brattleboro, Vermont;

$500,000 for the Vermont Housing and Conservation Board for the development of affordable housing in Williston, Vermont;

$500,000 for the Town of Hartford, Vermont for the development of the Railroad Row Historic District in downtown White River Junction, Vermont;

$500,000 for Vermont Technical College for economic development in Randolph, Vermont;

$250,000 for the Town of Fairfield, Vermont for the development of the President Chester A. Arthur visitor facility;

$800,000 for the City of Montrose, Colorado for the development of affordable low-income housing;

$900,000 for the Trinity Repertory Company in Providence, Rhode Island for the conversion of an abandoned banking building;

$300,000 for Upper Darby Township, Pennsylvania to assist residents with homes that are sinking due to soil subsidence;

$150,000 for the Urban Redevelopment Authority of Pittsburgh, Pennsylvania for economic development on Pittsburgh's North Shore;

$100,000 for the City of Hazleton, Pennsylvania for economic development and revitalization activities;

$750,000 for the City of Johnstown, Pennsylvania for downtown economic development;

$300,000 for the City of Philadelphia, Pennsylvania to assist in the relocation of families in the Logan neighborhood whose homes were built on an improperly filled creek bed;

$500,000 for Ford City, Pennsylvania for brownfield revitalization;

$300,000 for the City of Chester, Pennsylvania for the redevelopment of DeShong Park;

$250,000 for Erie, Pennsylvania for the Discovery Square museum expansion;

$500,000 for the Please Touch Museum in Philadelphia, Pennsylvania for relocation costs;

$200,000 for the Boys and Girls Club of Allentown, Pennsylvania for the Northern Lehigh Community Center;

$400,000 for Allegheny County, Pennsylvania for the redevelopment of the Braddock-Swissvale-Rankin industrial site;

$500,000 for the National Museum for American Jewish History in Philadelphia, Pennsylvania for expansion efforts;

$500,000 for the Reading Berks Emergency Shelter in Reading, Pennsylvania for the construction of a transitional housing facility for the homeless;

$250,000 for the City of Lancaster, Pennsylvania for the development of the Lancaster Square project;

$100,000 for Clarion County, Pennsylvania for continued development of Liberty Towers Senior Activities Facility;

$250,000 for the Nueva Esperanza Community Development Corporation in Philadelphia, Pennsylvania for economic revitalization of commercial and industrial facilities;

$200,000 for Light of Life Ministries in Allegheny County, Pennsylvania for infrastructure improvements at the Serenity Village homeless program;

$250,000 for Universal Community Homes for economic development activities in Philadelphia, Pennsylvania;

$250,000 for the City of Philadelphia to address the safety concerns related to abandoned and structurally impaired homes

$600,000 for the City of East Providence, Rhode Island to develop recreational facilities at Crescent Park;

$300,000 for the City of State Line, Mississippi for downtown infrastructure and economic revitalization;

$1,000,000 for the City of Madison, Mississippi for the renovation of the historic downtown of Madison, Mississippi;

$500,000 for Mississippi State University for the renovation and expansion of facilities for the Stoneville, Mississippi Research and Education Complex;

$500,000 for the City of Canton, Mississippi for the establishment of a State film complex;

$2,000,000 for the rehabilitation and restoration of Cain Hall on the campus of Hinds Community College in Raymond, Mississippi;

$400,000 for Nashua, New Hampshire for the redevelopment of the Mines Fall Park;

$1,000,000 for the City of Bangor, Maine for the installation of steel bulkheading on the Penobscot River;

$1,000,000 for the City of Portland, Maine for funding the Bayside Development Project;

$550,000 for Vinalhaven Elder Care Services, Inc. in Maine for the development of an elder care facility;

$500,000 for the City of Dayton, Ohio for the restoration of the Main Street historic district;

$500,000 for Cleveland Tomorrow in Cleveland, Ohio for the restoration of the Euclid Beach Carousel;

$700,000 for the City of Xenia, Ohio for the redevelopment of the area from damage due to a tornado.

$700,000 for the Cleveland Botanical garden for the development of a glass house conservatory;

$500,000 for Skagit County for the preservation of farmland in Skagit County, Washington;

$1,000,000 for the Pacific Science Center in Seattle, Washington to complete the Mercer Island Slough Environmental Education Center;

$500,000 for the Seattle Art Museum in Seattle, Washington for site development;

$1,000,000 for the City of Lincoln, Nebraska for the construction of the Northbridge Center for Children and Youth;

$500,000 for the Southwest Border Region Partnership for an assessment of the border region's future economic health;

$250,000 for the Centro de Salud familiar La Fe in El Paso, Texas for community outreach activities to assist low-income families;

$1,000,000 for the City of Houston for redevelopment activities within Freedman's Town;

$250,000 for the Boys and Girls Club of Brownsville, Texas for building repairs and community services;

$250,000 for the George Gervin Youth center in San Antonio for the construction of a youth center;

$500,000 for the City of Beaumont, Texas to revitalize the Charlton-Pollard neighborhood;

$500,000 for the Bayfront Arts and Science Park in Corpus Christi, Texas for the expansion of the park;

$250,000 for West Texas A&M University to develop an integrated services center in Amarillo, Texas;

$250,000 for Sam Houston State University for the redevelopment of the Sam Houston Memorial Museum;

$7,000,000 for the University of Louisville for the expansion of the university's main library;

$1,000,000 for Oklahoma City, Oklahoma for the Oklahoma City Murrah Revitalization project;

$1,000,000 for the National Council on Agricultural Life and Labor in Dover, Delaware for a variety of housing assistance programs;

$1,000,000 for the University of Alabama, Tuscaloosa, Alabama for the Gorgas House Renovation Project;

$100,000 for the Hammoundville Armory in the Town of Valley Head, Alabama for the renovation of a historic facility to enhance economic development and tourist activity;

$500,000 for Monroeville, Alabama for the Monroe County Courthouse Restoration Project;

$1,000,000 for the Mobile Public Library, Mobile, Alabama for the renovation of facilities as part of a neighborhood redevelopment project;

$500,000 for the City of LaFayette, (Chambers County) Alabama for the Chambers County Courthouse Restoration Project;

$100,000 for Union Springs, Alabama for the rehabilitation of facilities for downtown restoration/revitalization;

$250,000 for the Mobile Historic Development Commission for the Oakleigh District Revitalization Project;

$250,000 for the National Community College for the Deaf and Blind in Talladega, Alabama for the renovation of facilities for development of economic education program;

$500,000 for Tuscaloosa, Alabama for the Tuscaloosa Alberta City Project;

$500,000 for the City of Brundidge, Alabama for the completion of Pike County Covered Arena;

$500,000 for the City of Mobile, Alabama for the Battlehouse Restoration Project;

$700,000 for Kansas State Historical Society, Topeka, Kansas for the restoration of the home of William Allen White;

$1,000,000 for the development of the Life Center at Franklin Pierce College in Ridge, New Hampshire;

$100,000 for the Housing Partnership in Portsmouth, New Hampshire to provide below market rents and to rehabilitate deteriorated buildings;

$400,000 for the Northern Forest Heritage Park in Berlin, New Hampshire to develop facilities;

$2,600,000 for the City of Meridian, Mississippi for the rehabilitation of the opera house;

$300,000 for the City of Laurel, Mississippi for the development of a veterans museum;

$100,000 for the City of Jackson, Mississippi for the revitalization of LeFleur's Bluff;

$500,000 for Rowan Oak for the restoration of the home of William Faulkner in Oxford, Mississippi;

$500,000 for the George Ohr Museum in Biloxi, Mississippi for the development of an African-American art center;

$500,000 for Ocean Springs, Mississippi for the restoration of the old high school administration building;

$500,000 for Mississippi State University School of Architecture in Starkville, Mississippi for rural revitalization;

$2,500,000 for the University of Alaska for a pilot training simulator;

$450,000 for Bird TLC in Alaska for the construction of Potter's Marsh Conservation Center;

$2,000,000 for Catholic Community Services in Alaska for the reconstruction of a homeless shelter and to acquire new housing stock for battered women;

$270,000 for the Fairbanks Hospitality House in Fairbanks, Alaska for the purchase and renovation of an emergency shelter;

$500,000 for Kids are People, Inc. for a transitional living program for homeless youth and an emergency shelter in Wasilla, Alaska;

$3,000,000 for the Alaska Pacific University for the restoration of a historic property in Anchorage, Alaska;

$250,000 for Marceline, Missouri for downtown redevelopment activities;

$500,000 for Ozark Action, Inc. of Missouri for low-income rural housing;

$400,000 for Sedalia, Missouri for the Katy Depot Restoration Project;

$200,000 for the Bond Family Housing Center in St. Louis, Missouri for the Transitional Housing Program;

$200,000 for Trenton, Missouri for community redevelopment, including renovation and restoration activities of modifying the Plaza hotel into a senior citizen apartment building;

$500,000 for Sullivan County, Missouri for water supply and interconnection projects;

$2,000,000 for James S. McDonnell Planetarium in St. Louis, Missouri for renovation;

$100,000 for Clarksville, Missouri for improved year-round facilities related to the Mississippi River and the American Bald Eagle;

$250,000 for the Center for Emerging Technologies in St. Louis, Missouri for incubator space development;

$300,000 for the Columbia Housing Authority in Missouri for installation of fire suppression sprinkler systems in Oak and Paquin Towers;

$200,000 for the Bonne Terre, Missouri for infrastructure improvement of an industrial development;

$100,000 for the Lamar Community Betterment Association for an open air pavillion in Lamar, Missouri;

$100,000 for the Roxy Theater Youth Center in Hopkins, Missouri for renovation;

$250,000 for the Bootheel Youth Museum in Malden, Missouri for expansion;

$500,000 for renovation of the Ridgway Center at the Missouri Botanical Gardens;

$2,000,000 for Arkansas State University at Mountain Home, Arkansas for the construction of a multipurpose auditorium;

$1,000,000 for Marion County, Indiana for the construction of the Sexually Transmitted Disease and HIV Prevention and Research Center;

$850,000 for the South Carolina Association of Community Development Corporations in Charleston, South Carolina for job creation, small business development and quality of life improvements within the State of South Carolina;

$850,000 for the University of South Carolina in Columbia, South Carolina to enlarge the main building at the University of South Carolina School of Public Health;

$500,000 for Helping Hands Hawaii in Honolulu, Hawaii for community based activities including the delivery of goods and services to Hawaii's needy;

$750,000 for Waipahu Community Association in Waipahu, Hawaii for renovations and the establishment of a Waipahu festival market fair;

$500,000 for the Kauai Economic Development Board in Lihue, Hawaii for site acquisition, design, construction and equipment for the West Kauai Technology Center;

$250,000 for the Maui Academy of Performing Arts in Puunene, Hawaii for the acquisition and renovation of the facility;

$250,000 for the Homestake Opera House in Lead, South Dakota for renovation of the interior of the Homestake Opera House;

$250,000 for the City of Fort Pierre, South Dakota for development of the Lewis and Clark Waterfront Trail;

$250,000 for Cedar Youth Services in Lincoln, Nebraska to complete construction of the Northbridge Center for Children and Youth;

$250,000 for Family Housing Advisory Services Project Jericho in Omaha, Nebraska for affordable housing activities;

$500,000 for the Lowell Cultural and Performing Arts Downtown Initiative in Lowell, Massachusetts for development of the site for the Lowell Performing Arts Center;

$500,000 for the City of Boston, Massachusetts for its Main Streets Program;

$500,000 for the City of New Bedford, Massachusetts for construction and renovation of the Portugese American Cultural Center;

$325,000 for the City of Racine, Wisconsin for construction of the Racine Root River Pathway;

$300,000 for the Historic Third Ward Association in Milwaukee, Wisconsin to establish a public market;

$250,000 for Jentry-McDonald Corporation in Baltimore, Maryland for capital improvements to the Jentry-McDonald House;

$250,000 for the City of Takoma Park, Maryland for the construction of the Takoma Park Computer Center;

$250,000 for Montgomery County, Maryland for costs associated with the Wheaton Small Business Technology Center;

$500,000 for the Central Montana Foundation to upgrade, install technology, and facilitate occupancy of One Stop Center in Lewistown, Montana;

$250,000 for the City of South Bend, Indiana for economic development activities related to the Studebaker Auto/Oliver Plow Works project;

$1,000,000 for the City of Belen, New Mexico for construction of a community center;

$350,000 for Rio Arriba County, New Mexico for an environmental impact statement;

$150,000 for Pueblo Cochiti, New Mexico for the construction of a community center;

$500,000 for Pueblo of Acoma, New Mexico for the construction of a multi-purpose facility;

$500,000 for the City of San Francisco, California for preservation and restoration of the Old Mint;

$500,000 for Booker T. Washington Outreach, Inc. in Monroe, Louisiana for construction of an Elderly Living Center;

$250,000 for UNITY for the Homeless in New Orleans, Louisiana for the Oasis project;

$2,400,000 for Wheeling Jesuit University in Wheeling, West Virginia for construction of science/computer centers;

$1,800,000 for the City of Hinton, West Virginia for construction of a high technology office building and small business incubator;

$250,000 for the Tubman African American Museum in Macon, Georgia for construction of the Tubman African American Museum;

$250,000 for the Lemmon Area Charitable and Economic Development Corporation in Lemmon, South Dakota for economic development activities;

$100,000 for the Mathilda Geppert Childcare Center in Vermillion, South Dakota for development of a child day care center;

$75,000 for the Spearfish Economic Development Corporation in Spearfish, South Dakota for infrastructure development in the city's industrial park;

$300,000 for the City of Brandon, South Dakota to construct a community library;

$1,500,000 for the City of Aberdeen, South Dakota for construction of a community center;

$500,000 for the Sioux Falls Empire Fair Association in Sioux Falls, South Dakota for infrastructure improvements to the W.H. Lyons Fairgrounds;

$250,000 for the City of Redfield, South Dakota for infrastructure improvement at its industrial park;

$250,000 for the West River Foundation in Sturgis, South Dakota for a statewide business development initiative;

$100,000 for South Dakota Housing Development Authority in Pierre, South Dakota for the development of an employer assisted housing program;

$500,000 for Fairfield University in Fairfield, Connecticut for continued construction of an Information Technology Center;

$250,000 for Prince George's County, Maryland for the Prince George's County Technology Commercialization Center;

$100,000 for the American Visionary Arts Museum in Baltimore, Maryland for expansion of the museum;

$1,500,000 for the Discovery Center in Williston, North Dakota for construction of a visitor center and reconstruction of former barracks at Fort Buford State Historic Site;

$500,000 for the Rural Economic Area Partnership Zones in North Dakota;

$250,000 for North Dakota State University in Fargo, North Dakota for development of a campus-based technology park;

$500,000 for the City of Taylorville, Illinois for an emergency services center;

$1,000,000 for Loyola University in Chicago, Illinois for development of a life sciences center;

$200,000 for the Merit Music Program in Chicago, Illinois to expand Project BEGIN;

$400,000 for the City of Freeport, Illinois for Brownfields cleanup;

$100,000 for the City of Benton, Illinois for streetscape and beautification of downtown Benton;

$250,000 for the City of Charlotte, North Carolina for economic development activities within Charlotte's Wilkinson Boulevard Corridor;

$250,000 for Asheville-Buncome Technical College in Asheville, North Carolina for construction of a small business incubator;

$250,000 for the Museum of Latin American Art in Long Beach, California to expand and upgrade existing facilities;

$250,000 for FAME Renaissance in Los Angeles, California to continue work on a small business incubator;

$750,000 for the City of Fresno, California for the Fresno Community Health Centers regional medical center;

$250,000 for the City of Inglewood, California for the Market Street Senior Center;

$250,000 for the City of San Francisco, California for a homeless housing initiative;

$250,000 for the City of Santa Ana, California for the IDEA high-tech education center;

$1,800,000 for Comprehensive Housing Assistance, Inc., in Baltimore, Maryland for renovations to the Concord Apartments;

$500,000 for the City of Davenport, Iowa for development of Friendly House;

$500,000 for the City of Council Bluffs, Iowa for land purchase and construction of an elderly community center;

$10,000 for LaCrosse County, Wisconsin for economic development information centers;

$450,000 for the Biomedical Research Foundation of Northwest Louisiana, Shreveport, Louisiana for infrastructure improvements for InterTech Park and construction of a Cleanroom Biotechnology Incubator;

$1,000,000 for University Heights Science Park, Newark, New Jersey for University Heights Science Park's Newark Digital Century Center;

$500,000 for Bayshore Economic Development Corporation for development of the Henry Hudson Trail;

$400,000 for Shepherd College in Shepherdstown, West Virginia for renovation of Scarborough Library;

$400,000 for Bethany College in Bethany, West Virginia for continued work on a health and wellness center;

$250,000 for the Town of Millville, New Jersey for development of the Glasstown Center project;

$400,000 for the City of Burlington, Vermont for Firehouse Center for the Visual Arts;

$400,000 for the City of Montpelier, Vermont for Pyralisk Arts Center;

$200,000 for the Vermont Youth Orchestra Association, Colchester, Vermont for rehabilitation of the Fort Ethan Allen Riding Hall;

$250,000 for the Kellogg-Hubbard Library, Montpelier, Vermont for restoration of historic library and addition to the children's library;

$750,000 for the Vermont Housing and Conservation Board, Brattleboro, Vermont for rehabilitation of the Westgate apartments;

$500,000 for the City of Detroit, Michigan for the Detroit River Promenade Project;

$500,000 for the Bushnell Theatre, Hartford, Connecticut for final completion of renovation;

$225,000 for the Boys and Girls Club of Drew County, Arkansas for construction of general purpose facility;

$250,000 for the Frank Lloyd Wright Darwin Martin House, Buffalo, New York for restoration work;

$250,000 for the Westside Rowing Club of Buffalo, New York for construction of the Frank Lloyd Wright Boathouse;

$1,750,000 for the Washington State Department of Community Development to address farmworker housing issues in the State;

$250,000 for the Three Rivers Community Foundation in Tri-Cities, Washington for economic development activities in Benton, Franklin and Grant counties related to the Hanford Reach National Monument;

$250,000 for the Trinity Repertory Pell-Chafee Theatre, Providence, Rhode Island for theater expansion and operations;

$250,000 for the City of Providence, Rhode Island for construction of the Lillian Feinstein Senior Center;

$1,250,000 for the City of Henderson, Nevada for downtown redevelopment and infrastructure upgrade;

$350,000 for Opportunity Village Foundation, Las Vegas, Nevada for start-up funding for downpayment assistance program to disabled;

$500,000 for the Boys and Girls Club of Las Vegas, Nevada for the renovation and expansion of existing facilities;

$750,000 for Henry and Martinsville Counties, Virginia for economic development activities;

$300,000 for CityArts for Youth, Inc. in Providence, Rhode Island for renovations for a business incubator;

$250,000 for Bayview Citizens for Social Justice and the Northampton-Accomack Planning District Commission to support economic development projects on the Eastern Shore of Virginia;

$250,000 for Monroe Community College, Rochester, New York to establish a Virtual Campus Center;

$250,000 for the West Virginia School of Osteopathic Medicine in Lewisburg, West Virginia for expansion of the ambulatory care facility;

$400,000 for Prince George's County, Maryland for architecture, design and engineering work for redevelopment of McGuire House;

$500,000 for Howard County, Maryland for renovations to Route 1;

$250,000 for the City of Atlanta, Georgia for continued construction of the Martin Luther King, Jr. Community Center;

$500,000 for Philander-Smith College, Arkansas for facilities and equipment upgrades for scientific and emerging technology research;

$250,000 for University of Arkansas in Pine Bluff, for facilities and equipment upgrades for scientific and emerging technology research;

$100,000 for the Boys and Girls Club of Olney, Maryland for facility construction;

$100,000 for the Wesley Acres Independent Living Retirement Center in Mitchell, South Dakota for capital and other improvements;

$500,000 for Liberty County, Georgia Economic Development Authority for planning and engineering the industrial park project in coastal Georgia;

$500,000 for County of Maui, Hawaii for land acquisition, planning and design, and construction of a senior housing/housing division office building in Central Maui, Hawaii;

$500,000 for Vermont Historical Society for the Vermont Historical Society renovation project;

$250,000 for Eva's Village in Patterson, New Jersey for renovation of new transitional housing sites;

$500,000 for the Iowa Finance Authority and Muscatine Center for Strategic Action to reduce illegal and predatory mortgage lending practices;

$500,000 for City of Reno, Nevada for land acquisition for downtown revitalization;

$500,000 for the City of Sheboygan, Wisconsin to redevelop a contaminated former industrial site to mixed use development;

$500,000 for El Centro de la Raza in Seattle, Washington for acquisition of the Beacon Hill School;

$250,000 for North Dakota State University for the development of the Virtual Archival Storage Terminal;

$250,000 for the Smyrna-Clayton Heritage Association in Smyrna, Delaware, for restoration work on the Smyrna Opera House;

$400,000 for the Montana World Trade Center for the Informational Outreach Project;

$325,000 to Boaz, Alabama for the Senior Citizens Center;

$20,000 to the Blount County Multi-need Center in Alabama for equipment for the mentally retarded and severely handicapped;

$800,000 to San Diego, California for final construction of San Diego's Children's Convalescent Hospital;

$930,000 to Barry University in Miami Shores, Florida for an intercultural community center;

$1,110,000 to Long Island University in New York for restoration of the Tilles Center for the Performing Arts;

$575,000 for Tennessee Valley Family Services in Guntersville, Alabama for construction and repair costs for the A+ house for homeless children;

$1,145,000 to the Lubbock Science Spectrum Museum in Texas for construction costs of the Brazos River Exhibit;

$930,000 to Provo City, Utah for the Ironton Redevelopment Site;

$1,110,000 to Rowan University in Glassboro, New Jersey for construction of a science building;

$150,000 for the Owensboro Riverfront Project in Kentucky for development of its waterfront;

$1,000,000 to the Louisville Zoo, Kentucky for construction of the Gorilla Forest Exhibition;

$193,500 to the town of Yucca Valley, California for community regional park improvements to provide recreational opportunities to the local community;

$51,600 to Susquehanna County, Pennsylvania for construction of an industrial park and facility;

$215,000 to complete the Logan, Utah Emergency Services Training Facility project;

$344,000 to the City of Ackerman and Choctaw County, Mississippi for development of a community center;

$800,000 to Aurora, Illinois to revitalize downtown through adaptive reuse of architecturally significant structures;

$860,000 to Waukegan, Illinois for renovation of the historic Genesee Theater;

$430,000 to Riverside, California for the Goeske Center for Senior and Disabled Citizens;

$200,000 to St. Stephen's Community Center in Kentucky for expansion of the life center;

$258,000 to West Palm Beach, Florida to refurbish and expand the Northwood Community and Recreation Center;

$825,000 to Chambersburg, Pennsylvania for the Capitol Theatre project;

$60,000 to the Coos Economic Development Corporation in New Hampshire for the Connecticut River Byway Gateway Center including purchase and renovation of a former cog mill;

$365,500 to the Boys and Girls Club of Camden, Arkansas;

$77,400 to Wayne County, Pennsylvania to establish a revolving loan fund for a Small Business Incubation Program;

$350,000 to the Patrick Henry Development Council (PHDC) of Virginia for economic development;

$215,000 to Escondido, California for the Quail Hills Development Program;

$860,000 to Dillard University in Louisiana to continue construction of the International Center for Economic Freedom;

$215,000 to the City of Charlotte, North Carolina for economic development activities within Charlotte's Wilkinson Boulevard Corridor;

$215,000 to Proctor Hospital in Peoria, Illinois for the Women's Health Center;

$172,000 to Baton Rouge, Louisiana for Downtown Development/Plan Baton Rouge;

$430,000 to the Center for Hazards Assessment, Response and Technology in New Orleans, Louisiana for emergency assessment and response;

$43,000 to the Borough of Tunkhannock, Wyoming County, Pennsylvania for upgrade of the Dietrich Theater Cultural Center;

$200,000 to the Marcelino Plan y Vino, Inc. A 501(c)(3) in Virginia for the MAPAVI program to provide assistance to communities and individuals coping with the financial burden of catastrophic illness;

$1,000,000 to Sandy City, Utah for the purchase of land related to the Little Cottonwood Watershed Protection project;

$34,400 to the YWCA of Walla Walla, Washington for the repair and enhancements to the family emergency shelter;

$430,000 to Columbus, Ohio for a Housing Trust Fund;

$250,000 to Motor City Blight Busters in Detroit, Michigan to establish a revolving loan fund for new construction, acquisition, and rehabilitation of distressed homes;

$430,000 to Daytona Beach, Florida for design and construction of Community Center;

$43,000 to the County of San Bernardino, California for roadway signage improvements to historic Route 66 between Topock and Victorville;

$430,000 to Montgomery County, Kentucky for a community center;

$430,000 to Hackensack University Medical Center in New Jersey for women's and children's hospital;

$1,720,000 to the Olympic Regional Development Authority to upgrade the Lake Placid, New York winter sports facilities;

$258,000 to the Hamlet Historic Train Depot in North Carolina for depot restoration;

$43,000 to Highland Falls, New York to renovate downtown;

$473,000 to Monroe County, Pennsylvania for construction of an industrial park;

$860,000 for the restoration of Glamorgan Castle in Alliance, Ohio;

$301,000 to the City of Redlands, California for infrastructure activities related to the Redlands Community Center;

$172,000 to Ouachita County, Arkansas for Tate's Bluff Bridge;

$430,000 to Doane College—Crete, Nebraska for rehabilitation of historic Whitcomb Conservatory for performing arts center;

$215,000 to Memorial Health System in Springfield, Illinois for initial facility planning for a Cardiology Center;

$301,000 to Ft. Wayne, Indiana for revitalization of the of Bowser Avenue and Hanna-Creighton brownfield area;

$430,000 to the Town of Skaneateles, New York for construction of a recreation center;

$645,000 to Carnegie Hall in New York for continuation of Carnegie Hall's Third Stage project;

$430,000 to the MCB Foundation of Wichita, Kansas for revitalization of the downtown community recreation center;

$430,000 to the VA Greater Los Angeles Health Care System in California for renovation of the gymnasium on the Sepulveda campus;

$438,600 to the Children's Hospital and Health Center in San Diego, California for construction and infrastructure improvements;

$301,000 to the Port of South, Louisiana for expansion of the Globalplex intermodal terminal facility;

$430,000 to the City of Tucson, Arizona for clean-up and development of brownfield;

$344,000 to Carmel, New York to create a downtown park and commercial area;

$1,240,000 to Spring Hill College in Alabama for the Regional Library Resource Center;

$25,600 to the City of Thibodaux, Louisiana for infrastructure improvements to the Civic Center;

$430,000 to Tuscaloosa, Alabama for the Alberta City housing initiative;

$444,000 to Knoxville, Tennessee for equipment needs of the Halls-Powell Boys and Girls Club of Greater Knoxville;

$200,000 to the Virginia Department of Transportation for engineering design and construction of a debris diverter on the Tripps Run in Falls Church, Virginia;

$64,500 to the Twentynine Palms Fire Department in Twentynine Palms, California for fire suppression equipment;

$250,000 to the Natural History Museum of the Adirondacks in Tupper Lake, New York for the construction of the Natural History Museum of the Adirondacks;

$430,000 to Redding, California for Stillwater Industrial Park within the Shasta Metro Enterprise Zone ''Distressed Community'';

$430,000 to the Boys and Girls Club of Tucson, Arizona for new construction;

$430,000 to the Coach George E. Ford Cultural Arts Center in Georgia for building renovation;

$430,000 to the St. Francis Community Center in New Jersey for construction of indoor community pool;

$430,000 for the New York Institute of Technology Robbins Hall for renovation of the auditorium;

$215,000 to the City of Syracuse, New York for infrastructure improvements to the Erie Canal Museum;

$430,000 to Kern County, California for infrastructure work in support of the new air terminal to Meadows Field;

$215,000 to the City of Medford, Oregon for the City of Medford Urban Revitalization Project;

$415,000 to Temecula, California for the Alternatives to Domestic Violence Shelter;

$21,500 to the City of Redlands, California for restoration projects at the historic Kimberly Crest House and Gardens;

$344,000 to the State University of New York at Albany for continued development of a manufacturing/workforce training center;

$645,000 to the Cities of El Segundo, Manhattan Beach and Hawthorne, California to ease traffic congestion along the Rosecrans corridor;

$645,000 to Jazz at Lincoln Center in New York City for facility construction;

$430,000 to Rochelle, Illinois for economic development and infrastructure improvements;

$172,000 to the ArtSpace Victory Center in Texas for the revitalization of the Our Lady of Victory Convent;

$98,900 to the Whitman County Rural Fire District No. 11 in Colfax, Washington for construction and repair of the Colfax Fire Station;

$215,000 to NewTown, Inc., Macon, Georgia for revitalization of downtown area;

$86,000 to the Economic Opportunity Authority of Chatham County, Georgia for the Austin House shelter for homeless;

$645,000 to the City of Leesburg, Virginia for preservation and infrastructure improvements for the George C. Marshall International Center at the Dodona Manor;

$1,118,000 to the United Cerebral Palsy of Suffolk County, New York for the Sports and Recreation Center and Education complex;

$1,000,000 to the Future of the Piedmont Foundation in Danville, Virginia for development of a regional higher education center;

$236,500 to Arkadelphia, Arkansas for the Streetscape project;

$21,500 to the Donald L. Heiter Community Center in Pennsylvania for renovation project;

$129,000 to Bruce, Mississippi for a multipurpose facility for economic development purposes;

$208,000 to Ashland, Alabama to complete renovations of the Clay County Courthouse;

$215,000 to the University of Cincinnati Medical Center in Ohio for renovation of the Medical Sciences Building;

$215,000 to Pike County, Pennsylvania for construction of an industrial facility to employ disabled individuals;

$430,000 to the Bethesda Academy of Performing Arts in Maryland for creation of children's art center;

$344,000 to the San Diego Youth and Community Services in California for the Storefront emergency shelter relocation of facilities ($172,000) and for the Take Wing transitional housing program for at-risk youth and families ($172,000);

$430,000 to restore and rehabilitate Mile Square Park in California;

$250,000 to Lysander, Van Buren, and Eldridge, New York for a water line extension for Jack's Reef;

$430,000 to Cheyenne, Wyoming for economic development and infrastructure improvements to the airport;

$129,000 to Miami-Dade County, Florida for the City of Miami Beach North Beach Recreational Corridor;

$215,000 to Stamford, Connecticut to acquire property for the Mill River Corridor Revitalization Project;

$150,000 to the City of Johnstown, New York for rehabilitation and redevelopment work at the former Karg Brothers Tannery;

$1,220,000 to St. Petersburg, Florida for the Sunken Gardens improvement project;

$860,000 to Citrus Heights, California for Phase II of the Sunrise MarketPlace Revitalization project;

$215,000 to El Monte, California for renovation of recreational facility by replacing swimming pools, modernizing parking areas, developing youth center;

$430,000 to Fairview Health Services in Minnesota for the Fairview-University Medical Center for Healthy Mothers and Babies Technology Demonstration Initiative;

$86,000 to the City of New Iberia, Louisiana for economic development and revitalization of the downtown area;

$215,000 to the Titusville YMCA in Pennsylvania for the purchase of a new structure and preliminary renovation;

$86,000 to St. Charles Parish, Louisiana for the development of a bike path and enhancement of recreation opportunities;

$430,000 to the Terre Haute/Vigo County Department of Redevelopment in Indiana pursuant to a memorandum of understanding between the General Services Administration and the United States Postal Service;

$130,000 to El Rio, California for extension of water and wastewater infrastructure to the community center gymnasium;

$430,000 to Huntingdon College in Montgomery, Alabama for renovation and expansion of the Natural Sciences facility, Bellingrath Hall;

$200,000 to TeenPride Inc. in Morristown, New Jersey to expand outreach to low-income, at-risk teenagers and their families;

$258,000 to Mercer County, New Jersey for the Senior Citizen Centers of Hamilton Township and the City of Trenton;

$86,000 to the Upper Bucks County community of Quakertown, Pennsylvania for revitalization of former brownfield site;

$300,000 to Santa Paula, California purchase of new fire engine and equipment for the Fire Department;

$100,000 to the City of Rochester, New Hampshire for emergency housing;

$86,000 to Original Town of Liberal Revitalization, Inc. in Kansas for economic development activities;

$430,000 to Coachella, California for construction of Boys and Girls Club facility;

$400,000 to St. Joseph's Hospital Health Care Center for the Central New York Cardiac Care and Hemodialysis Enhancement Center in Syracuse, New York;

$75,000 to Paul Smith's College in Paul Smiths, New York for the construction of the Adirondack Information Resource Center;

$860,000 to Rockland County, New York for extension of water and wastewater infrastructure of the Western Ramapo Sewer District;

$450,000 to Xenia, Ohio for renovation of fire station No. 1;

$860,000 to the James Whitcomb Riley Hospital for Children in Indiana to expand services at the autism clinic;

$215,000 to the County of San Bernardino, California for a public park complex to meet the recreational needs of the Spring Valley Lake community in Victorville;

$430,000 to Laural, Mississippi for the Veterans Memorial Museum;

$1,500,000 for development of the Interactive Education Center at the Intrepid Sea Air and Space Museum in New York;

$415,000 to Oceanside, California for the Calle Montecito Neighborhood Center;

$100,000 to complete the Chattahoochee Indian Heritage Center at Fort Mitchell County Park, Alabama;

$17,200 to the City of Grand Isle, Louisiana for emergency service needs;

$395,000 to the City of Ellicottville, New York for use toward the repair and/or replacement of the City's waste water treatment plant;

$172,000 to Shea's Performing Arts Center in the City of Buffalo, New York for renovations to the main theater;

$430,000 to Bradford, Pennsylvania for the restoration of Bradford City Hall;

$495,000 for the Green County ''Spec Building'' in Kentucky for preparation and construction of an industrial site;

$430,000 to Oklahoma State University to continue and expand rural economic development;

$430,000 to the University of Missouri-Columbia for the Agriculture Product Utilization and Incubation Center;

$430,000 to Rural Enterprises Inc. of Oklahoma to continue and expand rural economic development;

$114,000 to Fairfax County, Virginia for the Computer Clubhouse Project at the Bailey's Community Center;

$430,000 to Yakima, Washington for railroad grade separations;

$215,000 to Bristol, Pennsylvania for construction of a gateway and beautification;

$172,000 to Stepping-Stones for Youth in Hutchinson, Kansas;

$35,000 to the St. Lawrence Aquarium and Ecological Center in Massena, New York for continued development and construction of the St. Lawrence Aquarium;

$245,100 to Holly Springs, Mississippi for North Memphis Street District Redevelopment and Revitalization Program;

$430,000 to the Museum of Aviation, Warner Robins, Georgia for development plan and expansion;

$500,000 to Somerset County, New Jersey for the Eldercare Center in Bridgewater Township;

$930,000 to the City of Cincinnati, Ohio for the expansion of Findlay Market;

$50,000 to the City of Ogdensburg, New York for reconstruction of Fort La Presentation;

$86,000 to Nike Base in the Town of Hamburg, New York for removal of storage tank;

$387,000 to Lake Worth Palm Beach County, Florida for the Mid-County Senior Center;

$25,000 to Safe Haven, Inc. in Oswego, New York for construction of a museum/interpretive center chronicling the Fort Ontario Emergency Refugee;

$215,000 to Memorial Temple Community Center in the city of Buffalo, New York for equipment for the inner-city community center;

$43,000 to Onondaga County, New York for restoration and preservation of Civil War flags;

$172,000 for the Huntington Station Enrichment Center in New York for renovation and conversion to a community center;

$215,000 to Fairfield University in Connecticut for establishment of Information Technology Center;

$215,000 to the City of Syracuse, New York for renovations to the Salt City Theatre for the Performing Arts;

$400,000 to Marshall County, Alabama for drinking water infrastructure improvements on Merrill Mountain;

$430,000 to the City of Syracuse, New York for monument repair and infrastructure improvements for Clinton Square;

$75,000 to Fulton-Montgomery Community College in Johnstown, New York for construction of a remote sensing/spatial information technology center;

$200,000 to the James Lee Community Center in Virginia;

$258,000 to Fort Worth, Texas for renovation of the historic Marine Theater;

$268,000 to the Boys and Girls Club of McGehee, Arkansas;

$430,000 to the Community House in Hinsdale, Illinois for renovation, upgrades and restoration to meet ADA compliance codes and local fire codes;

$430,000 to South Sioux City, Nebraska for downtown redevelopment for civic building site;

$430,000 to Sacramento County, California for rehabilitation and preservation of historic structures and physical improvements for the town of Locke;

$430,000 to Chester, Pennsylvania for the Institute for Economic Development for planning funds for high-tech building;

$860,000 to the City of Pikeville, Kentucky for an integrated transit/parking facility;

$250,000 to Elmira College in New York for the historic renovation of Cowles Hall;

$172,000 to the Millennium Port Commission for planning and development of the Millennium Port in south Louisiana;

$75,000 to Fayette County, Alabama for emergency services equipment;

$172,000 to Morgantown, Kentucky to construct recreation center;

$215,000 to Rockdale County, Georgia for Georgia's Veteran's Park for future veteran memorials and events;

$172,000 to the County of Inyo, California for facility and infrastructure improvements at the Bishop Airport to facilitate economic development and recreational access;

$430,000 to the New Britain Museum of American Art in Connecticut for expansion of facilities;

$860,000 to Arizona State University for the establishment of the Center for Basic Research and Applied Research within the Barry M. Goldwater Center for Science and Engineering;

$500,000 to Cortland County, New York for infrastructure and expanded operational improvements for Borg-Warner Automotive, Inc.;

$215,000 to the Town of Aurora, New York for renovation of the Aurora Senior's and Adult Day Care facility;

$860,000 to Winston-Salem, North Carolina for Downtown revitalization;

$258,000 to Albemarle, North Carolina for the Gateway to Albemarle project;

$400,000 to the City of Syracuse, New York for equipment and infrastructure improvements for the Institute of Human Performance;

$215,000 to Jacksonville, Florida for redevelopment of Cecil Field;

$43,000 to the City of Dumas, Arkansas for the Tannenbaum Theatre renovations;

$344,000 to Broward County, Florida for the Museum of Discovery and Science;

$430,000 to Muncie, Indiana for downtown economic development project;

$258,000 to the Fund for the Preservation of the California State Mining and Mineral Museum;

$215,000 to Jackson, Michigan for the downtown redevelopment project;

$215,000 for Roberts Wesleyan College in Rochester, New York for infrastructure improvements along Westside Drive;

$86,000 to the Hamlet Opera House in North Carolina for development of a performing arts center;

$430,000 to the Hebrew Academy for Special Children in New York to construct a national service center for low-income and developmentally disabled;

$200,000 to the Village of Malone, New York for rehabilitation and reconstruction of the Hotel Flanagan Project;

$98,900 for the Inland Northwest Blood Center in Washington for construction and improvements of the blood center;

$56,000 to Fairfax County, Virginia for the Herndon Senior Center;

$77,400 to the City of Imperial Beach, California for lands purchased by the city for the Tijuana Wildlife Refuge;

$430,000 to Boyle County, Kentucky for Phase III of Millennium Park;

$129,000 to SocialServe.com in North Carolina for a demonstration grant to increase access to low-income and special needs housing;

$215,000 to Miami Beach, Florida for the Atlantic Greenway Corridor Initiative—North Beach Recreational Corridor;

$215,000 to the Economic Corporation of Newport, New Hampshire for rehabilitation of Eagle Block;

$86,000 to Vista Optimist Club, California for the Youth Activities Facility to build lighted ballfields;

$750,000 to William Tyndale College in Farmington Hills, Michigan for the construction of a science and computing learning center;

$688,000 to Baton Rouge, Louisiana for expansion of the South Louisiana Community Health Alliance;

$215,000 for renovation and rehabilitation of North Central Flint Hills Area Agency on Aging, Manhattan, Kansas;

$800,000 to the Tawawa Community Development Corporation in Wilberforce, Ohio;

$215,000 to Shake-A-Leg Miami, Inc. in Florida for recreation facilities serving people with disabilities and at-risk youth;

$73,100 to Bellevue, Washington for Eastside Domestic Violence;

$172,000 to Grand Junction, Colorado for planning assistance for the Grand Valley Audubon Nature Center;

$430,000 to Lees-McRae College in North Carolina for a field laboratory to support the College's Biology departments and community outreach;

$860,000 to Pasadena, California for construction of a new fire station;

$205,000 to the Children's Center in Brooklyn, New York for the construction of a facility to house educational and therapeutic programs for disabled preschool children;

$270,000 to the County of San Bernardino, California for the construction of the Hall of Paleontology at the historic San Bernardino County Museum;

$250,000 to the Shiloh Community Renewal Center in Kentucky for rehabilitation of facilities;

$90,000 to the Fairfax County Parks Authority in Virginia for the Mason District Park;

$170,000 to the Pittsfield Library in New Hampshire for renovations necessary to meet ADA compliance;

$1,935,000 to Syracuse University in New York for completion of the Crouse-Marshall Street Improvement Project;

$50,000 to the Nelson County Senior Citizen Center in Virginia for renovation and expansion of the facility near Lovingston, Virginia;

$1,200,000 to the City of Syracuse, New York for the building of a temporary transmission tower during the transition of the public TV station from analog to digital television;

$430,000 for Madison County, New York for economic development and infrastructure improvements;

$430,000 to California State University and the City of Omaha, California for the Omaha Housing Initiative;

$430,000 to Shreveport, Louisiana for Convention Center Downtown Redevelopment and construction of infrastructure surrounding convention center;

$258,000 to the Kalamazoo Aviation History Museum in Michigan for the ''Legacy of Flight'' project;

$215,000 to the Boys Town National Research Hospital in Nebraska for establishing the National Center for the Study and Treatment of Usher Syndrome;

$43,000 for the Central Bucks, Pennsylvania Joint Municipal Planning Issues study;

$820,000 for Griffiss Business and Technology Park in Oneida County, New York for economic development and infrastructure improvements;

$860,000 to Midwest City, Oklahoma for construction of small conference center;

$645,000 to the University of Southern California to help create the Alfred E. Mann Institute and Biomedical Engineering Center;

$215,000 to Lebanon College in New Hampshire for a community center;

$430,000 to Monrovia, California for the renovation and upgrade of existing city facility into teen center;

$645,000 for the Cornell Agriculture and Technical Park-Geneva Station in Ontario County, New York;

$800,000 to the Washington Association in Harding Township, New Jersey;

$258,000 for the Troy Rent-to-Own Housing Pilot project in North Carolina;

$344,000 to the University Colleges of Technology at the State University of New York for the continued development of a Telecommunications Center for Education;

$309,000 to the New York Public Library for renovations and infrastructure improvements;

$500,000 to MBI International in Michigan for economic development activities that provide infrastructure to accelerate the development of biobased industrial product technologies;

$98,900 to the Oaksdale/Farmington Fire District No. 10 in Whitman County, Washington for the repair and construction of facilities;

$215,000 to the Tubman African American Museum in Macon, Georgia for the construction of the Tubman African American Museum;

$98,900 to the Coalition for Women on the Street in Spokane, Washington for the development of the Downtown Women's Shelter;

$20,000 to Culman, Alabama for a study to plan and design the Agriplex Agriculture Museum;

$172,000 to 1490 Enterprises Inc., City of Buffalo, New York for a Community Action Organization (CAO) Head Start Expansion;

$100,000 to the City of Bedford, Virginia for economic development and tourism in connection with the World War II D-Day Memorial;

$645,000 to Warren County, Virginia for asbestos remediation and lead paint removal at the Avtex Superfund site;

$430,000 to the Next Generation Economy Initiative in Albuquerque, New Mexico to enter into ''matching funds'' technology maturation partnerships with local companies using the expertise from the University of New Mexico and Sandia National Laboratories;

$125,000 to Escambia County in Florida for development costs for infrastructure of Central Commerce Park;

$600,000 to the City of Portland, Oregon for the Portland-Vancouver Regional Housing Affordability Pilot Program;

$750,000 to Northeast Ventures Corporation in Duluth, Minnesota to provide equity capital support for community development venture capital and microenterprise in Northeast Minnesota;

$350,000 to the City of Indianapolis, Indiana for infrastructure needs in the King Park homeownership zone;

$700,000 to the City of Takoma, Washington for the Downtown Revitalization and Shelter Improvements Program;

$15,000 to Renew Oakville in the town of Oakville, Missouri for a community enhancement program;

$200,000 to the City of Burlington, Vermont for a homeownership program designed to assist low and moderate income first time homebuyers in purchasing duplex housing, including down payment assistance;

$250,000 to the Township of Plainsboro, New Jersey for construction of a nature center at the Plainsboro Preserve;

$150,000 to Marin City, California for a Marin City Cultural and Community Center facility;

$350,000 to the Jefferson County, Missouri Parks & Recreation Department for improvements to existing county-owned parks;

$1,000,000 to the City of Johnstown, Pennsylvania for construction of an intermodal parking garage;

$1,000,000 to the Self-Help Ventures Fund in Durham, North Carolina to establish a revolving loan fund;

$150,000 to the Memphis Zoo in Memphis, Tennessee for the Northwest Passage Campaign;

$50,000 to the Historical Centre Foundation in San Antonio, Texas for construction of a community center and startup of a program for community outreach near the San Fernando Cathedral;

$175,000 to St. Ignace, Michigan for construction of a public library;

$200,000 to the Flint, Michigan Chamber of Commerce for economic development efforts;

$100,000 to the Wholistic Family Agape Ministries Industries in Arlington, Virginia for an HIV/AIDS/Substance Abuse program;

$125,000 to the Word of God Parish and School, St. Anselm site, in Swissvale, Pennsylvania for infrastructure rehabilitation projects;

$200,000 to the Sacramento, California Housing and Redevelopment Agency for the Smart Workplace Demonstration Center;

$100,000 to the City of Berwyn, Illinois for the expansion and renovation of Public Safety and Fire facilities;

$250,000 to the Baltimore, Maryland Symphony Orchestra for construction of a concert hall and youth music education center in Rockville, Maryland;

$100,000 to Essex County, Massachusetts for cyberdistrict economic development initiatives;

$250,000 to the City of Pittsburgh, Pennsylvania for the rehabilitation and revitalization of the Garfield neighborhood;

$200,000 to the Governing Board of Tower Grove Park in St. Louis, Missouri for an ongoing renovation project;

$350,000 to the Town of Wilson, New York for repair and expansion of the pier at Wilson Harbor;

$300,000 to Southern Illinois University in Carbondale, Illinois for infrastructure needs related to the development of a University Research Park;

$1,000,000 to Ford City Borough, Armstrong County, Pennsylvania for development of the Ford City Heritage and Technology Park;

$310,000 to the West Virginia Humanities Council: $210,000 to support production of ''The Appalachians,'' a film documentary, and $100,000 for Council programs;

$500,000 to the Fairmont Community Development Partnership for downtown revitalization, and relocation of a homeless nutrition service program;

$400,000 to the City of Gainesville, Florida for the East Side Community Recreation Center, Cone Park;

$250,000 to Hampshire College in Amherst, Massachusetts for construction of the National Center for Science Education;

$50,000 to the Great Lakes Consortium for an International Training and Development program in Toledo, Ohio;

$100,000 to the Village of Chicago Ridge, Illinois for construction of a Municipal Complex;

$450,000 to the Potomac Heritage Partnership for the Potomac River Heritage Trail Project to improve access to parks;

$100,000 to the Washington County Economic Development Council in Washington County, Florida for economic development efforts;

$50,000 to the Institute for Economic Development for development of University Technology Park in Chester, Pennsylvania;

$1,000,000 to Northeastern University in Boston, Massachusetts for a pilot program on the health problems of urban communities;

$150,000 to Elkhart County, Indiana for natural gas and electric service to the Harrison Ridge subdivision project;

$100,000 to the New Kensington Redevelopment Authority in New Kensington, Pennsylvania for asbestos removal and demolition of the Ridge Avenue High School building;

$450,000 to the City of Durham, North Carolina for community development, employment training, and youth development efforts;

$300,000 to the City of Monticello, Florida for conversion of a school building to a multi-purpose community center;

$270,000 to the Somerset County Commission in Somerset County, Pennsylvania for facilities improvements at Windber Recreational Park;

$450,000 to Family Connections in Weirton, West Virginia for facility needs related to the provision of services to at-risk juvenile females;

$25,000 to the City of Jacksonville, Florida for development of a distinctive business district;

$200,000 to the Abilene, Texas Regional Airport for hangar renovation related to the Southwest Regional Fly-In;

$400,000 to the City of Salinas, California for the construction of a municipal pool;

$50,000 to the City of Thousand Oaks, California for planning and construction of a child care center;

$100,000 to the New York City, New York Department of Parks and Recreation for clean-up of the College Point Sports Complex in Queens;

$100,000 to the Brooke-Hancock County Veterans Memorial, Inc. in West Virginia for a community park improvement project, military history museum and memorial;

$100,000 to Covenant House Washington in Washington, D.C. for the construction of a Community Service Center;

$900,000 to the City of Wausau, Wisconsin for a supportive living facility to serve low income elderly residents;

$150,000 to the City of Tonawanda, New York for public works infrastructure and housing rehabilitation grants;

$200,000 to the St. Louis County, Missouri Parks & Recreation Department for renovation of the structures at Bee Tree Park;

$1,100,000 to Rush-Presbyterian St. Luke's Medical Center in Chicago, Illinois for the Center for Research on Aging;

$80,000 to the Borough of Latrobe, Pennsylvania for the Latrobe Veterans Plaza;

$200,000 to SW Resources, Inc. in Parkersburg, West Virginia for facilities expansion for the creation of additional job opportunities for people with disabilities;

$50,000 to the Cambria Historical Society in Cambria, California for the preservation of the Bianchini House;

$400,000 to the City of Dayton, Ohio for land acquisition for the Tool Town precision metal working park;

$80,000 to the St. Louis County, Missouri Parks & Recreation Department for the renovation of recreation facilities within Black Forest Park;

$150,000 to the North Carolina Housing Finance Agency for mortgage assistance in Chatham County;

$225,000 to the Alabama State University for facility needs related to the Environmental Microbiology program;

$100,000 to Lorain County Community College in Ohio for the establishment of the Learning Technology Center;

$100,000 to Salem International University in West Virginia for equipment, information technology and infrastructure needs;

$50,000 to Portland State University in Portland, Oregon for development of the Northwest Center for Engineering, Science, and Technology;

$400,000 to the UDI Community Development Corporation in Durham, North Carolina for economic development efforts;

$250,000 to the New York City, New York Department of Parks and Recreation for costs relating to construction of a Recreation Center in Chelsea;

$250,000 to the Upper Kanawha Valley Economic Development Corporation in Montgomery, West Virginia for the development of a technology community park;

$25,000 to CHANGE, Inc. Community Action Agency in Weirton, West Virginia for equipment needs for after-school programs for under-served youth;

$175,000 to the National Council of La Raza to provide technical and financial assistance to community development efforts through its Hope Fund;

$200,000 to the Southside Boys and Girls Club in St. Cloud, Minnesota for planning and construction of a community center;

$100,000 to the Fresno Community Medical Center in Fresno, California for development of a regional trauma and burn center;

$175,000 to the City of Houston, Texas for a homeownership program, involving down payment subsidy assistance for sewer/water hook-up;

$150,000 to the Multicultural Educational Counseling Through the Arts (MECA) program in Houston, Texas for operational and facilities needs;

$75,000 to the Lafayette, Louisiana Chamber of Commerce for the Zydetech Initiative;

$100,000 to the Village of Tuckahoe, New York for streetscape improvements;

$50,000 to the Cambridge, Massachusetts Redevelopment Authority for recreation development efforts;

$1,250,000 to the City of Mt. Clemens, Michigan for the establishment of a community recreation center;

$250,000 to the Los Angeles Neighborhood Initiative in Los Angeles, California for economic development efforts in the Fairfax Avenue Ethiopian Business District;

$250,000 to the City of Brownsville, Texas for reconstruction of downtown streets as part of city center redevelopment efforts;

$200,000 to the Village of Matteson, Illinois for renovation and expansion of a community center;

$500,000 to Southern West Virginia Community and Technical College in Logan, West Virginia for a cooperative economic development effort with the Appalachian Transportation Institute at Marshall University, Huntington, West Virginia;

$250,000 to Culver City, California for the construction of the Culver City Senior Center;

$200,000 to the Safer Foundation in Chicago, Illinois for a workforce development program to provide ex-offenders with education and job training;

$125,000 to the Franklin County Community Development Corporation in Greenfield, Massachusetts for construction of a food processing center;

$200,000 to the Township of Stickney, Illinois for renovations related to a multipurpose municipal center;

$150,000 to Tulane University in New Orleans, Louisiana for facilities renovation and educational outreach at the AMISTAD Research Center;

$250,000 to Long Island University in Brooklyn, New York to study the feasibility of establishing a wellness center as a collaborative effort with Brooklyn Hospital;

$200,000 to the Sacramento, California Boys and Girls Club for the construction of a facility on Lemon Hill Avenue;

$200,000 to Calhoun Community College in Decatur, Alabama for the Aerospace and Advanced Technology Park;

$300,000 to the Township of North Bergen, New Jersey for the establishment of Technology Literacy Learning Centers;

$250,000 to Casa Puerto Rico in New York City, New York: $150,000 for a feasibility study and seed money for the restoration of a theater located in the Villa Alejandrina Apartments in South Bronx, New York, and $100,000 for a feasibility study and startup costs for the conversion of the Bronx Borough Courthouse into a Puerto Rican Historical, Cultural and Activities Center;

$800,000 to the Wausau Performing Arts Foundation, Inc. in Wausau, Wisconsin for the ArtsBlock project;

$150,000 to the City of Baytown, Texas for construction of an Emergency Operations Center;

$75,000 to Northern Kentucky University in Highland Heights, Kentucky for the Urban Learning Center;

$400,000 to Spelman College in Atlanta, Georgia for the historic preservation of Packard Hall;

$400,000 to Milwaukee County, Wisconsin for renovations to the Milwaukee County War Memorial;

$50,000 to the City of Norwalk, California for renovations at the Norwalk Aquatic Center;

$100,000 to the Tampa Port Authority in Tampa, Florida for infrastructure improvements related to the Channelside economic development project;

$200,000 to the L.I.F.T. Women's Resource Center in Detroit, Michigan for expansion of the Positive Change Project;

$50,000 to the 21st Century Council Adult Career Center in Scottsboro, Alabama for computer system improvements, acquisition of office equipment, and instructional materials;

$50,000 to the Tri-Valley Business Council in Livermore, California for a business incubator initiative known as Tri-Valley Technology Enterprise Center;

$400,000 to the City of New Haven, Connecticut for the restoration and rehabilitation of the West River Memorial Park;

$25,000 to the Township of Branchburg, New Jersey for the construction of a war veterans memorial;

$400,000 to Ohio University in Athens, Ohio for the Innovation Center, a technology business incubator;

$250,000 to the Wawashkamo Restoration and Preservation Fund in Mackinac Island, Michigan for initiatives related to the Mackinac Island Battlefield;

$100,000 to the City of Dallas, Texas for an affordable housing program operated by the T.R. Hoover Community Development Corporation;

$100,000 to the New London Development Corporation in New London, Connecticut for renovation related to affordable housing;

$100,000 to Neighborhood Reinvestment Corporation of Kansas City, Kansas for development of low income housing;

$50,000 to the New York City, New York Department of Parks and Recreation for phase three of the rebuilding and restoration of Joyce Kilmer Park in South Bronx, New York;

$550,000 to the Springfield Library and Museum Association in Springfield, Massachusetts for construction and infrastructure improvements related to a national memorial and park honoring Theodor Geisel;

$225,000 to the City of Ferndale, Michigan for refurbishment of Washington Elementary School for use as a community center;

$100,000 to the City of Mollalla, Oregon for the conversion of a gymnasium into a public library, community and technology training center;

$300,000 to the City of Albany, New York for waterfront improvements;

$250,000 to the Berkeley County Commission in Martinsburg, West Virginia for the Historic Baltimore and Ohio Roundhouse Renovation Project;

$100,000 to the Cape Cod, Massachusetts Chamber of Commerce for the Cape Cod High Technology Center technology incubator initiative;

$100,000 to Consolidated Fruit Packers, Inc. in New Paltz, New York for a job retention program;

$1,000,000 to the National Children's Advocacy Center in Huntsville, Alabama for the establishment of a research and training facility;

$350,000 to the Richland County Neighborhood Technology Center in Richland County, South Carolina for facilities and equipment needs;

$500,000 to the Center for Economic Development at the University of San Francisco in San Francisco, California for economic development efforts;

$400,000 to the National Coalition for Homeless Veterans in Washington, DC for the provision of technical assistance to local organizations;

$150,000 to the Saugerties Historical Society in Saugerties, New York for historic preservation of the Kiersted House;

$200,000 to the Village of Glenwood, Illinois for renovations to the Glenwood Senior Center;

$150,000 to the Point Community Development Corporation in New York City, New York for the purchase and/or renovation as a boathouse of an abandoned factory at the corner of Lafayette Avenue and Edgewater Road in South Bronx, New York;

$500,000 to the City of Falls Church, Virginia to refinance the Winter Hill Apartments, low-income housing complex;

$100,000 to Roberts Wesleyan College in Rochester, New York for the establishment of a community service center;

$1,050,000 to Lucas County, Ohio for the acquisition and improvement of Quarry Farms Park;

$250,000 to Santa Monica College in Santa Monica, California for the Madison Site Theater Center;

$200,000 to the Lewiston Auburn Economic Growth Council in Lewiston, Maine for administering loans to stimulate economic growth;

$50,000 to the Borough of Peapack, New Jersey for facility improvements to the Township Hall;

$225,000 to the City of Los Angeles, California for construction of the Ernest E. Debs Nature Center;

$450,000 to the American Indian Business Development Corporation for construction of a multi-purpose facility to support business development in south Minneapolis, Minnesota;

$325,000 to the Berkshire South Regional Community Center in Great Barrington, Massachusetts for planning and construction;

$165,000 to the Millvale Borough Development Corporation in Millvale, Pennsylvania for the implementation of the Millvale Gateway and Riverfront Plan;

$200,000 to Nanticoke, Pennsylvania for downtown revitalization and infrastructure improvements;

$1,000,000 to the George Meany Center for Labor Studies in Silver Spring, Maryland for facility needs;

$500,000 to the Boys and Girls Club of Nogales, Arizona for expenses related to the construction of a facility;

$250,000 to the City of Buffalo, New York for refurbishing of the exterior of St. Louis Church, including façade work;

$80,000 to the Eureka Volunteer Fire Department in Tarentum, Pennsylvania for asbestos removal and demolition of the Tarentum Municipal Building;

$150,000 to the Tioga County Rural Economic Area Partnership in Owego, New York for economic development efforts;

$100,000 to the Village of Hempstead, New York for infrastructure improvements to Kennedy Park;

$465,000 to the Prospect Park Alliance in New York City, New York for interior exhibits and furnishing for Prospect Park Audubon Center at the Boathouse;

$200,000 to the Ukrainian Museum Archives in Cleveland, Ohio for facilities improvements;

$25,000 to the Orlando Community Redevelopment Agency in Orlando, Florida for redevelopment of Otey Place;

$125,000 to the Academy Family Foundation in Fairmont, West Virginia for facility and programmatic needs;

$100,000 to the Little Tokyo Service Community Center in Los Angeles, California for the development of a job training program;

$200,000 to Broward County, Florida for the Broward County African-American Community and Cultural Center;

$50,000 to the County of San Diego, California for planning related to the development of a business park in East Otay Mesa;

$150,000 to the Indiana County Community Action Program in Indiana County, Pennsylvania for equipment, facilities and activities needs;

$200,000 to the City of East Palo Alto, California for the redevelopment of the Ravenswood Industrial Area;

$300,000 to the City of Huntington, New York for a sewage treatment facility;

$100,000 to the Town of Beacon Falls, Connecticut for the purchase of Pinesbridge Industrial Park;

$100,000 to the City of Worcester, Massachusetts for the Gardner-Kilby-Hammond Street neighborhood revitalization project;

$100,000 to the Bronx Museum of the Arts in New York City, New York for infrastructure improvements, construction, renovation, operation and facility upgrades;

$50,000 to the Eugene A. Obregon CMH Memorial Foundation for the creation of a memorial to honor Latinos who have served in the Armed Services;

$50,000 to the City of Garden Grove, California for planning and construction of the West Haven Park Community Center;

$250,000 to the City of Abilene, Texas for renovation of the historic Wooten Hotel;

$100,000 to the City of San Leandro, California for landslide mitigation efforts;

$200,000 to the City of Saint Marys, West Virginia for downtown revitalization, and vehicle and equipment needs to support the Senior Service Advisory Council's senior nutrition program;

$75,000 to the City of Hartford, Connecticut for the Temple Street redevelopment project;

$250,000 to the Brotherhood Crusade Business Development and Capital Fund in Los Angeles, California for facility infrastructure needs and/or technical assistance and loans to small businesses;

$200,000 to West Virginia University at Parkersburg for equipment needs related to the Caperton Center;

$500,000 to the International Glass Museum in Takoma, Washington for capital costs associated with a new facility;

$400,000 to the Montclair Art Museum in Montclair, New Jersey for facility expansion;

$225,000 to the South Sumter Resource Center in Sumter County, South Carolina for facilities renovation and equipment;

$40,000 to the Schuylkill County Fire Fighters Association in Morea, Pennsylvania for facilities improvements;

$100,000 to West Liberty State College in West Liberty, West Virginia for planning and development related to the SMART Center;

$200,000 to Oakwood College in Huntsville, Alabama for the establishment of a Wellness Center;

$200,000 to the Schlitz Audubon Nature Center in Milwaukee, Wisconsin for facilities construction;

$200,000 to the Filipino Community Center in Seattle, Washington for costs related to facilities relocation;

$250,000 to Augsburg College in Minneapolis, Minnesota for rehabilitation of Sverdrup Hall;

$50,000 to the government of the U.S. Virgin Islands for fire fighting efforts in territorial waters;

$1,000,000 to the Salvatore Mancini Center on Aging in North Providence, Rhode Island for facilities needs;

$400,000 to Rostraver Township, Westmoreland County, Pennsylvania for economic development studies and activities;

$200,000 to the St. Louis County, Missouri Parks & Recreation Department for renovations and improvements to Jefferson Barracks Park;

$750,000 to John Carroll University in Cleveland, Ohio to support the Center for Mathematics and Science Education;

$50,000 to the Town of Pelham, New York for renovations to Memorial Park;

$75,000 to the Town of St. George, South Carolina for the Klauber Building Project;

$150,000 to the University of North Carolina at Wilmington School of Nursing to provide multidisciplinary nurse-managed primary health care services in rural northern Brunswick County and rural eastern Columbus County, North Carolina;

$950,000 to the Mid-Atlantic Aerospace Complex, Inc. for operating and marketing expenses, site use assessment, land acquisition and construction of facilities;

$600,000 to the National Civil Rights Hall of Fame in Gary, Indiana for facility construction;

$100,000 to Camp Kon-O-Kwee/Spencer YMCA camp in Beaver County, Pennsylvania for continued construction of a wastewater treatment facility;

$325,000 to the Seneca Center in New York City, New York for the acquisition and partial renovation of a permanent facility in South Bronx, New York;

$250,000 to the Huntington Park Oldtimers Foundation in Huntington Park, California for the rehabilitation of a senior center;

$50,000 to Ottawa County, Ohio for street improvements for the central business district in Rocky Ridge, Ohio;

$200,000 to the Peninsula Marine Institute in Newport News, Virginia for the acquisition of a permanent facility to house its juvenile offenders program;

$100,000 to the Martin Luther King Freedom Center in Oakland, California for planning and development purposes;

$1,500,000 to Miami-Dade County, Florida to expand and improve the physical plant of the anchor industry in Poinciana Industrial Park;

$300,000 to St. John Fisher College in Rochester, New York to establish an Institute of Teaching and Learning;

$200,000 to the Daniel Freeman Hospital in Inglewood, California for community health outreach to the uninsured and medically underserved;

$1,000,000 to Columbia University in New York City, New York for its audubon research project;

$400,000 to the University of California-Merced for the renovation of the civil engineering building on Castle Air Force Base;

$150,000 to the City of Moundsville, West Virginia for downtown revitalization associated with the Strand Theater;

$250,000 to the Mystic Valley Development Commission for a regional technology development project known as TeleCom City;

$200,000 to Bethune Cookman College in Daytona Beach, Florida for costs related to a community services and student union building;

$50,000 to the city of Dallas, Texas for the Pleasant Wood/Pleasant Grove Community Development Corporation for improvement efforts focused on West Dallas neighborhoods;

$1,200,000 to the West Virginia High Technology Consortium Foundation, Inc. for continued development of the I–79 Technology Park;

$100,000 to the City of Dallas, Texas for the Southfair Community Development Corporation for land acquisition and efforts to revitalize the Grand Avenue corridor;

$1,000,000 to the St. Coletta School in Alexandria, Virginia for facilities needs;

$50,000 to the St. Louis County, Missouri Economic Council for infrastructure and streetscape enhancements for the Affton/Gravois Business District;

$110,000 to the Reading Area Community College in Berks County, Pennsylvania for planning and development of an Advanced Technology Center;

$100,000 to Temple University Ambler in Montgomery County, Pennsylvania for a community planning and sustainable development initiative;

$150,000 to the Arlington Housing Corporation to purchase investor-owned units at the Arlington Oaks condominium complex for operation as affordable housing;

$100,000 to the Abington Township Public Library in Abington, Pennsylvania for facilities renovation;

$200,000 to Pittson, Pennsylvania for downtown revitalization and infrastructure improvements;

$1,000,000 to Concord College in Athens, West Virginia for infrastructure development for an information technology training program;

$200,000 to the St. Louis, Missouri City Parks Department for renovations of Wilmore Park;

$250,000 to the Village of Mamaroneck, New York for streetscape improvements;

$50,000 to the St. Louis County, Missouri Economic Council for infrastructure and streetscape enhancements for the LeMay Business District;

$1,000,000 to the Mandel School of Applied Social Sciences' Center for Community Development at Case Western Reserve University for the establishment of the Lou Stokes Fellows Program in Community Organization and Development;

$50,000 to the City of Tuscumbia, Alabama for stage and infrastructure improvements at Spring Park;

$150,000 to Fulton County, Ohio for upgrades of emergency notification/siren systems;

$225,000 to the Town of Bolton, Mississippi for a business district restoration plan that includes job training and a revolving loan fund;

$300,000 to the Christiansburg Institute Board in Christiansburg, Virginia for renovation of a historic building into a museum and community learning center;

$1,000,000 to St. John's County, Florida for water, sewer, wastewater, and stormwater system improvements.

Excludes report language proposed by the Senate directing HUD to make a comprehensive report on all EDI grants. Similar language was not included by the House. However, the conferees agree that HUD should conduct a close-out review of each non-congressionally designated EDI grant within five years of the award. Any funds not obligated should be identified and reported to the Committees by May 1, 2001, for possible rescission and reallocation.

BROWNFIELDS REDEVELOPMENT

Appropriates $25,000,000 for brownfields redevelopment as proposed by the Senate instead of $20,000,000 as proposed by the House.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,800,000,000 for the HOME program instead of $1,585,000,000 as proposed by the House, and $1,600,000,000 as proposed by the Senate. The conferees increased the funding level for HOME above the Senate and House levels, and above the request, as an indication of their support for producing substantially more affordable homes for low-income Americans.

Recognizing the tremendous unmet need for affordable housing, and in light of the fact that 5,400,000 families pay more than half their income for rent, the conferees seriously considered proposing a new production program targeted at extremely low-income families. In addition to creating new affordable homes, the proposal would have encouraged the concepts of income-mixing, and tenant choice. Unfortunately, in deference to the committees of jurisdiction, the conferees agreed to withdraw the proposal. Nevertheless, the conferees encourage the authorizing committees to consider the need for additional homes for extremely low-income families, and to draft legislation that will meet these increasing needs.

Includes $20,000,000 for the Housing Counseling program as proposed by the Senate instead of $15,000,000 as proposed by the House. For two consecutive years, HUD has been directed to develop a process for measuring the performance of housing counseling agencies. This year, several nonprofit intermediaries working cooperatively with HUD developed meaningful recommendations that include such measurements. The conferees direct HUD to implement these recommendations and, upon implementation, report to the Committees on Appropriations.

Transfers $17,000,000 to the Working Capital Fund for the development and maintenance of information technology systems as proposed by the House instead of no funding as proposed by the Senate.

The conferees are concerned that there appears to be some ambiguity about whether Native American non-profit entities working on Indian lands are eligible to receive HOME funds. After reviewing the relevant statutes, the conferees see nothing that indicates Native American nonprofits are ineligible to compete for HOME funds at the state level. Furthermore, the conferees believe it is highly questionable for states to count low-income Native American residents in their funding calculations, but upon receipt of their allocation, be unwilling to share HOME funds with Native American non-profits. Economic and housing conditions on Native American lands are among the most challenging in the United States. The HOME program was designed to assist in meeting these challenges for all Americans and not to discriminate based on where an individual chooses to live.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,025,000,000 for homeless assistance grants instead of $1,020,000,000 as proposed by the House and the Senate. Funds provided in this account include funds for new Shelter Plus Care grants. Renewals of existing grants are included in a new account called ''Shelter Plus Care Renewals.''

Includes language proposed by the House requiring that all homeless programs be coordinated with health, social service, and employment programs. The Senate did not include similar language.

Includes language proposed by the House providing that 1.5 percent of the funds appropriated for the program shall be for technical assistance and the development and maintenance of management information systems, instead of .75 percent as proposed by the Senate.

Appropriates $500,000 for the Interagency Council on the Homeless as proposed by the Senate. The House did not include similar language.

The conferees reiterate and endorse language included in the Senate report regarding the need for data and analysis on the extent of homelessness and the effectiveness of McKinney Act programs, the desirability of convening a group of experts to discuss alternatives to the current ''pro rata shares'' formula, the importance of oversight by HUD field staff, and the need to increase the supply of permanent supportive housing. The conferees concur with the importance of developing unduplicated counts of the homeless at the local level, as well as taking whatever steps are possible to draw inferences from this data about the extent and nature of homelessness in the nation as a whole.

Likewise, the conferees agree that local jurisdictions should be collecting an array of data on homelessness in order to prevent duplicate counting of homeless persons, and to analyze their patterns of use of assistance, including how they enter and exit the homeless assistance system and the effectiveness of the systems. HUD is directed to take the lead in working with communities toward this end, and to analyze jurisdictional data within three years. Implementation and operation of Management Information Systems (MIS), and collection and analysis of MIS data, have been made eligible uses of Supportive Housing Program funds. The conferees direct HUD to report to the Committees within six months after the date of enactment of this Act on its strategy for achieving this goal, including details on financing, implementing, and maintaining the effort.

Recognizing the need to provide assured funding for renewing Shelter Plus Care grants, the conferees have shifted renewal funding to a separate account. The conferees are aware that there is a similar permanent housing component to the Supportive Housing Program (SHP), which remains funded through the Homeless Assistance Grants account under this conference agreement. While the conferees have not shifted renewal funding for the SHP permanent housing program to the new account, they nevertheless believe there is good reason to provide for reliable renewal of permanent housing for the formerly homeless people with disabilities, addictions, and similar problems who are served by both of these programs.

Accordingly, the conferees direct HUD to implement a mechanism for renewing the permanent housing component of SHP grants as part of its process for awarding funds under this account—provided, of course, that the activities funded by the grant are determined to meet local needs and appropriate standards of performance and financial accountability.

SHELTER PLUS CARE RENEWALS

Appropriates $100,000,000 for renewing shelter plus care grants that expire in fiscal years 2001 and 2002 instead of $105,000,000 as proposed by the Senate. The House proposed renewing these contracts in the Housing Certificate Fund. These are the grants that would be subject to renewal in the fiscal years 2000 and 2001 funding cycles.

Because renewal funding is provided in this account for Shelter Plus Care grants being handled in the fiscal year 2000 continuum of care funding competition now underway, the conferees intend that grants qualifying for renewal under this account be removed from that competition and instead be renewed with funds in this account.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $996,000,000 for housing for special populations as proposed by the Senate instead of $911,000,000 as proposed by the House.

Includes $779,000,000 for section 202 housing for the elderly instead of $783,000,000 as proposed by the Senate and $710,000,000 as proposed by the House.

Includes $217,000,000 for section 811 housing for the disabled instead of $213,000,000 as proposed by the Senate and $210,000,000 as proposed by the House.

Includes language proposed by the House providing grants under section 202b for converting eligible projects to assisted living.

Includes language proposed by the Senate allowing the Secretary to designate up to 25% of amounts earmarked for section 811 for tenant-based assistance. The House included language that allowed the Secretary to earmark between 25% and 50% of the funds for this use.

Transfers $1,000,000 to the Working Capital Fund for the development and maintenance of information technology systems as proposed by the House. The Senate did not include a similar provision.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Limits obligations for direct loans to no more than $250,000,000 as proposed by the Senate instead of $100,000,000 as proposed by the House.

Transfers $96,500,000 from administrative contract expenses to the Working Capital Fund for the development and maintenance of information technology systems as proposed by the House. The Senate did not include similar language.

The conferees reiterate report language included by the Senate regarding the implementation of the single family property disposition legislation, specifically the statutory authority to discount properties in distressed neighborhoods. In fiscal year 1999, legislation was enacted authorizing HUD to dispose of its HUD-held single family loans. As part of that agreement, seriously distressed neighborhoods where the possibility of disinvestment is greatest could be designated as asset control areas. For these areas, HUD was granted the authority to establish discounts on the price of foreclosed homes for local governments and nonprofit institutions that establish neighborhood redevelopment plans to revitalize these areas.

HUD, however, has not aggressively implemented this legislative mandate. In fact, HUD has instituted a pricing structure that is far more restrictive than required in the law, making it extremely difficult for local governments to repair deteriorated homes and to reinvigorate neighborhoods. The conferees reiterate their support for the solution contained in the fiscal year 1999 legislation, and direct HUD to implement it—specifically the discount provisions—in a way that allows local governments and nonprofits to rebuild neighborhoods. Furthermore, the conferees reaffirm the Senate's directive to report on the implementation of the disposition program by May 15, 2001.

Finally, the conferees are extremely concerned about the proliferation of predatory lending and commend HUD for acting to combat this practice. As directed in the Senate report, the conferees look forward to being briefed by HUD on the progress made in this area.

The conferees are disappointed that HUD utilized only a small fraction of the lending authority made available in fiscal year 1999 for direct loans to nonprofit organizations and local government agencies in connection with sales of HUD-owned single-family homes under section 204(g) of the National Housing Act. HUD is expected to make fuller use of this lending authority in fiscal year 2001. In particular, the conferees believe that section 204(g) loans could be a valuable tool to assist with the acquisition, rehabilitation, and sale of homes in the asset control areas created in the fiscal year 1999 VA, HUD, and Independent Agencies Appropriations Act, and direct HUD to take steps to facilitate use of section 204(g) loans by nonprofit organizations working to revitalize neighborhoods in these areas.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Transfers $33,500,000 from administrative contract expenses to the Working Capital Fund for the development and maintenance of information technology systems as proposed by the House. The Senate did not include similar language.

Deletes language included by the Senate requiring at least $50,000,000 of credit subsidy be directed to insuring multifamily projects where a portion of the units are targeted to extremely low-income families. However, HUD is directed to report back to the Committees on Appropriations on the feasibility of creating an insurance program that targets extremely low- and low-income families. As part of this report, HUD should include an estimate of the costs of providing credit subsidy, or of any other subsidies, that would be necessary for such a program to be successful.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

Appropriates $53,500,000 for research and technology instead of $45,000,000 as proposed by the Senate and $40,000,000 as proposed by the House. As proposed by the House, $3,000,000 of the amount provided is for program evaluation to support the inclusion of strategic planning and performance measurements in the preparation of the budget. The Senate did not include similar language.

Includes new language providing $500,000 for the Commission on Affordable Housing and Health Care Facility Needs for Seniors in the 21st Century.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriates $46,000,000 for fair housing activities instead of $44,000,000 as proposed by the House and the Senate. Of the amount provided, $24,000,000 is for section 561 of the Housing and Community Development Act of 1987.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

Appropriates $100,000,000 for lead hazard reduction, as proposed by the Senate instead of $80,000,000 as proposed by the House.

Of the amount, $10,000,000 is for the Healthy Homes Initiative as proposed by the House instead of $5,000,000 as proposed by the Senate.

Inserts language proposed by the House and stricken by the Senate providing $1,000,000 for CLEARCorps.

Deletes language proposed by the Senate transferring balances from pre-existing lead reduction programs. This transfer was included in the fiscal year 2000 appropriations measure and has already been implemented.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $1,072,000,000 for salaries and expenses instead of $1,003,380,000 as proposed by the House and $1,002,233,000 as proposed by the Senate.

Deletes language proposed by the Senate limiting per-employee costs (including benefits) to an average of $78,000. The House did not include similar language.

Inserts language proposed by the Senate prohibiting HUD from employing more than 14 employees in the Office of Public Affairs. The House did not include similar language.

Deletes language proposed by the Senate limiting the number of HUD full time equivalent (FTE) positions to no more than 9,100.

Inserts new language limiting the personal services object class to no more than $758,000,000.

Inserts new language requiring that not less than $100,000,000 in the Working Capital Fund be used for the development and maintenance of information technology systems.

Inserts new language limiting the number of outside employees that HUD may hire at grade levels of GS–14 and GS–15. Under the limitation, HUD may hire only 7 GS–14 and GS–15 level employees for every 10 such employees who leave the Department. The limitation will be lifted only when the number of GS–14 and GS–15 level employees falls 2.5 percent from the level at the date of enactment. This moratorium on hiring does not include promoting from within HUD, nor does it impact the number of Schedule C employees that can be hired at these grade levels.

The conferees are concerned about the growth of the personal service object class in the salaries and expenses account. To gain control over its growth, a cap of $758,000,000 has been placed on the personal service object class. Finally, HUD is directed to spend at least $100,000,000 on the development and maintenance of information technology systems. The conferees hope that HUD will use these tools in a constructive manner to deal with several serious issues.

First, HUD has been unable to accurately portray its salary and expense needs. In its fiscal year 2000 request, HUD requested funding for 9,300 people though only 9,030 people were on staff at the time. Despite this knowledge, which HUD did not share with the Committees, HUD threatened a reduction in force (RIF) unless more funds were forthcoming. Relying on the representation that a RIF was a real possibility, $20,000,000 more than was recommended was provided. Even then, HUD claimed this amount was insufficient.

However, during fiscal year 2000, instead of threatened staff reductions, HUD hired more than 700 employees, an unprecedented number of new hires. In addition, HUD increased the number of personnel receiving quality step increases from a negligible amount to approximately 30% of the total staff. This action brought the average cost per employee up to $81,500—a level that is $2,700 higher than estimated in the fiscal year 2001 budget request—thus making the fiscal year 2001 budget request insufficient by $18,650,000.

Making a bad situation worse, almost 25% of HUD's total staff—or 2,018 people according to HUD—are at the GS–14 and GS–15 levels of pay. Yet in fiscal year 2000 alone, HUD hired more than 200 new GS–14 and GS–15s, causing displacement of existing staff and making it virtually impossible for younger employees to expect upward movement in their careers in a reasonable amount of time.

Such poor management decisions only underscore other management deficiencies. For years, Congress has requested HUD to provide a staff plan that matches staffing requirements with programmatic responsibilities. For six years, HUD has systematically and deliberately ignored these Congressional requests and directives. Therefore, it isn't surprising that the National Academy of Public Administration (NAPA) recently reported that ". . . the basis for most staff level changes in the recent past has been top-down direction that HUD reduce staff levels to get to a target number. The lack of an analytical basis for much of that direction has not let top management know whether resulting staff levels in individual offices and overall are adequate to accomplish the department's mission." Not only does this conclusion concern the conferees, it flies in the face of HUD's own restructuring plan embodied in Management Reform Plan 2020.

Exacerbating these problems is HUD's annual transfer of funds from its information technology account to offset the personal services account, significantly delaying HUD's entry to the information age. HUD's inability to account for its appropriations—in terms of funding and in terms of results—and its raid of the IT account to supplement an inadequate personal services account is simply unacceptable. For that reason, the conferees have fenced the IT account and direct HUD to move forward on implementing an enterprise data warehouse that incorporates a geographic information system (GIS) platform for HUD as quickly as possible.

The conferees reassert the House report language directing HUD to present a comprehensive, multi-year budget plan that creates, maintains, and refines HUD's information technology systems. Finally, HUD is directed to provide a plan that matches staff resources with programmatic needs by May 15, 2001.

OFFICE OF INSPECTOR GENERAL

Appropriates $85,000,000 for the Office of Inspector General instead of $83,000,000 as proposed by the House and $87,843,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

Restores language proposed by the House and stricken by the Senate giving HUD enhanced authority to dispose of HUD-held mortgages.

Restores language proposed by the House and stricken by the Senate allowing HUD to set maximum payment standards for enhanced vouchers.

Deletes language proposed by the House authorizing PHAs to utilize any excess section 8 for increasing the value of a voucher in high cost areas, and for other purposes. The Senate had included similar language in its Title II of Division B.

Includes language proposed by the Senate to prohibit HUD from prohibiting or debarring entities that administer the continuum of care process for homeless grants without due process. The House did not include similar language.

Includes language proposed by the Senate to require all Title II programs to comply with the HUD Reform Act. The House did not include similar language.

Includes language proposed by the Senate enabling homeless programs to utilize the environmental assumption authority contained in section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994. The House did not include similar language.

Includes language proposed by the Senate making technical changes and corrections to the National Housing Act. The House did not include similar language.

Includes language proposed by the Senate making law enforcement officers eligible for housing assistance under the Indian housing block grant program. The House did not include similar language.

Includes language proposed by the Senate prohibiting federal assistance to facilities that sell predominantly cigarettes or other tobacco products. The House did not include similar language.

Modifies language proposed by the Senate prohibiting the implementation of the Puerto Rico PHA settlement agreement until management reform goals and benchmarks are identified including safeguards against fraud and abuse by inserting a date by which the report is due. The House did not include similar language.

Modifies language proposed by the Senate allowing a grant award to the Hollander Ridge project to be used for activities that benefit the site. The House did not include similar language.

Deletes language proposed by the Senate reducing the downpayment requirements for teachers and uniformed municipal employees. The House did not include similar language. However, the Office of Policy Development and Research is directed to contract with an outside entity to determine the feasibility of decreasing the downpayment requirements for these individuals and assess its impact on communities.

Includes language proposed by the Senate authorizing the ''neighborhood networks'' computer concept to be an eligible activity to receive funding under the modernization and HOPE VI grant programs. The House did not include similar language.

Includes language proposed by the Senate deeming a project in Independence, Missouri, to be eligible for mark-to-market reforms. The House did not include similar language.

Modifies language proposed by the Senate to extend section 236(g)(3)(A) of the National Housing Act for one year. The House did not include similar language.

Modifies language proposed by the Senate enabling a county to elect to remain an ''urban county'' if it was so defined in fiscal year 1999. The House did not include similar language.

Deletes language proposed by the Senate to authorize a low-income multifamily risk-sharing mortgage insurance program. The House did not include similar language.

Includes language proposed by the Senate exempting Alaska and Mississippi from the statutory requirement of having a resident on the board of a PHA. The House did not include similar language.

Includes new language making moderate rehabilitation funds available for use under the HOME Investment Partnerships Act for two projects in New Rochelle, New York.

Includes new language reprogramming $1,000,000 for the City of Loma Linda for infrastructure improvements at Redlands Boulevard and California Streets, for infrastructure improvements in the city related to Mountain View Bridge.

Includes new language making Native American communities eligible to receive funding under the Resident Opportunity and Social Services program.

Includes new language extending for one year an economic development initiative in Miami Beach, Florida.

Includes new language reprogramming funds from Homestead, Florida, to housing for low-income elderly persons in Dade County, Florida.

Includes new language waiving the CDBG social services cap for the City of Los Angeles.

Includes new language extending FHA's downpayment simplification provisions to December 31, 2002.

Includes new language amending section 423 of the Stewart B. McKinney Homeless Assistance Act program to allow grants to be used to pay for the costs of implementing and operating management information systems.

Includes new language amending section 184 of the Housing and Community Development Act of 1992 by allowing the program to be used to refinance previously made loans for purposes of rehabilitation, and by eliminating the requirement to show lack of access to private financial markets.

Includes new language making enhanced vouchers available to residents who have continued to reside in section 8 properties which opted out of expired federal assistance contracts prior to enactment of Subtitle C of Title V of the fiscal year 2000 VA, HUD and Independent Agencies Appropriations Act.

Includes new language requiring grantees under Subtitle A of title IV of the Stewart B. McKinney Homeless Assistance Act to coordinate their discharge policies.

Includes new language amending section 525 of the VA, HUD and Independent Agencies Appropriations Act of 2000 by changing the title of the ''Commission on Affordable Housing and Health Care Facility Needs'' to the ''Commission on Affordable Housing and Health Care Facility Needs for Seniors in the 21st Century.''

Includes new language amending the McKinney Act allowing for the chair of the Interagency Council for the Homeless to rotate between HUD, the Department of Health and Human Services, the Department of Labor, and the Department of Veterans Affairs.

Modifies language proposed by the Senate amending the Quality Housing and Work Responsibility Act of 1998 (QHWRA), to allow PHAs to ''project-base'' up to 20 percent of their section 8 voucher funds. For many reasons, including burdensome implementation regulations, the option in QHWRA has never worked effectively. Therefore, the conferees have agreed to include legislation that makes substantive revisions to section 8(o)(13) of the United States Housing Act.

First, the revision makes the option to project-base vouchers more flexible, and allows PHAs to designate up to 20% of their available voucher funds for this purpose without any requirement that owners invest additional funding in the units. This change allows PHAs to decide whether to link project-basing to new construction, to rehabilitation, or simply to use project-basing as a tool to promote voucher utilization and to expand housing opportunities. A PHA may project-base their vouchers only if the choice is consistent with the housing needs and strategies identified in the PHA plan. If a PHA chooses this option, the initial contract term with the owner of the development may be no more than 10 years in duration, but may be extended, subject to the agreement of the owner and the PHA. All contracts are subject to the availability of appropriations.

Additionally, it requires PHAs to offer families with project-based vouchers a ''continued assistance option''—a program variation that allows families to move from the assisted building, and to retain federal housing assistance. Under this option, PHAs agree to link a specified number of subsidies to a particular development. The initial families are selected by the manager of the development from among families referred by PHAs. Families with the continued assistance option have the right to move after one year but retain their federal housing assistance by going to the top of the PHA waiting list, or by receiving assistance through other means devised by the PHA. Families that move from a subsidized unit are replaced by families referred from the PHA's waiting list, ensuring that the specified number of subsidies continue to be utilized at the development throughout the term of the PHA's contract with the owner. Special rules would be applied in tax credit units.

To promote mixed-income developments, only 25 percent of the units in a multifamily building may have project-based assistance. PHAs are allowed to offer vacancy payments to owners for no more than 60 days. However, PHAs and owners must seek to reduce the need for vacancy payments and such payments may not be made if the vacancy is the fault of the owner—for example, the unit does not pass re-inspection, or a PHA refers a reasonable number of families to the owner but the owner refuses to select any of them.

Modifies language proposed by the Senate requiring HUD to maintain section 8 rental assistance payments on HUD-held or HUD-owned properties that are occupied primarily by elderly or disabled families. If the properties are not viable affordable housing, the Secretary may contract for project-based assistance with other existing housing properties, or provide other rental assistance.

Modifies language proposed by the Senate making the family unification program more flexible.

Includes language proposed by the Senate making the FHA risk-sharing programs permanent.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

Appropriates $28,000,000 for salaries and expenses as proposed by the House instead of $26,196,000 as proposed by the Senate. The conferees commend the ABMC for the progress made in reducing the backlogged maintenance needs throughout the ABMC system, and have provided funds in excess of the budget request to continue this important program.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

Appropriates $7,500,000 for salaries and expenses instead of $8,000,000 as proposed by the House and $7,000,000 as proposed by the Senate. Bill language has been included again

this fiscal year which limits the number of career Senior Executive Service positions to three. Of the available funds, $5,000,000 shall remain available until September 30, 2001, and $2,500,000 shall remain available until September 30, 2002.

In addition, language has been adopted which stipulates that the Inspector General of the Federal Emergency Management Agency shall also serve as the Inspector General of the Board, shall utilize personnel of the Office of Inspector General of FEMA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

The conferees agree that not later than March 1, 2002, and thereafter, the Chief Operating Officer of the Board shall prepare a financial report for the preceding year, covering all accounts and associated activities of the Board. Each such financial report shall be audited according to generally accepted accounting principles by the Inspector General of the Board or another qualified external auditor as determined by the Inspector General, and each such audit report shall be submitted to the Chief Operating Officer not later than June 30 following the fiscal year for which the audit was performed.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

Appropriates $118,000,000 for community development financial institutions fund program account instead of $105,000,000 as proposed by the House and $95,000,000 as proposed by the Senate.

Includes $5,000,000 for technical assistance to promote economic development in Native American communities. The conferees intend that this assistance be provided primarily through qualified community development lenders, organizations with experience and expertise in banking and lending in Indian country, Native American organizations, and other suitable providers, as well as through financial assistance to tribes and tribal organizations for procurement of appropriate expertise and services.

Provides $8,750,000 for administrative expenses instead of $9,500,000 as proposed by the House, and $8,000,000 as proposed by the Senate.

Provides $19,750,000 for the cost of direct loans instead of $23,000,000 as proposed by the House, and $16,500,000 as proposed by the Senate.

Excludes language proposed by the House and stricken by the Senate regarding the accounting of certain administrative costs.

Eliminates language proposed by the Senate capping the Bank Enterprise Award program at $30,000,000. The House did not include similar language.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

Appropriates $52,500,000 for the Consumer Product Safety Commission, salaries and expenses, as proposed by the Senate, instead of $51,000,000 as proposed by the House.

The conferees are in agreement that significant progress has been made by the Commission in reducing children's deaths in cribs. Despite this accomplishment, deaths in used cribs remain too high. Accordingly, the conferees urge the Commission to undertake an initiative to continue its excellent efforts to further reduce crib deaths.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

Appropriates $458,500,000 for national and community service programs operating expenses, instead of $433,500,000 as proposed by the Senate. The House proposed termination of the Corporation for National and Community Service using funds appropriated in prior years.

Limits funds for administrative expenses to not more than $31,000,000, instead of $29,000,000 as proposed by the Senate. The conferees have included language proposed by the Senate which directs the Corporation to use $2,000,000 for acquisition of a cost accounting system for the Corporation's financial management system, an integrated grants management system that provides comprehensive financial management information for all Corporation grants and cooperative agreements, and the establishment, operation and maintenance of a central archives. The conferees agree that improvements to the Corporation's accounting systems, including a cost accounting system, is of very high priority and deserves senior management's full attention. The conferees agree that the Corporation is prohibited from providing any salary increases (with the exception of locality adjustments and other appropriate adjustments provided to all government employees) or bonuses to its senior management until the Corporation has certified, with the IG's concurrence, that an adequate cost accounting and grants management system has been acquired, implemented, and conforms to all Federal requirements.

Limits funds as proposed by the Senate to not more than: $28,500,000 for quality and innovation activities; $2,500 for official reception and representation expenses; $70,000,000 for education awards, of which not to exceed $5,000,000 shall be available for national service scholarships for high school students performing community service; $231,000,000 for AmeriCorps grants, of which not to exceed $45,000,000 may be for national direct programs and $25,000,000 shall be for activities dedicated to developing computer and information technology skills; $10,000,000 for the Points of Light Foundation; $21,000,000 for the civilian community corps; $43,000,000 for school-based and community-based service-learning programs; and $5,000,000 for audits and other evaluations.

The conferees agree to add $3,000,000 to the national civilian community corps (NCCC) account to cover the additional costs of relocating a campus site in San Diego and to administer a program level of 1,100 members, which would match its fiscal year 1998 level. The conferees understand that the number of campuses would remain at the current level of five sites.

Inserts language proposed by the Senate which prohibits using any funds for national service programs run by Federal agencies; provides that, to the maximum extent feasible, funds for the AmeriCorps program will be provided consistent with the recommendation of peer review panels; and provides that, to the maximum extent practicable, the level of matching funds shall be increased, education only awards shall be expanded, and the cost per participant shall be reduced.

Rescinds $30,000,000 from the National Service Trust, instead of $50,000,000 as proposed by the Senate. The conferees have taken this action because the balances in the Trust appear at this time to be in excess of requirements based upon usage rates. The conferees direct the Corporation to provide a quarterly report to the Committees on Appropriations of the House and Senate on the assets and liabilities of the National Service Trust fund, including information on interest earned and interest received and an explanation of the relationship between the amounts in the completed financial statements and the budget request.

The conferees agree to the Senate proposal to earmark $5,000,000 for Communities In Schools, Inc., $2,500,000 for Parents as Teachers National Center, Inc., $7,500,000 for America's Promise—The Alliance for Youth, Inc., and $2,500,000 for Boys and Girls Clubs of America.

The conferees agree to provide $1,500,000 for the Youth Life Foundation (YLF). The YLF aims to replicate the programs it has developed in Washington, D.C. to address the challenges of children living in insecure environments and make those programs applicable to other parts of the Nation. The conferees recognize that America's Promise is already trying to establish partnerships with locally-based organizations such as YLF. Accordingly, the conferees expect YLF to continue its effort in coordinating and collaborating its activities with America's Promise.

The House proposed that the Corporation be terminated and did not include any of the foregoing limitations or provisions proposed by the Senate.

OFFICE OF INSPECTOR GENERAL

Appropriates $5,000,000 for the Office of Inspector General, the same amount as provided by the House and the Senate.

ADMINISTRATIVE PROVISION

Includes an administrative provision, as proposed by the Senate, which provides a technical correction to language included in the fiscal year 2000 appropriations Act.

COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

Appropriates $12,445,000 for the Court of Appeals for Veterans Claims as proposed by the Senate instead of $12,500,000 as proposed by the House.

DEPARTMENT OF DEFENSE-CIVIL CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

Appropriates $17,949,000 for salaries and expenses as proposed by the House instead of $15,949,000 as proposed by the Senate. The conferees note that the funding level represents an increase of over $5,000,000 above the previous fiscal year, and will be used for the highest priority maintenance and capital improvement projects as identified in the Cemetery's Ten-Year Plan.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

Appropriates $63,000,000 for the National Institute of Environmental Health Sciences in a new, separate account instead of $60,000,000 as proposed in a new account by the House and $60,000,000 as proposed through the Environmental Protection Agency's Hazardous Substance Superfund account by the Senate. The conferees believe this new account structure will provide higher visibility and better oversight of the NIEHS. The conferees have deleted language proposed by the House making funding available until September 30, 2002.

Of the funds provided, $40,000,000 is for the research program and $23,000,000 is for the worker training program.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

SALARIES AND EXPENSES

Appropriates $75,000,000 for salaries and expenses of the Agency for Toxic Substances and Disease Registry in a new, separate account instead of $70,000,000 as provided by the House in a new account and $75,000,000 as provided through the Environmental Protection Agency's Hazardous Substance Superfund account by the Senate. The conferees

believe this new account structure will provide higher visibility and better oversight of the ATSDR.

The conferees have also included bill language which permits the Administrator of the ATSDR to conduct other appropriate health studies and evaluations or activities in lieu of health assessments pursuant to section 104(i)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA). The language further stipulates that in the conduct of such other health assessments, evaluations, or activities, the ATSDR shall not be bound by the deadlines imposed in section 104(i)(6)(A) of CERCLA. The conferees have deleted language proposed by the House making funding available until September 30, 2002.

Funds provided for fiscal year 2001 cannot be used by the ATSDR to conduct in excess of 40 toxicological profiles.

Within the appropriated level, ATSDR is to use up to $2,000,000 to continue the Great Lakes fish consumption study; up to $6,000,000 for medical monitoring and related activities in Libby, Montana; $500,000 to conduct subsistence and dietary studies of contaminents in the environment, subsistence resources, and people in Alaska Native populations; and up to $1,000,000 for completion of the Toms River, New Jersey cancer evaluation and research project. The ATSDR is further directed to provide support for the minority health professions program.

As in the past, ATSDR's administrative costs charged by the CDC are capped at 7.5 percent of the amount appropriated herein.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

Appropriates $696,000,000 for science and technology instead of $650,000,000 as proposed by the House and $670,000,000 as proposed by the Senate.

The conferees have agreed to the following increases to the budget request:

1. $2,500,000 for EPSCoR.
2. $4,000,000 for the Water Environment Research Foundation.
3. $4,000,000 for the American Water Works Association Research Foundation.
4. $2,000,000 for the National Decentralized Water Resource Capacity Development Project, in coordination with EPA, for continued training and research and development.
5. $1,500,000 for the National Jewish Medical and Research Center for research on the relationship between indoor and outdoor pollution and the development of respiratory diseases.
6. $1,900,000 for the National Environmental Respiratory Center at the Lovelace Respiratory Research Institute. The research should be coordinated with EPA's overall particulate matter research program and consistent with the recommendations set forth by the National Academy of Sciences report on PM research.
7. $1,000,000 for the Environmental Technology Commercialization Center to increase the transfer of federally-developed environmental technology.
8. $1,250,000 for the Center for Air Toxics Metals at the Energy and Environmental Research Center.
9. $1,500,000 for the Mickey Leland National Urban Air Toxics Research Center.
10. $250,000 for acid rain research at the University of Vermont.
11. $1,500,000 for the Gulf Coast Hazardous Substance Research Center.
12. $250,000 for the Institute for Environmental and Industrial Science at Southwest Texas State University.
13. $750,000 for the Integrated Public/Private Energy and Environmental Consortium (IPEC) to develop cost-effective environmental technology, improved business practices, and technology transfer for the domestic petroleum industry.
14. $1,000,000 for the University of South Alabama Center for Estuarine Research.
15. $4,527,000 for the Mine Waste Technology Program and the Heavy Metal Water Program at the National Environmental Waste Technology, Testing, and Evaluation Center ($3,902,000) and for a field demonstration of ceramic microfiltration technology ($625,000).
16. $400,000 for the Texas Institute for Applied Environmental Research at Tarleton State University.
17. $500,000 for the Consortium for Plant Biotechnology Research.
18. $750,000 for the Geothermal Heat Pump (GHP) Consortium.
19. $750,000 for the Kalamazoo River Watershed Initiative through Western Michigan University's Environmental Research Institute.
20. $900,000 to Old Dominion University in Virginia for the continued development, design, and implementation of a research effort on tributyltin-based ship bottom paints.
21. $1,000,000 to the University of California, Riverside for continued research of advanced vehicle design, advanced transportation systems, vehicle emissions, and atmospheric pollution at the CE–CERT facility.
22. $2,000,000 to the University of Miami in Florida for the Rosentiel School of Marine and Atmospheric Science.
23. $1,000,000 for the Environmental Protection Agency to become involved in the Department of Energy's fine particulate matter research program.
24. $3,000,000 to the National Technology Transfer Center to continue its cooperative agreement with EPA to assess, market and license technologies owned by EPA, and to conduct commercialization best practices training activities.
25. $2,000,000 to the Canaan Valley Institute for continuation of its regional environmental data center and coordinated information management system in the Mid-Atlantic Highlands in coordination with the Federal Geographic Data Committee and the National Spatial Data Infrastructure.
26. $1,000,000 above the budget request to the Canaan Valley Institute in close coordination with the Regional Vulnerability and Assessment (ReVA) initiative to develop research and educational tools using integrative technologies to predict future environmental risk and support informed, proactive decision-making.
27. $500,000 to establish the Center for Metals in the Environment in Delaware.
28. $625,000 to New Mexico State University to determine the Carbon Sequestration Potential of southwestern lands.
29. $1,400,000 to the University of New Hampshire for continuation of the Bedrock Bioremediation Center research project.
30. $990,000 for research associated with the restoration and enhancement of Manchac Swamp conducted by Southeastern Louisiana at the Turtle Cove Research Station.
31. $500,000 to the Metropolitan Development Association of Syracuse and Central New York to continue assessing and mitigating the impact of exposure to multiple indoor contaminants on human health.
32. $3,637,000 to the National Alternative Fuels Foundation for research and development of a new class of alternative fuels known as vapor-phase combustion fuels.

The conferees have agreed to the following reductions from the budget request:

1. $26,089,000 from the CCTI Transportation research program; and
2. $1,138,000 from project EMPACT.

Within the funds transferred from the Hazardous Substance Superfund (HSS) account, $7,000,000 is for the Superfund Innovative Technology Evaluation (SITE) program, including $500,000 for a demonstration project at the Port of Richfield, Washington involving an innovative steam extraction technology. Also from within those funds transferred from HSS as well as from funds appropriated to science and technology, $4,500,000 is for continued operation of the Hazardous Substance Research Centers.

The conferees direct EPA to contract, within 30 days of enactment of this Act, with the National Academy of Sciences or other appropriate entity for a study of carbon monoxide episodes in meteorological and topographical problem areas, addressing the role of cold weather inversions and addressing public health significance and strategies, including the use of catalytic converter and other cold-start technology, for managing these rare occurrences in national ambient air quality standards non-attainment areas, due mostly to cold weather inversions. One of the major case studies is to be Fairbanks, Alaska, for which there shall be a preliminary report by September 1, 2001 in order to inform the further development of a State Implementation Plan for such area.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

Appropriates $2,087,990,000 for environmental programs and management instead of $1,895,000,000 as proposed by the House and $2,000,000,000 as proposed by the Senate. The conferees have included bill language as proposed by the House, identical to that carried in the fiscal years 1999 and 2000 Acts, which limits the expenditure of funds to implement or administer guidance relating to title VI of the Civil Rights Act of 1964, with certain exceptions. This provision does not provide the Agency statutory authority to implement its Environmental Justice Guidance. Rather, it simply clarifies the applicability of the Interim Guidance with respect to certain pending cases as an administrative convenience for the Agency.

The conferees have included bill language providing up to an additional 6 months for EPA to issue a final regulation for arsenic in drinking water. The conferees are very concerned about the cost of EPA's proposed arsenic drinking water rule to small communities. Moreover, the information EPA used to develop the proposed standard is the subject of considerable controversy and disagreement. The conferees believe EPA should take a full year—as intended by the Safe Drinking Water Act Amendments of 1996—to finalize the new standard and therefore strongly recommend EPA not finalize the rule until June 2001 and provide significant, additional opportunity for public comment.

Bill language proposed by the House and the Senate has been included, as in the past two fiscal years, prohibiting EPA from spending funds to implement the Kyoto Protocol. The conferees note that this restriction on the use of funds shall not apply to the conduct of education activities and seminars by the agency.

The conferees note that several programs funded through this Act conduct science and technology research that are associated partly with global climate change. To the extent that the conferees have funded this work, they have done so based on each program's individual merits of contributing to issues associated with domestic energy production, national energy security, energy efficiency and cost savings, related environmental assessments, and general energy emission improvements. The bill language is intended to prohibit funds provided in this bill from being used to implement actions

called for solely under the Kyoto Protocol, prior to its ratification.

The Byrd-Hagel Resolution passed in 1997 (S. Res. 98) remains the clearest statement of the will of the Senate with regards to the Kyoto Protocol, and the conferees are committed to ensuring that the Administration not implement the Kyoto Protocol without Congressional consent. The conferees recognize, however, that there are also long-standing energy research programs which have goals and objectives that, if met, could have positive effects on energy use and the environment. The conferees do not intend to preclude these programs from proceeding, provided they have been funded and approved by Congress.

To the extent future funding requests may be submitted which would increase funding for climate change activities prior to Senate consideration of the Kyoto Protocol (whether under the auspices of the Climate Change Technology Initiative or any other initiative), the Administration must do a better job of explaining the components of the programs, their anticipated goals and objectives, the justification for any funding increases, a discussion of how success will be measured, and a clear definition of how these programs are justified by goals and objectives independent of implementation of the Kyoto Protocol. The conferees expect these items to be included as part of the fiscal year 2002 budget submission for all affected agencies.

The conferees have agreed to the following increases to the budget request:

1. $14,500,000 for rural water technical assistance and groundwater protection, including $8,600,000 for the NWRA, $2,600,000 for RCAP, $700,000 for GWPC, $1,600,000 for the SFC, and $1,000,000 for the NETC.

2. $1,000,000 for implementation of the National Biosolids Partnership Program.

3. $1,500,000 for source water protection programs. These funds are to be used to develop local source water protection programs within each state utilizing the infrastructure and process of an organization now engaged in groundwater and wellhead protection programs.

4. $1,250,000 for the national onsite and community wastewater treatment demonstration project through the Small Flows Clearinghouse.

5. $2,500,000 for the Southwest Center for Environmental Research and Policy.

6. $4,000,000 for the Small Public Water System Technology Centers at Western Kentucky University; the University of New Hampshire; the University of Alaska-Sitka; Pennsylvania State University; the University of Missouri-Columbia; Montana State University; the University of Illinois; and Mississippi State University.

7. $500,000 for the final year of Federal funding to assist communities in Hawaii to meet successfully the water quality permitting requirements for rehabilitating native Hawaiian fishponds.

8. $5,000,000 under section 104(b) of the Clean Water Act for America's Clean Water Foundation for implementation of on-farm environmental assessments for livestock operations, with the goal of improving surface and ground water quality.

9. $500,000 for the Ohio River Watershed Pollutant Reduction Program, to be cost-shared.

10. $1,650,000 to continue the sediment decontamination technology demonstration in the New York-New Jersey Harbor.

11. $1,500,000 for the National Alternative Fuels Vehicle Training Program.

12. $300,000 for the Coalition for Utah's Future to continue the Envision Utah project including the development of a sustainable plan for future growth and environmental stewardship in the Wasatch Front.

13. $300,000 for the Northeast States for Coordinated Air Use Management.

14. $750,000 for planning, coordination and development of a comprehensive watershed based implementation program for the Santa Fe River.

15. $500,000 for the Brazos-Navasota watershed management project.

16. $500,000 for the Kentucky Center for Wastewater Research to establish training, education and database management for wastewater research to identify the greatest threats to regional watersheds.

17. $250,000 for the Maryland Bureau of Mines for an acid mine drainage remediation project to reduce or eliminate the loss of quality water from surface streams in the Kempton Mine complex.

18. $2,000,000 to the University of Missouri-Rolla for research and development of technologies to mitigate the impacts of livestock operations on the environment.

19. $500,000 for marsh restoration activities at Acowmin Marsh and Little River Marsh near North Hampton and Rye, New Hampshire.

20. $200,000 for the Tri-State Water Quality Council for development of voluntary nutrient reduction programs, establishing a basin-wide water quality monitoring program, and related activities.

21. $1,000,000 for the Global Environmental Management Education Center within the College of Natural Resources at the University of Wisconsin-Stevens Point, to provide training and outreach education for safeguarding the quality of surface and groundwater resources.

22. $1,000,000 for the Frank Tejeda Center for Excellence in Environmental Operations to continue its efforts to demonstrate new technology for water and wastewater treatment.

23. $1,250,000 for the Chesapeake Bay Small Watershed Grants Program. Funds provided for the Chesapeake Bay small watersheds program are to be managed by the Fish and Wildlife Foundation and shall be used for community-based projects including those that design and implement on-the-ground and in-the-water environmental restoration or protection activities to help meet Chesapeake Bay Program goals and objectives.

24. $1,000,000 for the Lake Champlain management plan.

25. $4,500,000 for operation of the Long Island Sound Office and programs consistent with new authorization relative to the Long Island Sound. The total program is provided $5,000,000.

26. $500,000 for the Environmentors project.

27. $200,000 for the Northeast Waste Management Officials Association to continue solid waste, hazardous waste, cleanup and pollution prevention programs.

28. $2,000,000 for the Food and Agricultural Policy Research Institute's Missouri watershed initiative project to link economic and environmental data with ambient water quality.

29. $500,000 for the Small Business Pollution Prevention Center at the University of Northern Iowa.

30. $750,000 for the painting and coating compliance enhancement project through the Iowa Waste Reduction Center.

31. $1,890,000 for the Michigan Biotechnology Institute for development and demonstration of environmental cleanup technologies.

32. $200,000 for the Hawaii Department of Agriculture and the University of Hawaii College of Tropical Agriculture and Human Resources to continue projects aimed at improving the acceptability and efficacy of agriculturally-based environmental restoration technologies.

33. $1,000,000 for the Animal Waste Management Consortium through the University of Missouri, acting with Iowa State University, North Carolina State University, Michigan State University, Oklahoma State University, and Purdue University to supplement ongoing research, demonstration, and outreach projects associated with animal waste management.

34. $1,000,000 to complete a cumulative impacts study by the National Academy of Sciences of North Slope oil and gas development.

35. $750,000 for an expansion of EPA's efforts related to the Government's purchase and use of environmentally preferable products focused on bio-based products with an emphasis on soy-based industrial oils, greases and hydraulic fluid. This includes $200,000 to complete the soy smoke initiative through the University of Missouri-Rolla.

36. $975,000 for the Alabama Department of Environmental Management water and wastewater training programs.

37. $250,000 for the Vermont Department of Agriculture to work with the conservation districts along the Connecticut River in Vermont to reduce nonpoint source pollution.

38. $600,000 for the Wetland Development project in Logan, Utah.

39. $500,000 for the Economic Development Alliance of Hawaii to accelerate commercialization of biotechnology to reduce pesticide use in tropical and subtropical agricultural production.

40. $100,000 for the Connecticut River Science Consortium to develop an interdisciplinary scientific monitoring and analysis project in the Connecticut River Basin.

41. $1,000,000 to develop and demonstrate new tools for imaging and monitoring the movement of fluids and contaminants in the shallow subsurface using time-lapse geophysical imaging and tomography techniques. This project will involve researchers from Boise State University, the Idaho National Engineering and Environmental Laboratory, other Federal labs and industry.

42. $500,000 for Mississippi State University, the University of Mississippi and the University of Georgia to conduct forestry best management practice water quality effectiveness studies in the States of Mississippi and Georgia.

43. $750,000 for the University of Idaho's groundwater assessment project for rural Idaho cities and towns.

44. $500,000 for a study by the City of Fairbanks using geographic information system mapping to assess methods to comply with NPDES requirements.

45. $150,000 to Colchester, Vermont to study nonpoint source influences on water quality in Mallets Bay on Lake Champlain and to plan for mitigation, with a focus on stormwater management and on-site disposal systems.

46. $750,000 for the Resource and Agricultural Policy Systems Project at Iowa State University.

47. $700,000 to continue the Urban Rivers Awareness Program at the Academy of Natural Sciences in Philadelphia for its environmental science program.

48. $500,000 for the Kenai River Center for continued research on watershed issues and related activities.

49. $750,000 for the New Hampshire Estuaries Project management plan implementation.

50. $100,000 to continue the Design for the Environment for Farmers Program to address the unique environmental concerns of the American Pacific area through the adoption of sustainable agricultural practices.

51. $5,000,000 to the Gas Research Institute for the development of a bio-refinery commercialization pilot project which will utilize thermal-depolymerization technology to

break down waste streams into usable products.

52. $700,000 to the Northwest Indian Fisheries Commission for programs as described in Senate Report 106–410.

53. $300,000 to Davie County, North Carolina for the Cooleemee Falls Project.

54. $1,000,000 to Union County, Arkansas for the continuation of the Union County Sparta Aquifer study.

55. $500,000 to Riverside County, California for the Community and Environmental Transportation Acceptability Process (CETAP).

56. $150,000 for the Santa Clara River Enhancement and Management Plan.

57. $450,000 to Ventura County, California for continued development of the Calleguas Creek Watershed management plan.

58. $1,200,000 to Gateway Cities, Council of Governments in California to complete Phase II of the Truck Impacted Intersections Program and develop the comprehensive Diesel Emissions Reduction Program.

59. $900,000 for continuation of the Sacramento River Toxic Pollution Control Project, to be cost shared.

60. $600,000 to Fort Lauderdale, Florida for design and construction as part of the Fort Lauderdale International Airport Wetlands Development Project.

61. $131,000 to Miami-Dade County, Florida for lead screening, testing, outreach, education and abatement in the Liberty City neighborhood.

62. $600,000 for fishery and habitat restoration in Lake Panasoffkee, Florida.

63. $600,000 to Osceola County, Florida to preserve the watershed and drainage system currently under attack by exotic aquatic plants.

64. $1,150,000 for the Tampa Bay Watch program.

65. $1,000,000 to St. Petersburg, Florida for the Clam Bayou Habitat Restoration Project.

66. $100,000 to Pinellas County, Florida for the cooperative exchange education module on environmental sustainability and the stewardship of natural resources.

67. $1,000,000 to the Illinois Environmental Protection Agency for the ''Illinois Rivers 2020'' restoration program.

68. $600,000 for the Water Systems Council in Iowa to assist in the effective delivery of water to rural citizens nationwide.

69. $300,000 for investigation of pollution sources in the Lower Arkansas River in Wichita, Kansas.

70. $300,000 for the Urban Waste Management and Research Center in Louisiana.

71. $700,000 for the Louisiana Environmental Research Center.

72. $300,000 for the Oyster Habitat Restoration program in the Chesapeake Bay.

73. $800,000 for the National Center for Manufacturing Sciences in Michigan to facilitate industrial input into EPA's compliance assistance clearinghouse and to expand the scope of compliance assistance centers ($500,000) and for continuation of EPA's Environmental Roadmapping Initiative ($300,000).

74. $300,000 to Mississippi State University for the Southeast Center for Technology Assistance for Small Drinking Water Systems.

75. $300,000 to the Ten Towns Great Swamp Watershed Management Committee in New Jersey.

76. $1,000,000 to Alfred University in New York for the Center for the Engineered Conservation of Energy (EnCo).

77. $1,000,000 to the Darrin Fresh Water Institute in New York to extend and expand studies of acid deposition.

78. $500,000 to Cortland County, New York for continued work on the aquifer protection plan of which $150,000 is for continued implementation of the comprehensive water quality management program in the Upper Susquehanna Watershed.

79. $1,200,000 for continued work on the water quality management plans for the Central New York watersheds in Onondaga and Cayuga Counties.

80. $300,000 to the Central New York Regional Planning and Development Board for the Oneida Lake and Watershed Management Plan.

81. $1,200,000 for the Dry Creek Flood Mitigation project in Cortland, New York.

82. $500,000 to the town of Pilot Mountain, North Carolina for stream restoration and upland protection in the watershed.

83. $300,000 to Charlotte, North Carolina for the Charlotte Surface Water Improvement and Management Program.

84. $855,000 to North Carolina Central University for the Environmental Risk and Impact Research Initiative.

85. $300,000 to Cleveland State University in Ohio for continuation of the Program of Excellence in Risk Analysis.

86. $1,000,000 to the Pennsylvania Geographic Information Consortium to continue development of a comprehensive environmental masterplan for Upper Susquehanna-Lackawanna Watershed.

87. $175,000 to the Pennsylvania State University Technical Assistance Center to provide technical expertise to operate public water systems.

88. $2,000,000 to the University of Houston, Texas and in consultation with the Greater Houston Partnership for Ozone Simulation and Forecasting.

89. $500,000 to Texas A&M University for the National Chemical Safety Data System.

90. $2,500,000 to the Salt Lake Organizing Committee or its designee for environmental programs and operations of the 2002 Winter Olympic and Paralympic Games. Eligible activities may include tree programs; environmental compliance activities; programs highlighting the use of environmentally-friendly technologies including, but not limited to, photovoltaic lighting and CNG fuel; waste management and recycling programs and operations; and public information and outreach efforts.

91. $600,000 to Fairfax County, Virginia for the Fairfax County Water Authority to conduct a study on water supply for drought resistance.

92. $1,000,000 to Arlington County and the City of Alexandria, Virginia for demonstration of environmental improvements to Four Mile Run.

93. $600,000 to Franklin, Grant and Adams counties in Washington for the Groundwater Management Area to address nitrate levels in drinking water.

94. $300,000 for the continuation of the Molten Carbonate Fuel Cell Demonstration project in King County, Washington.

95. $168,000 for the Great Lakes Indian Fish and Wildlife Commission for technical work near the Crandon Mine in Wisconsin.

96. $1,225,000 to the Canaan Valley Institute for ongoing operations.

97. $2,400,000 for the National Energy Technology Laboratory (NETL) for continued activities of a comprehensive clean water initiative in cooperation with EPA Region III.

98. $2,800,000 to the Polymer Alliance Zone's MARCEE Initiative with oversight being provided by the Office of Solid Waste.

99. $500,000 to the University of North Carolina at Greensboro for the Bioterrorism Water Quality Protection Program with the aim of developing highly automated and inexpensive testing protocols.

100. $500,000 to Water Project 2000 in Tennessee to provide a benchmark water quality study.

101. $500,000 to Fallon, Nevada to address levels of naturally occurring arsenic.

102. $500,000 to the University of Toledo in the Ohio Lake Erie Research Center for participation in the Western Lake Erie Basin Study authorized by Sec. 441 of WRDA 1999, Public Law 106–53.

103. $450,000 for the Water Resources Institute at California State University, San Bernardino to develop and maintain an information repository of water-related research and conflict resolution.

104. $600,000 for the San Bernardino Municipal Water District in California for research and design of a mitigation project addressing the City's contaminated high groundwater table and dangers presented by liquefaction.

105. $990,000 for continuation of the Soil Aquifer Treatment Project.

106. $200,000 to Miami-Dade County Department of Environmental Resources Management in Florida to expand the existing education program.

107. $300,000 to Leon County, Florida for the Aquifer Protection Assessment program.

108. $750,000 to Calhoun County, Michigan for development of a comprehensive research and development plan for Kalamazoo River Watershed.

109. $250,000 to the Northwest Straits Advisory Commission of Washington.

The conferees have agreed to the following reductions from the budget request:

1. $27,413,000 from the CCTI Buildings program.

2. $9,495,000 from the CCTI Transportation program.

3. $31,686,100 from the CCTI Industry program.

4. $5,076,200 from the CCTI International Capacity Building program.

5. $2,025,000 from the CCTI State and Local program.

6. $2,410,000 from the CCTI Carbon Removal program.

7. $848,800 from Project EMPACT.

8. $9,000,000 from the Integrated Information Initiative. The conferees have provided $5,000,000 for continued planning and design of this new initiative's exchange network.

9. $4,841,000 from the innovative community partnership program.

10. $9,000,000 from the Montreal Protocol Multilateral Fund.

11. $4,250,000 from the international environmental monitoring program.

12. $3,840,000 from the regional geographic program.

13. $3,395,000 from urban environmental quality and human health.

14. $10,000,000 as a reduction in payroll costs.

The seven Environmental Finance Centers and the Regional Environmental Enforcement Associations are to be funded at the fiscal year 2000 funding level, and the Environmental Education programs are to be funded as proposed in the budget submission. The conferees agree that operations of the Clean Water Act Sec. 104(g)(1) Wastewater Onsite Technical Assistance Centers shall remain at the current funding level.

The conference agreement includes the budget request of $34,100,000 for pesticides reregistration, and $39,300,000 for pesticides registration activities performed by EPA. Faster review and approval for registration applications will allow safer, more environmentally friendly products on the market sooner and ensure that farmers have the ability to protect their crop. The conferees expect no reductions to be proposed for these programs in the operating plan submission.

Similarly, the Endocrine Disruptor Screening and the Pesticide Residue Tolerance Reassessment programs are to receive $10,200,000 and $14,600,000, respectively. The Tolerance Reassessment program has been funded at a level that equals the budget request if a tolerance fee was imposed by EPA

and an additional $7,000,000 was recovered through that fee. The conferees have prohibited implementation of the fee again this year, due in part to provisions of that fee structure proposed by EPA which would charge more than 100 percent of actual costs and which would make such charges retroactive. Until the Agency works toward a fee-for-service proposal which is both fair and reasonable, the conferees do not expect to entertain approval. As noted previously, these programs are not to be proposed for reduction through the operating plan submission.

The Agency is directed to take no reductions below the budget request from the NPDES permit backlog, the High Production Volume Chemical Challenge Program, the Chesapeake Bay Program Office, and the water quality monitoring program along the New Jersey-New York shoreline. The Agency is expected to fund the Great Lakes Program Office and the National Estuary program at no less than the 2000 level, and is directed to fund compliance assistance activities at no less than $25,000,000.

The conferees direct EPA to contract expeditiously with the National Academy of Sciences (NAS) for a review of the quality of science used to develop and implement TMDLs, and direct that the final report be submitted to Congress by June 1, 2001. Further, EPA is directed to conduct a comprehensive assessment of the potential State resources which will be required for the development and implementation of TMDLs and present the results of the study to Congress within 120 days of enactment of this Act. In conducting this cost assessment, EPA must, in addition to direction included in Senate Report 106–410, provide an estimate of the annual costs to the regulated community in both the private and public sectors; address concerns regarding the economic analysis performed by the Administrator on regulatory changes to the TMDL program that were identified by the Comptroller General in a June 21, 2000, report; and estimate the costs to small businesses that would result from regulatory changes to the TMDL program. In conducting these analyses, the Administrator shall solicit comment from the Comptroller General, each State, and the public regarding the Agency's assessment.

In addition, the conferees direct the Agency to prepare an analysis of the monitoring data needed for development and implementation of TMDLs, and further direct EPA Region IX as well as all other EPA Regions and EPA Headquarters not to impose or mandate new TMDL-related requirements or issue new guidance relative to new TMDL-related permits prior to the date the TMDL rule can be implemented under current law.

The conferees understand that in June 2000, EPA released a substantially revised draft dioxin reassessment after five years of considering recommendations from its Science Advisory Board (SAB). The SAB's November 1995 Report noted numerous weaknesses in the risk characterization and dose-response chapters of the 1994 draft reassessment and directed EPA to ensure that its conclusions were based on a more complete consideration of available scientific studies.

The conferees commend EPA for convening a peer review panel to assess two key sections of the revised reassessment prior to a second SAB review. The conferees are concerned, based on the report of this peer review panel, that EPA's key conclusions regarding dioxin risks remain controversial and do not completely address questions raised by the SAB in 1995.

The conferees understand that Congressional science and agriculture committees have called for a SAB review of the full dioxin reassessment, including all new information. The conferees further understand that the Department of Agriculture is finalizing an agreement with the National Academy of Sciences to understand better the dioxin impacts on the U.S. food supply. Therefore, the conferees strongly encourage the Agency to await completion of these reviews before finalizing its dioxin reassessment.

This direction should not be interpreted to restrict EPA from issuing regulations to control dioxin emissions such as air toxics rules under Section 112 of the Clean Air Act Amendments of 1990, which have reduced industrial emissions of dioxin by 90 percent.

In view of the uncertain future supply of pharmaceutical-grade CFCs, the conferees are mindful that a smooth and timely transition to chlorofluorocarbon-free metered dose inhalers (MDIs) is needed for patients to continue to have access to the treatments they need. The conferees are aware that a year ago FDA, in consultation with EPA, issued a proposed rule to determine when CFC MDIs are non-essential, and that a decision was proposed at a July 2000 Meeting of the Montreal Protocol's Open-Ended Working Group. The conferees understand that major patient and physician organizations, environmental groups and industry supported the July decision. This decision has now been revised. The conferees note that the July decision and this revised decision include a provision on the non-essentiality of new CFC MDIs unless certain specified criteria are met. The conferees believe that a decision by the Protocol Parties such as the revised decision could facilitate the transition without putting patients at risk, and believe it is important that a final decision make it clear that each national health authority make the finding as to whether the essentiality criteria are met for a particular product. The conferees strongly urge EPA to work with the U.S. Delegation to the Protocol's Meeting of the Parties this December to actively seek adoption of a decision which incorporates the essential use criteria contained in the revised July decision, which adheres to a timely phase-out of new CFC MDIs, and which retains the ability of FDA to protect the health and safety of U.S. citizens. The conferees further urge EPA to work with FDA on any final Protocol decision.

The conferees note that EPA's plans to promulgate a regulation pertaining to radon in drinking water have significant financial implications for states and local water districts across the United States. The conferees believe it is important that the Agency obtain cost data prior to finalizing such a rule. In this regard, the General Accounting Office is directed to study the financial impacts of the proposed EPA regulation and submit the report expeditiously to the Committees on Appropriations of the House and Senate. Prior to finalizing this rule, the Agency is strongly encouraged to consider fully the GAO's findings.

The conferees note with disappointment that the Agency has not solicited public comment regarding scientific community recommendations for exemptions from the 1994 proposed rule regarding so-called ''plant pesticides.'' The conferees urge EPA to solicit and consider public comment regarding such recommendations before completion of the ''plant pesticide'' rulemaking. EPA's failure to consider such exemptions timely is not a basis for promulgation of an overreaching final rule.

The conferees fully expect the Agency to follow through on its current commitment to the Sustainable Industry program. The program's success thus far with the metal finishing industry has focused on collaboration rather than confrontation with industry, improved EPA understanding of industry practices, and achieving better environmental results from companies in tandem with concrete improvements to the regulatory system. The Agency is encouraged to provide resources at the fiscal year 1999 level in order to support necessary personnel, outreach, grants, and EPA regional capacity for continued progress with the metal finishing industry and other key participating sectors, including specialty chemicals, meat processing, metal casting, shipbuilding and repair, photo processing, and travel and tourism.

The conferees are concerned that EPA has not submitted for independent peer review the Agency's application of the persistent, bioaccumulative toxicants (PBT) criteria and methodology to metals as utilized in various Agency programs and proposed regulations. Serious doubts about the scientific validity of applying PBT criteria and methodology to metals have been expressed by international scientific bodies, invited experts at a January 2000 public workshop cosponsored by EPA, and EPA's Science Advisory Board (SAB). In May 2000, the SAB noted that ''classification of metals as PBTs is problematic, since their environmental fate and transport cannot be adequately described using models for organic contaminants.'' Therefore, the conferees urge EPA to seek independent peer review and refer to the SAB the question of the scientific appropriateness of applying PBT criteria and methodology to metals before any application of the PBT criteria and methodology to metals.

The EPA has proposed to redesignate the San Joaquin Valley Ozone Nonattainment area from ''serious'' to ''severe'' nonattainment. The conferees note that the East Kern County portion of this area is geographically separated from the San Joaquin Valley air basin and in itself may not warrant a reclassification and may not contribute to the ozone nonattainment in the San Joaquin Valley. The conferees also note that within the East Kern County area are two defense installations pursuing vital defense programs and a NASA laboratory conducting advanced aerospace research which could be hampered seriously by reclassification. In view of this the Administrator is strongly encouraged to exclude the East Kern County area from the San Joaquin area redesignation.

The conferees continue to be concerned with EPA's chosen preferred alternative for constructing secondary treatment facilities at the USIWTP near San Diego. The conferees are aware of EPA's request to raise the existing cap on construction spending at the IWTP in order to build 25 mgd of secondary ponds at the IWTP with previously appropriated monies in the BEIF. The conferees are also aware of the significant concerns which exist regarding the limited capacity of EPA's preferred alternative, the lack of available land on which future capacity could be constructed, and its inadequacy in addressing increasing future cross-border sewage flows in the region. Finally, the conferees note there is at least one private sector proposal to construct in Mexico similar secondary facilities which would have considerably greater potential capacity better suited to the long term sewage treatment needs of the rapidly growing border region.

The conferees are encouraged by the progress of separate authorizing legislation now pending before the Congress which would facilitate such a proposal, as well as the growing level of documented support for such a proposal by Mexican leaders. The conferees thus continue to believe that it would be inappropriate to lift the cap at this time or to permit construction of a limited capacity secondary treatment facility at the

IWTP which would not meet long-term sewage treatment needs. The conferees urge EPA to continue working with the IBWC, State Department, and its counterparts in Mexico to encourage and develop such a viable proposal in a timely manner.

OFFICE OF INSPECTOR GENERAL

Appropriates $34,094,000 for the Office of Inspector General as proposed by the Senate instead of $34,000,000 as proposed by the House. In addition to this appropriation, $11,500,000 is available to the OIG by transfer from the Hazardous Substance Superfund account.

BUILDINGS AND FACILITIES

Appropriates $23,931,000 for buildings and facilities as proposed by the House instead of $23,000,000 as proposed by the Senate.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $1,270,000,000 for hazardous substance superfund as proposed by the House instead of $1,400,000,000 as proposed by the Senate. Bill language provides that $635,000,000 of the appropriated amount is to be derived from the Superfund Trust Fund, while the remaining $635,000,000 is to be derived from General Revenues of the Treasury. Additional language (1) provides for a transfer of $11,500,000 to the Office of Inspector General; (2) provides for a transfer of $36,500,000 to the Science and Technology account; and (3) provides that $100,000,000 of the appropriated amount shall not become available for obligation until September 1, 2001.

The conferees note that funds for the Agency for Toxic Substances and Disease Registry and for the National Institute of Environmental Health Sciences have been provided in new, separate accounts elsewhere in this Act instead of through the Environmental Protection Agency as has been done in previous years.

The conferees have agreed to the following fiscal year 2001 funding levels:

1. $914,800,000 for Superfund response/cleanup actions.
2. $140,000,000 for enforcement activities.
3. $139,500,000 for management and support. Of this amount, $11,500,000 is to be provided by transfer to the Office of Inspector General.
4. $36,500,000 for research and development activities, to be transferred to the Science and Technology account.
5. $39,200,000 for reimbursable interagency activities, including $28,500,000 for the Department of Justice, $650,000 for OSHA, $1,100,000 for FEMA, $2,450,000 for NOAA, $5,500,000 for the Coast Guard, and $1,000,000 for the Department of the Interior.
6. The Brownfields program has been funded at the budget request level of $91,600,000, which includes funding from various programs within this account and the Environmental Programs and Management account.

The Agency is directed to notify the Committees on Appropriations of the House and Senate of any non-ATSDR resources to be devoted to the Libby, Montana medical monitoring program and related activities.

The conferees remain concerned regarding the Agency's plans to conduct certain dredging or invasive remediation technology activities while these matters remain under study by the National Academy of Sciences (NAS). The pending NAS study is addressing dredging, capping, source control, natural recovery, and disposal of contaminated sediments, and is comparing the risks of each technology. The NAS expects to submit its draft report of this study during Fall 2000 and the conferees strongly encourage the NAS to issue a final report no later than January 2001. Accordingly, the conferees continue to direct the EPA to take no action to initiate or order the use of dredging or invasive remedial technologies where a final plan has not been adopted prior to October 1, 2000 or where such activities are not now occurring until the NAS report has been completed and its findings have been properly considered by the Agency. As in previous years, exceptions are provided for voluntary agreements and for urgent cases where contaminated sediment poses a significant threat to public health.

In adopting this direction to the Agency, the conferees do not intend to prevent EPA from publishing, issuing, or taking public comment on specific proposed or draft remediation plans; but do encourage the Agency to take into account the NAS study when available as it goes through the above process. However, any such plans are not to be finalized until June 30, 2001 or until the Agency has properly considered the NAS report, whichever comes first.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

Appropriates $72,096,000 for the leaking underground storage tank program as provided by the Senate instead of $79,000,000 as proposed by the House.

OIL SPILL RESPONSE

Appropriates $15,000,000 for oil spill response as provided by both the House and the Senate.

STATE AND TRIBAL ASSISTANCE GRANTS

Appropriates $3,628,740,000 for state and tribal assistance grants instead of $3,176,957,000 as proposed by the House and $3,320,000,000 as proposed by the Senate. Bill language specifically provides $1,350,000,000 for Clean Water State Revolving Fund (SRF) capitalization grants, $825,000,000 for Safe Drinking Water SRF capitalization grants, $75,000,000 for the United States-Mexico Border program, $35,000,000 for grants to address drinking water and wastewater infrastructure needs in rural and native Alaska, $1,008,000,000 for categorical grants to the states and tribes, and $335,740,000 for grants for construction of water and wastewater treatment facilities and for groundwater protection infrastructure.

The conferees have included bill language which, for fiscal year 2001 only, authorizes the Administrator of the EPA to use funds appropriated under section 319 of the Federal Water Pollution Control Act (FWPCA) to make grants to Indian tribes pursuant to section 319 (h) and 518 (e) of FWPCA. In addition, bill language has been adopted by the conferees to permit states to include as principal amounts considered to be the cost of administering SRF loans to eligible borrowers, with certain limitations.

The conferees have further agreed to include bill language which resolves in favor of the grantee two disputed grants, docket numbers C–180840–01, C–180840–04, C–470319–03, and C–470319–04; as well as language carried in previous years' Acts which stipulates that none of the funds in this or any previous Act may be used by the Administrator for health effects studies on drinking water contaminants. As in past years, funds for such studies have been provided in other EPA accounts. In addition, language requested in the budget submission has been included which permits the Administrator to reserve up to 1½ percent of the funds appropriated for the SRF under Title VI of the Federal Water Pollution Control Act for grants under section 518 (c) of the Act.

Finally, the conferees have included language which stipulates that no funds provided in this Act to address water infrastructure needs of colonias within the United States along the U.S.-Mexico border shall be made available after June 1, 2001 unless the receiving governmental entity has established an enforceable ordinance or rule which prevents the development or construction of any additional colonia areas, or the development within an existing colonia of any new home, business, or other structure which lacks water, wastewater or other necessary infrastructure.

Of the funds provided for the United States-Mexico Border Program, $3,500,000 is for the El Paso-Las Cruces sustainable water project, $2,000,000 is for the Brownsville, Texas water supply project, $1,000,000 is for the Del Rio/San Felipe Springs Water Treatment Plant, and $3,000,000 is for upgrades and expansion of the Nogales International Waste Treatment Plant, replacement of the International Outfall Interceptor, and replacement of sewer infrastructure facilities of the City of Nogales. Of the funds provided for rural and Alaska Native villages, $2,000,000 is for training and technical assistance. The State of Alaska must also provide a 25 percent match for all expenditures through this program.

The conferees agree that the $335,740,000 provided to communities or other entities for construction of water and wastewater treatment facilities and for groundwater protection infrastructure shall be accompanied by a cost-share requirement whereby 45 percent of a project's cost is to be the responsibility of the community or entity consistent with long-standing guidelines of the Agency. These guidelines also offer flexibility in the application of the cost-share requirement for those few circumstances when meeting the 45 percent requirement is not possible. The Agency is commended for its past efforts in working with communities and other entities to resolve problems in this regard, and the conferees expect this level of effort and flexibility to continue throughout fiscal year 2001. The distribution of funds under this program is as follows:

1. $2,100,000 for the Jasper, Alabama sewer extension project.
2. $900,000 for the Scottsboro, Alabama drinking water project.
3. $3,000,000 for the Thomasville, Alabama water facility project.
4. $350,000 to Winfield, Alabama for sewer infrastructure improvements near the Corridor X highway.
5. $350,000 to Hamilton, Alabama for water and sewer infrastructure improvements.
6. $1,000,000 to Cullman County, Alabama for a water infrastructure improvements.
7. $150,000 to the Fayett County Water Board in Alabama for drinking water system enhancements.
8. $60,000 to Winston County, Alabama to complete Phase I of the Houston-Moreland water project.
9. $1,000,000 to Shelby County, Alabama for water infrastructure improvements.
10. $1,000,000 to the City of Huntsville, Alabama for water and wastewater infrastructure improvements.
11. $1,000,000 to the City of Hartselle, Alabama for wastewater infrastructure improvements.
12. $1,000,000 to Morgan County, Alabama for wastewater infrastructure improvements at the Sherbrooke Sanitary Sewer System.
13. $500,000 to the Limestone County Water and Sewer Authority in Alabama for wastewater infrastructure improvements.
14. $250,000 to the City of Rogersville, Alabama for wastewater infrastructure improvements.
15. $250,000 the City of Triana, Alabama for wastewater infrastructure improvements.
16. $3,000,000 for the State of Alaska Department of Environmental Conservation groundwater remediation project near the Kenai River. The match requirement can be met with non-Federally funded pre-award expenditures by the State of Alaska for this project.

17. $2,200,000 for water and sewer improvements in the North Star Borough, Alaska.
18. $1,100,000 for water and sewer improvements in Whittier, Alaska.
19. $2,200,000 for water and sewer improvements in Sitka, Alaska.
20. $2,500,000 for the Water Infrastructure Finance Authority of Arizona (WIFA) for a loan to Pima County, Arizona for wastewater treatment facility improvements. WIFA may lend the funds directly to Pima County or use the funds to support bonds to fund loans to Pima County and other Arizona communities on Arizona's SRF priority list. Pima County and other benefiting communities, if any, shall repay loans to Arizona's SRF.
21. $750,000 to Gila County, Arizona for water infrastructure improvements in the Kellner and Ice House Canyon areas.
22. $450,000 to Barling, Arkansas for water infrastructure development and engineering studies for future water and sewer improvements.
23. $2,000,000 to San Diego, California for the Coastal Low Flow Storm Drain Diversion Project.
24. $1,500,000 to the Mission Springs Water District in California to protect groundwater in the City of Desert Hot Springs.
25. $2,650,000 to Olivenhain Municipal Water District in California for continued construction of a water treatment plant.
26. $1,000,000 for the Cutler-Orosi Wastewater JPA for a wastewater treatment plant serving Cutler, Orosi, East Orosi, and Sultana, California.
27. $1,000,000 for wastewater infrastructure improvements at the Placer County, California Subregional Wastewater Treatment Plant.
28. $1,900,000 to the Metropolitan Water District of Southern California for the Desalination Research and Innovation Partnership.
29. $1,500,000 to Lomita, California to upgrade water reservoir infrastructure.
30. $600,000 for the continuation of a water reuse nitrate treatment demonstration project in Yucca Valley, California.
31. $500,000 for continuation of water infrastructure improvements in Twentynine Palms, California.
32. $850,000 for the continuation of water infrastructure improvements in the Yucaipa Valley Water District in Yucaipa, California.
33. $1,300,000 for the Lower Owens River Project in Inyo County, California ($900,000) and in the City of Los Angeles ($400,000).
34. $500,000 for storm and wastewater drainage and infrastructure improvements in the City of Yucaipa, California .
35. $1,000,000 to San Clemente, California for the storm drainage management and pilot program implementation.
36. $1,750,000 to Carlsbad, California for the Encina Basin Recycled Water System.
37. $1,000,000 to San Joaquin County, California to rehabilitate water, sewer, storm drains, and surface infrastructure in East Stockton.
38. $1,250,000 to Huntington Beach, California for wastewater and sewer infrastructure improvements.
39. $1,000,000 for the City of Sacramento, California combined sewer overflow project.
40. $1,000,000 for the City of Vallejo, California for a sanitary sewer system at Mare Island.
41. $100,000 for wastewater and groundwater infrastructure improvements in Murrieta, California.
42. $500,000 for Eureka, California for work on the Martin Slough Interceptor.
43. $2,000,000 for the City of Montrose, Colorado sewage treatment upgrade.
44. $1,500,000 for the New Britain Water Department in Connecticut for wastewater infrastructure improvements.
45. $1,000,000 to the Council of Governments of the Central Naugatuck Valley, Connecticut for water and sewer improvements in the Naugatuck Valley.
46. $1,000,000 to Lewes, Delaware to construct pump stations, force mains, storage lagoons and spray irrigation facility.
47. $1,200,000 for the West Rehoboth Expansion of the Dewey Beach Sanitary District, Delaware.
48. $15,000,000 to the Florida Department of Environmental Protection for the Tampa Bay, Florida regional reservoir infrastructure project.
49. $1,700,000 to the City of Tallahassee, Florida for improvements to the stormwater drainage system.
50. $900,000 to the City of West Palm Beach, Florida for completion of wetlands-based indirect potable water and wastewater reuse program.
51. $1,325,000 to the City of Opa-locka, Florida for wastewater and sewer infrastructure improvements.
52. $2,325,000 to the City of North Miami Beach, Florida for wastewater and sewer infrastructure improvements in the Highland Village Neighborhood.
53. $1,500,000 to Sarasota Bay, Florida for wastewater infrastructure improvements necessary to reduce effluent discharge into the Bay.
54. $1,000,000 to the Escambia County Utilities Authority in Florida for extension of the sanitary sewer collection system.
55. $1,500,000 for the Homosassa Regional Wastewater Project in Citrus County, Florida.
56. $1,000,000 to Paulding County, Georgia for the Richland Creek Reservoir Project.
57. $1,000,000 to the City of Roswell, Georgia for infrastructure development and improvements of the Big Creek Watershed Demonstration Project.
58. $700,000 to the Toombs County Development Authority in Georgia to provide water and wastewater infrastructure improvements.
59. $1,900,000 to Big Haynes Creek, Georgia for continued work on the basin stormwater retention and reuse project.
60. $500,000 for the Waimea Wastewater Treatment Plant Interim Expansion in the County of Kauai, Hawaii.
61. $1,000,000 for Burley, Idaho sewer system improvement project.
62. $2,300,000 for Granite Reeder, Idaho Water and Sewer District sewer system construction.
63. $1,500,000 for the McCall, Idaho water plant improvement project.
64. $500,000 to Burley, Idaho for water and wastewater infrastructure improvements.
65. $750,000 to the City of Hailey, Idaho for water and wastewater infrastructure improvements.
66. $750,000 to the City of Glenns Ferry, Idaho for the Glenns Ferry Water Improvement Project.
67. $500,000 to Burr Ridge, Illinois for a sanitary sewer improvement project.
68. $400,000 to Earlville, Illinois for a new wastewater treatment facility.
69. $250,000 to Maple Park, Illinois for wastewater infrastructure improvements.
70. $1,750,000 to North Aurora, Illinois for construction of water treatment and wastewater treatment facilities.
71. $1,000,000 to West Chicago, Illinois for construction of water treatment and wastewater treatment facilities.
72. $1,750,000 to Dixon, Illinois for construction of water treatment and wastewater treatment facilities.
73. $1,900,000 to Bloomington, Illinois for construction of water treatment and wastewater treatment facilities.
74. $350,000 to DuPage County, Illinois for the Village of Bensenville and the City of Wood Dale water and wastewater infrastructure improvements.
75. $1,400,000 to Prospect Heights, Illinois for construction of a new drinking water conveyance system.
76. $1,000,000 for the Village of Johnsburg, Illinois wastewater treatment project.
77. $3,440,000 to the Metropolitan Water Reclamation District in Chicago, Illinois for continued development of the tunnel and reservoir project (TARP).
78. $550,000 to the City of Liberty, Indiana for the Waterworks System Improvement Project.
79. $1,000,000 to Evansville, Indiana for infrastructure development of the Pigeon Creek Enhancement project.
80. $1,000,000 to West Lafayette, Indiana for infrastructure improvements associated with the development of a new business district.
81. $1,000,000 to Mason City, Iowa for construction of a new water treatment facility.
82. $3,250,000 for Clinton, Iowa to separate storm and sewage systems.
83. $2,000,000 to Wichita, Kansas for water and wastewater infrastructure improvements.
84. $500,000 to Clark County, Kentucky for the WMU head works facility.
85. $500,000 to upgrade the wastewater infrastructure facilities in Cynthiana, Harrison County, Kentucky.
86. $300,000 to the Bluegrass Area Development District in Kentucky for a regional water treatment feasibility study.
87. $200,000 to Scott County, Kentucky for construction of a water tower.
88. $500,000 to Madison County, Kentucky for sewer infrastructure improvements.
89. $100,000 to Mercer County, Kentucky for drinking water system enhancements.
90. $500,000 to the East Casey County Water District, Kentucky for water and wastewater infrastructure improvements.
91. $1,000,000 for the Northern Kentucky Area Development District for the expansion of the Carrollton, Kentucky Regional Wastewater Treatment Plant.
92. $1,000,000 to Pike County, Kentucky for water and wastewater infrastructure improvements.
93. $1,000,000 to Lawrence County, Kentucky for water and wastewater infrastructure improvements.
94. $400,000 to Christian County, Kentucky for water and wastewater infrastructure improvements.
95. $300,000 to the Crittenden-Livingston Regional Water System in Kentucky for the improvement of water distribution facilities.
96. $400,000 to Madisonville, Kentucky for sewer system improvements.
97. $300,000 to Centertown, Kentucky for sewer system improvements.
98. $3,000,000 for Logan/Todd, Kentucky Regional Water Commission for water system improvements.
99. $1,000,000 to the City of Monroe, Louisiana for water and wastewater infrastructure improvements.
100. $800,000 to the East Baton Rouge Parish, Louisiana for water and wastewater infrastructure improvements.
101. $600,000 to the Town of Livingston, Louisiana to expand the town's water system.
102. $100,000 to Iberville Parish, Louisiana for water and sewer infrastructure improvements.
103. $1,000,000 to Shreveport, Louisiana to address infrastructure and storage problems affecting water quality as identified in a recent study.
104. $1,400,000 to St. Bernard Parish, Louisiana for water and wastewater infrastructure improvements.
105. $1,200,000 to Iberia Parish, Louisiana for water and wastewater infrastructure improvements in the City of Iberia ($1,000,000) and to the City of Jeanerette ($200,000).

106. $100,000 to St. John Parish, Louisiana for water and wastewater infrastructure improvements.

107. $50,000 to Ascension Parish, Louisiana for water and wastewater infrastructure improvements.

108. $100,000 to Plaquemines Parish, Louisiana for water and wastewater infrastructure improvements.

109. $1,000,000 for the Corinna, Maine sewer upgrade.

110. $4,600,000 for biological nutrient removal on the eastern shore of Maryland, including $2,000,000 to the City of Crisfield; $1,800,000 for the City of Fruitland; and $800,000 for the Somerset County Sanitary District for Princess Anne.

111. $2,000,000 for Bristol County, Massachusetts, wastewater projects.

112. $1,000,000 for the Massachusetts Water Resources Authority's combined sewer overflow control plan.

113. $1,000,000 for water and wastewater infrastructure improvements in Taunton, Massachusetts.

114. $2,000,000 for St. Clair Shores, Michigan combined sewer overflow correction project.

115. $1,000,000 to Bad Axe, Michigan for continued drinking water infrastructure improvements.

116. $1,500,000 to Port Huron, Michigan for water and wastewater infrastructure improvements.

117. $500,000 to Mt. Clemens, Michigan for water and wastewater infrastructure improvements.

118. $1,000,000 to Higgins Lake, Michigan for a wastewater treatment program.

119. $1,500,000 to Grand Rapids, Michigan for combined sewer overflow infrastructure improvements for the National Pollutant Discharge Elimination System.

120. $2,000,000 for continuation of the Rouge River National Wet Weather Demonstration Project.

121. $800,000 to Oakland County, Michigan for infrastructure improvements within the George W. Kuhn Drainage District.

122. $1,000,000 for water system infrastructure improvements in Jackson, Mississippi.

123. $1,500,000 to the City of Picayune, Mississippi for water and wastewater infrastructure improvements.

124. $1,300,000 to Tupelo, Mississippi for water infrastructure needs.

125. $3,000,000 for the DeSoto County, Mississippi comprehensive water and wastewater management project.

126. $1,000,000 for the City of Pearl, Mississippi wastewater collection rehabilitation.

127. $3,000,000 for Jefferson County, Mississippi water and sewer infrastructure needs.

128. $1,000,000 for West Rankin Metropolitan Sewer Authority to develop alternative water and wastewater systems for Rankin County, Mississippi.

129. $6,500,000 for St. Louis and Kansas City, Missouri for the Meramec River enhancement and wetlands protection project ($3,500,000) and the Central Industrial District wastewater project ($3,000,000).

130. $100,000 for Allendale, Missouri wastewater infrastructure improvements.

131. $900,000 for Nodaway County, Missouri wastewater needs, including the communities of Pickering and Ravenwood.

132. $500,000 to Holt County, Missouri for water and wastewater infrastructure improvements including the communities of Mound City and Craig.

133. $2,000,000 to Jefferson County, Missouri for water and wastewater infrastructure improvements.

134. $700,000 to the City of Byrnes Mill, Missouri for water and wastewater infrastructure improvements.

135. $3,000,000 for the Lockwood, Montana wastewater collection system and wastewater treatment and disposal system.

136. $2,000,000 for the City of Belgrade, Montana wastewater collection, treatment and disposal system.

137. $1,000,000 for West Valley, Montana water and sewer development.

138. $1,000,000 for water and wastewater infrastructure needs of the Moapa Valley, Nevada Water District.

139. $1,000,000 to Omaha, Nebraska for combined sewer overflow infrastructure improvements.

140. $2,000,000 to Nashua, New Hampshire for combined sewer overflow infrastructure improvements.

141. $300,000 for Lebanon, New Hampshire combined sewer overflow elimination project.

142. $400,000 for the Newmarket, New Hampshire outflow discharge pipe.

143. $2,000,000 for the Berlin, New Hampshire water works improvement project.

144. $1,500,000 for the City of Elizabeth, New Jersey combined sewer overflow abatement project.

145. $1,500,000 for the City of Carteret, New Jersey combined sewer overflow improvements.

146. $2,500,000 to the Musconetcong Sewerage Authority in New Jersey to assist the plant in accommodating sewage from Hopatcong and Jefferson Township.

147. $800,000 to the Ocean County Utilities Authority in New Jersey for reimbursement of the completed Crestwood Interceptor project.

148. $1,700,000 to Las Cruces, New Mexico for improvements to the wastewater collection and treatment facilities.

149. $500,000 to Village Bosque Farms, New Mexico for water and wastewater infrastructure improvements.

150. $1,000,000 to Silver City, New Mexico for water and wastewater infrastructure improvements.

151. $4,380,000 for North and South Valley of the City of Albuquerque and the county of Bernalillo, New Mexico regional water and wastewater system improvements.

152. $990,000 for Corrales, New Mexico centralized water and wastewater treatment system.

153. $830,000 for Los Lunas, New Mexico wastewater system upgrade.

154. $750,000 for Clovis, New Mexico wastewater treatment system repair.

155. $750,000 to the Village of Morrisville, New York for the construction of a wastewater treatment system.

156. $1,400,000 to Genesee County, New York for Phase I of the Public Water Supply Program.

157. $14,000,000 for continued clean water improvements for Onondaga Lake, New York.

158. $2,500,000 to the City of Auburn, New York for the Auburn Municipal Water Filtration Plant and Water Reservoir.

159. $3,000,000 to Wayne County, New York for Phase I of the Wayne County wastewater treatment facility improvements.

160. $500,000 to Onondaga County, New York for water and wastewater infrastructure improvements in the Village of Minoa.

161. $350,000 to Onondaga County, New York for drainage improvements in the Town of Onondaga for Nedrow.

162. $300,000 to Onondaga County, New York for drainage improvements in the Village of Marcellus.

163. $500,000 to the Town of Clarence, New York for construction of a sanitary sewer system.

164. $300,000 to the Village of McGraw, New York for the replacement of a water storage tank.

165. $8,000,000 for drinking water infrastructure needs in the New York City Watershed.

166. $1,350,000 for extension and construction of water infrastructure in Union County, North Carolina.

167. $650,000 for water and wastewater infrastructure improvements in Stanly County, North Carolina.

168. $2,000,000 to the North Carolina Rural Economic Development Center for water and wastewater treatment planning.

169. $1,500,000 to Henderson County, North Carolina for sewer line connections and improvements.

170. $1,000,000 to Rosman, North Carolina for facility repairs to the current wastewater treatment facility and engineering plans for a new facility.

171. $500,000 to Rutherford County, North Carolina for repairs to water and sewer lines in Lake Lure, Spindale and Chimney Rock, North Carolina.

172. $3,000,000 for Grand Forks, North Dakota water treatment plant.

173. $1,800,000 to the City of Toledo, Ohio for Secor Garden infrastructure improvements ($1,400,000) and for Erie Street Market water and wastewater infrastructure improvements ($400,000).

174. $300,000 to the City of Oregon, Ohio for extension of water and wastewater infrastructure.

175. $300,000 to Lucas County, Ohio for the Jerusalem Township water and wastewater infrastructure improvements.

176. $200,000 to Swanton Township, Ohio for the Bittersweet Farms/Camp Courageous Infrastructure project.

177. $75,000 to Fulton County, Ohio for the Village of Lyons Sanitary Sewer Project.

178. $825,000 to Wood County Regional Water and Sewer District in Ohio for the Owens-Walbridge-Plumey Roads Sanitary Sewer Project ($325,000); for the Village of Millbury Infiltration Inflow project ($250,000); and for water and wastewater infrastructure improvements in the Village of Walbridge ($250,000).

179. $1,650,000 for the Doan Brook Watershed Area in Ohio for continued development of a storm water abatement system.

180. $1,500,000 to Beach City, Ohio for a wastewater infrastructure improvement project.

181. $2,875,000 for Dunlap Reservoir and related infrastructure upgrades, and phase I and II wastewater treatment plant improvements for the city of Washington Court House, Ohio.

182. $875,000 for sewer infrastructure upgrades for the villages of DeGraff and Quincy, Ohio.

183. $250,000 for water and sewer infrastructure upgrades for the City of Springfield, Ohio.

184. $1,650,000 to Norman, Oklahoma for expanding existing wastewater treatment facilities.

185. $1,000,000 to Hood River, Oregon for water and wastewater infrastructure improvements.

186. $750,000 to Hermitage, Pennsylvania for the Pine Hollow Pump Station upgrade and forcemain replacement.

187. $750,000 to Sharon, Pennsylvania for storm and sanitary sewer projects repairs.

188. $1,000,000 to Washington County, Pennsylvania for construction of wastewater infrastructure improvements in Cecil Township.

189. $2,000,000 to Lincoln Township in Somerset County, Pennsylvania for water and wastewater infrastructure improvements.

190. $500,000 to Monroe County, Pennsylvania for sewer and water infrastructure improvements.

191. $500,000 to Wayne County, Pennsylvania to upgrade and renovate a sewer system in the Borough of Honesdale.

192. $1,000,000 to Lackawanna County, Pennsylvania for upgrade of combined sewer overflow system for the Borough of Moosic ($500,000) and the Borough of Archbald ($500,000).

193. $450,000 for water and wastewater infrastructure improvements in Sandy Township, Clearfield County, Pennsylvania.

194. $450,000 to Blair County, Pennsylvania for water and wastewater infrastructure improvements in Logan Township.

195. $450,000 to the Clearfield Municipal Authority in Clearfield County, Pennsylvania for water and wastewater infrastructure improvements.

196. $450,000 to the Bear Valley, Franklin County, Pennsylvania Joint Authority for water and wastewater infrastructure improvements.

197. $450,000 to Mifflin County, Pennsylvania for water and wastewater infrastructure improvements in Lewistown Borough.

198. $450,000 to the Bedford Township Municipal Authority in Bedford County, Pennsylvania for water and wastewater infrastructure improvements.

199. $1,000,000 for the Springettsbury, Pennsylvania regional sewer project.

200. $5,000,000 for the Three Rivers Wet Weather Demonstration project, Allegheny County, Pennsylvania.

201. $750,000 for the Pawtucket, Rhode Island water treatment plant construction.

202. $1,000,000 to the Narragansett Bay Commission of Rhode Island for the combined sewer overflow control project.

203. $900,000 to the West Georgetown, South Carolina County Regional Wastewater Treatment System for construction of a wastewater interceptor transmission system.

204. $1,000,000 for the city of Florence, South Carolina for water and wastewater infrastructure.

205. $500,000 for Branchville, South Carolina water distribution system.

206. $1,000,000 for the City of York, South Carolina water treatment plant upgrade.

207. $500,000 for the City of Alcester, South Dakota for a wastewater treatment facility.

208. $3,000,000 for Rapid City, South Dakota to upgrade its water reclamation facility.

209. $4,000,000 for the City of Huron, South Dakota to upgrade its water treatment facility.

210. $1,000,000 to Athens, Tennessee for storm sewer reconstruction and improvements to the drainage basin.

211. $500,000 to Clinton, Tennessee for engineering study and design to address water and wastewater system flooding problems.

212. $1,000,000 to Oak Ridge, Tennessee for the extension of water and sewer infrastructure.

213. $1,000,000 to Sequatchie County, Tennessee for waterline infrastructure improvements.

214. $1,000,000 to the City of Meridian, Texas for water and wastewater infrastructure improvements.

215. $1,000,000 for the City of Abilene, Texas water treatment facility.

216. $1,750,000 to Grand Water and Sewer Service Agency in Utah for the extension of water and sewer lines to Arches National Park.

217. $2,000,000 for Ogden, Utah, water and sewer improvements.

218. $4,000,000 for water and wastewater infrastructure improvements in Sandy City, Utah.

219. $1,000,000 for Montgomery, Vermont wastewater demonstration project.

220. $2,500,000 for the City of Pownal, Vermont wastewater treatment project.

221. $2,000,000 to Richmond, Virginia for continued development of combined sewer overflow improvements.

222. $2,000,000 to Lynchburg, Virginia for continued development of combined sewer overflow improvements.

223. $1,000,000 to Tazewell County, Virginia for construction of a public wastewater system to serve Bluefield and Divides.

224. $650,000 to the Smith Mountain Lake 4–H Education Center in Wirtz, Virginia for sewage treatment operation improvements.

225. $2,000,000 to Henry County, Virginia for the Henry County City of Martinsville's water and sewer infrastructure improvements project.

226. $250,000 to Buckley, Washington for water pipe replacement.

227. $85,000 to the City of Carnation, Washington for the engineering and design of wastewater treatment plant and collection facilities.

228. $3,000,000 for the City of Bremerton, Washington Callow 5 combined sewer overflow project.

229. $600,000 for the Hoodsport Water System, Mason County, Washington drinking water system improvements.

230. $2,000,000 for the Coulee Dam, Washington water infiltration system.

231. $650,000 for the Cowen Public Service District to provide water and sewer to the proposed Cowen Industrial Park in Webster County, West Virginia.

232. $10,200,000 to the Brooke County PSD, West Virginia for wastewater infrastructure needs in the Eldersville Road, Mahan's Lane and Bruin Drive areas.

233. $3,200,000 to the City of Thomas, West Virginia for water infrastructure needs.

234. $1,500,000 to Huntington, West Virginia for the Fourpole/Park Sewer project No. 1.

235. $680,000 to the Lake Tomahawk Sanitary District, Wisconsin for repayment of debt on a water treatment conveyance project.

236. $1,000,000 for Beloit, Wisconsin combined sewer overflow project.

237. $3,000,000 for Milwaukee, Wisconsin, Metropolitan Sewerage District for continued renovations and repairs to the sewer system.

The conferees have included bill language which allows the Administrator to use up to 3% of the appropriated amount of each above-listed project to administer the management and oversight of construction of such projects through contracts, allocation to the Corps of Engineers, or grants to the States.

The conferees intend that the non-federal share of the cost of planning, design and construction of water and wastewater infrastructure improvements in Bernalillo, New Mexico and in the North and South Valley areas of Albuquerque and Bernalillo County, New Mexico, may be paid in installments of any amount so long as the entire amount of the non-federal share is paid by the end of the 10–year project period, including fiscal year 2000. Bill language has been included regarding a grant provided in fiscal year 1999 for Cumberland, Maryland clarifying the intent of this grant.

Of the amount provided for categorical grants, $209,000,000 is for State and local air assistance grants, including $8,000,000 for section 103 grants to the states to develop regional haze programs under title I, part C of the Clean Air Act. It is the intention of the conferees that these funds be used to aid states in the development of emissions inventories, quantification of natural visibility conditions, monitoring and other data necessary to define reasonable progress and develop control strategies, and to support the states' participation in regional efforts to coordinate their strategies, where necessary, and at the election of the individual states. The conferees have also provided $238,000,000 for section 319 non-point source pollution grants and $172,262,300 for section 106 pollution control grants to, among other things, assist the States in meeting the long-term needs of the TMDL program. Included in the total is $2,000,000 for grants to coastal states as provided in Senate Report 106–410.

No funds have been provided for the new Great Lakes Initiative program, and funds for the Information Integration Initiative have been provided only in the Environmental Programs and Management account. Funds for the new Clean Air Partnership have not been provided by the conferees. Legislation proposed by the Agency to require a 40% cost-share for the section 106 grant program has not been approved by the conferees.

In the interest of minimizing the need for additional administrative appeals, judicial review, and legislative remedies relative to EPA's construction grant program, the conferees direct EPA to resolve, equitably and as expeditiously as its resources will allow, grantee requests for review or waiver, audit resolutions, and appeals in accordance with a specific set of guidelines set forth on page 62 of House Report 106–674. The conferees expect this process will eliminate the need for Congress to resolve specific audit disputes in the future.

The conferees agree that, due to economic hardship, EPA should not apply the normal cost-share requirements to a grant provided for the Fancy Farm, Kentucky water system in Public Law 106–74.

ADMINISTRATIVE PROVISIONS

The conferees have included an administrative provision which, for fiscal year 2001 and thereafter, provides that the obligated balances of sums available in multiple year appropriations accounts shall remain available through the seventh fiscal year after their period of availability has expired for liquidating obligations made during the period of availability.

In addition, an administrative provision is included which stipulates that, for fiscal year 2001, the Administrator, in carrying out environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized tribes or duly authorized intertribal groups to assist the Administrator in implementing federal environmental programs for tribes required or authorized by law. Funds designated for State financial assistance agreements may not be used for such cooperative agreements.

Finally, an administrative provision has been included which reinstates the 12–month grace period following designation for new nonattainment areas for the National Ambient Air Quality Standards originally contained in EPA conformity regulations.

The conferees direct EPA to implement GPRA to the fullest extent possible. This includes defining its long-term strategic goals in terms of environmental, health, and other outcomes and tracking progress using appropriate outcomes measures. Such measures include indicators of health, ecology and welfare, exposure or body burden or uptake, ambient environmental conditions, discharges or emissions, and actions and/or responses by regulated parties.

The conferees recognize that the Agency may not be able to establish nor measure all the appropriate outcome measures by the time of its first Strategic Plan revision after 2000. The conferees therefore direct the Agency to make significant progress in its first revision after 2000, and in subsequent revisions to the Strategic Plan. Further, the conferees call on the Agency to organize and present performance measures in a manner that makes appropriate use of performance information supplied by EPA regions and states.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Appropriates $5,201,000 for the Office of Science and Technology Policy as proposed

by the Senate instead of $5,150,000 as proposed by the House.

Public Law 105–261 transferred responsibility for satellite technology export licensing from the Department of Commerce to the Department of State as part of the International Traffic in Arms Regulations (ITAR). An unfortunate and unintended consequence of that move has been that university-based fundamental science and engineering research, widely disseminated and unclassified, has become subject to overly restrictive and inconsistent ITAR direction. The result has been critical delays in NASA-funded research projects and has forced some universities to forgo participation in such projects. Such research traditionally has been excluded from export controls under the fundamental research exemption. The conferees find the current situation to be unacceptable and direct the Office of Science and Technology Policy to work jointly with the National Security Council, in consultation with the NASA Administrator and the Secretary of State, to expeditiously issue clarification of ITAR that ensures that university collaborations and personnel exchanges, which are vital to the continued success of federally-funded research, are allowed to continue as they had under the long-standing fundamental research exception in the Export Administration Regulations, which had governed export controls over this technology when the Department of Commerce had jurisdiction over it. The conferees expect this review to be completed within 120 days of enactment of this Act. Upon the issuance of guidance, NASA shall ensure that university principal investigators are fully aware of their responsibilities.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

Appropriates $2,900,000 for the Council on Environmental Quality and the Office of Environmental Quality as proposed by the House and the Senate. The conferees have once again included bill language which prohibits CEQ from using funds other than those appropriated directly under this heading. The Council is expected to implement this provision in a manner consistent with its implementation during fiscal years 1998 and 1999. Language has also been included again this year which, notwithstanding law, authorizes the Council to operate with one member, that member acting as chairman of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

(TRANSFER OF FUNDS)

Appropriates $33,660,000 for the Office of Inspector General as proposed by the Senate instead of $33,661,000 as proposed by the House. Funds for this account are derived from the Bank Insurance Fund, the Savings and Loan Association Insurance Fund, and the FSLIC Resolution Fund, and are therefore not reflected in either the budget authority or budget outlay totals.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

Appropriates $300,000,000 for disaster relief as proposed by both the House and the Senate. In addition, appropriates $1,300,000,000 in emergency funding for disaster relief instead of $2,609,220,000 as proposed by the Senate. The House had proposed no emergency funding. Retains language proposed by the Senate authorizing the transfer of $2,900,000 to EMPA for the consolidated emergency management performance grant, in lieu of $5,500,000 as proposed by the House.

The conferees agree that up to $15,000,000 of the funds provided in this account may be used for flood map modernization activities in areas which receive Presidential disaster declarations, as proposed by the Senate. The House had proposed that $30,000,000 be transferred from this account to the Flood Map Modernization Fund for non-disaster and disaster-related flood map modernization.

The conferees do not agree with the House proposal to allow up to $50,000,000 of the disaster relief funds to be obligated for predisaster mitigation and repetitive loss property buyouts. The conferees have taken this action because additional funding was provided for buyouts and elevation of flood damaged properties as part of the fiscal year 2000 supplemental and these funds are not required at this time.

The conferees have agreed to include language in the bill making $3,000,000 from section 404 hazard mitigation grant funding available to the State of Florida hurricane mitigation initiative in Miami-Dade County, Florida. The conferees recognize that, in light of the devastation of Hurricanes Floyd, Irene, and Dennis to the Southeast United States, resources must be focused on mitigation activities because many communities are not adequately prepared to provide local emergency shelter for category 3 or higher hurricanes. To demonstrate the effectiveness of certain mitigation technologies, the conferees direct that a portion of the section 404 hazard mitigation grant funding available to the State of Florida be used for a pre-disaster hurricane mitigation program initiative in Miami-Dade County, Florida utilizing perforated metal technology employed in fixed, passive protection window applications as demonstrated through the Miami Wind Shutter Program.

The conferees are not in agreement with regard to the issue of insurance requirements for public and non-profit buildings. While the goal of reducing Federal costs associated with natural disasters is shared by the conferees, there is not agreement on the best way to achieve that goal. The House continues to believe that FEMA must ensure that the concerns of all interested parties are taken into consideration and that a detailed cost-benefit analysis must be completed prior to finalizing any rule in this regard. The Senate continues to believe that all relevant information is in hand and that a final rule should be promulgated expeditiously. The conferees acknowledge their inability to resolve this issue and urge the Congress to address this issue as part of a comprehensive legislative package.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

The conferees agree to provide a limitation of $25,000,000 on direct loans, a cost of $1,678,000 for direct loans, and a limitation on administrative expenses of $427,000 for the disaster assistance direct loan program account. The foregoing amounts are the same as proposed by the Senate. The House had proposed a limitation of $19,000,000 on direct loans, a cost of $1,295,000 for direct loans, and a limitation on administrative expenses of $420,000.

SALARIES AND EXPENSES

Appropriates $215,000,000 for salaries and expenses as proposed by the Senate instead of $190,000,000 as proposed by the House.

OFFICE OF INSPECTOR GENERAL

Appropriates $10,000,000 for the Office of Inspector General as proposed by the Senate instead of $8,015,000 as proposed by the House. The conferees are in agreement that the FEMA Inspector General shall also serve as the Inspector General for the Chemical Safety and Hazard Investigation Board. In order to fulfill these additional duties, the conferees agree to provide the Inspector General with additional funds and anticipate that the duties will require an increase of 8 FTE. To ensure the independence of the Office of Inspector General, funds are provided to enable the OIG to support its own administrative functions rather than relying on FEMA for support services such as budget and accounting, procurement and personnel.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

Appropriates $269,652,000 for emergency management planning and assistance as proposed by the Senate instead of $267,000,000 as proposed by the House. The conferees agree to include bill language earmarking $25,000,000 of the funds provided in this account for pre-disaster mitigation activities as proposed by the Senate. The House had included authority to use disaster relief funds for this purpose, to be administered through the EMPA account.

EMERGENCY FOOD AND SHELTER PROGRAM

Appropriates $140,000,000 for emergency food and shelter instead of $110,000,000 as proposed by both the House and Senate.

FLOOD MAP MODERNIZATION FUND

Appropriates no funding for this activity in this account. The conferees have included authority within the disaster relief account to use up to $15,000,000 for post-disaster flood map activities in areas which receive Presidential disaster declarations.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to include bill language which authorizes the National Flood Insurance Program through December 31, 2001 instead of September 30, 2001 as proposed by the House and Senate. Without this authorization, new flood insurance policies could not be written throughout the fiscal year. In addition, the conferees direct FEMA to make $2,000,000 available to the New York Department of Environmental Conservation for initiating the Statewide Flood Plain Mapping Program.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Provides for the transfer of $20,000,000 from the National Flood Insurance Fund to the National Flood Mitigation Fund as proposed by both the House and Senate.

GENERAL SERVICES ADMINISTRATION

FEDERAL CONSUMER INFORMATION CENTER FUND

Appropriates $7,122,000 for the Federal Consumer Information Fund as proposed by both the House and the Senate.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The conferees agree with the requirement of the Senate that NASA must articulate a comprehensive agenda and strategy through a strategic plan for each of NASA's primary centers that links staffing, funding resources, mission activities and core competencies in a manner that will ensure each primary center will be vested with specific responsibilities and activities. Within each plan, NASA should identify where a center has or is expected to develop the same or similar expertise and capacity as another center, including the justification for this need. The plan should also include a specific 10–year profile of flight mission elements. This profile should identify the primary NASA center responsible for each flight's mission management. The profile also should articulate clearly the criteria that is used and/or will be used to permit missions to be built intramurally, as well as the strategy for using industry and leading academic laboratories for mission development and execution. These plans are to be updated annually, with the first plan to be submitted to

the Committees on Appropriations of the House and Senate by July 31, 2001. For purposes of the foregoing reporting requirement, primary NASA centers shall include the nine centers and the Jet Propulsion Laboratory listed on page AS–21 of the fiscal year 2001 budget submission.

The conferees agree that information on the long-term consequences of reprogramming and operating plan actions should be made available to the Committees on Appropriations of the House and Senate when requested. While the Senate had proposed making the information a requirement to be submitted with all reprogrammings and operating plans, the conferees recognize that this would be a burden on the agency when most of the changes are relatively minor in nature. The conferees expect NASA to be responsive whenever such an information request is made.

The conferees agree that NASA should report annually on the issue of safeguarding sensitive technology as proposed by the Senate.

The conferees agree that NASA should not be required to include an accounting of program reserves when addressing a program in the initial operating plan or subsequent operating plans. The conferees expect NASA to be able to provide this information when requested by the Committees on Appropriations.

The conferees have agreed to delete the general provision, proposed by the House which would have terminated all NASA-Air Force joint aeronautics and space-related research.

The conferees do not agree that NASA should conduct a joint study with the National Research Council and the National Academy of Public Administration on the research and analysis portions of NASA's programs. The conferees urge NASA to take actions to ensure that research and analysis funding is sufficient to support the goals of the various programs.

Of the amounts approved in the following appropriations accounts, NASA must limit transfers of funds between programs and activities to not more than $500,000 without prior approval of the Committees on Appropriations of the House and Senate. Further, no changes may be made to any account or program element if it is construed to be policy or a change in policy. Any activity or program cited in this report shall be construed as the position of the conferees and should not be subject to reductions or reprogramming without prior approval of the Committees on Appropriations of the House and Senate. Finally, it is the intent of the conferees that all carryover funds in the various appropriations accounts are subject to the normal reprogramming requirements outlined above.

The conferees recognize that personnel management at an agency such as NASA is difficult and note that the Congress has provided authority in the past for NASA to offer incentives to employees as a way to reduce the agency's overall workforce. The challenge NASA now faces is to ensure that the proper skill mix is in place at the various NASA Centers. To accomplish this task, NASA has proposed a continuation of its current buyout authority with modifications which allow the agency to retain the same number of full-time equivalent personnel, while offering incentives to achieve a workforce reduction in skill areas where an excess exists. The conferees agree to provide NASA with this authority for two years and have included the necessary statutory authority as a general provision of the bill.

The conferees agree to include the House provision on NASA full cost accounting instead of the Senate provision. The conferees remain concerned about the impact of full cost accounting on program and financial information that will be made available to the Congress through full cost accounting. If the program and financial information is determined to be inadequate, the conferees expect NASA to be able to address the concerns of the Congress. In addition, the conferees direct NASA to report to the Committees on Appropriations of the House and Senate on the status of any program or activity that has exceeded its budget plan by 15 percent. The report should be provided to the Committees within 15 days of the date on which NASA has determined that the budget overrun has occurred. This report shall include the reasons for the budget overrun including any proposals for the termination or restructuring of the program or activity and the related impact on the funding of other programs or activities.

HUMAN SPACE FLIGHT

Appropriates $5,462,900,000 for Human Space Flight instead of $5,472,000,000 as proposed by the House and $5,400,000,000 as proposed by the Senate. The funding level arrived at for this account includes a reduction of $40,000,000 as proposed by NASA to provide additional funding for the Mars 2003 Lander program. This reduction includes $30,000,000 from shuttle reserves and $10,000,000 from the commercialization and technology program. Other adjustments follow.

The conferees recognize that NASA is obligated to ensure the well-being of astronauts, who will build the International Space Station (ISS), and live and work there for increasingly longer periods of time. On-orbit stay times beyond 90 days will require implementation of countermeasures against the negative effects of space flight. The basic research and countermeasure development will be done using the ISS crew members as research subjects. This requires establishment of medical baselines prior to flight, close monitoring of in-flight changes to the baseline, including the beneficial impacts of the countermeasures, and post-flight monitoring throughout the rehabilitation process. A key objective of NASA's Bioastronautics Initiative is to re-focus existing NASA biomedical assets to accomplish this aim more effectively.

The conferees understand that NASA has determined that the most effective approach to ensuring synergy between a strong research program and necessary astronaut clinical care is to construct a Bioastronautics Facility at the Johnson Space Center. The facility will be sited at NASA's Johnson Space Center because that is the living and working area of the astronaut corps and the medical support personnel. The facility will provide a necessary focal point for human health care delivery, research, and education for Space Medicine and Research. The research capabilities provided in this facility will be consistent with the NASA analysis of research requirements. This facility will enable access to all peer reviewed researchers, including universities across the country, NASA, NIH, and NSBRI, to carry out their science in a symbiotic laboratory setting and accomplish their goals.

The conferees agree to provide $3,000,000 to complete the facility design effort, and that a design/build approach is being baselined to ensure timely completion of the facility. The conferees further understand that initial construction funding could be required in fiscal year 2001 if the design is completed as planned by mid–2001, and direct NASA to submit an Operating Plan notification to the Committees on Appropriations of the House and Senate at that time to identify construction funds within ISS resources.

The conferees agree that NASA should develop a 10–year plan for all research efforts related to the International Space Station, including operational needs as proposed by the Senate. NASA is directed to submit this report to the Committees on Appropriations of the House and Senate no later than April 15, 2001.

The conferees do not agree with the Senate requirement for a blueprint plan that identifies lead and complimentary universities that will coordinate with NASA for science disciplines that will be the focus of research after assembly of the ISS is complete. The conferees direct NASA to submit a plan to the Committees on Appropriations of the House and Senate which includes various ISS management options. The conferees agree that such a plan will give the Congress the information it needs in order to determine what management structure is best and most able to deliver the benefits of the ISS. The Committees on Appropriations will require this information prior to approving funding for any final agreement. Therefore, the conferees have included an administrative provision which prohibits the expenditure of any funds prior to December 1, 2001 for finalizing an agreement between NASA and a non government organization to conduct research utilization and commercialization management activities of the ISS.

For the past several years, the conferees have expressed dismay at the lack of dedicated life and microgravity research missions being flown on shuttle during station assembly. This problem is made worse by continuing delay in station assembly, leading to a significant backlog of critical research waiting to be flown. The conferees believe it is prudent to plan regular life and microgravity shuttle research missions during station assembly to protect the shuttle flight rate and to prepare experiments for the space station. The conferees therefore direct NASA, within 30 days of enactment of this Act, to submit a plan to the Committees on Appropriations of the House and Senate which details a schedule for shuttle research missions, beginning after the flight of STS–107 and continuing until the space station reaches its full research capability.

SCIENCE, AERONAUTICS AND TECHNOLOGY

Appropriates $6,190,700,000 for science, aeronautics and technology instead of $5,579,600,000 as proposed by the House and $5,837,000,000 as proposed by the Senate. The amount provided is $261,300,000 above the budget request. The amount provided consists of:

$2,508,300,000 for space science.
$316,900,000 for life and microgravity sciences.
$1,498,050,000 for earth sciences.
$1,253,150,000 for aero-sapce technology.
$529,400,000 for space operations.
$134,000,000 for academic programs.
$49,100,000 as a general reduction.

In reaching the amount of $6,190,700,000 appropriated for science, aeronautics and technology, the conferees have included only $8,000,000 for space solar power, $20,000,000 for commercial remote sensing data buys, $20,000,000 for quiet aircraft technology, $10,000,000 for the EPSCoR program, and $19,100,000 for space grant colleges designated under section 208 of the National Space Grant College and Fellowship Act.

The conferees recognize the efforts of NASA, particularly Goddard Space Flight Center, in developing comprehensive programmatic and operations plans for the Independent Verification and Validation Facility and in confirming the Facility's agency-wide role in software reliability. The conferees further recognize NASA's increased commitment to IV&V as a mission critical activity, as evidenced by the increase in funding (to $40,000,000 for fiscal year 2001) dedicated to

IV&V activities. The conferees expect NASA to report to the Committees on Appropriations of the House and Senate by May 1, 2001 regarding progress on development of the Facility, its role within NASA and the degree to which new and related software initiatives have been implemented.

SPACE SCIENCE

The conferees have agreed to provide $2,508,300,000 for space science programs. Included in this amount is $75,000,000 for the Mars 2003 Lander program as proposed by NASA in communications with the conferees subsequent to submission of the budget. Of this amount, $2,000,000 is to be financed within the space science account; $7,000,000 is to be derived from the life and microgravity account; $20,000,000 is to be derived from the aeronautics and space technology account; $6,000,000 is to be derived from the mission support account; and $40,000,000 is to be derived from the human space flight account.

Prior conference agreements have directed NASA to establish a goal of competitively selecting 75 percent of space science advanced technology funding. Based upon this direction, NASA recently released an open research announcement in the Cross-Enterprise Technology Development Program (CETDP) that resulted in an impressive response of over 1200 proposals competing for $40,000,000 in funding. The conferees are aware that NASA was only able to award funding for 8 percent of the proposals and that a 92 percent disapproval rate is frustrating to the university community and industry partners. In addition, the conferees note that NASA has expressed concern that the diversion of a high percentage of funds to open solicitations is contributing to a loss of needed ''core competencies'' in technology at the NASA field centers. NASA, on the CETDP, is directed to allocate at least 75% of all new procurement awards through full and open competition. If NASA feels that additional funding is needed in fiscal year 2001 to address transitional core competency issues, then the agency may propose for the consideration by the Committees on Appropriations, a reprogramming of funds from other sources.

The conferees understand that the responsibility and funding for the CETDP is being transferred from the Office of Space Science to the Office of Aerospace Technology. Therefore, the conferees direct that NASA's Office of Aerospace Technology submit a report to the Committees on Appropriations of the House and Senate by April 30, 2001 which addresses how NASA plans to increase competitive selection of advanced technology funding while maintaining NASA Center core competencies. The report should identify the core competencies by NASA Center that are critical to the long-term future of the Nation's space program and the level of resources required to ensure their support. The NASA core competency strategy should include long-term strategic alliances with universities and industry partners.

The conferees note that applying the recommendations of the Mars Program Independent Assessment Team to all space science programs may lead to cost increases for those programs. The conferees agree that NASA should provide a five-year profile of the costs associated with implementing these recommendations as part of the budget submission for fiscal year 2002, as proposed by the Senate.

The conferees have provided the budget request of $20,000,000 for the Living with a Star program, as proposed by the Senate. The House had deleted the funding for this program because of concern about the contracting strategy being used by the program. The NASA Inspector General has reviewed the procurement strategy and the conferees are confident that NASA will take into consideration the recommendations of the Inspector General with regard to this program, as well as the recommendations of the Applied Physics Laboratory and NASA. The conferees agree with the direction of the Senate that NASA should submit a long-term plan to create a resilient Sun-Earth Connection program and that the report should be submitted by February 15, 2001.

The conferees agree that the cost of the Hubble Wide Field Camera 3 should have a cost cap of $75,500,000 as proposed by the Senate. The conferees do not agree that cost increases associated with the Hubble Servicing Mission should be allocated to the Human Space Flight account. Instead, the conferees direct NASA to provide a report to the Committees on Appropriations of the House and Senate on the policy for allocating cost increases which are associated with launch or payload delays and the rationale for the policy. The report should be provided no later that March 31, 2001.

The conferees agree to the following changes to the budget request:

1. An increase of $1,500,000 for Ohio Wesleyan University for infrastructure needs.
2. An increase of $1,500,000 for the Center for Space Sciences at Texas Tech University, Lubbock, Texas.
3. An increase of $8,000,000 for space solar power.
4. An increase of $5,000,000 for the STEP-AirSEDS tether propulsion program.
5. An increase of $2,500,000 for the Hubble telescope project to initiate a Composites Technology Institute in Bridgeport, West Virginia.
6. An increase of $3,500,000 for a center on life in extreme thermal environments at Montana State University, Bozeman.
7. An increase of $2,500,000 for the Bishop Museum/Mauna Kea Astronomy Education Center.
8. An increase of $1,000,000 for the Chabot Observatory and Science Center, Oakland, California.
9. An increase of $4,000,000 for the Green Bank Radio Astronomy Observatory visitor center.
10. An increase of $2,000,000 for equipment for the South Carolina State Museum's Observatory, Planetarium and Theater.
11. An increase of $8,000,000 for the University of Hawaii for infrastructure needs of the Mauna Kea Education Center.

LIFE AND MICROGRAVITY SCIENCES

The conferees agree to provide $316,900,000 for life and microgravity sciences. This amount includes a reduction of $7,000,000 from the biomedical research and countermeasures program which has been transferred to the space sciences account for the Mars 2003 Lander program. The conferees agree to the following changes to the budget request:

1. An increase of $5,000,000 for the Space Radiation program at Loma Linda University Hospital.
2. An increase of $1,000,000 to EARTH University and the University of Alabama in Birmingham to research Chagas disease.
3. An increase of $500,000 for ongoing research in the area of disease monitoring and diagnosis through the use of medical intelligence for the manned spaceflight effort.
4. An increase of $3,000,000 for the Donald Danforth Plant Science Center's Modern Genetics project.
5. An increase of $15,000,000 for infrastructure needs for the Life Sciences building at the University of Missouri-Columbia.

EARTH SCIENCES

The conferees agree to provide $1,498,050,000 for the earth sciences account.

The conferees take seriously their responsibility to oversee the activities of the various Departments and Agencies and feel the direction provided by the Congress in the Statement of Managers accompanying the Conference Report for prior fiscal years should be implemented without fail. It has come to the attention of the conferees that this has not been the case with the implementation of direction contained in the fiscal year 2000 Appropriations Act and accompanying Statement of Managers. For this reason, the conferees agree with the Senate proposal to suspend the authority of the Office of Earth Science to reprogram any funds in fiscal year 2001 unless specifically authorized by the Committees on Appropriations of the House and Senate.

The conferees direct NASA to report to the Committees on Appropriations of the House and Senate, by March 15, 2001 with a ten-year strategy and funding profile to extend the benefits of Earth science, technology and data results beyond the traditional science community and address practical, near-term problems. This strategy should incorporate fully the unique data, data products and services available from U.S. companies. NASA is also directed to develop, with universities, existing Applications Centers, such as ARCs and RESACs, NASA Field Centers, and other cognizant Federal agencies, mechanisms through which current public and private remote sensing and related technologies will be made readily available to state and local governments, public agencies and private organizations for applications in agriculture, flood mapping, forestry, environmental protection, urban planning and other land-use issues.

The Vegetation Canopy LIDAR Project (VCL), the first NASA Earth Systems Pathfinder Mission, is designed to provide a global database of forest structure and tree height. The conferees believe that this data will be invaluable as the scientific community continues research into global climate change and related areas. At the same time, the conferees recognize the valuable commercial potential of the data and the associated interest within the commercial sector. The conferees are concerned that if the VCL mission is not launched by 2002, the baseline data needed by the United States scientific and commercial community may be delayed or lost. Therefore, the conferees direct NASA to report by October 2001 on the progress of developing the VCL mission, with the expectation of a Spring 2002 launch date.

The conferees agree to the following changes to the budget request:

1. An increase of $500,000 for the Temporal Landscape Change Research Program to establish a regional baseline monitoring program.
2. An increase of $500,000 for the operations of the applications center for remote sensing at Fulton-Montgomery Community College, Johnston, New York.
3. An increase of $1,000,000 for the Center for Earth Observing and Space Research at George Mason University.
4. An increase of $5,000,000 for NASA's Regional Applications Center for the Northeast.
5. An increase of $2,500,000 for the U.S. portion of the joint U.S./Italian satellite development program to remotely observe forest fires.
6. An increase of $450,000 for continuation of application remote sensing to forestry at the State University of New York, College of Environmental Sciences and Forestry.
7. An increase of $4,000,000 for the continuation of programs at the American Museum of Natural History.
8. An increase of $1,000,000 for the Advanced Tropical Remote Sensing Center of the National Center for Tropical Remote Sensing

Applications and Resources at the Rosenstiel School of Marine and Atmospheric Science.

9. An increase of $8,800,000 to the Institute for Software Research, for the following activities: $5,000,000 for development and construction of research facilities; $2,300,000 for the development of a Goddard Institute for Systems, Software and Technology Research (GISSTR) in cooperation with the Goddard Space Flight Center's Systems, Technology and Advanced Concepts (STAAC) organization; and $1,500,000 for a microcomputer clustering and data throughput/visualization algorithm research initiative.

10. An increase of $20,000,000 to continue commercial data purchases.

11. An increase of $3,000,000 for the University of South Mississippi for research into remotely sensed data for coastal zone management.

12. An increase of $1,000,000 for carbon cycle remote sensing technology at the KARS Regional Earth Sciences Applications Center at the University of Kansas.

13. An increase of $1,500,000 for the University of North Dakota to support the Upper Midwest Aerospace Consortium.

14. An increase of $1,500,000 for topographic sensor measurement efforts in Alaska.

15. An increase of $2,000,000 for remote ocean sensing research and measurements in the areas of the Bering Sea and the northernmost Pacific Ocean.

16. An increase of $500,000 for continued development of nickel metal hydride battery technology.

17. An increase of $3,000,000 for the NASA International Earth Observing System Natural Resource Training Center at the University of Montana, Missoula.

18. An increase of $1,000,000 for the Pipelines Project at Iowa State University/Southern University—Baton Rouge.

19. An increase of $35,000,000 for the Earth Observing System Data Information System, for a total fiscal year 2001 program level of $277,000,000. These additional funds are for the EOSDIS Core System only so that its total program level in fiscal year 2001 shall be $115,000,000 allocated as follows: First, an additional $22,500,000 should be added to the core ECS program to provide optimized system functionality, planning for future growth and adaptations due to instrument team changes, provision for additional processing, and archival capabilities needed at the DAAC's. Second, the remaining $12,500,000 is to continue and expand the Synergy program that was begun in fiscal year 2000. In fiscal year 2001, the conferees believe the Synergy program should focus on the following: continued development of the current applications to make them accessible to the general public; expansion of the number of info marts/data store fronts to broaden the application base and implementation of a unified access data server for local, State, and Federal agencies and the commercial marketplace. As part of this effort, NASA is directed to integrate the regional earth science applications centers into the Synergy program by the end of fiscal year 2001.

20. The conferees provided the full amount requested for the EOS follow-on. Within the amount provided, the conferees recommend: $1,500,000 for studies initiating a Landsat-7 follow-on commercial data purchase; $2,000,000 for the Global Precipitation Mission for phase A/B studies and preliminary advanced technology development work; $2,000,000 for the Global Earthquake Satellite for phase A/B studies and preliminary advanced technology development work; $1,500,000 for studies related to the ''New DIS'' which the conferees believe should emphasize the re-use of the existing system in order to minimize future costs; $35,600,000 for studies and advanced technology development for the NPOESS preparatory project of which $4,000,000 shall be allocated for the development of high speed data processing and algorithm validation processes that maximize prior year investments in this area; and $2,000,000 to initiate a global wind profile commercial data purchase consistent with the science objectives identified in the National Academy of Sciences study.

AERO-SPACE TECHNOLOGY

The conferees agree to provide $1,253,150,000 for the aero-space technology account. Included in this amount is a reduction of $20,000,000 to the research and technology base with the funds transferred to the space sciences account for the Mars 2003 Lander program.

The conferees agree to provide the budget request of $9,000,000 for the small aircraft transportation system (SATS) as proposed by the Senate. The House had deleted funding for this effort. The House action was based upon limited funding available to NASA and an underlying concern that the Federal Aviation Administration (FAA) was less than enthusiastic about the program which was not very well defined in the budget submission. Based upon new information provided to the conferees, funding for SATS has been restored to be used for operational evaluations, or proofs of concept where operational evaluations are not possible, of four new capabilities that promise to increase the safe and efficient capacity of the National Airspace System for all NAS users, and to extend reliable air service to smaller communities. These capabilities are:

High-volume operations at airports without control towers or terminal radar facilities.

Lower adverse weather landing minimums at minimally equipped landing facilities.

Integration of SATS aircraft into a higher en route capacity air traffic control system with complex flows and slower aircraft.

Improved single-pilot ability to function competently in complex airspace in an evolving NAS.

The conferees recognize that the expansion of the SATS is a technically high-risk program, and that the expansion of the SATS program to perform operational evaluations on all four capabilities will require additional resources. Therefore, the conferees direct the Administration to include such resources in the fiscal year 2002 budget request for NASA.

It is the expectation of the conferees that SATS will develop and operationally evaluate these four capabilities in a five-year program which will produce sufficient data to support FAA decisions to approve operational use of the capabilities, and FAA and industry decisions to invest in the necessary technologies. The conferees direct that not less than 75% of the funding provided for development of technologies shall be awarded subject to full and open competition. Collaborative industry/university teams are encouraged to compete for these awards. In addition, NASA is directed to transfer funds as required to the FAA for personnel with authority to set criteria and approve test plans.

The usefulness of the data for this purpose will be ensured through the following process:

1. In fiscal year 2001, NASA will plan SATS activities with, and secure the agreement of, FAA staff from aircraft certification, flight standards, air traffic, and airports before undertaking the proof of concept or operational evaluations. This will also be done with appropriate industry involvement.

2. The SATS plan will identify the operational safety criteria required by FAA for each capability, and test plans determined by FAA to be adequate to establish that these criteria are met.

3. The objective of SATS is that the output of the operational evaluation as defined in the plan will be sufficient for the FAA to give full credit to the test data when an applicant subsequently proposes the certification and operational approvals for a system that would implement these SATS capabilities.

NASA and FAA SATS program managers will keep the SATS Subcommittee, a joint subcommittee of NASA's Aero Space Technology Advisory Committee and FAA's Research Engineering and Development Advisory Committee, fully informed of all planning activities. SATS program managers will seek specific advice on their plan from the Subcommittee and respond in writing to such advice. The Advisory Committees will request status reports from the SATS Subcommittee on the planning activities and their conformance to the above directions of the conferees and these reports shall also be provided to the Committees on Appropriations of the House and Senate.

NASA is directed to provide a report the Committees on Appropriations of the House and Senate on the status of implementing this program with the first report to be submitted by July 31, 2001 and subsequent reports to be submitted on each March 31 thereafter.

The conferees agree to provide the budget request for the Space Launch Initiative (SLI) as proposed by the Senate. The conferees are in general agreement with the direction in the Senate report with regard to the key principles NASA should maintain throughout the life of the program, namely: (1) any launch vehicles developed fully will be owned and operated by private industry and be capable of competing effectively in the commercial marketplace; and (2) the program will rely on competition from existing and emerging launch service providers to ensure innovations, openness, and resiliency. Further, the conferees are in agreement that at least 75% of SLI funding should be subject to full and open competition and that all NASA Centers should be eligible to participate in the SLI program.

The conferees continue to support the Software Optimization and Reuse Technology (SORT) program, which will help NASA address the growing cost and schedule complexities associated with traditional one-at-a-time software development strategies. The conferees are aware of a recent independent assessment of SORT program efforts at the Goddard Space Flight Center (GSFC) Information Systems Center (ISC), which confirmed the compatibility of GSFC/ISC goals with those of the SORT program. The report confirmed that the technologies proposed under the SORT program would promote improvements in productivity, quality, cost and schedule, but identified communication and management problems between the SORT program and NASA. The conferees fully support the transfer of SORT's management to the GSFC/ISC, and expect the contents of the independent assessment to be integrated into a detailed plan for future SORT activities. The conferees direct GSFC/ISC to submit this plan to Congress no later than April 1, 2001.

The conferees agree to the following changes to the budget request:

1. An increase of $13,000,000 for the Ultra Efficient Engine Technology program.

2. An increase of $2,000,000 for the development of eyetracking technology and applications research.

3. An increase of $500,000 for evaluation and design of Lithium-Ion batteries for use on space shuttles.

4. An increase of $3,000,000 for the NASA-Illinois Technology Commercialization Center at DuPage County Research Park.

5. An increase of $3,000,000 for the University of New Orleans Composites Research Center for Excellence at Michoud, Louisiana.

6. An increase of $5,000,000 for Rotocraft Research and Technology base programs.

7. An increase of $6,000,000 to expand the Space Alliance Technology Outreach Program in the states of Florida, New Mexico, New York, and Texas.

8. An increase of $4,000,000 for deployment of multilateration and Mode-S based Automatic Dependent Surveillance-Broadcast sensors for the Helicopter In-Flight Tracking System.

9. An increase of $1,800,000 to augment deployment of an ATIDS multilateration sensor and surveillance server for the Airport Surface Management System.

10. An increase of $1,600,000 for the continued development of the Dynamic Runway Occupancy Measurement System integration with the Multistatic Dependent Surveillance System and SensorBahn server.

11. An increase of $1,000,000 for the remote sensing SAID research program at Syracuse University.

12. An increase of $1,000,000 for Agile Collaboration Environments for Systems Synthesis in Engineering Education.

13. An increase of $1,000,000 for Enhanced Vision Systems development and testing.

14. An increase of $2,000,000 to continue work on SOCRATES.

15. An increase of $1,000,000 for the Center for Emerging Technologies at Stony Brook, State University of New York.

16. An increase of $1,000,000 for the Garrett Morgan Commercialization Initiative in Ohio.

17. An increase of $6,500,000 to the Institute for Software Research, for the following activities: $2,000,000 to perform fundamental research of propellantless space propulsion with NASA's Center of Excellence for Space Propulsion, including the analysis of prototype radio frequency momentum sources and the use of automated tensor algorithms to simulate and evaluate prototype drive mechanisms; $3,500,000 to continue the Self-Adaptive Vehicular Equipment (SAVE) initiative; and $1,000,000 to continue the Breakthrough Propulsion Physics (BPP) program.

18. An increase of $7,500,000 for completion of the National Space Science and Technology Center for infrastructure needs.

19. An increase of $2,000,000 for the Earth Alert project at the Goddard Space Flight Center.

20. An increase of $10,000,000 for a Propulsion Research Laboratory to be located at NASA's Center of Excellence for Space Propulsion at the Marshall Space Flight Center.

21. An increase of $2,000,000 for Montana State University, Bozeman for research in advanced optoelectronic materials.

22. An increase of $1,000,000 for the University of Akron, for nanotechnology research.

23. An increase of $1,000,000 for aerospace projects at MSE Technology Applications in Butte, Montana.

24. An increase of $250,000 for the Oklahoma Aeronautics and Space Commission for sounding rockets.

25. An increase of $1,000,000 for Montana State University for the techlink program.

26. An increase of $500,000 for the National Aviation Hall of Fame for development of exhibits.

27. An increase of $1.500,000 for the National Technology Transfer Center, for a total of $7,300,000.

SPACE OPERATIONS

The conferees have provided $529,400,000 for space operations, the same amount as provided by both the House and Senate.

ACADEMIC PROGRAMS

The conferees have agreed to provide $134,000,000 for academic programs. The conferees agree to the following changes to the budget request:

1. An increase of $3,000,000 for continued academic and infrastructure needs related to the computer sciences, mathematics and physics building at the University of Redlands, Redlands, California.

2. An increase of $1,000,000 for equipment needs at the University of San Diego Science and Education Outreach Center.

3. An increase of $500,000 for Science, Engineering, Math and Aerospace Academy programs at Central Arizona College.

4. An increase of $1,000,000 for the Science Facilities Initiative at Heidelberg College in Ohio.

5. An increase of $1,000,000 for the NASA Glenn ''Gateway to the Future: Ohio Pilot'' project.

6. An increase of $1,500,000 for the Santa Ana College Space Education Center in California.

7. An increase of $5,400,000 for the EPSCoR program for a total funding level of $10,000,000 in fiscal year 2001.

8. An increase of $9,100,000 for the Minority University Research and Education program for a total funding level of $55,000,000 in fiscal year 2001.

9. An increase of $500,000 for a hands-on interactive science education facility at the University of North Carolina at Chapel Hill.

10. An increase of $1,000,000 for the Science Learning Center in Hammond, Indiana.

11. An increase of $1,000,000 for the Environmental Sciences Learning Center (part of the California Science Center) in Los Angeles, California.

12. An increase of $2,000,000 for the University of Wisconsin-Milwaukee to implement the Wisconsin Initiative for Math, Science, and Technology.

13. An increase of $2,500,000 for the JASON Foundation.

14. An increase of $1,000,000 for the NASA Center of Excellence in Mathematics, Science and Technology at Texas College in Tyler, Texas.

15. An increase of $2,000,000 for the Lewis and Clark Rediscovery Web Technology Project.

16. An increase of $500,000 for the Aerospace Education Center in Cleveland, Ohio as a national hub for the SEMAA program.

17. An increase of $1,000,000 for the Carl Sagan Discovery Science Center at the Children's Hospital at Montefiore Medical Center to implement the educational programming for this science learning project.

18. An increase of $1,000,000 for the Challenger Learning Center in Kenai, Alaska.

MISSION SUPPORT

Appropriates $2,608,700,000 for mission support instead of $2,584,000,000 as proposed by the House and Senate. The funding level arrived at for this account includes a reduction of $6,000,000 to research operations support from IFMP rescheduling as proposed by NASA to provide additional funding for the Mars 2003 Lander program.

The conferees are aware that NASA owns and operates a small fleet of administrative aircraft that are vital for the oversight and implementation of its mission. The conferees understand that the majority of the aircraft in this fleet are aging, presenting a burden upon NASA management in terms of maintenance requirements and resultant costs. The conferees, therefore, direct that NASA develop a plan to replace these aging administrative aircraft and consider fractional ownership as an alternative. NASA should submit this plan for administrative aircraft replacement to the Committees on Appropriations of the House and Senate by April 15, 2001. The conferees continue to believe that fractional ownership may be of value to NASA and have therefore included $2,200,000 to be used for a two-year test of the concept. NASA is directed to enter into a fractional ownership contract, to be fully competed, by June 15, 2001.

The conferees agree to provide $18,000,000 for the E-Complex upgrades at Stennis Space Center and $10,500,000 for a propulsion test operations building and for upgrades to the East/West access road at Stennis. In addition, the funds used for upgrades to the East/West access road may be used to match title 23 highway funds.

OFFICE OF INSPECTOR GENERAL

The conferees agree to provide $23,000,000 for the Office of Inspector General, the same as proposed by both the House and Senate.

ADMINISTRATIVE PROVISIONS

The conferees agree to include four administrative provisions which were included in the bill in fiscal year 2000. The fifth administrative provision is addressed at the beginning of the NASA section of this statement. The conferees have not included an administrative provision proposed by the Senate which would have incorporated the Senate report into the bill by reference.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

(INCLUDING TRANSFER OF FUNDS)

Limits direct loans from the Central Liquidity Facility (CLF) to credit unions from borrowed funds to $1,500,000,000 instead of $3,000,000,000 as proposed by the House and $600,000,000 as proposed by the Senate.

Appropriates $1,000,000 to the National Credit Union Administration for the Community Development Revolving Loan Program for low-income credit unions of which $350,000 is provided specifically for technical assistance, as proposed by the House instead of no funding as proposed by the Senate.

The conferees are very supportive of the credit union industry and the service it provides to its members. Increasing the lending cap for the Central Liquidity Facility (CLF) for new direct loans gives greater financial security to the industry and ensures the statutory role of the CLF to provide liquidity to credit unions experiencing unusual or unexpected shortfalls.

The conferees consider loans administered through the CLF necessary in situations when private sources are not available and when unanticipated events are the cause of liquidity drains. The conferees do not expect that loan sales or other business decisions that result in excessive demand for liquidity should be considered emergency events that warrant the use of CLF funds. To this end, the conferees direct the NCUA to develop written policies and procedures to clarify the role of the CLF and the circumstances when the CLF will approve a Regular or Agent Member's request for a CLF advance. This information is to be included in the budget request for fiscal year 2002. The conferees also direct the NCUA to report on the loans made by the CLF for short-term adjustment, seasonal, and protracted adjustment liquidity needs for each month from 1996 through December 2000. This report is to be submitted to the Committees by February 15, 2001. The conferees request that NCUA continue to provide this information on CLF loans on a monthly basis through September 2001.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

Appropriates $3,350,000,000 for research and related activities instead of $3,117,690,000 as proposed by the House and $3,245,562,000 as proposed by the Senate. Bill language provides up to $275,592,000 of this amount for Polar research and operations support.

The conferees have included bill language which specifies that $65,000,000 of appropriated funds are to be for a comprehensive research initiative on plant genomes for economically significant crops.

Finally, the conferees have agreed to bill language which: (1) prohibits funds spent in this or any other Act to acquire or lease a research vessel with ice-breaking capability built or retrofitted outside of the United States if such a vessel of United States origin can be obtained at a cost of not more than 50 per centum above the cost of the least expensive, technically acceptable, non-United States vessel; (2) requires that the amount of subsidy or financing provided by a foreign government, or instrumentality thereof, to a vessel's construction shall be included as part of the total cost of such vessel; and (3) provides that should a U.S. vessel as set forth in the foregoing language not be available for leasing for the austral summer Antarctic season of 2002–2003, and thereafter, a vessel of any origin can be leased for a period not to exceed 120 days of that season and every season thereafter until delivery of such a United States vessel occurs.

The conference agreement provides an increase of $384,000,000 above the fiscal year 2000 appropriated level for research and related activities. Within the appropriated level is $215,000,000 for the information technology initiative, $75,000,000 for the biocomplexity initiative, $65,000,000 for plant genome research for economically significant crops, $150,000,000 for the new nanotechnology initiative, $75,000,000 for major research instrumentation, $94,910,000 for facilities within the astronomical sciences activity, and $1,000,000 to begin design and model testing of a vessel to replace the R/V Alpha Helix.

The increase of $15,000,000 provided for astronomical sciences facilities is intended to upgrade specifically facilities and operations, including new construction and instrumentation as appropriate, for the Arecibo Observatory, the Green Bank Telescope, the Very Large Array, the Very Long Baseline Array, and other facilities in need of such attention on a priority basis. The Foundation is directed to provide the Committees on Appropriations of the House and Senate with a list of facilities and the specific needs of each, on a priority basis, within the Operating Plan submission and on a semi-yearly basis after that.

The conferees have provided $5,000,000 within the total for social and behavioral sciences to initiate a separately competed Children's Research Initiative (CRI). While the NSF does fund some research that provides a better understanding of children, a distinct program is needed if the recommendations of the 1997 National Science and Technology Council report are to be achieved. In fact, as the NSF anticipates potential budget growth in future years, the conferees expect the CRI to be a vital part of any planned program expansion. The NSF should employ its normal peer review process for determining grants for the CRI, and should award both principal investigator and no less than three center awards with this first-year funding.

Highest funding priority should be given to proposals from distinct human sciences units in institutions of higher education that have an interdisciplinary academic program in human and family development, nutrition, and related areas. Proposals should also be evaluated for their effectiveness in utilizing existing delivery systems for program outreach and evaluation to assess how the implementation of research findings can benefit the majority of all children in a given state or region. A strong emphasis should also be placed on pursuing theory-driven, applied policy-related research on children, learning, and the influence of families and communities on child development.

The conferees expect the Foundation to work with the human sciences community in the development of the proposed program guidelines for the CRI and to have awards made by June 2001. Finally, the conferees expect a detailed plan in the fiscal year 2002 budget submission on how the NSF intends to expand the CRI as a multi-year strategic initiative.

The Opportunity Fund has again, without prejudice, not been funded for fiscal year 2001.

Except as previously noted, the conferees expect that the remaining funds will be distributed proportionately and equitably, consistent with the ratio of the budget request level above the fiscal year 2000 funding level, among all of the remaining directorates. In the distribution of funds within each directorate, the NSF is directed to provide each program, project, and activity the same percentage of the overall budget as that provided in the budget request. The conferees request that such distribution be specifically noted in the fiscal year 2001 Operating Plan submission.

MAJOR RESEARCH EQUIPMENT

Appropriates $121,600,000 for major research equipment instead of $76,600,000 as proposed by the House and $109,100,000 as proposed by the Senate.

The conference agreement provides the budget request level for all ongoing projects within the MRE account, including $45,000,000 for the development and construction of a second, single site, five-plus teraflop computing facility. The conferees are encouraged by the recent progress made in the development of the first terascale facility and urge the Foundation to move as quickly as possible in soliciting proposals for the second facility. The conferees urge the Foundation to pay special attention to qualified proposals that will utilize newer generation processors and other equipment as well as exhibit appropriate cost-share benefits as part of a proposal.

The conferees expect the Foundation to provide regular, informal reports as to the progress of the entire terascale program, including updates on construction, acquisition, funding requirements, and other appropriate information associated with this important program.

The conference agreement also provides $12,500,000 to continue production of the High-Performance Instrumented Airborne Platform for Environmental Research (HIAPER). This new high-altitude research aircraft will, upon its completion, be available to support critical and outstanding atmospheric science research opportunities over the next 25 to 30 years.

Budget constraints have forced the conferees to not approve funding for two new starts for fiscal year 2001 under major research equipment, the U.S. Array and San Andreas Fault Observatory at Depth, and the National Ecological Observatory Network. This decision was made without prejudice and does not reflect on the quality of research proposed to be developed through these two programs.

EDUCATION AND HUMAN RESOURCES

Appropriates $787,352,000 for education and human resources instead of $694,310,000 as proposed by the House and $765,352,000 as proposed by the Senate. Bill language is included which requires that from within available funds, $10,000,000 is for the Office of Innovation Partnerships.

Within this appropriated level, the conferees have provided $75,000,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR) to allow for renewed emphasis on research infrastructure development in the EPSCoR states, as well as to permit full implementation awards to states which have research proposals in the planning process. In addition, the conferees have provided $10,000,000 to fund the Office of Innovation Partnerships. This new office was created last year to, among other things, house the EPSCoR program, and should continue to examine means of helping those non-EPSCoR institutions receiving among the least federal research funding expand their research capacity and competitiveness so as to develop a truly national scientific research community with appropriate research centers located throughout the nation.

The conference agreement provides $15,000,000 for the HBCU-UP program, including $14,000,000 from the EHR account and $1,000,000 from the RRA account. The conferees have provided an increase of $10,000,000 above the budget request level for the Informal Science Education (ISE) program. This increase is intended to provide additional resources to expand the pool of ISE grantees to providers in smaller communities, thus ensuring that the impact of the ISE program reaches an even more diverse audience.

The conference agreement further provides $34,250,000 for Advanced Technological Education; $13,000,000 for the SMETE Digital Library; $19,750,000 for Graduate Teaching Fellowships in K–12 Education; $16,500,000 for programs designed for women and persons with disabilities; $55,200,000 for the Graduate Research Fellowships program; and the fiscal year 2001 budget requests for the Louis Stokes Alliance for Minority Participation program, the new Tribal Colleges program, the Minority Graduate Education program, the Centers of Research Excellence in Science and Technology program, and the Model Institutions for Excellence program.

Finally, the conferees have agreed to provide $11,200,000 for the new Scholarships for Service program.

Except as previously noted, the conferees expect that the remaining funds will be distributed proportionately and equitably, consistent with the ratio of the budget request level above the fiscal year 2000 funding level, among all of the remaining directorates. In the distribution of funds within each directorate, the NSF is directed to provide each program, project, and activity the same percentage of the overall budget as that provided in the budget request. The conferees request that such distribution be specifically noted in the fiscal year 2001 Operating Plan submission.

SALARIES AND EXPENSES

Appropriates $160,890,000 for salaries and expenses instead of $152,000,000 as proposed by the House and $170,890,000 as proposed by the Senate.

The conferees note that the increase of $3,000,000 above the budget request is for travel expenses that the budget submission proposed to fund from within the RRA and EHR accounts instead of from within salaries and expenses. Accordingly, the conferees direct the NSF to fund employee travel from within salaries and expenses, consistent with existing practice.

OFFICE OF INSPECTOR GENERAL

Appropriates $6,280,000 for the Office of Inspector General as proposed by the Senate instead of $5,700,000 as proposed by the House. The conferees continue to expect the OIG to increase efforts in the areas of cost-sharing, indirect costs, and misconduct in scientific research. The conferees further direct the OIG to evaluate the Foundation's management of its growing program responsibilities.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriates $90,000,000 for the Neighborhood Reinvestment Corporation as proposed by the House instead of $80,000,000 as proposed by the Senate.

Includes language proposed by the House allowing $5,000,000 of the total appropriation to be used for a section 8 homeownership program. The Senate did not include a similar provision.

Includes new language making $2,500,000 available for the purpose of endowing a ''George Knight Scholarship Fund.'' The conferees would like to recognize the retirement of George Knight, executive director of Neighborhood Reinvestment Corporation since 1990. Mr. Knight has dedicated more than 24 years of service to the Corporation and its predecessor organization, the Urban Reinvestment Task Force. To acknowledge Mr. Knight's dedication to America's communities, the conferees are designating a set-aside of $2,500,000 to establish a scholarship fund in his honor for the Neighborhood Reinvestment Training Institute. This fund will allow hundreds of local leaders, community developers and residents to have access to high-quality training, which will help them acquire the expertise to improve their communities.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

Appropriates $24,480,000 for salaries and expenses as proposed by the Senate instead of $23,000,000 as proposed by the House.

Retains language proposed by the Senate providing a one-year exemption from 31 U.S.C. 1341 if the President deems the exemption necessary in the interest of national defense.

TITLE IV—GENERAL PROVISIONS

Inserts language proposed by the Senate permitting EPA appropriations to be used for comprehensive conservation and management plans.

Retains language proposed by the House amending the National Aeronautics and Space Act of 1958 to implement full cost accounting, allow the transfer of administrative funds and allow the transfer of balances from old accounts to new accounts. The Senate deleted the House language, but included language implementing full cost accounting in a new account structure and limiting the transfer of funds. The Senate had also proposed a requirement for notification if program costs increase by 15 percent.

Inserts language proposed by the Senate defining a qualified student loan.

Retains language proposed by the House prohibiting HUD from using funds for any activity in excess of amounts set forth in the budget estimates to the Congress. The Senate included similar language referencing the budget estimates submitted for appropriations, not the Congress.

Deletes language proposed by the Senate prohibiting the use of funds to carry out Executive Order 13083.

Inserts language proposed by the House and stricken by the Senate prohibiting the EPA's expenditure of funds to promulgate a final regulation to implement changes in the payment of pesticide tolerance fees for fiscal year 2001. This issue is addressed under the Environmental Protection Agency elsewhere in this joint explanatory statement of the managers.

Deletes language proposed by the House and stricken by the Senate directing the General Services Administration (GSA) to allocate one of its Senior Executive Service positions for Director, Federal Consumer Information Center. The conferees recognize the GSA has already taken action on this issue.

Deletes language proposed by the House and stricken by the Senate restricting the use of funds for joint NASA—Air Force research programs.

Modifies language proposed by the House and stricken by the Senate prohibiting the use of funds for the designation of any area as an ozone nonattainment area. The conferees agree to limit the prohibition until the Supreme Court rules on this issue or June 15, 2001, whichever comes first.

Deletes language proposed by the House and stricken by the Senate prohibiting the use of funds for administration of the Communities for Safer Guns Coalition.

Inserts language proposed by the Senate prohibiting the use of funds for the purpose of lobbying or litigating against any Federal entity or official, with certain exceptions.

Inserts language proposed by the Senate prohibiting the use of funds for any activity or publication or distribution of literature that is designed to promote public support or opposition to any legislative proposal on which Congressional action is not complete.

Inserts language encouraging the use of E-Commerce as a cost effective and efficient method of purchasing needed products in a timely, paperless manner from qualified vendors. In addition, the conferees encourage open, non-proprietary, Internet access to conduct E-Commerce as the use of proprietary software in services can diminish the net value of E-Commerce and limit choices by the customer. The conferees note that the use of E-Commerce is in harmony with the goals of the Federal Acquisition and Streamlining Act of 1994 and will enhance government purchasing efficiency.

Retains language proposed by the House and stricken by the Senate requiring HUD to provide detailed descriptions of how funds identified for technical assistance, training, or management in the budget justifications will be utilized.

Inserts language amending the National Aeronautics and Space Act of 1958 to allow for insurance, indemnification, and liability protection for experimental aerospace vehicle developers through December 31, 2001.

Inserts language extending for two years and modifying NASA employee buyout authority.

TITLE V—FILIPINO VETERANS' BENEFITS IMPROVEMENTS

The conference agreement bill includes a new title that provides more equitable veterans benefits for certain Filipino Army veterans who served with the U.S. Armed Forces and under the U.S. Command during World War II. Under current law these veterans are entitled to compensation from the VA but at a lower level than other veterans and medical care only for service-connected conditions. The changes covered by this amendment include equal disability payments and health care services for those covered veterans who live permanently and legally in the United States, and expanded outpatient healthcare at the Manila VA Outpatient Clinic for these covered veterans who live in the Philippines.

During WW II the Philippines was a Commonwealth of the United States and members of the Commonwealth Army and the New Philippine Scouts were called into service with the U.S. Armed Forces at the order of President Roosevelt. The bravery, sacrifice and commitment of these soldiers to the cause of winning the war are legendary. In 1946, Congress provided $200,000,000 to the Philippines to create their own veterans benefit system and passed the Rescissions Act of 1946 which authorized disability pay at a rate for Filipino veterans significantly below that paid to American veterans, except to the Old Philippine Scouts, who to date receive compensation and medical benefits equal to U.S. veterans. The language added by this title restores a portion of these benefits to the small number of these veterans who live in the U.S. The changes include:

Increasing the disability benefits compensation paid to such veterans who live legally and permanently in the United States to full parity with benefits paid to other entitled veterans. Currently these benefits are paid at a 50 percent level. This affects only the level of benefits paid. No new eligibility is established under this section.

Filipino veterans who already receive medical care at VA facilities for service-connected conditions are made eligible for full medical and related care at medical care facilities on the same basis as other U.S. veterans. Currently these veterans are only eligible for care for treatment of service-connected problems.

Veterans living in the Philippines who already receive medical care at a VA facility for service-connected conditions are made eligible for full medical care at the VA outpatient facility in the Philippines.

The conferees believe that recognizing the service of these loyal veterans through enactment of a more equitable benefit structure is long overdue. Because of the advanced age of this small population, enacting legislation has been given special consideration in this conference agreement.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2000	$99,736,845
Budget estimates of new (obligational) authority fiscal year 2001	109,783,099
House bill, fiscal year 2001	103,101,836
Senate bill, fiscal year 2001	107,507,953
Conference agreement, fiscal year 2001	107,341,317
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	+7,604,472
Budget estimates of new (obligational) authority, fiscal year 2001	−2,441,782
House bill, fiscal year 2001	+4,239,481
Senate bill, fiscal year 2001	−166,636

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS

Following is explanatory language on H.R. 5482, as introduced on October 18, 2000.

The conferees on H.R. 4635 agree with the matter included in H.R. 5482 and enacted in this conference report by reference and the following description of it. This bill was developed through negotiations by the conferees on the differences in the House and Senate versions of H.R. 4635. References in the following description to the ''conference agreement'' mean the matter included in the introduced bill enacted by this conference report. References to the House bill mean the House passed version of H.R. 4635. References to the Senate bill or Senate reported bill mean the Senate reported version of H.R.

4635, not the Senate passed version of H.R. 4635, unless otherwise stated.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

The conference agreement would enact the provisions of H.R. 5483 as introduced on October 18, 2000. The text of that bill follows:

A BILL Making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $160,038,000, to remain available until expended: Provided, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That the Secretary of the Army is directed to use $750,000 of the funds appropriated herein to continue preconstruction engineering and design for the Murrieta Creek, California flood protection and environmental restoration project in accordance with Alternative 6, based on the Murrieta Creek feasibility report and environmental impact statement dated June 2000 at a total cost of $90,866,000, with an estimated Federal cost of $59,063,900 and an estimated non-Federal cost of $31,803,100.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,717,199,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, and Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

Elba, Alabama, $8,400,000;

Geneva, Alabama, $10,800,000;

San Gabriel Basin Groundwater Restoration, California, $25,000,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000;

Indianapolis Central Waterfront, Indiana, $10,000,000;

Southern and Eastern Kentucky, Kentucky, $4,000,000;

Clover Fork, Middlesboro, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $20,000,000: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with planning, engineering, design and construction of the Town of Martin, Kentucky, element, in accordance with Plan A as set forth in the preliminary draft Detailed Project Report, Appendix T of the General Plan of the Huntington District Commander;

Jackson County, Mississippi, $2,000,000;

Bosque and Leon Rivers, Texas, $4,000,000; and

Upper Mingo County (including Mingo County Tributaries), Lower Mingo County (Kermit), Wayne County, and McDowell County, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project in West Virginia, $4,100,000:

Provided further, That using $900,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the Bowie County Levee project, which is defined as Alternative B Local Sponsor Option, in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, Project Design Memorandum No. 1, Bowie County Levee, dated April 1997: Provided further, That no part of any appropriation contained in this Act shall be expended or obligated to begin Phase II of the John Day Drawdown study or to initiate a study of the drawdown of McNary Dam unless authorized by law: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed hereafter to use available Construction, General funds in addition to funding provided in Public Law 104–206 to complete design and construction of the Red River Regional Visitors Center in the vicinity of Shreveport, Louisiana at an estimated cost of $6,000,000: Provided further, That section 101(b)(4) of the Water Resources Development Act of 1996, is amended by striking ''total cost of $8,600,000'' and inserting in lieu thereof ''total cost of $15,000,000'': Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,000,000 of the funds appropriated herein for additional emergency bank stabilization measures at Galena, Alaska under the same terms and conditions as previous emergency bank stabilization work undertaken at Galena, Alaska pursuant to Section 116 of Public Law 99–190: Provided further, That with $4,200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Brunswick County Beaches, North Carolina-Ocean Isle Beach portion in accordance with the General Reevaluation Report approved by the Chief of Engineers on May 15, 1998: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use not to exceed $300,000 of funds appropriated herein to reimburse the City of Renton, Washington, at full Federal expense, for mitigation expenses incurred for the flood control project constructed pursuant to 33 U.S.C. 701s at Cedar River, City of Renton, Washington, as a result of overdredging by the Army Corps of Engineers: Provided further, That $2,000,000 of the funds appropriated herein shall be available for stabilization and renovation of Lock and Dam 10, Kentucky River, Kentucky, subject to enactment of authorization by law: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,000,000 of the funds appropriated herein to initiate construction of a navigation project at Kaumalapau Harbor, Hawaii: Provided further, That the Secretary of the Army is directed to use $2,000,000 of the funds provided herein for Dam Safety and Seepage/Stability Correction Program to design and construct seepage control features at Waterbury Dam, Winooski River, Vermont: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to design and construct barge lanes at the Houston-Galveston Navigation Channels, Texas, project, immediately adjacent to either side of the Houston Ship Channel, from Bolivar Roads to Morgan Point, to a depth of 12 feet with prior years' Construction, General carry-over funds: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, may use Construction, General funding as directed in Public Law 105–62 and Public Law 105–245 to initiate construction of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, except that the funds shall not become available unless the Secretary of the Army determines that an emergency (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) exists with respect to the emergency need for the outlet and reports to Congress that the construction is technically sound, economically justified, and environmentally acceptable, and in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Provided further, That the economic justification for the emergency outlet shall be prepared in accordance with the principles and guidelines for economic evaluation as required by regulations and procedures of the Army Corps of Engineers for all flood control projects, and that the economic justification be fully described, including the analysis of the benefits and costs, in the project plan documents: Provided further, That the plans for the emergency outlet shall be reviewed and, to be effective, shall contain assurances provided by the Secretary of State, after consultation with the International Joint Commission, that the project will not violate the requirements or intent of the Treaty Between the United States and Great Britain Relating to Boundary Waters Between the United States and Canada, signed at Washington, January 11, 1909 (36 Stat. 2448; TS 548) (commonly known as the ''Boundary Waters Treaty of 1909''): Provided further, That the Secretary of the Army shall submit the final plans and other documents for the emergency outlet to Congress: Provided further, That no funds made available under this Act or any other Act for any fiscal year may be used by the Secretary of the Army to carry out the portion of the feasibility study of the Devils Lake Basin, North Dakota, authorized under the Energy and Water Development Appropriations Act, 1993 (Public Law 102–377), that addresses the needs of the area for stabilized lake levels through inlet controls, or to otherwise study any facility or carry out any activity that would permit the transfer of water from the Missouri River Basin into Devils Lake: Provided further, That within available funds, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Rio Grand de Manati flood control project at Barceloneta, Puerto Rico, which was initiated under the authority of the Section 205 program prior to being specifically authorized in the Water Resources Development Act of 1999.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g–1), $347,731,000, to remain available until expended: Provided, That the Secretary of the Army is directed to complete his analysis and determination of Federal maintenance of the Greenville Inner Harbor, Mississippi navigation project in accordance with section 509 of the Water Resources Development Act of 1996.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,901,959,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities: Provided, That the Secretary of the Army, acting through the Chief of Engineers, from the funds provided herein for the operation and maintenance of New York Harbor, New York, is directed to prepare the necessary documentation and initiate removal of submerged obstructions and debris in the area previously marked by the Ambrose Light Tower in the interest of safe navigation: Provided further, That the Secretary of the Army is directed to use $500,000 of funds appropriated herein to remove and reinstall the docks and causeway, in kind, at Astoria East Boat Basin, Oregon: Provided further, That $500,000 of the funds appropriated herein for the Ohio River Open Channel, Illinois, Kentucky, Indiana, Ohio, West Virginia, and Pennsylvania, project, are provided for the Secretary of the Army, acting through the Chief of Engineers, to dredge a channel from the mouth of Wheeling Creek to Tunnel Green Park in Wheeling, West Virginia.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $125,000,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to: (1) by March 1, 2001, supplement the report, Cost Analysis For the 1999 Proposal to Issue and Modify Nationwide Permits, to reflect the Nationwide Permits actually issued on March 9, 2000, including changes in the acreage limits, preconstruction notification requirements and general conditions between the rule proposed on July 21, 1999, and the rule promulgated and published in the Federal Register; (2) after consideration of the cost analysis for the 1999 proposal to issue and modify nationwide permits and the supplement prepared pursuant to this Act and by September 30, 2001, prepare, submit to Congress and publish in the Federal Register a Permit Processing Management Plan by which the Corps of Engineers will handle the additional work associated with all projected increases in the number of individual permit applications and preconstruction notifications related to the new and replacement permits and general conditions. The Permit Processing Management Plan shall include specific objective goals and criteria by which the Corps of Engineers' progress towards reducing any permit backlog can be measured; (3) beginning on December 31, 2001, and on a biannual basis thereafter, report to Congress and publish in the Federal Register, an analysis of the performance of its program as measured against the criteria set out in the Permit Processing Management Plan; (4) implement a 1-year pilot program to publish quarterly on the U.S. Army Corps of Engineer's Regulatory Program website all Regulatory Analysis and Management Systems (RAMS) data for the South Pacific Division and North Atlantic Division beginning within 30 days of the enactment of this Act; and (5) publish in Division Office websites all findings, rulings, and decisions rendered under the administrative appeals process for the Corps of Engineers Regulatory Program as established in Public Law 106–60: Provided further, That, through the period ending on September 30, 2003, the Corps of Engineers shall allow any appellant to keep a verbatim record of the proceedings of the appeals conference under the aforementioned administrative appeals process: Provided further, That within 30 days of the enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall require all U.S. Army Corps of Engineers Divisions and Districts to record the date on which a section 404 individual permit application or nationwide permit notification is filed with the Corps of Engineers: Provided further, That the Corps of Engineers, when reporting permit processing times, shall track both the date a permit application is first received and the date the application is considered complete, as well as the reason that the application is not considered complete upon first submission.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Water Resources Support Center, and headquarters support functions at the USACE Finance Center, $152,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: Provided further, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

REVOLVING FUND

Amounts in the Revolving Fund are available for the costs of relocating the U.S. Army Corps of Engineers headquarters to office space in the General Accounting Office headquarters building in Washington, D.C.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) The Secretary of the Army shall enter into an agreement with the City of Grand Prairie, Texas, wherein the City agrees to assume all of the responsibilities of the Trinity River Authority of Texas under Contract No. DACW63–76–C–0166, other than financial responsibilities, except as provided for in subsection (c) of this section. The Trinity River Authority shall be relieved of all of its financial responsibilities under the Contract as of the date the Secretary of the Army enters into the agreement with the City.

(b) In consideration of the agreement referred to in subsection (a), the City shall pay the Federal Government a total of $4,290,000 in two installments, one in the amount of $2,150,000, which shall be due and payable no later than December 1, 2000, and one in the amount of $2,140,000, which shall be due and payable no later than December 1, 2003.

(c) The agreement executed pursuant to subsection (a) shall include a provision requiring the City to assume all costs associated with operation and maintenance of the recreation facilities included in the Contract referred to in that subsection.

SEC. 102. Agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Harbor Act of 1925, Public Law 68–585; the Civil Functions Appropriations Act, 1936, Public Law 75–208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended (Public Law 99–662); section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102–580; section 211 of the Water Resources Development Act of 1996, Public Law 104–303, and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed $10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed $50,000,000 in each fiscal year.

SEC. 103. The Secretary of the Army, acting through the Chief of Engineers, is authorized to construct the locally preferred plan for flood control, environmental restoration and recreation, Murrieta Creek, California, described as Alternative 6, based on the Murrieta Creek Feasibility Report and Environmental Impact Statement dated October 2000, at a total cost of $89,850,000, with an estimated Federal cost of $57,735,000 and an estimated non-Federal cost of $32,115,000.

SEC. 104. ST. GEORGES BRIDGE, DELAWARE.—None of the funds made available by this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Chesapeake and Delaware Canal, Delaware, including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal.

SEC. 105. Within available funds under title I, the Secretary of the Army, acting through the Chief of Engineers, shall provide up to $7,000,000 to replace and upgrade the dam in Kake, Alaska which collapsed July 2000, to provide drinking water and hydroelectricity.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $38,724,000, to remain available until expended, of which $19,158,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: Provided, That of the amounts deposited into that account, $5,000,000 shall be considered the Federal contribution authorized by paragraph 402(b)(2) of the Central Utah Project Completion Act and $14,158,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under that Act.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,216,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $678,450,000, to remain available until expended, of which $1,916,000 shall be available for transfer to the Upper Colorado River Basin Fund and $39,467,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which $16,000,000 shall be for on-reservation water development, feasibility studies, and related administrative costs under Public Law 106–163; of which not more than 25 percent of the amount provided for drought emergency assistance may be used for financial assistance for the preparation of cooperative drought contingency plans under title II of Public Law 102–250; and of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That section 301 of Public Law 102–250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting ''2000, and 2001'' in lieu of ''and 2000'': Provided further, That the amount authorized for Indian municipal, rural, and industrial water features by section 10 of Public Law 89–108, as amended by section 8 of Public Law 99–294, section 1701(b) of Public Law 102–575, Public Law 105–245, and Public Law 106–60 is increased by $2,000,000 (October 1998 prices): Provided further, That the amount authorized for Minidoka Project North Side Pumping Division, Idaho, by Section 5 of Public Law 81–864, is increased by $2,805,000: Provided further, That the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended as follows: (1) by inserting in Section 4(c) after ''1984,'' and before ''costs'' the following: ''and the additional $95,000,000 further authorized to be appropriated by amendments to that Act in 2000,''; (2) by inserting in section 5 after ''levels),'' and before ''plus'' the following: ''and, effective October 1, 2000, not to exceed an additional $95,000,000 (October 1, 2000, price levels),''; and (3) by striking ''sixty days (which'' and all that follows through ''day certain)'' and inserting ''30 calendar days''.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $8,944,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $27,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000, to remain available until expended: Provided, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $38,382,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $50,224,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed four passenger motor vehicles for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 202. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: Provided, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

SEC. 203. Beginning in fiscal year 2001 and thereafter, the Secretary of the Interior shall assess and collect annually from Central Valley Project (CVP) water and power contractors the sum of $540,000 (June 2000 price levels) and remit, without further appropriation, the amount collected annually to the Trinity Public Utilities District (TPUD). This assessment shall be payable 70 percent by CVP Preference Power Customers and 30 percent by CVP Water Contractors. The CVP Water Contractor share of this assessment shall be collected by the Secretary through established Bureau of Reclamation (Reclamation) Operation and Maintenance ratesetting practices. The CVP Power Contractor share of this assessment shall be assessed by Reclamation to the Western Area Power Administration, Sierra Nevada Region (Western), and collected by Western through established power ratesetting practices.

SEC. 204. (a) IN GENERAL.—For fiscal year 2001 and each fiscal year thereafter, the Secretary of the Interior shall continue funding, from power revenues, the activities of the Glen Canyon Dam Adaptive Management Program as authorized by section 1807 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), at not more than $7,850,000 (October 2000 price level), adjusted in subsequent years to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(b) VOLUNTARY CONTRIBUTIONS.—Nothing in this section precludes the use of voluntary financial contributions (except power revenues) to the Adaptive Management Program that may be authorized by law.

(c) ACTIVITIES TO BE FUNDED.—The activities to be funded as provided under subsection (a) include activities required to meet the requirements of section 1802(a) and subsections (a) and (b) of section 1805 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), including the requirements of the Biological Opinion on the Operation of Glen Canyon Dam and activities required by the Programmatic Agreement on Cultural and Historic Properties, to the extent that the requirements and activities are consistent with the Grand Canyon Protection Act of 1992 (106 Stat. 4672).

(d) ADDITIONAL FUNDING.—To the extent that funding under subsection (a) is insufficient to pay the costs of the monitoring and research and other activities of the Glen Canyon Dam Adaptive Management Program, the Secretary of the Interior may use funding from other sources, including funds appropriated for that purpose. All such appropriated funds shall be nonreimbursable and nonreturnable.

SEC. 205. The Secretary of the Interior is authorized and directed to use not to exceed $1,000,000 of the funds appropriated under title II to refund amounts received by the United States as payments for charges assessed by the Secretary prior to January 1, 1994 for failure to file certain certification or reporting forms prior to the receipt of irrigation water, pursuant to sections 206 and 224(c) of the Reclamation Reform Act of 1982 (96 Stat. 1226, 1272; 43 U.S.C. 390ff, 390ww(c)), including the amount of associated interest assessed by the Secretary and paid to the United States pursuant to section 224(i) of the Reclamation Reform Act of 1982 (101 Stat. 1330–268; 43 U.S.C. 390ww(i)).

SEC. 206. CANYON FERRY RESERVOIR, MONTANA. (a) APPRAISALS.—Section 1004(c)(2)(B) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–713; 113 Stat. 1501A–307) is amended—

(1) in clause (i), by striking ''be based on'' and inserting ''use'';

(2) in clause (vi), by striking ''Notwithstanding any other provision of law,'' and inserting ''To the extent consistent with the Uniform Appraisal Standards for Federal Land Acquisition,''; and

(3) by adding at the end the following:

''(vii) APPLICABILITY.—This subparagraph shall apply to the extent that its application is practicable and consistent with the Uniform Appraisal Standards for Federal Land Acquisition.''.

(b) TIMING.—Section 1004(f)(2) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–714; 113 Stat. 1501A–308) is amended by inserting after ''Act,'' the following: ''in accordance with all applicable law,''.

(c) INTEREST.—Section 1008(b) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–717; 113 Stat. 1501A–310) is amended by striking paragraph (4).

SEC. 207. Beginning in fiscal year 2000 and thereafter, any amounts provided for the Newlands Water Rights Fund for purchasing and retiring water rights in the Newlands Reclamation Project shall be non-reimbursable.

SEC. 208. USE OF COLORADO-BIG THOMPSON PROJECT FACILITIES FOR NONPROJECT WATER.—The Secretary of the Interior may enter into contracts with the city of Loveland, Colorado, or its Water and Power Department or any other agency, public utility, or enterprise of the city, providing for the use of facilities of the Colorado-Big Thompson Project, Colorado, under the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water originating on the eastern slope of the Rocky Mountains for domestic, municipal, industrial, and other beneficial purposes; and

(2) the exchange of water originating on the eastern slope of the Rocky Mountains for the purposes specified in paragraph (1), using facilities associated with the Colorado-Big Thompson Project, Colorado.

SEC. 209. AMENDMENT TO IRRIGATION PROJECT CONTRACT EXTENSION ACT OF 1998.—(a) Section 2(a) of the Irrigation Project Contract Extension Act of 1998, Public Law 105–293, is amended by striking the date ''December 31, 2000'', and inserting in lieu thereof the date ''December 31, 2003''; and

(b) Subsection 2(b) of the Irrigation Project Contract Extension Act of 1998, Public Law 105–293, is amended by—

(1) striking the phrase ''not to go beyond December 31, 2001'', and inserting in lieu thereof the phrase ''not to go beyond December 31, 2003''; and

(2) striking the phrase ''terminates prior to December 31, 2000'', and inserting in lieu thereof ''terminates prior to December 31, 2003''.

SEC. 210. Section 202 of division B, title I, chapter 2 of Public Law 106–246 is amended by adding at the end the following: ''This section shall be effective through September 30, 2001.''.

SEC. 211. (a) Section 106 of the San Luis Rey Indian Water Rights Settlement Act (Public Law 100–675; 102 Stat. 4000 et seq.) is amended by adding at the end the following new subsection:

''(f) REQUIREMENTS TO FURNISH WATER, POWER CAPACITY, AND ENERGY.—Notwithstanding any other provision of law, in order to fulfill the trust responsibility to the Bands, the Secretary, acting through the Commissioner of Reclamation, shall permanently furnish annually the following:

''(1) WATER.—16,000 acre-feet of the water conserved by the works authorized by title II, for the benefit of the Bands and the local entities in accordance with the settlement agreement: Provided, That during construction of said works, the Indian Water Authority and the local entities shall receive 17 percent of any water conserved by said works up to a maximum of 16,000 acre-feet per year. The Indian Water Authority and the local entities shall pay their proportionate share of such costs as are provided by section 203(b) of title II or are agreed to by them.

''(2) POWER CAPACITY AND ENERGY.—Beginning on the date when conserved water from the works authorized by title II first becomes available, power capacity and energy through the Yuma Arizona Area Aggregate Power Managers (Yuma Area Contractors), at no cost and at no further expense to the United States, the Indian Water Authority, the Bands, and the local entities, in amounts sufficient to convey the water conserved pursuant to paragraph (1) from Lake Havasu through the Colorado River Aqueduct and to the places of use on the Bands' reservations or in the local entities' service areas in accordance with the settlement agreement. The Secretary, through a coterminous exhibit to Bureau of Reclamation Contract No. 6–CU–30–P1136, shall enter into an agreement with the Yuma Area Contractors which shall provide for furnishing annually and permanently said power capacity and energy by said Yuma Area Contractors at no cost and at no further expense to the United States, the Indian Water Authority, the Bands, and the local entities. The Secretary shall authorize the Yuma Area Contractors to utilize Federal project use power provided in Bureau of Reclamation Contracts numbered 6–CU–30–P1136, 6–CU–30–P1137, and 6–CU–30–P1138 for the full range of purposes served by the Yuma Area Contractors, including the purpose of supplying the power capacity and energy to convey the conserved water referred to in paragraph (1), for so long as the Yuma Area Contractors meet their obligation to provide sufficient power capacity and energy for the conveyance of said conserved water. If for any reason the Yuma Area Contractors do not provide said power capacity and energy for the conveyance of said conserved water, then the Secretary shall furnish said power capacity and energy annually and permanently at the lowest rate assigned to project use power within the jurisdiction of the Bureau of Reclamation in accordance with Exhibit E 'Project Use Power' of the Agreement between Water and Power Resources Service, Department of the Interior, and Western Area Power Administration, Department of Energy (March 26, 1980).''.

(b) Title II of the San Luis Rey Indian Water Rights Settlement Act (Public Law 100–675; 102 Stat. 4000 et seq.) is amended by adding at the end the following new section:

''SEC. 210. ANNUAL REPAYMENT INSTALLMENTS.

''During the period of planning, design, and construction of the works and during the period that the Indian Water Authority and the local entities receive up to 16,000 acre-feet of the water conserved by the works, the annual repayment installments provided in section 102(b) of the Colorado River Basin Salinity Control Act (Public Law 93–320; 88 Stat. 268) shall continue to be non-reimbursable. Nothing in this section shall affect the national obligation set forth in section 101(c) of such Act.''.

SEC. 212. (a) DEFINITIONS.—For the purpose of this section, the term—

(1) ''Secretary'' means the Secretary of the Interior;

(2) ''Sly Park Unit'' means the Sly Park Dam and Reservoir, Camp Creek Diversion Dam and Tunnel, and conduits and canals as authorized under the American River Act of October 14, 1949 (63 Stat. 853), including those used to convey, treat, and store water delivered from Sly Park, as well as all recreation facilities thereto; and

(3) ''District'' means the El Dorado Irrigation District.

(b) IN GENERAL.—The Secretary shall, as soon as practicable after date of the enactment of this Act and in accordance with all applicable law, transfer all right, title, and interest in and to the Sly Park Unit to the District.

(c) SALE PRICE.—The Secretary is authorized to receive from the District $2,000,000 to relieve payment obligations and extinguish the debt under contract number 14–06–200–949IR3, and $9,500,000 to relieve payment obligations and extinguish all debts associated with contracts numbered 14–06–200–7734, as amended by contracts numbered 14–06–200–4282A and 14–06–200–8536A. Notwithstanding the preceding sentence, the District shall continue to make payments required by section 3407(c) of Public Law 102–575 through year 2029.

(d) CREDIT REVENUE TO PROJECT REPAYMENT.—Upon payment authorized under subsection (b), the amount paid shall be credited toward repayment of capital costs of the Central Valley Project in an amount equal to the associated undiscounted obligation.

(e) FUTURE BENEFITS.—Upon payment, the Sly Park Unit shall no longer be a Federal reclamation project or a unit of the Central Valley Project, and the District shall not be entitled to receive any further reclamation benefits.

(f) LIABILITY.—Except as otherwise provided by law, effective on the date of conveyance of the Sly Park Unit under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the conveyed property.

(g) COSTS.—All costs, including interest charges, associated with the Project that have been included as a reimbursable cost of the Central Valley Project are declared to be nonreimbursable and nonreturnable.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 17 passenger motor vehicles for replacement only, $660,574,000 to remain available until expended: Provided, That, in addition, royalties received to compensate the Department of Energy for its participation in the First-Of-A-Kind-Engineering program shall be credited to this account to be available until September 30, 2002, for the purposes of Nuclear Energy, Science and Technology activities.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, $277,812,000, to remain available until expended.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, $393,367,000, of which $345,038,000 shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended: Provided, That $72,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 58 passenger motor vehicles for replacement only, $3,186,352,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as

amended, including the acquisition of real property or facility construction or expansion, $191,074,000, to remain available until expended and to be derived from the Nuclear Waste Fund: Provided, That not to exceed $2,500,000 may be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That $6,000,000 shall be provided to affected units of local governments, as defined in Public Law 97–425, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97–425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982 in Public Law 97–425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $226,107,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $151,000,000 in fiscal year 2001 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation from the General Fund estimated at not more than $75,107,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $31,500,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 12 for replacement only), $5,015,186,000, to remain available until expended: Provided, That, $130,000,000 shall be immediately available for Project 96–D–111, the National Ignition Facility at Lawrence Livermore National Laboratory: Provided further, That $69,100,000 shall be available only upon a certification by the Administrator of the National Nuclear Security Administration to the Congress after March 31, 2001, that: (a) includes a recommendation on an appropriate path forward for the project; (b) certifies all established project and scientific milestones have been met on schedule and on cost; (c) certifies the first and second quarter project reviews in fiscal year 2001 determined the project to be on schedule and cost; (d) includes a study of requirements for and alternatives to a 192 beam ignition facility for maintaining the safety and reliability of the current nuclear weapons stockpile; (e) certifies an integrated cost-schedule earned-value project control system has been fully implemented; and (f) includes a 5-year budget plan for the stockpile stewardship program.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, Defense Nuclear Nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $874,196,000, to remain available until expended: Provided, That not to exceed $7,000 may be used for official reception and representation expenses for national security and nonproliferation (including transparency) activities in fiscal year 2001.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $690,163,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $5,000), $10,000,000, to remain available until expended.

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of 30 passenger motor vehicles for replacement only, $4,974,476,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,082,714,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $65,000,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $585,755,000, to remain available until expended, of which $17,000,000 shall be for the Department of Energy Employees Compensation Initiative upon enactment of authorization legislation into law.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $200,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Nez Perce Tribe Resident Fish Substitution Program, the Cour D'Alene Tribe Trout Production facility, and for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2001, no new direct loan obligations may be made. Section 511 of the Energy and Water Development Appropriations Act, 1997 (Public Law 104–206), is amended by striking the last sentence and inserting ''This authority shall expire January 1, 2003.''.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $3,900,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, amounts collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $34,463,000; for fiscal year 2002, up to $26,463,000; for fiscal year 2003, up to $20,000,000; and for fiscal year 2004, up to $15,000,000.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an

amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $28,100,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $4,200,000 in reimbursements, to remain available until expended: Provided, That amounts collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $288,000; for fiscal year 2002, up to $288,000; for fiscal year 2003, up to $288,000; and for fiscal year 2004, up to $288,000.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $165,830,000, to remain available until expended, of which $154,616,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $5,950,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That amounts collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $65,224,000; for fiscal year 2002, up to $33,500,000; for fiscal year 2003, up to $30,000,000; and for fiscal year 2004, up to $20,000,000.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,670,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $175,200,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $175,200,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2001 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation from the General Fund estimated at not more than $0.

RESCISSIONS

DEFENSE NUCLEAR WASTE DISPOSAL

(RESCISSION)

Of the funds appropriated in Public Law 104–46 for interim storage of nuclear waste, $75,000,000 are transferred to this heading and are hereby rescinded.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

(RESCISSION)

Of the funds appropriated in Public Law 106–60 and prior Energy and Water Development Acts for the Tank Waste Remediation System at Richland, Washington, $97,000,000 of unexpended balances of prior appropriations are rescinded.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the $24,500,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. Of the funds in this Act provided to government-owned, contractor-operated laboratories, not to exceed 6 percent shall be available to be used for Laboratory Directed Research and Development.

SEC. 307. (a) Of the funds appropriated by this title to the Department of Energy, not more than $185,000,000 shall be available for reimbursement of management and operating contractor travel expenses, of which $10,000,000 is available for use by the Chief Financial Officer of the Department of Energy for emergency travel expenses.

(b) Funds appropriated by this title to the Department of Energy may be used to reimburse a Department of Energy management and operating contractor for travel costs of its employees under the contract only to the extent that the contractor applies to its employees the same rates and amounts as those that apply to Federal employees under subchapter I of chapter 57 of title 5, United States Code, or rates and amounts established by the Secretary of Energy. The Secretary of Energy may provide exceptions to the reimbursement requirements of this section as the Secretary considers appropriate.

(c) The limitation in subsection (a) shall not apply to reimbursement of management and operating contractor travel expenses within the Laboratory Directed Research and Development program.

SEC. 308. No funds are provided in this Act or any other Act for the Administrator of the Bonneville Power Administration to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies that such services are not available from private sector businesses.

SEC. 309. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purposes of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residues; (3) wet residues; (4) direct repackage residues; and (5) scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

SEC. 310. The Administrator of the National Nuclear Security Administration may authorize the plant manager of a covered nuclear weapons production plant to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and enhance such capabilities at such plant: Provided, That of the amount allocated to a covered nuclear weapons production plant each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That for purposes of this section, the term ''covered nuclear weapons production plant'' means the following:

(1) The Kansas City Plant, Kansas City, Missouri.

(2) The Y–12 Plant, Oak Ridge, Tennessee.

(3) The Pantex Plant, Amarillo, Texas.

(4) The Savannah River Plant, South Carolina.

SEC. 311. Notwithstanding any other law, and without fiscal year limitation, each Federal Power Marketing Administration is authorized to engage in activities and solicit, undertake and review studies and proposals relating to the formation and operation of a regional transmission organization.

SEC. 312. Not more than $10,000,000 of funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal in Public Law 104–46, the Energy and Water Development Appropriations Act, 1996, may be made available to the Department of Energy upon written certification by the Secretary of Energy to the House and Senate Committees on Appropriations that the Site Recommendation Report cannot be completed on time without additional funding.

SEC. 313. TERM OF OFFICE OF PERSON FIRST APPOINTED AS UNDER SECRETARY FOR NUCLEAR SECURITY OF THE DEPARTMENT OF ENERGY. (a) LENGTH OF TERM.—The term of office as Under Secretary for Nuclear Security of the Department of Energy of the first person appointed to that position shall be 3 years.

(b) EXCLUSIVE REASONS FOR REMOVAL.—The exclusive reasons for removal from office as

Under Secretary for Nuclear Security of the person described in subsection (a) shall be inefficiency, neglect of duty, or malfeasance in office.

(c) POSITION DESCRIBED.—The position of Under Secretary for Nuclear Security of the Department of Energy referred to in this section is the position established by subsection (c) of section 202 of the Department of Energy Organization Act (42 U.S.C. 7132), as added by section 3202 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 954).

SEC. 314. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY TO MODIFY ORGANIZATION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION. (a) SCOPE OF AUTHORITY.—Subtitle A of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2401 et seq.) is amended by adding at the end the following new section:

"SEC. 3219. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY TO MODIFY ORGANIZATION OF ADMINISTRATION.

''Notwithstanding the authority granted by section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) or any other provision of law, the Secretary of Energy may not establish, abolish, alter, consolidate, or discontinue any organizational unit or component, or transfer any function, of the Administration, except as authorized by subsection (b) or (c) of section 3291.''.

(b) CONFORMING AMENDMENTS.—Section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) is amended—

(1) by striking ''The Secretary'' and inserting ''(a) Subject to subsection (b), the Secretary''; and

(2) by adding at the end the following new subsection:

''(b) The authority of the Secretary to establish, abolish, alter, consolidate, or discontinue any organizational unit or component of the National Nuclear Security Administration is governed by the provisions of section 3219 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65).''.

SEC. 315. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE NATIONAL NUCLEAR SECURITY ADMINISTRATION.—Subtitle C of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

"SEC. 3245. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE ADMINISTRATION.

''(a) Except as otherwise expressly provided by statute, no funds authorized to be appropriated or otherwise made available for the Department of Energy may be obligated or utilized to pay the basic pay of an officer or employee of the Department of Energy who—

''(1) serves concurrently in a position in the Administration and a position outside the Administration; or

''(2) performs concurrently the duties of a position in the Administration and the duties of a position outside the Administration.

''(b) The provision of this section shall take effect 60 days after the date of enactment of this section.''.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $66,400,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $18,500,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to establish the Delta Regional Authority and to carry out its activities, $20,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, $30,000,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), $481,900,000, to remain available until expended: Provided, That of the amount appropriated herein, $21,600,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $447,958,000 in fiscal year 2001 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That $3,200,000 of the funds herein appropriated for regulatory reviews and assistance to other Federal agencies and States shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at not more than $33,942,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $5,500,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $5,390,000 in fiscal year 2001 shall be retained and be available until expended, for necessary salaries and expenses in this account notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at not more than $110,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,900,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

FISCAL YEAR 2001 EMERGENCY APPROPRIATIONS

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

For necessary expenses to remediate damaged Department of Energy facilities and for other expenses associated with the Cerro Grande fire, $203,460,000, to remain available until expended, of which $2,000,000 shall be made available to the United States Army Corps of Engineers to undertake immediate measures to provide erosion control and sediment protection to sewage lines, trails, and bridges in Pueblo and Los Alamos Canyons downstream of Diamond Drive in New Mexico: Provided, That the entire amount shall be available only to the extent an official budget request for $203,460,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For necessary expenses to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, $11,000,000, to remain available until expended, which shall be available only to the extent an official budget request for $11,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE VI

GENERAL PROVISIONS

SEC. 601. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

SEC. 602. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

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

SEC. 603. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the

''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.

SEC. 604. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

SEC. 605. FUNDING OF THE COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT. Section 4(a) of the Act of August 9, 1950 (16 U.S.C. 777c(a)), is amended in the second sentence by striking ''2000'' and inserting ''2009''.

SEC. 606. REDESIGNATION OF INTERSTATE SANITATION COMMISSION AND DISTRICT. (a) INTERSTATE SANITATION COMMISSION.—

(1) IN GENERAL.—The district known as the ''Interstate Sanitation Commission'', established by article III of the Tri-State Compact described in the Resolution entitled, ''A Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission'', approved August 27, 1935 (49 Stat. 933), is redesignated as the ''Interstate Environmental Commission''.

(2) REFERENCES.—Any reference in a law, regulation, map, document, paper, or other record of the United States to the Interstate Sanitation Commission shall be deemed to be a reference to the Interstate Environmental Commission.

(b) INTERSTATE SANITATION DISTRICT.—

(1) IN GENERAL.—The district known as the ''Interstate Sanitation District'', established by article II of the Tri-State Compact described in the Resolution entitled, ''A Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission'', approved August 27, 1935 (49 Stat. 932), is redesignated as the ''Interstate Environmental District''.

(2) REFERENCES.—Any reference in a law, regulation, map, document, paper, or other record of the United States to the Interstate Sanitation District shall be deemed to be a reference to the Interstate Environmental District.

TITLE VII

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2001 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $5,000,000,000.

TITLE VIII

NUCLEAR REGULATORY COMMISSION

Section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is amended—

(1) in subsection (a)(3), by striking ''September 30, 1999'' and inserting ''September 20, 2005''; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting ''or certificate holder'' after ''licensee''; and

(B) by striking paragraph (2) and inserting the following:

''(2) AGGREGATE AMOUNT OF CHARGES.—

''(A) IN GENERAL.—The aggregate amount of the annual charges collected from all licensees and certificate holders in a fiscal year shall equal an amount that approximates the percentages of the budget authority of the Commission for the fiscal year stated in subparagraph (B), less—

''(i) amounts collected under subsection (b) during the fiscal year; and

''(ii) amounts appropriated to the Commission from the Nuclear Waste Fund for the fiscal year.

''(B) PERCENTAGES.—The percentages referred to in subparagraph (A) are—

''(i) 98 percent for fiscal year 2001;

''(ii) 96 percent for fiscal year 2002;

''(iii) 94 percent for fiscal year 2003;

''(iv) 92 percent for fiscal year 2004; and

''(v) 90 percent for fiscal year 2005.''.

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2001''.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Following is explanatory language on H.R. 5483, as introduced on October 18, 2000.

The conferees on H.R. 4635 agree with the matter included in H.R. 5483 and enacted in this conference report by reference and the following description of it. This bill was developed through negotiations by subcommittee members of the Energy and Water Development Subcommittees of the House and Senate on the differences in H.R. 4733, a bill that was vetoed. That vetoed bill has been modified and is included in this conference report. References in the following description to the ''conference agreement'' mean the matter included in the introduced bill enacted by this conference report. References to the House bill mean the House passed version of H.R. 4733. References to the Senate bill mean the Senate passed version of H.R. 4733, not the Senate passed version of H.R. 4635, unless otherwise stated.

The language and allocations set forth in House Report 106–693 and Senate Report 106–395 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not contradicted by the report of the Senate or the statement of the managers, and Senate report language which is not contradicted by the report of the House or the statement of the managers is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House and Senate reports are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

Senate amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Corps of Engineers. Additional items of conference are discussed below.

GENERAL INVESTIGATIONS

The conference agreement appropriates $160,038,000 for General Investigations instead of $153,327,000 as proposed by the House and $139,219,000 as proposed by the Senate.

Within available funds, $50,000 is provided for erosion control studies in the Harding Lake watershed in Alaska. The conference agreement deletes the bill language proposed by the Senate for this project.

The conference agreement does not include funds proposed by the House in this account for the Hamilton Airfield Wetlands Restoration project in California and the Ohio River Greenway project in Indiana. Funding for these projects is included in the Construction, General account. The conference agreement does not include funds in this account for the White River, Muncie, Indiana, project. Funding for this project has been included within the amount provided for the Section 1135 program.

The conference agreement includes $150,000 for the Corps of Engineers to undertake studies of potential navigational improvements, shoreline protection, and breakwater protection at the ports of Rota and Tinian in the Commonwealth of the Northern Mariana Islands.

The conferees have provided $200,000 for the Corps of Engineers to initiate and complete a comprehensive water management reconnaissance study for ecosystem restoration and related purposes in the St. Clair River and Lake St. Clair watersheds in Michigan pursuant to section 426 of the Water Resources Development Act of 1999.

Within the amount provided for Research and Development, $200,000 is provided for a topographic/bathymetric mapping project for Coastal Louisiana in cooperation with the National Oceanic and Atmospheric Administration at the interagency Federal laboratory in Lafayette, Louisiana. The conference agreement does not include bill language proposed by the Senate for this work. The conferees also urge the Corps of Engineers to use available Research and Development funds for a review of innovative dredging technologies for potential implementation in the Peoria Lakes, Illinois, area.

The conference agreement includes language proposed by the House and the Senate which provides that in conducting the Southwest Valley Flood Damage Reduction, Albuquerque, New Mexico, study, the Corps of Engineers shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage area, and the amount of runoff.

The conferees have agreed to include language in the bill which directs the Corps of Engineers to use $750,000 to continue preconstruction engineering and design of the Murrieta Creek, California, flood control project in accordance with Alternative 6, as identified in the Murrieta Creek Feasibility Report and Environmental Impact Statement dated June 2000.

The conference agreement deletes bill language proposed by the Senate providing funds for the John Glenn Great Lakes Basin Program, the Detroit River, Michigan, project, and the Niobrara River and Missouri River, South Dakota, project. Funds for these projects have been included in the overall amount provided for General Investigations.

The conference agreement does not include language proposed by the Senate providing funds for the selection of a permanent disposal site for environmentally sound dredged material from navigation projects in the

State of Rhode Island. Funds for this work have been provided within the amount appropriated for Operation and Maintenance, General.

Within the amount provided for Flood Plain Management Services, the conference agreement includes $250,000 for the Corps of Engineers to undertake a study of drainage problems in the Winchester, Kentucky, area. In addition, the conferees urge the Corps of Engineers to complete a report on flood control problems on Negro Creek at Sprague, Washington.

Within the amount provided for Planning Assistance to States, the conference agreement includes $100,000 for the Corps of Engineers to update the daily flow model for the Delaware River Basin.

CONSTRUCTION, GENERAL

The conference agreement appropriates $1,717,199,000 for Construction, General instead of $1,378,430,000 as proposed by the House and $1,361,449,000 as proposed by the Senate. The amount recommended by the conferees for the Corps of Engineers construction program represents a significant increase over the budget request and the amount appropriated in fiscal year 2000. However, the conferees note that the budget request grossly underfunds many ongoing construction projects, and its enactment would result in increased project costs, major delays in the completion of projects and loss of project benefits. The conferees also note that the Corps of Engineers, through the use of unobligated balances, expects its fiscal year 2000 construction expenditures to be approximately $1,600,000,000.

The conferees note that the Lake Worth Inlet, Florida, sand transfer plant project is behind schedule and expect the Corps of Engineers to proceed with the project as expeditiously as possible.

Within the amount provided for the West Virginia and Pennsylvania Flood Control Project, $1,000,000 is provided for the following projects within the State of Pennsylvania: Bloody Run/Everett Borough ($25,000); Shoups Run/Carbon Township ($150,500); Six Mile Run/Coaldale ($125,000); Black Log Creek/Boroughs of Orbisonia and Rockhill Furnace ($127,000); Newton Hamilton Borough ($465,500); and Coal Bank Run/Coalmont Borough ($107,000).

The conference agreement includes $150,000 for the Southeastern Pennsylvania project for the Corps of Engineers to prepare a decision document to determine the Federal interest in and the scope of the problems in the Logan and Feltonville sections of Philadelphia, Pennsylvania.

The conferees direct the Corps of Engineers to use $500,000 to initiate the Hillsboro Inlet, Florida, project in accordance with the Jacksonville District's General Reevaluation Report for the project dated May 2000.

The conference agreement includes $4,000,000 for the Corps of Engineers to undertake water related infrastructure projects in northeastern Pennsylvania as authorized by section 502(f)(11) of the Water Resources Development Act of 1999.

The conference agreement includes $500,000 for the Corps of Engineers to undertake water related infrastructure projects in Avis Borough and Renovo Borough, Clinton County, Pennsylvania.

The conference agreement includes $1,000,000 for sanitary sewer and water and wastewater infrastructure projects in Towanencin Township, Pennsylvania, as authorized by section 502(f)(8) of the Water Resources Development Act of 1999; $3,000,000 for a project to eliminate or control combined sewer overflows in the city of St. Louis, Missouri, as authorized by section 502(f)(32) of the Water Resources Development Act of 1999; and $300,000 for water related infrastructure projects in Lake and Porter Counties, Indiana, as authorized by section 502(f)(12) of the Water Resources Development Act of 1999. In addition, the conference agreement includes $2,500,000 to carry out environmental infrastructure projects in northeastern Minnesota as authorized by section 569 of the Water Resources Development Act of 1999.

The conference agreement includes $25,000,000 for the Corps of Engineers to design, construct, and operate water quality projects in the San Gabriel Basin of California; and $4,000,000 for the Corps of Engineers, in coordination with other Federal agencies and the Brazos River Authority, to participate in investigations and projects in the Bosque and Leon Watersheds in Texas to assess the impact of the perchlorate associated with the former Naval Weapons Industrial Reserve Plant at McGregor, Texas.

The conference agreement includes $300,000 for the Corps of Engineers to continue the environmental restoration pilot project at Dog River, Alabama.

The conference agreement includes $1,500,000 for a project to eliminate or control combined sewer overflows in the City of Lebanon, New Hampshire, as authorized by section 502(f)(37) of the Water Resources Development Act of 1999; $1,500,000 for environmental infrastructure projects in Ohio authorized in section 594 of the Water Resources Development Act of 1999; and $3,000,000 for environmental infrastructure projects in central New Mexico authorized in section 593 of the Water Resources Development Act of 1999.

The conference agreement includes a total of $37,100,000 for the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project. In addition to the amounts included in the budget request, the conference agreement includes: $4,000,000 for the Clover Fork, Kentucky, element of the project; $4,800,000 for the Middlesboro, Kentucky, element of the project; $1,000,000 for the City of Cumberland, Kentucky, element of the project; $700,000 for the Town of Martin, Kentucky, element of the project; $4,200,000 for the Pike County, Kentucky, element of the project, including $1,400,000 for additional studies along the tributaries of the Tug Fork and the initiation of a Detailed Project Report for the Levisa Fork; $3,500,000 for the Martin County, Kentucky, element of the project; $1,200,000 for additional studies along the tributaries of the Cumberland River in Bell County, Kentucky; $800,000 to continue the detailed project report for the Buchanan County, Virginia, element of the project; $700,000 to continue the detailed project report for the Dickenson County, Virginia, element of the project; $1,500,000 for the Upper Mingo County, West Virginia, element of the project; $1,600,000 for the Kermit, Lower Mingo County (Kermit), West Virginia, element of the project; $400,000 for the Wayne County, West Virginia, element of the project; and $600,000 for the McDowell County, West Virginia, element of the project.

The conference agreement includes $7,000,000 for the Dam Safety and Seepage Stability Correction Program. Of the amount provided, $1,000,000 is for repairs to the Mississinewa Lake, Indiana, project, and up to $2,000,000 is for the Waterbury Dam, Vermont, project.

Within the funds provided for the Missouri River Levee System project, $227,000 is provided for the Unit L15 levee, the same as the budget request. With these funds, the conferees expect the Corps of Engineers to complete engineering and design, negotiate a Project Cooperation Agreement, and initiate construction of the project.

The conference agreement includes $4,000,000 for the Rural Nevada project authorized by section 595 of the Water Resources Development Act of 1999. Of the amount provided, $1,500,000 is for the Lawton-Verdi, Nevada, sewer inceptor project; $1,000,000 is for the Mesquite, Nevada, project; and $1,500,000 for the Silver Springs, Nevada, sanitary sewer project.

The conferees direct the Corps of Engineers to undertake the projects listed in the House and Senate reports and the projects described below for the various continuing authorities programs. The recommended funding levels for those programs are as follows: Section 206—$19,000,000; Section 204—$4,000,000; Section 14—$9,000,000; Section 205—$35,000,000; Section 111—$300,000; Section 107—$11,000,000; Section 1135—$21,000,000; Section 103—$2,500,000; and Section 208—$600,000. The conferees are aware that there are funding requirements for ongoing continuing authorities projects that may not be accommodated within the funds provided for each program. It is not the conferees' intent that ongoing projects be terminated. If additional funds are needed during the year to keep ongoing work in any program on schedule, the conferees urge the Corps of Engineers to reprogram funds into the program within available funds.

Of the amount provided for the Section 14 program, $580,000 is to initiate and complete the planning and design analysis phase, execute a project cooperation agreement, and initiate and complete construction for the Rouge River, Southfield, Michigan, project.

Of the amount provided for the Section 111 program, $300,000 is to prepare a shoreline stabilization study and plans and specifications, and award a construction contract for the Virginia Key, Florida, project.

Of the amount provided for the Section 205 program, $100,000 is to undertake the Columbus, New Mexico, project; and $200,000 is to undertake the Battle Mountain, Nevada, project. The conference agreement deletes the bill language proposed by the Senate for the Hay Creek project. In addition, for the McKeel Brook, Dover and Rockaway Townships, New Jersey, project, the funds provided are to be used to complete plans and specifications and initiate construction of the Morris County plan.

Of the amount provided for the Section 1135 program, $100,000 is to initiate the upland environmental restoration study for the Virginia Key, Florida, project; $300,000 is to prepare an environmental restoration report and prepare a project cooperation agreement for the White River, Muncie, Indiana, project; $250,000 is to initiate and complete a preliminary restoration plan and a feasibility report for the Sand Creek, Newton, Kansas, project; and $200,000 is to initiate the ecosystem restoration report for the Lake Champlain Watershed, Vermont, project. In addition, the Corps of Engineers is directed to proceed with the most cost effective solution to the water quality degradation and related environmental and public impacts associated with the western jetty at the mouth of the Genessee River at Rochester, New York.

Of the amount provided for the Section 107 program, $810,000 is for construction of the Pemiscot Harbor, Missouri, project; $3,000,000 is for construction of the Ouzinkie Harbor, Alaska, project; and $500,000 is to initiate construction of the South Basin Inner Harbor, Buffalo, New York, project.

The amount provided for the Section 206 program does not include funds for the Upper Truckee River project. Funds for this project are included in the Bureau of Reclamation's Wetlands Development Program. The amount provided for the Section 206 program includes $500,000 for the Hay Creek, Roseau County, Minnesota, project. The conference agreement deletes the bill language proposed by the Senate for the Hay Creek project.

The conference agreement includes $4,000,000 for the Aquatic Plant Control program. Within the amount provided, $400,000 is for aquatic weed control in Lake Champlain, Vermont, $250,000 is for aquatic plant control within the State of South Carolina, and $100,000 is for the control and tracking of aquatic plants in the Potomac River in Virginia and Maryland.

The conferees have included language in the bill earmarking funds for the following projects in the amount specified: Elba, Alabama, $8,400,000; Geneva, Alabama, $10,800,000; San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000; San Gabriel Basin Groundwater Restoration, California, $25,000,000; Indianapolis Central Waterfront, Indiana, $10,000,000; Southern and Eastern Kentucky, Kentucky, $4,000,000; Clover Fork, Middlesboro, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork tributaries), Bell County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $20,000,000; Jackson County, Mississippi, $2,000,000; Bosque and Leon Rivers, Texas, $4,000,000; Upper Mingo County (including Mingo County Tributaries), Lower Mingo County (Kermit), Wayne County, and McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $4,100,000.

The conference agreement includes language proposed by the House which directs the Corps of Engineers to proceed with the Town of Martin element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project in accordance with a Plan A as set forth in the preliminary draft Detailed Project Report, Appendix T of the General Plan of the Huntington District Commander.

The conference agreement includes language proposed by the House which directs the Corps of Engineers to use $900,000 to undertake the Bowie County Levee project in Texas, which is defined as Alternative B Local Sponsor Option in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, project Design Memorandum No. 1, Bowie County Levee, dated April 1997.

The conference agreement includes language proposed by the Senate which provides that none of the funds appropriated in the Act may be used to begin Phase II of the John Day Drawdown study or to initiate a study of the drawdown of McNary Dam unless authorized by law.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to use available Construction, General, funds to complete design and construction of the Red River Regional Visitors Center in the vicinity of Shreveport, Louisiana, at an estimated cost of $6,000,000.

The conference agreement includes language proposed by the Senate which increases the authorization for the Norco Bluffs, California, project.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to use $3,000,000 of the funds appropriated in the Act for additional emergency bank stabilization measures at Galena, Alaska, under the same terms and conditions as previously undertaken emergency bank stabilization work.

The conference agreement includes language proposed by the Senate directing the Corps of Engineers to use $4,200,000 appropriated in the Act to continue construction of the Ocean Isle Beach segment of the Brunswick County Beaches, North Carolina, project in accordance with the General Reevaluation Report approved by the Chief of Engineers on May 15, 1998.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to use $300,000 of the funds appropriated in the Act to reimburse the City of Renton, Washington, for mitigation expenses incurred for the flood control project constructed on the Cedar River at Renton as a result of over-dredging by the Corps of Engineers.

The conference agreement includes language proposed by the Senate subjecting the expenditure of previously appropriated funds for the Devils Lake, North Dakota, project to a number of conditions.

The conference agreement includes language which provides that $2,000,000 shall be available for stabilization and renovation of Lock and Dam 10 on the Kentucky River, subject to the enactment of authorization for the project.

The conference agreement includes language which directs the Corps of Engineers to use $3,000,000 to initiate construction of a navigation project at Kaumalapau Harbor, Hawaii. The project will consist of a 350-foot long breakwater and a channel depth of 19 feet.

The conference agreement includes language which directs the Corps of Engineers to design and construct seepage control features at Waterbury Dam, Winooski River, Vermont. The Dam Safety and Seepage Correction Program includes up to $2,000,000 to initiate this work. The proposed corrective actions will restore the structural integrity of the dam and reduce the chances of potential failure.

The conference agreement includes language which directs the Corps of Engineers to design and construct barge lanes at the Houston-Galveston Navigation Channels, Texas, project.

The conference agreement includes language which directs the Corps of Engineers to continue construction of the Rio Grand de Manati flood control project at Barceloneta, Puerto Rico.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

The conference agreement appropriates $347,731,000 for Flood Control, Mississippi River and Tributaries instead of $323,350,000 as proposed by the House and $334,450,000 as proposed by the Senate.

The conference agreement includes $900,000 for the Southeast Arkansas feasibility study. The House had proposed to fund this study in the General Investigations account.

The conference agreement includes language proposed by the Senate which directs the Secretary of the Army to complete the analysis and determination regarding Federal maintenance of the Greenville Inner Harbor, Mississippi, navigation project in accordance with section 509 of the Water Resources Development Act of 1996.

The conference agreement includes $375,000 for construction of the Yazoo Basin Tributaries project and $47,000,000 for continuing construction of Mississippi River levees. The conference agreement deletes bill language proposed by the Senate regarding these projects.

The conference agreement includes $7,242,000 for operation and maintenance of Arkabutla Lake; $5,280,000 for operation and maintenance of Grenada Lake; $7,680,000 for operation and maintenance of Sardis Lake; and $4,376,000 for operation and maintenance of Enid Lake. The conference agreement deletes bill language proposed by the Senate regarding these projects.

OPERATION AND MAINTENANCE, GENERAL

The conference agreement appropriates $1,901,959,000 for Operation and Maintenance, General, instead of $1,854,000,000 as proposed by the House and $1,862,471,000 as proposed by the Senate.

The conference agreement includes $6,755,000 for the Apalachicola, Chattahoochee, and Flint Rivers project in Georgia, Alabama, and Florida. The additional funds above the budget request shall be used to implement environmental restoration requirements as specified under the certification issued by the State of Florida under section 401 of the Federal Water Pollution Control Act and dated October 1999, including $1,200,000 for increased environmental dredging and $500,000 for related environmental studies required by the state water quality certification. The conference agreement does not include bill language proposed by the Senate regarding this project.

The conferees have provided $5,071,000 for the Red Rock Dam and Lake, Iowa, project. The funds provided above the budget request are for repair and replacement of various features of the project including repair of the scouring of the South-East Des Moines levee.

The conference agreement includes $10,400,000 for operation and maintenance of the Pascagoula Harbor, Mississippi, project.

The conference agreement includes $1,500,000 over the budget request for the Corps of Engineers to address impacts of recent fires, undertake habitat restoration activities, and address other essential requirements at Cochiti Lake in New Mexico.

The conference agreement includes an additional $3,000,000 for the Jemez Dam, New Mexico, project for the Corps of Engineers to address the impacts of increased water releases required to help sustain the endangered silvery minnow.

The conferees have provided an additional $600,000 for the Waco Lake, Texas, project for the Corps of Engineers to address the higher lake levels associated with the raising of the dam.

The conferees have provided $12,570,000 for the Grays Harbor, Washington, project, including $650,000 for repair of the south jetty, $1,000,000 to complete the rehabilitation of the north jetty at Ocean Shores, and $1,100,000 for the north jetty operations and maintenance study.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to prepare the necessary documents and initiate removal of submerged obstructions in the area previously marked by the Ambrose Light Tower in New York Harbor.

The conference agreement deletes language proposed by the Senate providing $500,000 for maintenance and repair of the Sakonnet Harbor breakwater in Little Compton, Rhode Island. Funds for this project are included in the amount appropriated for Operation and Maintenance, General.

The conference agreement deletes language proposed by the Senate providing $50,000 for a study of crossings across the Chesapeake and Delaware Canal. The amount provided for operation and maintenance of the Chesapeake and Delaware Canal project includes $50,000 for the Corps of Engineers to conduct a study to determine the adequacy and timing for maintaining good and sufficient crossings across the canal.

Although the conference agreement deletes bill language proposed by the Senate regarding the marketing of dredged material from the Delaware River Deepening project, the conferees expect the Corps of Engineers to establish such a program.

The conference agreement includes language which directs the Corps of Engineers to use $500,000 to dredge a channel from the mouth of Wheeling Creek to Tunnel Green Park in Wheeling, West Virginia.

The conference agreement includes language which provides that $500,000 of the

funds provided for the Columbia and Lower Willamette River below Vancouver, Washington, and Portland, Oregon, project shall be used to remove and reinstall the docks and causeway, in kind, at the Astoria East Boat Basin in Oregon.

The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to extend the sheet pile wall on the west end of the entrance to the Dillingham, Alaska, small boat harbor, and to replace the existing wooden bulkhead at the city dock under the provisions of Public Law 99–190.

The conferees are aware of costs associated with maintaining and operating the complex computer system used to execute and program activities for the entire Operation and Maintenance program. The conferees direct the Corps of Engineers to specifically budget for this computer system in future years and, within available fiscal year 2001 funds, pay for this effort under Operation and Maintenance, General.

The conferees are aware of a plan to improve the effectiveness of public information exhibits located within visitor centers at Corps of Engineers projects. The initial plan will be developed by a multidiscipline team and is scheduled to be completed this year. The conferees expect the plan to be developed within available Operation and Maintenance, General, funds and expect implementation of any plans to be justified in future budget requests.

FLOOD CONTROL AND COASTAL EMERGENCIES

The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to extend the existing Bethel Bank Stabilization project in Alaska an additional 1200 linear feet upstream, and to remove sediments from Brown's Slough that hamper safe navigation.

REGULATORY PROGRAM

The conference agreement appropriates $125,000,000 for the Corps of Engineers Regulatory Program as proposed by the House instead of $120,000,000 as proposed by the Senate.

The conference agreement includes language proposed by the House and the Senate which will improve the analysis and increase the information available to the public and the Congress regarding the costs of the nationwide permit program and permit processing times.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

The conference agreement appropriates $140,000,000 for the Formerly Utilized Sites Remedial Action Program as proposed by the House and the Senate.

The conferees concur with the language in the Senate report regarding the Parks Township Shallow Land Disposal Area in Armstrong County, Pennsylvania.

GENERAL EXPENSES

The conference agreement appropriates $152,000,000 for General Expenses as proposed by the Senate instead of $149,500,000 as proposed by the House.

REVOLVING FUND

The conference agreement includes language proposed by the House and the Senate which provides that amounts in the Revolving Fund are available for the costs of relocating the Corps of Engineers headquarters to the General Accounting Office building.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

Section 101. The conference agreement includes language proposed by the House which provides for the transfer of responsibility of local sponsorship of recreation development at Joe Pool Lake, Texas, from the Trinity River Authority to the City of Grand Prairie, Texas.

Section 102. The conference agreement includes language proposed by the Senate which places a limit on credits and reimbursements allowable per project and annually.

Section 103. The conference agreement includes language authorizing the Corps of Engineers to construct the Murrieta Creek, California, flood control project.

Section 104. The conference agreement includes language proposed by the Senate which provides that none of the funds provided in this Act may be used for activities related to the closure or removal of the St. Georges Bridge across the Chesapeake and Delaware Canal in Delaware.

Section 105. The conference agreement includes language proposed by the Senate which provides that the Secretary of the Army shall provide up to $7,000,000 to replace and upgrade the dam in Kake, Alaska.

Provisions not included in the conference agreement.—The conference agreement does not include language proposed by the House extending the authorization for spending Coastal Wetlands Restoration Trust Fund receipts. This matter has been addressed in Title VI. The conference agreement does not include language proposed by the Senate regarding the use of continuing contracts for Corps of Engineers projects. The conference agreement does not include language proposed by the Senate earmarking funds for the Pascagoula Harbor, Mississippi, project and the Gulfport Harbor, Mississippi, project. Funds for those projects are included in the amounts appropriated for Operation and Maintenance, General, and Construction, General, respectively.

The conference agreement does not include language proposed by the Senate regarding the Kihei Area Erosion project in Hawaii. It is the intent of the conferees that the Kihei Area Erosion study shall include an analysis of the extent and causes of the shoreline erosion. Further, a regional economic development (RED) analysis shall be included. The results of the RED analysis shall be displayed in all study documents along with the traditional benefit-cost analysis including recommendations of the Chief of Engineers.

The conference agreement does not include language proposed by the Senate regarding the Waikiki Erosion Control project in Hawaii. It is the intent of the conferees that the Waikiki Erosion Control study shall include an analysis of environmental resources that have been, or may be, threatened by erosion of the shoreline. Further, a regional economic development (RED) analysis shall be included. The results of the RED analysis shall be displayed in all study documents along with the traditional benefit-cost analysis including recommendations of the Chief of Engineers.

The conference agreement does not include language proposed by the Senate directing the Secretary of the Army to conduct a study to determine the need for providing additional crossing capacity across the Chesapeake and Delaware Canal. The conference agreement includes $50,000 under Operation and Maintenance, General for the Corps of Engineers to conduct a study to determine the adequacy and timing for maintaining good and sufficient crossings across the Chesapeake and Delaware Canal.

The conference agreement does not include language proposed by the Senate expressing the sense of the Senate concerning dredging of the main channel of the Delaware River and language proposed by the Senate regarding the Historic Area Remediation Site.

The conference agreement deletes language proposed by the Senate regarding the Missouri River Master Water Control Manual.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
ALABAMA				
ALABAMA RIVER BELOW CLAIBORNE LOCK AND DAM, AL	200	---	200	---
BALDWIN COUNTY WATERSHEDS, AL	200	---	200	---
BAYOU LA BATRE, AL	100	---	100	---
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	521	---	521	---
BREWTON AND EAST BREWTON, AL	50	---	50	---
CAHABA RIVER WATERSHED, AL	50	---	50	---
COOSA RIVER, AL	---	---	---	150
DOG RIVER, AL	250	---	250	---
LUBBUB CREEK, AL	50	---	50	---
LUXAPALILA CREEK, LAMAR COUNTY, AL	---	---	100	---
VILLAGE CREEK, JEFFERSON COUNTY (BIRMINGHAM WATERSHED)	250	---	250	---
ALASKA				
AKUTAN HARBOR, AK	108	---	108	---
AKUTAN HARBOR, AK	---	150	---	150
ANCHOR POINT HARBOR, AK	---	---	50	---
ANIAK, AK	50	---	50	---
BARROW COASTAL STORM DAMAGE REDUCTION, AK	150	---	150	---
CHANDALAR RIVER WATERSHED, VENETIE INDIAN, AK	50	---	50	---
CHENA RIVER WATERSHED, AK	50	---	50	---
CRAIG HARBOR, AK	---	---	100	---
DELONG MOUNTAIN HARBOR, AK	422	---	700	---
DOUGLAS HARBOR EXPANSION, AK	109	---	109	---
DOUGLAS HARBOR EXPANSION, AK	---	50	---	50
FALSE PASS HARBOR, AK	---	250	---	250
FIRE ISLAND, AK	---	---	100	---
GASTINEAU CHANNEL MODIFICATION, AK	50	---	50	---
HAINES HARBOR, AK	---	---	200	---
KENAI RIVER WATERSHED, AK	50	---	50	---
KETCHIKAN HARBOR, AK	---	---	200	---
KOTZEBUE SMALL BOAT HARBOR, AK	---	---	150	---
LITTLE DIOMEDE HARBOR, AK	---	---	75	---
MATANUSKA RIVER WATERSHED, AK	100	---	100	---
MEKORYUK HARBOR, AK	---	---	100	---
NAKNEK RIVER WATERSHED, AK	50	---	50	---
NAPASKIAK HARBOR, AK	69	---	69	---
PERRYVILLE HARBOR, AK	120	---	120	---
PORT LIONS HARBOR, AK	107	---	107	---
QUINHAGAK HARBOR, AK	100	---	100	---
SAINT GEORGE HARBOR IMPROVEMENT, AK	---	---	200	---
SHIP CREEK WATERSHED, AK	53	---	53	---
SITKA HARBOR, AK	---	---	100	---
SKAGWAY HARBOR MODIFICATION, AK	100	---	100	---
UNALAKLEET HARBOR, AK	74	---	74	---
UNALASKA HARBOR, AK	209	---	209	---
UNALASKA HARBOR, AK	---	58	---	58
VALDEZ HARBOR EXPANSION, AK	43	---	43	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
VALDEZ HARBOR EXPANSION, AK	---	150	---	150
WHITTIER BREAKWATER, AK	---	---	169	---
AMERICAN SAMOA				
TUTUILA HARBOR, AS	275	---	275	---
ARIZONA				
COLONIAS ALONG THE U.S./MEXICO BORDER, AZ & TX	---	---	---	260
GILA RIVER, NORTHEAST PHOENIX DRAINAGE AREA, AZ	212	---	212	---
LITTLE COLORADO RIVER, AZ	100	---	100	---
PIMA COUNTY, AZ	75	---	175	---
RILLITO RIVER, PIMA COUNTY, AZ	290	---	290	---
RIO DE FLAG, FLAGSTAFF, AZ	---	250	---	375
RIO SALADO ESTE, AZ	175	---	175	---
RIO SALADO OESTE, AZ	175	---	400	---
SANTA CRUZ RIVER (GRANT RD. TO LOWELL RD.), AZ	---	---	300	---
SANTA CRUZ RIVER (PASEO DE LAS IGLESIAS), AZ	100	---	335	---
TRES RIOS, AZ	---	250	---	500
TUCSON DRAINAGE AREA, AZ	---	432	---	800
VA SHLY-AY AKIMEL SALT RIVER RESTORATION PROJECT, AZ	---	---	150	---
ARKANSAS				
ARKANSAS RIVER LEVEES, AR	---	---	---	400
ARKANSAS RIVER NAVIGATION STUDY, AR & OK	753	---	753	---
MAY BRANCH, FORT SMITH, AR	247	---	247	---
NORTH LITTLE ROCK, DARK HOLLOW, AR	---	200	---	500
RED RIVER NAVIGATION STUDY, SOUTHWEST ARKANSAS, AR	200	---	200	---
WHITE RIVER BASIN COMPREHENSIVE, AR & MO	500	---	500	---
WHITE RIVER NAVIGATION, AR	---	---	300	---
WHITE RIVER MINIMUM FLOW STUDY, AR	---	---	850	---
CALIFORNIA				
ALISO CREEK MAINSTEM, CA	50	---	500	---
AMERICAN RIVER WATERSHED, CA	---	3,285	---	3,285
ARROYO PASAJERO, CA	---	500	---	500
BOLINAS LAGOON ECOSYSTEM RESTORATION, CA	---	300	---	300
CITY OF SAN BERNARDINO, CA	175	---	175	---
COAST OF CALIFORNIA STORM AND TIDAL WAVE STUDY, CA	---	---	500	---
HUNTINGTON BEACH, BLUFFTOP PARK, CA	---	---	211	---
LAGUNA DE SANTA ROSA, CA	200	---	200	---
LLAGAS CREEK, CA	---	240	---	700
LOS ANGELES COUNTY, CA	225	---	225	---
LOS ANGELES HARBOR MAIN CHANNEL DEEPENING, CA	---	375	---	750
LOWER MISSION CREEK, CA	---	325	---	325
MALIBU CREEK, CA	---	---	400	---
MARE ISLAND, CA	---	---	---	500

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
MARINA DEL REY AND BALLONA CREEK, CA	---	---	500	---
MATILIJA DAM, CA	150	---	150	---
MIDDLE CREEK, CA	---	160	---	160
MOJAVE RIVER FORKS DAM, CA	200	---	200	---
MORRO BAY ESTUARY, CA	250	---	900	---
MUGU LAGOON, CA	250	---	250	---
MURRIETA CREEK, CA	---	300	---	750
N CA STREAMS, DRY CREEK, MIDDLETOWN, CA	150	---	150	---
N CA STREAMS, LOWER SACRAMENTO RVR RIPARIAN REVEGETATI	237	---	237	---
N CA STREAMS, MIDDLE CREEK, CA	90	---	90	---
N CA STREAMS, SUISUN MARSH, CA	65	---	65	---
NAPA RIVER, SALT MARSH RESTORATION, CA	300	---	300	---
NAPA VALLEY WATERSHED MANAGEMENT, CA	50	---	50	---
NCS, LOWER CACHE CREEK, YOLO COUNTY, WOODLAND AND VIC,	300	---	500	---
NEWPORT BAY HARBOR, CA	---	350	---	350
NEWPORT BAY (LA-3 SITE DESIGNATION STUDY), CA	---	---	800	---
NEWPORT BAY/SAN DIEGO CREEK WATERSHED, CA	381	---	381	---
ORANGE COUNTY COAST BEACH EROSION, CA	---	---	475	---
ORANGE COUNTY, SANTA ANA RIVER BASIN, CA	100	---	100	---
PAJARO RIVER AT WATSONVILLE, CA	---	600	---	1,200
PAJARO RIVER BASIN STUDY, CA	50	---	50	---
PENINSULA BEACH (CITY OF LONG BEACH), CA	---	---	250	---
PINE FLAT DAM, FISH AND WILDLIFE HABITAT RESTORATION,	---	300	---	300
PORT OF STOCKTON, CA	150	---	150	---
POSO CREEK, CA	150	---	500	---
RANCHO PALOS VERDES, CA	---	200	---	200
REDWOOD CITY HARBOR, CA	250	---	250	---
RUSSIAN RIVER ECOSYSTEM RESTORATION, CA	200	---	200	---
SACRAMENTO - SAN JOAQUIN DELTA, CA	300	---	300	---
SACRAMENTO AND SAN JOAQUIN COMPREHENSIVE BASIN STUDY,	1,500	---	3,000	---
SAN ANTONIO CREEK, CA	125	---	125	---
SAN BERNARDINO COUNTY, CA	100	---	100	---
SAN DIEGO COUNTY SHORELINE, CA	---	---	325	---
SAN DIEGO HARBOR, NATIONAL CITY, CA	125	---	125	---
SAN FRANCISCO BAY, CA	250	---	700	---
SAN GABRIEL RIVER TO NEWPORT BAY, CA	---	---	150	---
SAN JACINTO RIVER, CA	225	---	225	---
SAN JOAQUIN R BASIN, STOCKTON METRO AREA, FARMINGTON D	---	150	---	150
SAN JOAQUIN R BASIN, STOCKTON METRO AREA, FARMINGTON D	100	---	100	---
SAN JOAQUIN RIVER BASIN, CONSUMNES & MOKELUMNE RIVERS,	150	---	150	---
SAN JOAQUIN RIVER BASIN, CORRAL HOLLOW CREEK, CA	65	---	65	---
SAN JOAQUIN RIVER BASIN, FRAZIER CREEK, CA	65	---	250	---
SAN JOAQUIN RIVER BASIN, STOCKTON METROPOLITAN AREA, C	180	---	180	---
SAN JOAQUIN RIVER BASIN, TUOLUMNE RIVER, CA	150	---	300	---
SAN JOAQUIN RIVER BASIN, WEST STANISLAUS COUNTY, CA	213	---	213	---
SAN JUAN CREEK WATERSHED MANAGEMENT, CA	50	---	200	---
SAN JUAN CREEK, SOUTH ORANGE COUNTY, CA	50	---	50	---
SAN LUIS OBISPO, CA	170	---	170	---
SAN PABLO BAY WATERSHED, CA	200	---	200	---
SANTA ROSA CREEK WATERSHED, CA	300	---	300	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
SANTA YNEZ, CA	---	---	100	---
SOLANA BEACH, CA	---	---	350	---
SOUTH SACRAMENTO COUNTY STREAMS, CA	---	200	---	200
SOUTHERN CALIFORNIA SPECIAL AREA MANAGEMENT PLANS, CA.	---	---	1,882	---
STRONG AND CHICKEN RANCH SLOUGHS, CA	150	---	300	---
SUTTER BASIN, CA	150	---	150	---
TAHOE BASIN, CA & NV	150	---	150	---
TIJUANA RIVER ENVIRONMENTAL RESTORATION, CA	205	---	500	---
TULE RIVER, CA	---	400	---	400
UPPER GUADALUPE RIVER, CA	---	500	---	500
UPPER PENITENCIA CREEK, CA	300	---	300	---
UPPER SANTA ANA RIVER WATERSHED, CA	100	---	100	---
VENTURA HARBOR SAND BYPASS, CA	400	---	400	---
WHITE RIVER AND DEER CREEK, CA	150	---	150	---
WESTMINISTER, CA	---	---	100	---
WHITEWATER RIVER BASIN, CA	---	---	---	500
YUBA RIVER BASIN, CA	---	400	---	400
COLORADO				
CHATFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO.	250	---	250	---
FOUNTAIN CREEK AND TRIBUTARIES, CO	---	---	100	---
ZUNI AND SUN VALLEY REACHES, SOUTH PLATTE RIVER, CO	---	---	100	---
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS				
NAVIGATION IMPROVEMENTS, CNMI	100	---	150	---
CONNECTICUT				
COASTAL CONNECTICUT ECOSYSTEM RESTORATION, CT	80	---	80	---
DELAWARE				
C&D CANAL, BALTIMORE HBR CONN CHANNELS, DE & MD (DEEPE	---	100	---	100
DELAWARE COAST FROM BETHANY BEACH TO SOUTH BETHANY, DE	---	---	---	33
DELAWARE BAY COASTLINE, ROOSEVELT INLET/LEWES BEACH, D	---	---	---	124
DELAWARE BAY COASTLINE, BROADKILL BEACH, DE	---	---	---	304
FLORIDA				
BISCAYNE BAY, FL	543	---	543	---
HILLSBOROUGH RIVER, FL	114	---	114	---
LAKE WORTH INLET, PALM BEACH COUNTY, FL	114	---	114	---
MILE POINT, FL	114	---	114	---
PORT EVERGLADES HARBOR, FL	160	---	160	---
WITHLACOOCHEE RIVER, FL	114	---	114	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
GEORGIA				
ALLATOONA LAKE, ETOWAH RIVER, GA	90	---	90	---
ALLATOONA LAKE, LITTLE RIVER, GA	40	---	40	---
ARABIA MOUNTAIN, GA	---	---	100	---
AUGUSTA, GA	500	---	500	---
BRUNSWICK HARBOR, GA	---	50	---	---
INDIAN, SUGAR, ENTRENCHMENT AND FEDERAL PRISON CREEKS,	50	---	50	---
LONG ISLAND, MARSH AND JOHNS CREEKS, GA	50	---	50	---
METRO ATLANTA WATERSHED, GA	499	---	499	---
SAVANNAH HARBOR ECOSYSTEM RESTORATION, GA	450	---	450	---
SAVANNAH HARBOR EXPANSION, GA	---	100	---	100
SAVANNAH RIVER BASIN COMPREHENSIVE, GA & SC	400	---	400	---
UTOY, SANDY AND PROCTOR CREEKS, GA	100	---	100	---
HAWAII				
ALA WAI CANAL, OAHU, HI	140	---	140	---
BARBERS POINT HARBOR MODIFICATION, OAHU, HI	---	173	---	173
HAWAII WATER MANAGENMENT, HI	---	---	200	---
HONOLULU HARBOR MODIFICATIONS, OAHU, HI	200	---	200	---
KAHUKU, HI	---	---	---	200
KAHULUI HARBOR MODIFICATIONS, MAUI, HI	150	---	150	---
KAWAIHAE DEEP DRAFT HARBOR MODIFICATIONS, HAWAII, HI	40	---	40	---
KIHEI AREA EROSION, HI	---	---	100	---
WAIKIKI EROSION CONTROL, HI	---	---	100	---
IDAHO				
BOISE RIVER, BOISE, ID	165	---	165	---
GOOSE CREEK, OAKLEY, ID	---	---	100	---
KOOTENAI RIVER AT BONNERS FERRY, ID	60	---	60	---
LITTLE WOOD RIVER, GOODING, ID	165	---	165	---
PAYETTE AND SNAKE RIVER, ID	---	---	100	---
ILLINOIS				
ALEXANDER AND PULASKI COUNTIES, IL	---	200	---	200
DES PLAINES RIVER, IL	---	400	---	400
DES PLAINES RIVER, IL (PHASE II)	250	---	750	---
ILLINOIS BEACH STATE PARK, IL	---	---	---	325
ILLINOIS RIVER ECOSYSTEM RESTORATION, IL	500	---	500	---
KANKAKEE RIVER BASIN, IL & IN	300	---	600	---
PEORIA RIVERFRONT DEVELOPMENT, IL	400	---	400	---
ROCK RIVER, IL & WI	700	---	700	---
UPPER MISS & ILLINOIS NAV IMPROVEMENTS, IL, IA, MN, MO	2,105	---	2,105	---
UPPER MISS & ILLINOIS NAV IMPROVEMENTS, IL, IA, MN, MO	---	4,707	---	4,707
UPPER MISS RVR SYS FLOW FREQUENCY STUDY, IL, IA, MN, M	888	---	888	---
WAUKEGAN HARBOR, IL	---	300	---	300
WOOD RIVER LEVEE, IL	---	310	---	310

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
INDIANA				
INDIANA HARBOR ENVIRONMENTAL DREDGING, IN	---	---	500	---
JOHN T MYERS LOCKS AND DAM, IN & KY	---	2,210	---	2,210
LITTLE CALUMET RIVER (CADDY MARSH DITCH), IN	---	---	---	250
IOWA				
DES MOINES AND RACCOON RIVERS, IA	400	---	600	---
INDIAN CREEK, COUNCIL BLUFFS, IA	80	---	80	---
KANSAS				
TOPEKA, KS	200	---	200	---
TURKEY CREEK BASIN, KS & MO	---	353	---	353
UPPER TURKEY RUN CREEK, KS	---	---	100	---
WALNUT AND WHITEWATER RIVER WATERSHEDS, KS	200	---	200	---
KENTUCKY				
BANKLICK CREEK, KY	100	---	100	---
GREENUP LOCKS AND DAM, OHIO RIVER, KY & OH	---	1,300	---	1,300
LICKING RIVER, CYNTHIANA, KY	260	---	260	---
METROPOLITAN LOUISVILLE, JEFFERSON COUNTY, KY	100	---	100	---
METROPOLITAN LOUISVILLE, MILL CREEK BASIN, KY	250	---	250	---
METROPOLITAN LOUISVILLE, SOUTHWEST, KY	161	---	161	---
OHIO RIVER MAIN STEM SYSTEMS STUDY, KY, IL, IN, PA, WV	4,141	---	4,141	---
OHIO RIVER SHORELINE, PADUCAH, KY	---	---	---	400
LOUISIANA				
AMITE RIVER AND TRIBUTARIES ECOSYSTEM RESTORATION, LA.	200	---	400	---
ATCHAFALAYA RIVER, BAYOUS CHENE, BOENF & BLACK, LA	---	---	250	---
CALCASIEU LOCK, LA	339	---	339	---
CALCASIEU RIVER BASIN, LA	100	---	300	---
HURRICANE PROTECTION, LA	---	---	100	---
INTRACOASTAL WATERWAY LOCKS, LA	686	---	686	---
JEFFERSON PARISH, LA	---	215	---	500
LAFAYETTE PARISH, LA	---	200	---	200
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	1,750	---	1,750	---
ORLEANS PARISH, LA	---	164	---	300
ST BERNARD PARISH URBAN FLOOD CONTROL, LA	100	---	500	---
ST. CHARLES PARISH URBAN FLOOD CONTROL. LA	---	---	100	---
PLAQUEMINES PARISH URBAN FLOOD CONTROL, LA	---	---	100	---
WEST SHORE, LAKE PONTCHARTRAIN, LA	346	---	346	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
MARYLAND				
ANACOSTIA RIVER FEDERAL WATERSHED IMPACT ASSESSMENT, M	500	---	500	---
ANACOSTIA RIVER, PG COUNTY LEVEE, MD & DC	455	---	455	---
BALTIMORE METROPOLITAN, GWYNNS FALLS, MD	68	---	68	---
CUMBERLAND, MD	---	700	---	700
EASTERN SHORE, MD	400	---	400	---
LOWER POTOMAC ESTUARY WATERSHED, MATTAWOMAN, MD	100	---	100	---
LOWER POTOMAC ESTUARY WATERSHED, ST MARY'S, MD	250	---	250	---
PATUXENT RIVER, PRINCE GEORGES COUNTY, MD	---	100	---	100
SMITH ISLAND ENVIRONMENTAL RESTORATION, MD	---	100	---	100
MASSACHUSETTS				
BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI	310	---	310	---
BOSTON HARBOR, MA (45-FOOT CHANNEL)	150	---	150	---
COASTAL MASSACHUSETTS ECOSYSTEM RESTORATION, MA	100	---	100	---
MUDDY RIVER, BROOKLINE AND BOSTON, MA	---	---	---	500
SOMERSET AND SEARSBURG DAMS, DEERFIELD RIVER, MA & VT.	100	---	100	---
MICHIGAN				
BELL ISLE SHORELINE, DETROIT, MI	---	---	100	---
DETROIT RIVER ENVIRONMENTAL DREDGING, MI	---	---	250	---
DETROIT RIVER MASTER PLAN, MI	---	---	100	---
DETROIT RIVER SEAWALLS, MI	---	---	100	---
JOHN GLENN GREAT LAKES BASIN PROGRAM, MI	---	---	100	---
MUSKEGON LAKE, MI	---	---	100	---
GREAT LAKES NAVIGATION SYSTEM, MI, IL, IN, MN, NY, OH, PA, & WI	---	---	500	---
SAULT STE MARIE (REPLACEMENT LOCK), MI	---	1,000	---	1,000
ST CLAIR RIVER AND LAKE ST CLAIR, MI	---	---	200	---
MINNESOTA				
LOWER ST ANTHONY FALLS RAPIDS RESTORATION, MN	---	---	400	---
UPPER MISS RIVER WATERSHED MGMT, LAKE ITASCA TO L/D 2,	250	---	250	---
MISSISSIPPI				
PEARL RIVER WATERSHED, MS	---	---	50	---
MISSOURI				
CHESTERFIELD, MO	---	250	---	250
HANNIBAL, MO	---	---	100	---
KANSAS CITY, MO & KS	312	---	312	---
MISSOURI & MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJE	500	---	500	---
MISSOURI RIVER LEVEE SYSTEM, UNITS L455 & R460-471, MO	220	---	220	---
RIVER DES PERES, MO	---	330	---	330

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
ST LOUIS HARBOR, MO & IL	---	265	---	265
ST. LOUIS FLOOD PROTECTION, MO	---	445	---	445
SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO	---	170	---	170
MONTANA				
LOWER YELLOWSTONE RIVER DIVERSION DAM, MT	---	---	---	100
YELLOWSTONE RIVER CORRIDOR, MT	500	---	500	---
NEBRASKA				
ANTELOPE CREEK, LINCOLN, NE	---	275	---	275
LOWER PLATTE RIVER AND TRIBUTARIES, NE	217	---	217	---
SAND CREEK WATERSHED, WAHOO, NE	---	220	---	220
NEVADA				
LOWER LAS VEGAS WASH WETLANDS, NV	100	---	500	---
TRUCKEE MEADOWS, NV	---	500	---	500
WALKER RIVER BASIN, NV	100	---	100	---
NEW HAMPSHIRE				
MERRIMACK RIVER BASIN	---	---	500	---
NEW JERSEY				
BARNEGAT BAY, NJ	---	50	---	50
BARNEGAT INLET TO LITTLE EGG HARBOR INLET, NJ	---	---	---	450
BRIGANTINE INLET TO GREAT EGG HARBOR INLET, NJ	---	---	---	391
DELAWARE BAY COASTLINE, OAKWOOD BEACH, NJ & DE	---	---	---	222
DELAWARE BAY COASTLINE, REEDS BEACH TO PIERCES POINT	---	---	---	135
DELWARE BAY COASTLINE, VILLAS AND VICINITY, NJ & DE	---	---	---	155
DELAWARE RIVER BASIN, NJ	---	---	100	---
GREAT EGG HARBOR INLET TO TOWNSENDS INLET, NJ	---	---	---	150
LOWER CAPE MAY MEADOWS TO CAPE MAY POINT, NJ	---	---	---	350
LOWER PASSAIC RIVER, NJ	---	---	100	---
LOWER SADDLE RIVER, NJ	---	---	---	100
MANASQUAN INLET TO BARNEGAT INLET, NJ	---	---	---	150
NEW JERSEY INTRACOASTAL WATERWAY, ENV RESTORATION, NJ	218	---	218	---
PASSAIC RIVER, HARRISON, NJ	---	---	---	300
RARITAN BAY AND SANDY HOOK BAY, LEONARDO, NJ	550	---	550	---
RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NJ	291	---	291	---
SHREWSBURY RIVER AND TRIBUTARIES IN MONMOUTH COUNTY, N	120	---	120	---
SOUTH RIVER, RARITAN RIVER BASIN, NJ	450	---	450	---
STONY BROOK, NJ	120	---	120	---
UPPER PASSAIC RIVER AND TRIBS, LONG HILL, MORRIS COUNT	300	---	300	---
UPPER ROCKAWAY RIVER, MORRIS COUNTY, NJ	300	---	300	---
WOODBRIDGE AND RAHWAY, NJ	200	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
NEW MEXICO				
ESPANOLA VALLEY, RIO GRANDE AND TRIBUTARIES, NM	50	---	50	---
RIO GRANDE BASIN, NM, CO & TX	500	---	600	---
SANTA CRUZ DAM SEDIMENT STUDY, NM	---	---	100	---
SW VALLEY FLOOD DAMAGE REDUCTION STUDY, ALBUQUERQUE, N	330	---	330	---
NEW YORK				
ATLANTIC COAST OF NEW YORK MONITORING PROGRAM, NY	---	---	1,000	---
ARTHUR KILL CHANNEL, HOWLAND HOOK MARINE TERMINAL, NY.	---	347	---	347
AUSABLE RIVER BASIN, ESSEX AND CLINTON COUNTIES, NY	200	---	200	---
BOQUET RIVER AND TRIBUTARIES, ESSEX COUNTY, NY	200	---	200	---
BRONX RIVER BASIN, NY	250	---	450	---
BUFFALO RIVER ENVIRONMENTAL DREDGING, NY	---	---	100	---
CLINTON COUNTY, NY	150	---	150	---
FLUSHING BAY AND CREEK, NY	520	---	520	---
FREEPORT CREEK, VILLAGE OF FREEPORT, NY	---	---	100	---
HUDSON - RARITAN ESTUARY, NY & NJ	800	---	800	---
HUDSON RIVER HABITAT RESTORATION, NY	---	50	---	50
HUDSON RIVER HABITAT RESTORATION, NY	50	---	50	---
HUDSON RIVER, HUDSON, NY	120	---	120	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, ARVERNE, NY.	50	---	50	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY	296	---	296	---
LAKE MONTAUK HARBOR, NY	---	---	200	---
LINDENHURST, NY	100	---	100	---
MONTAUK POINT, NY	---	---	287	---
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	---	2,528	---	2,528
NEW YORK HARBOR ANCHORAGE AREAS, NY	259	---	259	---
NORTH SHORE OF LONG ISLAND, BAYVILLE, NY	300	---	300	---
ONONDAGA LAKE, NY	250	---	250	---
SAW MILL RIVER AND TRIBUTARIES, NY	50	---	100	---
SAW MILL RIVER AT ELMSFORD/GREENBURGH, NY	---	---	---	750
SOUTH SHORE OF LONG ISLAND, NY	90	---	90	---
SOUTH SHORE OF STATEN ISLAND, NY	400	---	400	---
SUSQUEHANNA RIVER BASIN WATER MANAGEMENT, NY, PA & MD.	---	100	---	100
UPPER DELAWARE RIVER WATERSHED, NY	776	---	776	---
UPPER SUSQUEHANNA RIVER BASIN, NY	---	---	1,000	---
NORTH CAROLINA				
BOGUE BANKS, NC	---	---	250	---
CURRITUCK SOUND, NC	100	---	100	---
DARE COUNTY BEACHES, NC	50	---	300	---
DARE COUNTY BEACHES, HATTERAS AND ORACOKE ISLAND, NC	---	---	500	---
LOCKWOODS FOLLY RIVER, NC	600	---	600	---
MANTEO (SHALLOWBAG) BAY, NC	---	250	---	250
NEUSE RIVER BASIN, NC	100	---	100	---
SURF CITY, NC	---	---	100	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
NORTH DAKOTA				
DEVILS LAKE, ND	50	---	---	4,000
GRAFTON, PARK RIVER, ND	---	900	---	900
RED RIVER OF THE NORTH, ND & MN	---	---	200	---
OHIO				
ASHTABULA RIVER ENVIRONMENTAL DREDGING, OH	---	384	---	384
BUTLER COUNTY, OH	100	---	100	---
COLUMBUS METROPOLITAN AREA, OH	600	---	600	---
HOCKING RIVER BASIN ENV RESTORATION, MONDAY CREEK, OH.	306	---	306	---
HOCKING RIVER BASIN ENV RESTORATION, SUNDAY CREEK, OH.	200	---	200	---
MAHONING RIVER ENVIRONMENTAL DREDGING, OH & PA	---	---	500	---
MUSKINGUM BASIN SYSTEM STUDY, OH	100	---	100	---
OHIO RIVER FLOW COMMODITY STUDY, OH	---	---	200	---
RICHLAND COUNTY, OHIO	100	---	100	---
SANDUSKY RIVER, TIFFIN, OH	---	---	100	---
STEUBENVILLE, OH	---	---	175	---
WESTERN LAKE ERIE BASIN, OH, IN & MI	---	---	100	---
OKLAHOMA				
CIMARRON RIVER AND TRIBUTARIES, OK, KS, NM & CO	200	---	200	---
SOUTHEAST OKLAHOMA WATER RESOURCE STUDY, OK	200	---	700	---
WARR ACRES, OK	200	---	200	---
OREGON				
COLUMBIA RIVER NAVIGATION CHANNEL DEEPENING, OR & WA	---	923	---	---
TILLAMOOK BAY AND ESTUARY ECOSYSTEM RESTORATION, OR	274	---	274	---
WILLAMETTE RIVER BASIN REVIEW, OR	210	---	210	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR	114	---	114	---
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR	200	---	200	---
PENNSYLVANIA				
BEAVER CREEK, CLARION, PA	---	---	100	---
BLOOMSBURG, PA	441	---	441	---
LOWER WEST BR, SUS RIVER, ENV RESTORATION, BUFFALO CRE	250	---	250	---
NEW CASTLE, PA	---	---	100	---
TURTLE CREEK BASIN, UPPER TURTLE CREEK ENV RESTORATION	66	---	66	---
PUERTO RICO				
RIO GUANAJIBO, PR	---	441	---	441

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
RHODE ISLAND				
QUONSET DAVISVILLE PORT, RI	---	---	100	---
RHODE ISLAND ECOSYSTEM RESTORATION, RI	191	---	191	---
RHODE ISLAND SOUTH COAST, HABITAT REST & STRM DMG REDU	54	---	54	---
SOUTH CAROLINA				
ATLANTIC INTRACOASTAL WATERWAY, SC	581	---	581	---
BROAD RIVER BASIN, SC	---	---	200	---
CHARLESTON ESTUARY, SC	150	---	150	---
PAWLEYS ISLAND, SC	219	---	219	---
WACCAMAW RIVER, SC	---	---	100	---
YADKIN - PEE DEE RIVER WATERSHED, SC & NC	---	50	---	50
SOUTH DAKOTA				
JAMES RIVER, SD	---	---	500	---
NIOBRARA AND MISSOURI RIVERS, SD	---	---	100	---
TENNESSEE				
DAVIDSON COUNTY, TN	200	---	200	---
DUCK RIVER WATERSHED, TN	50	---	50	---
FRENCH BROAD WATERSHED, TN	500	---	500	---
NORTH CHICKAMAUGA CREEK, TN	50	---	50	---
TEXAS				
BOIS D'ARC CREEK, BONHAM, TX	200	---	200	---
BUFFALO BAYOU AND TRIBUTARIES, WHITE OAK BAYOU, TX	230	---	230	---
CITY OF BROWNSVILLE (RESACAS), TX	---	---	100	---
CORPUS CHRISTI SHIP CHANNEL, LAQUINTA CHANNEL, TX	456	---	456	---
CORPUS CHRISTI SHIP CHANNEL, TX	1,008	---	1,008	---
DALLAS FLOODWAY EXTENSION, TRINITY RIVER, TX	---	100	---	---
FREEPORT AND VINCITY, HURRICANE/FLOOD PROTECTION, TX	---	---	100	---
GIWW MODIFICATIONS, TX	195	---	195	---
GIWW, BRAZOS RIVER TO PORT O'CONNOR, TX	500	---	500	---
GIWW, HIGH ISLAND TO BRAZOS RIVER, TX	728	---	728	---
GIWW, MATAGORDA BAY, TX	---	100	---	200
GIWW, PORT O'CONNOR TO CORPUS CHRISTI BAY, TX	653	---	653	---
GREENS BAYOU, HOUSTON, TX	---	434	---	434
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX	200	---	200	---
HUNTING BAYOU, HOUSTON, TX	---	100	---	500
LOWER COLORADO RIVER BASIN, TX	600	---	1,500	---
MIDDLE BRAZOS RIVER, TX	300	---	300	---
NORTH BOSQUE RIVER, TX	---	50	---	50
NORTH PADRE ISLAND, CORPUS CHRISTI, TX	---	164	---	1,000
NORTHWEST EL PASO, TX	280	---	280	---
PECAN BAYOU, BROWNWOOD, TX	---	100	---	100

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
RAYMONDVILLE DRAIN, TX	---	100	---	700
SABINE - NECHES WATERWAY, TX	544	---	544	---
SABINE PASS TO GALVESTON BAY, TX	114	---	114	---
SOUTH MAIN CHANNEL, TX	---	574	---	574
SULPHUR RIVER ENVIRONMENTAL RESTORATION, TX	50	---	50	---
UPPER TRINITY RIVER BASIN, TX	500	---	1,100	---
UTAH				
PROVO AND VICINITY, UT	100	---	100	---
VIRGINIA				
AIWW, BRIDGES AT DEEP CREEK, VA	342	---	342	---
AIWW, BRIDGES AT DEEP CREEK, VA	---	200	---	200
CHESAPEAKE BAY SHORELINE, VA	---	---	170	---
ELIZABETH RIVER BASIN, ENVIR RESTORATION, HAMPTON ROAD	247	---	247	---
JAMES RIVER CHANNEL, VA	---	277	---	277
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	200	---	200	---
LAKE MERRIWEATHER, GOSHEN DAM AND SPILLWAY, VA	---	---	---	150
LOWER RAPPAHANNOCK RIVER BASIN, VA	300	---	300	---
NEW RIVER BASIN, VA, NC, & WV	---	---	200	---
NORFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA	1,188	---	1,188	---
POWELL RIVER WATERSHED, VA	165	---	165	---
POWELL RIVER, STRAIGHT, REEDS AND JONES CREEK, VA	---	200	---	200
PRINCE WILLIAM COUNTY WATERSHED, VA	205	---	205	---
RAPPAHANNOCK RIVER, EMBREY DAM, VA	257	---	---	600
WASHINGTON				
BELLINGHAM BAY, WA	60	---	60	---
CENTRALIA, WA	---	250	---	1,750
CHEHALIS RIVER BASIN, WA	150	---	150	---
DUWAMISH AND GREEN RIVER BASIN, WA	---	222	---	222
HOWARD HANSON DAM, WA	---	600	---	1,500
LAKE WALLULA NAVIGATION CHANNEL, COLUMBIA RIVER, WA	---	---	100	---
LAKE WASHINGTON SHIP CANAL, WA	350	---	790	---
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, WA & OR	---	---	100	---
OCEAN SHORES, WA	100	---	100	---
PUGET SOUND CONFINED DISPOSAL SITES, WA	250	---	250	---
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	65	---	65	---
SKAGIT RIVER, WA	270	---	270	---
SKOKOMISH RIVER BASIN, WA	100	---	100	---
STILLAGUAMISH RIVER BASIN, WA	---	225	---	225
TRI-CITIES AREA RIVERSHORE ENHANCEMENT, WA	250	---	---	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
WEST VIRGINIA				
ERICSON/WOOD COUNTY PUBLIC PORT, WV	---	---	---	500
ISLAND CREEK AT LOGAN, WV	---	200	---	200
LOWER MUD RIVER, WV	---	650	---	---
MERCER COUNTY, WV	107	---	107	---
WEIRTON PORT, WV	---	---	---	750
WISCONSIN				
BARABOO RIVER, WI	---	---	100	---
FOX RIVER, WI	---	---	250	---
SAXON HARBOR, WI	---	---	50	---
WYOMING				
JACKSON HOLE RESTORATION, WY	---	100	---	300
MISCELLANEOUS				
COASTAL FIELD DATA COLLECTION	2,300	---	2,200	---
ENVIRONMENTAL DATA STUDIES	700	---	100	---
FLOOD DAMAGE DATA	400	---	400	---
FLOOD PLAIN MANAGEMENT SERVICES	9,000	---	8,200	---
GREAT LAKES REMEDIAL ACTION PROGRAM	---	---	600	---
HYDROLOGIC STUDIES	500	---	500	---
INTERNATIONAL WATER STUDIES	500	---	500	---
NATIONAL SHORELINE	300	---	---	---
OTHER COORDINATION PROGRAMS	8,900	---	8,000	---
PLANNING ASSISTANCE TO STATES	6,500	---	6,700	---
PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE)	400	---	400	---
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	300	---	300	---
RESEARCH AND DEVELOPMENT	26,000	---	25,000	---
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	100	---	100	---
STREAM GAGING (U.S. GEOLOGICAL SURVEY)	800	---	700	---
TRANSPORTATION SYSTEMS	800	---	700	---
TRI-SERVICE CADD/GIS TECHNOLOGY CENTER	650	---	650	---
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE AND CARRYOVER BALANCES	-23,250	---	-48,493	---
TOTAL, GENERAL INVESTIGATIONS	101,519	36,181	104,496	55,542

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ALABAMA		
BLACK WARRIOR AND TOMBIGBEE RIVERS, VICINITY OF JACKSO	2,000	2,000
DOG RIVER, AL	---	300
ELBA, AL	---	8,400
GENEVA, AL	---	10,800
MOBILE HARBOR, AL	499	499
WALTER F GEORGE POWERHOUSE AND DAM, AL & GA (MAJOR REH	3,000	3,000
WALTER F GEORGE POWERPLANT, AL & GA (MAJOR REHAB)	2,500	2,500
ALASKA		
CHIGNIK HARBOR, AK	1,312	1,312
GALENA, AK	---	3,000
KAKE HARBOR, AK	5,508	5,508
NOME HARBOR, AK	---	1,000
ST PAUL HARBOR, AK	5,616	5,616
ARIZONA		
RIO SALADO, PHOENIX AND TEMPE REACHES, AZ	2,000	2,000
ARKANSAS		
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	3,300	3,300
MONTGOMERY POINT LOCK AND DAM, AR	20,000	40,000
OZARK POWERHOUSE, AR (MAJOR REHAB)	1,230	---
RED RIVER EMERGENCY BANK PROTECTION, AR	---	4,000
CALIFORNIA		
AMERICAN RIVER WATERSHED, CA	10,000	10,000
AMERICAN RIVER WATERSHED, CA (FOLSOM DAM MODIFICATIONS	5,000	4,000
BERRYESSA CREEK, CA	---	1,000
CORTE MADERA CREEK, CA	100	100
GUADALUPE RIVER, CA	3,500	7,000
HAMILTON AIRFIELDS WETLANDS RESTORATION, CA	---	2,000
HARBOR/SOUTH BAY WATER RECYCLING, CA	---	2,000
IMPERIAL BEACH, CA	---	800
KAWEAH RIVER, CA	500	3,000
LOS ANGELES COUNTY DRAINAGE AREA, CA	9,821	9,821
LOWER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	1,485	1,485
MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTION, CA	760	760
MERCED COUNTY STREAMS, CA	500	500
MID-VALLEY AREA LEVEE RECONSTRUCTION, CA	2,000	2,000
NAPA RIVER, CA	4,000	4,000
NORCO BLUFFS, CA	---	3,225
PORT OF OAKLAND, CA	---	4,000
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	3,300	5,000
SACRAMENTO RIVER, GLENN-COLUSA IRRIGATION DISTRICT, CA	4,100	4,100

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SAN FRANCISCO BAY TO STOCKTON, CA	---	250
SAN GABRIEL BASIN RESTORATION, CA	---	25,000
SAN LORENZO RIVER, CA	4,000	4,000
SANTA ANA RIVER MAINSTEM, CA	18,000	23,000
SANTA BARBARA HARBOR, CA	5,000	5,000
STOCKTON METROPOLITAN AREA, CA	---	4,000
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	1,000	1,000
SURFSIDE-SUNSET AND NEWPORT BEACH, CA	---	5,000
UPPER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	1,665	1,665
WEST SACRAMENTO, CA	1,775	1,775
DELAWARE		
DELAWARE COAST FROM CAPE HELOPEN TO FENWICK ISLAND, DE	---	3,000
DELAWARE COAST PROTECTION, DE	254	254
FLORIDA		
BREVARD COUNTY, FL	---	6,000
CANAVERAL HARBOR, FL	847	847
CEDAR HAMMOCK, WARES CREEK, FL	200	200
CENTRAL AND SOUTHERN FLORIDA, FL	92,423	80,423
DADE COUNTY, FL	3,058	8,000
DUVAL COUNTY, FL	3,800	3,800
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	20,525	20,525
HILLSBORO AND OKEECHOBEE AQUIFER, FL	4,562	---
HILLSBORO INLET, FL	---	500
JACKSONVILLE HARBOR, FL	---	1,000
JIM WOODRUFF LOCK AND DAM POWERHOUSE, FL & GA (MAJOR R	4,500	4,500
KISSIMMEE RIVER, FL	20,000	20,000
MANATEE COUNTY, FL	200	200
MANATEE HARBOR, FL	10,828	10,828
MARTIN COUNTY, FL	2,419	2,419
MIAMI HARBOR CHANNEL, FL	6,591	6,591
PALM VALLEY BRIDGE, FL	4,000	7,500
PANAMA CITY HARBOR, FL	706	706
PINELLAS COUNTY, FL	1,321	1,321
ST. JOHNS COUNTY, FL	---	4,000
ST. LUCIE INLET, FL	---	4,000
TAMPA HARBOR, FL	---	300
GEORGIA		
BRUNSWICK HARBOR, GA	---	250
BUFORD POWERHOUSE, GA (MAJOR REHAB)	2,455	2,455
LOWER SAVANNAH RIVER BASIN, GA & SC	1,500	1,500
MAYO'S BAR LOCK & DAM, GA	---	400
OATES CREEK, RICHMOND COUNTY, GA (DEF CORR)	332	332
RICHARD B RUSSELL DAM AND LAKE, GA & SC	2,666	2,666
THURMOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	5,000	5,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
HAWAII		
IAO STREAM FLOOD CONTROL, MAUI, HI (DEF CORR)	239	239
KAUMALAPAU HARBOR, HI	---	3,000
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	3,437	3,437
MAALAEA HARBOR, MAUI, HI	325	325
IDAHO		
MILO CREEK, ID	---	1,000
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	2,100	2,100
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL.	400	400
CHICAGO SHORELINE, IL	19,192	19,192
EAST ST LOUIS, IL	900	900
EAST ST LOUIS INTERIOR FLOOD CONTROL	---	150
LOCK AND DAM 24, MISSISSIPPI RIVER, IL & MO (MAJOR REH	5,750	5,750
LOVES PARK, IL	4,010	4,010
MCCOOK AND THORNTON RESERVOIRS, IL	2,800	7,800
MELVIN PRICE LOCK AND DAM, IL & MO	1,400	1,400
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY	38,142	56,000
UPPER MISS RVR SYSTEM ENV MGMT PROGRAM, IL, IA, MN, MO	18,000	21,000
INDIANA		
CALUMET REGION, IN	---	300
FORT WAYNE METROPOLITAN AREA, IN	1,088	1,088
INDIANA HARBOR, IN (CONFINED DISPOSAL FACILITY)	3,291	3,291
INDIANA SHORELINE EROSION, IN	---	1,000
INDIANAPOLIS CENTRAL WATERFRONT, IN	---	10,000
INDIANAPOLIS, WHITE RIVER (NORTH), IN	934	934
LITTLE CALUMET RIVER, IN	5,343	8,843
OHIO RIVER GREENWAY PUBLIC ACCESS, IN	1,500	1,500
PATOKA LAKE, IN (MAJOR REHAB)	5,200	5,200
IOWA		
LOCK AND DAM 11, MISSISSIPPI RIVER, IA (MAJOR REHAB)	3,210	---
LOCK AND DAM 12, MISSISSIPPI RIVER, IA (MAJOR REHAB)	5,260	5,260
MISSOURI RIVER FISH AND WILDLIFE MITIGATION, IA, NE, K	12,000	12,000
MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS & MO	4,400	4,650
PERRY CREEK, IA	7,178	7,178
KANSAS		
ARKANSAS CITY, KS	5,100	5,100

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	1,000	1,000
DEWEY LAKE, KY (DAM SAFETY)	3,832	3,832
KENTUCKY LOCK AND DAM, TENNESSEE RIVER, KY	14,900	30,000
KENTUCKY RIVER LOCK AND DAM #10, KY	---	2,000
MCALPINE LOCKS AND DAM, OHIO RIVER, KY & IN	14,000	18,000
METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY	---	1,000
METROPOLITAN LOUISVILLE, POND CREEK, KY	4,000	4,000
SOUTHERN AND EASTERN KENTUCKY, KY	---	4,000
LOUISIANA		
COMITE RIVER, LA	10,000	10,000
INNER HARBOR NAVIGATION CANAL LOCK, LA	14,349	16,349
GRAND ISLE AND VICINITY, LA	---	500
J BENNETT JOHNSTON WATERWAY, LA	18,040	21,040
LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	3,100	10,000
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)	1,414	2,414
MISSISSIPPI RIVER GULF OUTLET, LA	---	500
MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, L	719	719
NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION)	1,800	1,800
SOUTHEAST LOUISIANA, LA	47,260	69,000
WEST BANK VICINITY OF NEW ORLEANS, LA	8,065	8,065
MARYLAND		
ANACOSTIA RIVER AND TRIBUTARIES, MD & DC	3,951	3,951
ASSATEAGUE ISLAND, MD	2,500	2,500
ATLANTIC COAST OF MARYLAND, MD	185	185
BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MD & VA	5,000	3,000
CHESAPEAKE BAY ENV RESTORATION AND PROTECTION, MD, VA.	608	1,058
CHESAPEAKE BAY OYSTER RECOVERY, MD & VA	---	3,000
POPLAR ISLAND, MD	19,190	19,190
MASSACHUSETTS		
CAPE COD CANAL RAILROAD BRIDGE, MA (MAJOR REHAB)	8,600	8,600
TOWN BROOK, QUINCY AND BRAINTREE, MA	100	100
MINNESOTA		
CROOKSTON, MN	---	1,000
LOCK AND DAM 3, MISSISSIPPI RIVER, MN (MAJOR REHAB)	5,000	5,000
MARSHALL, MN	1,312	1,312
NORTHEASTERN MINNESOTA, MN	---	2,500
PINE RIVER DAM, CROSS LAKE, MN (DAM SAFETY)	3,873	3,873

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MISSISSIPPI		
DESOTO COUNTY, MS	---	3,000
GULFPORT HARBOR, MS	---	200
JACKSON COUNTY WATER SUPPLY, MS	---	2,000
PASCAGOULA HARBOR, MS	6,663	6,663
WOLF AND JORDAN RIVERS, MS	1,337	1,337
PEARL RIVER VICINITY OF WALKIAH BLUFF, MS AND LA	---	1,000
MISSOURI		
BLUE RIVER BASIN, KANSAS CITY, MO	---	200
BLUE RIVER CHANNEL, KANSAS CITY, MO	10,500	14,500
CAPE GIRARDEAU, JACKSON, MO	2,350	2,350
MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO	3,000	3,000
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	6,500	6,500
ST LOUIS, MO	---	3,000
STE GENEVIEVE, MO	6,000	6,000
TABLE ROCK LAKE, MO & AR (DAM SAFETY)	5,920	5,920
NEBRASKA		
MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	300	1,800
WOOD RIVER, GRAND ISLAND, NE	1,600	3,000
NEVADA		
RURAL NEVADA, NV	---	4,000
TROPICANA AND FLAMINGO WASHES, NV	20,000	21,600
NEW HAMPSHIRE		
LEBANON, NH	---	1,500
NEW JERSEY		
BRIGANTINE INLET/GREAT EGG HARBOR INLET (ABSECON ISL)	---	5,000
CAPE MAY INLET TO LOWER TOWNSHIP, NJ	100	100
DELAWARE RIVER MAIN CHANNEL, NJ, PA & DE	29,756	29,756
GREAT EGG HARBOR INLET AND PECK BEACH, NJ	5,100	5,100
NEW YORK HARBOR & ADJACENT CHANNELS, PORT JERSEY CHANN	5,649	10,000
PASSAIC RIVER PRESERVATION OF NATURAL STORAGE AREAS, N	1,700	1,700
PASSAIC RIVER STREAMBANK RESTORATION, NJ	---	3,000
RAMAPO RIVER AT MAHWAH, NJ	---	750
RAMAPO RIVER AT OAKLAND, NJ	2,717	2,717
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	4,000	4,000
SANDY HOOK TO BARNEGAT INLET, NJ	6,383	6,383
TOWNSENDS INLET TO CAPE MAY INLET, NJ	---	4,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
NEW MEXICO		
ACEQUIAS IRRIGATION SYSTEM, NM	900	900
ALAMOGORDO, NM	3,000	3,000
CENTRAL NEW MEXICO, NM	---	3,000
LAS CRUCES, NM	2,841	2,841
MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	600	600
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,	600	600
NEW YORK		
ARTHUR KILL CHANNEL, HOWLAND HOOK MARINE TERMINAL, NY.	5,000	4,000
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT,	500	500
EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY,	1,000	1,000
FIRE ISLAND INLET TO JONES INLET, NY	500	1,500
FIRE ISLAND INLET TO MONTAUK POINT, NY	3,000	3,000
KILL VAN KULL AND NEWARK BAY CHANNEL, NY & NJ	53,000	53,000
NEW YORK CITY WATERSHED, NY	---	3,000
ONONDAGA LAKE, NY	---	5,000
NORTH CAROLINA		
AIWW, REPLACEMENT OF FEDERAL HIGHWAY BRIDGES, NC	1,000	1,000
BRUNSWICK COUNTY BEACHES, NC	---	4,200
CAROLINA BEACH AND VICINITY, NC	2,000	2,000
WEST ONSLOW BEACH AND NEW RIVER INLET, NC	---	330
WILMINGTON HARBOR, NC	40,600	40,600
NORTH DAKOTA		
BUFORD-TRENTON IRRIGATION DISTRICT LAND ACQUISITION, N	4,700	6,000
DEVILS LAKE EMERGENCY OUTLET, ND	24,000	---
GARRISON DAM AND POWER PLANT, ND (MAJOR REHAB)	5,300	5,300
GRAND FORKS, ND - EAST GRAND FORKS, MN	13,044	13,044
HOMME LAKE, ND (DAM SAFETY)	8,000	8,000
SHEYENNE RIVER, ND	2,600	2,600
OHIO		
BEACH CITY LAKE, MUSKINGUM RIVER LAKES, OH (DAM SAFETY	897	897
HOLES CREEK, OH	---	1,000
LOWER GIRARD LAKE DAM, OH	---	1,000
METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH	3,024	3,024
MILL CREEK, OH	500	500
OHIO ENVIRONMENTAL INFRASTRUCTURE, OH	---	1,500
WEST COLUMBUS, OH	6,000	11,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
OKLAHOMA		
SKIATOOK LAKE, OK (DAM SAFETY)	2,400	2,400
TENKILLER FERRY LAKE, OK (DAM SAFETY)	4,500	4,500
OREGON		
BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB)	6,110	6,110
COLUMBIA RIVER NAVIGATION CHANNEL DEEPENING, OR & WA	---	4,500
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	5,000	5,000
ELK CREEK LAKE, OR	500	500
LOWER COLUMBIA RIVER BASIN BANK PROTECTION, OR & WA	200	200
WILLAMETTE RIVER TEMPERATURE CONTROL, OR	8,200	8,200
PENNSYLVANIA		
CLINTON COUNTY, PA	---	500
JOHNSTOWN, PA (MAJOR REHAB)	7,000	7,000
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	35,000	60,000
NANTY GLO, PA	---	700
NORTHEAST PENNSYLVANIA, PA	---	4,000
PRESQUE ISLE PENINSULA, PA (PERMANENT)	580	580
SAW MILL RUN, PITTSBURGH, PA	4,300	4,300
SCHUYLKILL RIVER PARK, PA	---	1,000
SOUTH CENTRAL PENNSYLVANIA ENVIRON IMPROVEMENT PROGRAM	---	20,000
SOUTHEASTERN PENNSYLVANIA, PA	---	150
TOWAMENCIN TOWNSHIP, PA	---	1,000
WILLIAMSPORT, PA	---	446
WYOMING VALLEY, PA (LEVEE RAISING)	23,092	23,092
PUERTO RICO		
ARECIBO RIVER, PR	4,102	5,402
PORTUGUES AND BUCANA RIVERS, PR	9,590	9,590
RIO DE LA PLATA, PR	3,493	3,493
RIO GRANDE DE LOIZA, PR	743	750
RIO NIGUA AT SALINAS, PR	198	---
RIO PUERTO NUEVO, PR	11,000	13,800
SAN JUAN HARBOR, PR	6,940	6,940
RHODE ISLAND		
FOX POINT HURRICANE BARRIER, RI	---	1,950
SOUTH CAROLINA		
CHARLESTON HARBOR, SC (DEEPENING & WIDENING)	16,227	16,227
LAKES MARION AND MOULTRIE, SC	---	4,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SOUTH DAKOTA		
BIG SIOUX RIVER, SIOUX FALLS, SD	1,500	1,500
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD	4,000	4,000
PIERRE, SD	4,000	6,000
TENNESSEE		
BLACK FOX, MURFREE AND OAKLANDS SPRINGS WETLANDS, TN	---	2,000
HAMILTON COUNTY, TN	---	1,500
TEXAS		
BOSQUE AND LEON RIVERS, TX	---	4,000
BRAYS BAYOU, HOUSTON, TX	5,500	6,000
CHANNEL TO VICTORIA, TX	6,104	6,104
CLEAR CREEK, TX	1,525	1,525
DALLAS FLOODWAY EXTENSION, TX	---	2,000
EL PASO, TX	5,200	5,200
GIWW, ARANSAS NATIONAL WILDLIFE REFUGE, TX	1,176	1,176
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	53,492	53,492
JOHNSON CREEK, TX	---	3,000
NECHES RIVER AND TRIBUTARIES SALTWATER BARRIER, TX	9,000	9,000
RED RIVER BASIN CHLORIDE CONTROL, TX	---	1,300
RED RIVER BELOW DENISON DAM, TX	---	900
SAN ANTONIO CHANNEL IMPROVEMENT, TX	900	900
SIMS BAYOU, HOUSTON, TX	11,820	11,820
UTAH		
UPPER JORDAN RIVER, UT	800	800
VIRGINIA		
AIWW, BRIDGE AT GREAT BRIDGE, VA	8,492	8,492
ENVIRONMENTAL REMEDIATION, FRONT ROYAL, VA	---	7,000
JOHN H KERR DAM AND RESERVOIR, VA & NC (MAJOR REHAB)	4,000	4,000
NORFOLK HARBOR AND CHANNELS (DEEPENING), VA	600	600
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	1,000	1,000
SANDBRIDGE BEACH, VA	---	3,000
VIRGINIA BEACH, VA (HURRICANE PROTECTION)	---	20,000
VIRGINIA BEACH, VA (REIMBURSEMENT)	---	1,100
WASHINGTON		
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	91,000	81,000
LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	1,000	1,000
MT ST HELENS SEDIMENT CONTROL, WA	710	710
MUD MOUNTAIN DAM, WA (DAM SAFETY)	2,000	2,000
THE DALLES POWERHOUSE (UNITS 1-14), WA & OR (MAJOR REH	7,000	7,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
WEST VIRGINIA		
BLUESTONE LAKE, WV (DAM SAFETY)	6,300	10,000
CENTRAL WEST VIRGINIA, WV	---	1,500
GREENBRIAR RIVER BASIN, WV	---	1,000
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	12,100	37,100
LONDON LOCKS AND DAM, KANAWHA RIVER, WV (MAJOR REHAB)	1,800	1,800
LOWER MUD RIVER, WV	---	1,000
MARMET LOCK, KANAWHA RIVER, WV	6,500	10,200
ROBERT C BYRD LOCKS AND DAM, OHIO RIVER, WV & OH	2,700	2,700
SOUTHERN WEST VIRGINIA, WV	---	3,000
TYGART LAKE, WV (DAM SAFETY)	4,293	4,293
WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL, WV & PA	---	3,000
WINFIELD LOCKS AND DAM, KANAWHA RIVER, WV	300	300
WISCONSIN		
LAFARGE LAKE, KICKAPOO RIVER, WI	---	2,000
MISCELLANEOUS		
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	10,000	19,000
AQUATIC PLANT CONTROL PROGRAM	3,000	4,000
BENEFICIAL USES OF DREDGED MATERIAL (SECTION 204)	4,000	4,000
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	3,000	7,000
DREDGED MATERIAL DISPOSAL FACILITIES PROGRAM	5,000	5,000
EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC. 14)	9,000	9,000
EMPLOYEES' COMPENSATION	19,200	19,200
FLOOD CONTROL PROJECTS (SECTION 205)	25,000	35,000
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	45	45
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	185	185
NAVIGATION MITIGATION PROJECT (SECTION 111)	300	300
NAVIGATION PROJECTS (SECTION 107)	7,000	11,000
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	14,000	21,000
RECREATION MODERNIZATION PROGRAM	27,000	---
RIVERINE ECOSYSTEM RESTORATION AND FLOOD HAZARD MITIGA	20,000	---
SHORELINE PROTECTION PROJECTS (SECTION 103)	2,500	2,500
SNAGGING AND CLEARING PROJECT (SECTION 208)	200	600
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE AND CARRYOVER BALANCES	-165,253	-198,753
TOTAL, CONSTRUCTION GENERAL	1,346,000	1,717,199

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
GENERAL INVESTIGATIONS		
SURVEYS:		
GENERAL STUDIES:		
ALEXANDRIA, LA TO THE GULF OF MEXICO	750	750
DONALDSONVILLE TO THE GULF, LA	1,100	1,100
SPRING BAYOU, LA	100	100
COLDWATER RIVER BASIN ABOVE ARKABUTLA LAKE, MS	350	350
COLDWATER RIVER BASIN BELOW ARKABUTLA LAKE, MS	100	100
MEMPHIS METRO AREA, TN & MS	657	657
BAYOU METO BASIN, AR	6,500	6,500
SOUTHEAST ARKANSAS, AR	---	900
MORGANZA, LA TO THE GULF OF MEXICO	2,000	2,000
REELFOOT LAKE, TN & KY	318	368
WOLF RIVER, MEMPHIS, TN	216	216
COLLECTION AND STUDY OF BASIC DATA	435	435
SUBTOTAL, GENERAL INVESTIGATIONS	12,526	13,476
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	35,690	35,690
FRANCIS BLAND FLOODWAY DITCH (EIGHT MILE CREEK), AR	2,110	2,110
GRAND PRAIRIE REGION, AR	22,800	20,300
HELENA AND VICINITY, AR	2,450	2,450
L'ANGUILLE RIVER BASIN, AR	750	750
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	40,621	47,000
ST FRANCIS BASIN, AR & MO	3,195	4,195
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	10,000	10,000
ATCHAFALAYA BASIN, LA	26,000	26,000
LOUISIANA STATE PENITENTIARY LEVEE, LA	5,500	5,500
MISSISSIPPI AND LOUISIANA ESTUARINE AREAS, LA & MS	100	100
MISSISSIPPI DELTA REGION, LA	5,000	5,000
TENSAS BASIN, RED RIVER BACKWATER, LA	2,330	2,330
YAZOO BASIN:	(11,195)	(34,200)
BACKWATER PUMP, MS	500	1,000
BIG SUNFLOWER RIVER, MS	3,500	4,500
DEMONSTRATION EROSION CONTROL, MS	---	15,000
MAIN STEM, MS	25	25
REFORMULATION UNIT, MS	300	300
TRIBUTARIES, MS	84	375
UPPER YAZOO PROJECT, MS	6,786	13,000
ST JOHNS BAYOU AND NEW MADRID FLOODWAY, MO	700	5,000
NONCONNAH CREEK, FLOOD CONTROL FEATURE, TN & MS	2,000	2,000
WEST TENNESSEE TRIBUTARIES, TN	500	500
SUBTOTAL, CONSTRUCTION	170,941	203,125

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	58,954	56,500
HELENA HARBOR, PHILLIPS COUNTY, AR	421	421
INSPECTION OF COMPLETED WORKS, AR	442	442
LOWER ARKANSAS RIVER, NORTH BANK, AR	407	407
LOWER ARKANSAS RIVER, SOUTH BANK, AR	10	10
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	6,160	8,200
ST FRANCIS BASIN, AR & MO	6,775	7,775
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA	2,384	2,384
WHITE RIVER BACKWATER, AR	1,070	1,070
INSPECTION OF COMPLETED WORKS, IL	45	45
INSPECTION OF COMPLETED WORKS, KY	25	25
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	1,499	1,499
ATCHAFALAYA BASIN, LA	9,482	9,482
BATON ROUGE HARBOR, DEVIL SWAMP, LA	210	210
BAYOU COCODRIE AND TRIBUTARIES, LA	56	56
BONNET CARRE, LA	1,340	1,340
INSPECTION OF COMPLETED WORKS, LA	389	389
LOWER RED RIVER, SOUTH BANK LEVEES, LA	5,739	5,739
MISSISSIPPI DELTA REGION, LA	916	916
OLD RIVER, LA	4,720	4,720
TENSAS BASIN, RED RIVER BACKWATER, LA	3,048	3,048
GREENVILLE HARBOR, MS	626	626
INSPECTION OF COMPLETED WORKS, MS	193	193
VICKSBURG HARBOR, MS	480	480
YAZOO BASIN:	(24,185)	(34,096)
ARKABUTLA LAKE, MS	6,242	7,242
BIG SUNFLOWER RIVER, MS	137	4,500
ENID LAKE, MS	3,376	4,376
GREENWOOD, MS	1,007	1,007
GRENADA LAKE, MS	4,232	5,280
MAIN STEM, MS	1,254	1,254
SARDIS LAKE, MS	5,180	7,680
TRIBUTARIES, MS	1,162	1,162
WILL M WHITTINGTON AUXILIARY CHANNEL, MS	358	358
YAZOO BACKWATER AREA, MS	431	431
YAZOO CITY, MS	806	806
INSPECTION OF COMPLETED WORKS, MO	202	202
WAPPAPELLO LAKE, MO	7,000	7,000
INSPECTION OF COMPLETED WORKS, TN	113	113
MEMPHIS HARBOR, MCKELLAR LAKE, TN	1,085	1,085
MAPPING	1,129	1,129
SUBTOTAL, MAINTENANCE	139,105	149,602
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-13,572	-18,472
TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES	309,000	347,731

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	1,100	1,100
ALABAMA - COOSA RIVER, AL	5,355	5,355
BAYOU LA BATRE, AL	1,999	1,999
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	19,204	20,704
DAUPHIN ISLAND BAY, AL	60	60
DOG AND FOWL RIVERS, AL	66	66
GULF INTRACOASTAL WATERWAY, AL	4,734	4,734
INSPECTION OF COMPLETED WORKS, AL	50	50
MILLERS FERRY LOCK AND DAM, WILLIAM "BILL" DANNELLY LA	4,999	4,999
MOBILE HARBOR, AL	18,665	22,665
MOBILE AREA DIGITAL MAPPING, AL	---	150
PROJECT CONDITION SURVEYS, AL	350	350
ROBERT F HENRY LOCK AND DAM, AL	4,962	4,962
SCHEDULING RESERVOIR OPERATIONS, AL	120	120
TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	23,547	24,547
WALTER F GEORGE LOCK AND DAM, AL & GA	7,373	7,373
ALASKA		
ANCHORAGE HARBOR, AK	1,777	1,777
CHENA RIVER LAKES, AK	1,364	1,364
DILLINGHAM HARBOR, AK	423	423
HOMER HARBOR, AK	191	191
INSPECTION OF COMPLETED WORKS, AK	35	35
NINILCHIK HARBOR, AK	186	186
NOME HARBOR, AK	386	386
PETERSBURG HARBOR, AK	394	394
PROJECT CONDITION SURVEYS, AK	512	512
WRANGELL NARROWS, AK	2,438	3,838
ARIZONA		
ALAMO LAKE, AZ	1,166	1,166
INSPECTION OF COMPLETED WORKS, AZ	69	69
PAINTED ROCK DAM, AZ	1,186	1,186
SCHEDULING RESERVOIR OPERATIONS, AZ	74	74
WHITLOW RANCH DAM, AZ	168	168
ARKANSAS		
BEAVER LAKE, AR	4,520	4,520
BLAKELY MT DAM, LAKE OUACHITA, AR	5,758	5,758
BLUE MOUNTAIN LAKE, AR	1,200	1,200
BULL SHOALS LAKE, AR	4,565	4,565
DARDANELLE LOCK AND DAM, AR	5,937	5,937
DEGRAY LAKE, AR	4,218	4,218
DEQUEEN LAKE, AR	1,058	1,058
DIERKS LAKE, AR	988	988

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
GILLHAM LAKE, AR	929	929
GREERS FERRY LAKE, AR	5,933	5,933
HELENA HARBOR, PHILLIPS COUNTY, AR	304	304
INSPECTION OF COMPLETED WORKS, AR	294	294
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	19,988	19,988
MILLWOOD LAKE, AR	1,602	1,602
NARROWS DAM, LAKE GREESON, AR	3,604	3,604
NIMROD LAKE, AR	1,416	1,416
NORFORK LAKE, AR	3,626	3,626
OSCEOLA HARBOR, AR	419	419
OUACHITA AND BLACK RIVERS, AR & LA	6,402	6,402
OZARK - JETA TAYLOR LOCK AND DAM, AR	4,072	4,072
WHITE RIVER, AR	2,258	2,258
YELLOW BEND PORT, AR	125	125
CALIFORNIA		
BLACK BUTTE LAKE, CA	1,854	1,854
BODEGA BAY, CA	---	200
BUCHANAN DAM, H V EASTMAN LAKE, CA	1,580	1,580
CHANNEL ISLANDS HARBOR, CA	3,000	3,000
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	3,403	3,403
CRESCENT CITY HARBOR, CA	---	500
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	4,437	4,687
FARMINGTON DAM, CA	313	313
HIDDEN DAM, HENSLEY LAKE, CA	1,616	1,616
HUMBOLDT HARBOR AND BAY, CA	4,710	4,710
INSPECTION OF COMPLETED WORKS, CA	843	843
ISABELLA LAKE, CA	793	793
JACK D. MALTESTER CHANNEL (SAN LEANDRO MARINA), CA	---	1,500
LOS ANGELES - LONG BEACH HARBOR MODEL, CA	170	170
LOS ANGELES - LONG BEACH HARBORS, CA	3,910	3,910
LOS ANGELES COUNTY DRAINAGE AREA, CA	3,956	3,956
MARINA DEL REY, CA	5,335	5,335
MERCED COUNTY STREAMS, CA	288	288
MOJAVE RIVER DAM, CA	251	251
MORRO BAY HARBOR, CA	170	1,170
MOSS LANDING HARBOR, CA	---	700
NEW HOGAN LAKE, CA	1,778	1,778
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,135	1,135
NEWPORT BAY HARBOR, CA	40	40
OAKLAND HARBOR, CA	8,118	8,118
OCEANSIDE HARBOR, CA	1,535	2,035
PINE FLAT LAKE, CA	2,248	2,248
PROJECT CONDITION SURVEYS, CA	1,256	1,256
REDWOOD CITY HARBOR, CA	---	400
RICHMOND HARBOR, CA	5,774	5,774
SACRAMENTO RIVER (30 FOOT PROJECT), CA	2,037	2,037
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA.	1,113	1,113
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	163	163

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SAN FRANCISCO BAY, DELTA MODEL STRUCTURE, CA	2,382	2,382
SAN FRANCISCO BAY LONG TERM MANAGEMENT STRATEGY, CA	---	200
SAN FRANCISCO HARBOR AND BAY (DRIFT REMOVAL), CA	2,000	2,000
SAN FRANCISCO HARBOR, CA	2,573	2,573
SAN JOAQUIN RIVER, CA	2,028	2,028
SANTA ANA RIVER BASIN, CA	3,086	3,086
SANTA BARBARA HARBOR, CA	1,615	1,615
SCHEDULING RESERVOIR OPERATIONS, CA	1,153	1,153
SUCCESS LAKE, CA	1,898	1,898
SUISUN BAY CHANNEL, CA	3,117	3,117
TERMINUS DAM, LAKE KAWEAH, CA	1,659	1,659
VENTURA HARBOR, CA	2,240	3,440
YUBA RIVER, CA	74	74
COLORADO		
BEAR CREEK LAKE, CO	425	425
CHATFIELD LAKE, CO	1,568	1,568
CHERRY CREEK LAKE, CO	707	707
INSPECTION OF COMPLETED WORKS, CO	67	67
JOHN MARTIN RESERVOIR, CO	1,543	1,543
SCHEDULING RESERVOIR OPERATIONS, CO	209	209
TRINIDAD LAKE, CO	619	619
CONNECTICUT		
BLACK ROCK LAKE, CT	309	309
COLEBROOK RIVER LAKE, CT	399	399
HANCOCK BROOK LAKE, CT	269	269
HOP BROOK LAKE, CT	819	819
MANSFIELD HOLLOW LAKE, CT	335	335
NORTHFIELD BROOK LAKE, CT	344	344
STAMFORD HURRICANE BARRIER, CT	311	311
THOMASTON DAM, CT	581	581
WEST THOMPSON LAKE, CT	506	506
DELAWARE		
INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	19,707	14,757
INTRACOASTAL WATERWAY, REHOBOTH BAY TO DELAWARE BAY, D	433	433
WILMINGTON HARBOR, DE	3,217	3,217
DISTRICT OF COLUMBIA		
POTOMAC AND ANACOSTIA RIVERS (DRIFT REMOVAL), DC	910	910
POTOMAC RIVER BELOW WASHINGTON, DC	235	235
WASHINGTON HARBOR, DC	38	38

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FLORIDA		
AIWW, NORFOLK, VA TO ST JOHNS RIVER, FL, GA, SC, NC &.	1,660	1,660
CANAVERAL HARBOR, FL	7,625	7,625
CENTRAL AND SOUTHERN FLORIDA, FL	10,558	10,558
ESCAMBIA AND CONECUH RIVERS, FL	1,000	1,000
FERNANDINA HARBOR, FL	2,705	2,705
FORT PIERCE HARBOR, FL	1,051	1,051
INSPECTION OF COMPLETED WORKS, FL	100	100
INTRACOASTAL WATERWAY, CALOOSAHATCHEE R TO ANCLOTE R,.	147	147
INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	4,035	4,035
JACKSONVILLE HARBOR, FL	7,755	7,755
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA.	5,855	5,855
MANATEE HARBOR, FL	3,080	3,080
MIAMI HARBOR, FL	1,323	1,323
MIAMI RIVER, FL	---	4,000
OKEECHOBEE WATERWAY, FL	5,811	5,811
PALM BEACH HARBOR, FL	4,577	4,577
PANAMA CITY HARBOR, FL	50	50
PENSACOLA HARBOR, FL	---	2,000
PONCE DE LEON INLET, FL	46	46
PORT ST. JOE HARBOR, FL	---	500
PROJECT CONDITION SURVEYS, FL	600	600
REMOVAL OF AQUATIC GROWTH, FL	3,340	4,500
SCHEDULING RESERVOIR OPERATIONS, FL	50	50
ST PETERSBURG HARBOR, FL	3,280	6,580
TAMPA HARBOR, FL	6,308	6,308
WITHLACOOCHIE RIVER, FL	35	35
GEORGIA		
ALLATOONA LAKE, GA	4,520	6,000
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	5,055	6,755
ATLANTIC INTRACOASTAL WATERWAY, GA	2,460	2,460
BRUNSWICK HARBOR, GA	5,271	5,271
BUFORD DAM AND LAKE SIDNEY LANIER, GA	7,275	7,275
CARTERS DAM AND LAKE, GA	7,489	7,489
HARTWELL LAKE, GA & SC	11,875	11,875
INSPECTION OF COMPLETED WORKS, GA	100	100
J STROM THURMOND LAKE, GA & SC	10,585	10,585
RICHARD B RUSSELL DAM AND LAKE, GA & SC	6,190	6,190
SAVANNAH HARBOR, GA	13,869	14,369
SAVANNAH RIVER BELOW AUGUSTA, GA	650	650
WEST POINT DAM AND LAKE, GA & AL	3,977	4,977
HAWAII		
BARBERS POINT HARBOR, HI	153	153
INSPECTION OF COMPLETED WORKS, HI	165	165
KAHULUI HARBOR, HI	1,296	1,296

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
PROJECT CONDITION SURVEYS, HI	706	706
IDAHO		
ALBENI FALLS DAM, ID	2,291	2,291
DWORSHAK DAM AND RESERVOIR, ID	2,689	2,689
INSPECTION OF COMPLETED WORKS, ID	73	73
LUCKY PEAK LAKE, ID	1,206	1,206
SCHEDULING RESERVOIR OPERATIONS, ID	332	332
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN	4,758	4,758
CARLYLE LAKE, IL	5,112	5,112
CHICAGO HARBOR, IL	2,762	2,762
CHICAGO RIVER, IL	362	362
FARM CREEK RESERVOIRS, IL	195	195
ILLINOIS AND MISSISSIPPI CANAL, IL	562	562
ILLINOIS WATERWAY (MVR PORTION), IL & IN	22,808	23,808
ILLINOIS WATERWAY (MVS PORTION), IL & IN	1,598	1,598
INSPECTION OF COMPLETED WORKS, IL	473	473
KASKASKIA RIVER NAVIGATION, IL	2,081	2,081
LAKE MICHIGAN DIVERSION, IL	837	837
LAKE SHELBYVILLE, IL	5,209	5,209
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVR PORTION)	39,842	43,842
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVS PORTION)	14,499	16,999
PROJECT CONDITION SURVEYS, IL	43	43
REND LAKE, IL	3,904	3,904
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	97	97
WAUKEGAN HARBOR, IL	1,473	1,473
INDIANA		
BROOKVILLE LAKE, IN	782	782
BURNS WATERWAY HARBOR, IN	1,937	2,437
CAGLES MILL LAKE, IN	732	732
CECIL M HARDEN LAKE, IN	864	864
INDIANA HARBOR, IN	429	429
INSPECTION OF COMPLETED WORKS, IN	101	101
J EDWARD ROUSH LAKE, IN	824	824
MICHIGAN CITY HARBOR, IN	806	1,206
MISSISSINEWA LAKE, IN	1,182	1,182
MONROE LAKE, IN	799	799
PATOKA LAKE, IN	731	731
PROJECT CONDITION SURVEYS, IN	42	42
SALAMONIE LAKE, IN	749	749
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	62	62

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
IOWA		
CORALVILLE LAKE, IA	2,952	2,952
INSPECTION OF COMPLETED WORKS, IA	738	738
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	146	146
MISSOURI RIVER - RULO TO MOUTH, IA, NE, KS & MO	5,250	5,950
MISSOURI RIVER - SIOUX CITY TO RULO, IA & NE	2,111	2,111
RATHBUN LAKE, IA	2,058	2,058
RED ROCK DAM AND LAKE RED ROCK, IA	3,827	5,071
SAYLORVILLE LAKE, IA	4,074	4,074
KANSAS		
CLINTON LAKE, KS	1,621	1,621
COUNCIL GROVE LAKE, KS	1,197	1,197
EL DORADO LAKE, KS	487	487
ELK CITY LAKE, KS	728	728
FALL RIVER LAKE, KS	1,429	1,429
HILLSDALE LAKE, KS	908	908
INSPECTION OF COMPLETED WORKS, KS	36	36
JOHN REDMOND DAM AND RESERVOIR, KS	1,186	1,531
KANOPOLIS LAKE, KS	1,541	1,541
MARION LAKE, KS	1,354	1,354
MELVERN LAKE, KS	1,872	1,872
MILFORD LAKE, KS	1,906	1,906
PEARSON - SKUBITZ BIG HILL LAKE, KS	1,074	1,074
PERRY LAKE, KS	1,966	1,966
POMONA LAKE, KS	1,830	1,830
SCHEDULING RESERVOIR OPERATIONS, KS	193	193
TORONTO LAKE, KS	673	673
TUTTLE CREEK LAKE, KS	2,546	2,546
WILSON LAKE, KS	2,017	2,017
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	10,330	10,330
BARREN RIVER LAKE, KY	2,544	2,544
BIG SANDY HARBOR, KY	1,497	1,497
BUCKHORN LAKE, KY	1,685	1,685
CARR CREEK LAKE, KY	1,542	1,542
CAVE RUN LAKE, KY	868	868
DEWEY LAKE, KY	1,429	1,429
ELVIS STAHR (HICKMAN) HARBOR, KY	361	361
FISHTRAP LAKE, KY	1,890	1,890
GRAYSON LAKE, KY	1,366	1,366
GREEN AND BARREN RIVERS, KY	1,079	1,079
GREEN RIVER LAKE, KY	2,917	2,917
INSPECTION OF COMPLETED WORKS, KY	123	123
KENTUCKY RIVER, KY	1,149	1,149
KENTUCKY RIVER LOCKS AND DAMS 5-14, KY	---	750

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
LAUREL RIVER LAKE, KY	1,357	1,357
LICKING RIVER OPEN CHANNEL WORK, KY	21	21
MARTINS FORK LAKE, KY	714	714
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	100	100
NOLIN LAKE, KY	2,285	2,285
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH	31,813	31,813
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN & OH	6,007	6,007
PAINTSVILLE LAKE, KY	1,016	1,016
ROUGH RIVER LAKE, KY	1,827	1,827
TAYLORSVILLE LAKE, KY	1,048	1,048
WOLF CREEK DAM, LAKE CUMBERLAND, KY	5,892	5,892
YATESVILLE LAKE, KY	1,211	1,211
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	14,026	14,026
BARATARIA BAY WATERWAY, LA	570	570
BAYOU BODCAU RESERVOIR, LA	509	509
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	726	726
BAYOU PIERRE, LA	25	25
BAYOU SEGNETTE WATERWAY, LA	735	735
BAYOU TECHE AND VERMILION RIVER, LA	48	48
BAYOU TECHE, LA	132	132
CADDO LAKE, LA	127	127
CALCASIEU RIVER AND PASS, LA	12,117	12,117
FRESHWATER BAYOU, LA	5,354	5,354
GULF INTRACOASTAL WATERWAY, LA	19,478	21,478
HOUMA NAVIGATION CANAL, LA	3,175	3,175
INSPECTION OF COMPLETED WORKS, LA	268	268
J BENNETT JOHNSTON WATERWAY, LA	8,907	11,907
LAKE PROVIDENCE HARBOR, LA	559	559
MADISON PARISH PORT, LA	108	108
MERMENTAU RIVER, LA	1,933	1,933
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	2,773	2,773
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO,	63,359	63,359
MISSISSIPPI RIVER, GULF OUTLET, LA	11,286	11,286
PROJECT CONDITION SURVEYS, LA	80	80
REMOVAL OF AQUATIC GROWTH, LA	2,000	2,000
WALLACE LAKE, LA	233	233
WATERWAY FROM INTRACOASTAL WATERWAY TO B DULAC, LA	45	45
MAINE		
PROJECT CONDITION SURVEYS, ME	1,060	1,060
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME	17	17
UNION RIVER, ME	---	900
WELLS HARBOR, ME	1,455	2,205

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MARYLAND		
BALTIMORE HARBOR (DRIFT REMOVAL), MD	455	455
BALTIMORE HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	710	710
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	16,354	16,354
CUMBERLAND, MD AND RIDGELEY, WV	141	141
HONGA RIVER AND TAR BAY, MD	55	55
INSPECTION OF COMPLETED WORKS, MD	327	327
JENNINGS RANDOLPH LAKE, MD & WV	1,616	1,616
OCEAN CITY HARBOR AND INLET AND SINEPUXENT BAY, MD	1,810	1,810
PROJECT CONDITION SURVEYS, MD	450	450
RHODES POINT TO TYLERTON, MD	70	70
SCHEDULING RESERVOIR OPERATIONS, MD	140	140
ST JEROME CREEK, MD	175	175
TOLCHESTER CHANNEL, MD	5,801	6,801
TWITCH COVE AND BIG THOROFARE RIVER, MD	75	75
UPPER THOROFARE, MD	220	220
WICOMICO RIVER, MD	740	740
MASSACHUSETTS		
BARRE FALLS DAM, MA	368	368
BIRCH HILL DAM, MA	439	439
BUFFUMVILLE LAKE, MA	361	361
CAPE COD CANAL, MA	8,787	8,787
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	213	213
CONANT BROOK LAKE, MA	147	147
EAST BRIMFIELD LAKE, MA	267	267
HODGES VILLAGE DAM, MA	462	462
INSPECTION OF COMPLETED WORKS, MA	125	125
KNIGHTVILLE DAM, MA	390	390
LITTLEVILLE LAKE, MA	461	461
NEW BEDFORD AND FAIRHAVEN HARBOR, MA	310	310
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER,	480	480
PLYMOUTH HARBOR, MA	500	500
PROJECT CONDITION SURVEYS, MA	3,113	3,113
SALEM HARBOR, MA	200	200
TULLY LAKE, MA	436	436
WEST HILL DAM, MA	647	647
WESTVILLE LAKE, MA	342	342
MICHIGAN		
ALPENA HARBOR, MI	203	203
ARCADIA HARBOR, MI	85	85
BLACK RIVER, PORT HURON, MI	306	306
CEDAR RIVER HARBOR, MI	---	1,000
CHANNELS IN LAKE ST CLAIR, MI	458	458
CHARLEVOIX HARBOR, MI	118	118
DETROIT RIVER, MI	2,342	2,342

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FRANKFORT HARBOR, MI	130	130
GRAND HAVEN HARBOR, MI	1,264	1,264
HOLLAND HARBOR, MI	905	905
INLAND ROUTE, MI	33	33
INSPECTION OF COMPLETED WORKS, MI	205	305
KEWEENAW WATERWAY, MI	256	256
LELAND HARBOR, MI	168	168
LUDINGTON HARBOR, MI	663	663
MANISTEE HARBOR, MI	272	272
MANISTIQUE HARBOR, MI	239	239
MENOMINEE HARBOR, MI & WI	174	174
MONROE HARBOR, MI	695	695
NEW BUFFALO HARBOR, MI	---	150
ONTONAGON HARBOR, MI	603	603
PENTWATER HARBOR, MI	450	450
PORTAGE LAKE HARBOR, MI	1,974	1,974
PROJECT CONDITION SURVEYS, MI	275	275
ROUGE RIVER, MI	417	417
SAGINAW RIVER, MI	1,453	1,453
SEBEWAING RIVER (ICE JAM REMOVAL), MI	10	10
SOUTH HAVEN HARBOR, MI	481	481
ST CLAIR RIVER, MI	996	996
ST JOSEPH HARBOR, MI	1,194	1,194
ST MARYS RIVER, MI	20,502	23,502
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	3,197	3,197
WHITE LAKE HARBOR, MI	290	290
MINNESOTA		
BIGSTONE LAKE WHETSTONE RIVER, MN & SD	178	178
DULUTH - SUPERIOR HARBOR, MN & WI	5,310	5,310
DULUTH ALTERNATIVE TECHNOLOGY STUDY, MN	---	320
GRAND MARAIS HARBOR, MN	186	186
INSPECTION OF COMPLETED WORKS, MN	154	154
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	453	453
MINNESOTA RIVER, MN	196	196
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVP PORTION)	42,765	42,765
ORWELL LAKE, MN	315	315
PROJECT CONDITION SURVEYS, MN	25	25
RED LAKE RESERVOIR, MN	101	101
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	2,805	2,805
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	64	64
TWO HARBORS, MN	208	208
MISSISSIPPI		
BILOXI HARBOR, MS	801	801
CLAIBORNE COUNTY PORT, MS	122	122
EAST FORK, TOMBIGBEE RIVER, MS	150	150
GULFPORT HARBOR, MS	2,500	2,500

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, MS	360	360
MOUTH OF YAZOO RIVER, MS	133	133
OKATIBBEE LAKE, MS	955	955
PASCAGOULA HARBOR, MS	3,406	10,400
PEARL RIVER, MS & LA	250	250
ROSEDALE HARBOR, MS	645	645
YAZOO RIVER, MS	115	115
MISSOURI		
CARUTHERSVILLE HARBOR, MO	184	295
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	5,196	5,196
CLEARWATER LAKE, MO	2,015	2,015
HARRY S TRUMAN DAM AND RESERVOIR, MO	7,688	7,688
INSPECTION OF COMPLETED WORKS, MO	473	473
LITTLE BLUE RIVER LAKES, MO	854	854
LONG BRANCH LAKE, MO	931	931
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	13,384	13,384
NEW MADRID HARBOR, MO	259	354
POMME DE TERRE LAKE, MO	2,065	2,065
PROJECT CONDITION SURVEYS, MO	26	26
SMITHVILLE LAKE, MO	1,160	1,160
SOUTHEAST MISSOURI PORT, MISSISSIPPI RIVER, MO	401	401
STOCKTON LAKE, MO	3,486	3,486
TABLE ROCK LAKE, MO	6,485	6,485
UNION LAKE, MO	10	10
MONTANA		
FT PECK DAM AND LAKE, MT	3,620	3,620
LIBBY DAM, LAKE KOOCANUSA, MT	2,273	2,273
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	6,151	6,241
HARLAN COUNTY LAKE, NE	2,198	2,198
MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO,	709	709
MISSOURI RIVER BASIN COLLABORATIVE WATER PLANNING (NWK	125	125
MISSOURI RIVER BASIN COLLABORATIVE WATER PLANNING (NWO	125	125
PAPILLION CREEK AND TRIBUTARIES LAKES, NE	721	721
SALT CREEK AND TRIBUTARIES, NE	796	796
SCHEDULING RESERVOIR OPERATIONS, NE	327	327
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	34	34
MARTIS CREEK LAKE, NV & CA	522	522
PINE AND MATHEWS CANYONS LAKES, NV	193	193

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
NEW HAMPSHIRE		
BLACKWATER DAM, NH	389	389
EDWARD MACDOWELL LAKE, NH	412	412
FRANKLIN FALLS DAM, NH	478	478
HOPKINTON - EVERETT LAKES, NH	984	984
OTTER BROOK LAKE, NH	554	554
PORTSMOUTH HARBOR & PISCATAQUA RIVER, NH & ME	---	250
SURRY MOUNTAIN LAKE, NH	469	469
NEW JERSEY		
BARNEGAT INLET, NJ	1,400	1,400
COLD SPRING INLET, NJ	580	580
DELAWARE RIVER AT CAMDEN, NJ	19	19
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	16,355	17,855
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	3,180	3,180
NEW JERSEY INTRACOASTAL WATERWAY, NJ	2,005	2,005
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	120	120
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	425	425
RARITAN RIVER TO ARTHUR KILL CUT-OFF, NJ	140	140
RARITAN RIVER, NJ	120	120
SALEM RIVER, NJ	278	278
SHREWSBURY RIVER, MAIN CHANNEL, NJ	175	175
NEW MEXICO		
ABIQUIU DAM, NM	1,315	1,315
COCHITI LAKE, NM	1,766	3,266
CONCHAS LAKE, NM	1,037	1,537
GALISTEO DAM, NM	305	305
INSPECTION OF COMPLETED WORKS, NM	50	50
JEMEZ CANYON DAM, NM	445	3,445
SANTA ROSA DAM AND LAKE, NM	846	1,026
SCHEDULING RESERVOIR OPERATIONS, NM	73	73
TWO RIVERS DAM, NM	313	313
UPPER RIO GRANDE WATER OPERATIONS MODEL, NM	---	1,250
NEW YORK		
ALMOND LAKE, NY	468	468
ARKPORT DAM, NY	257	257
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	2,966	2,966
BUFFALO HARBOR, NY	176	176
DUNKIRK HARBOR, NY	310	310
EAST RIVER, NY	750	750
EAST ROCKAWAY INLET, NY	2,250	2,250
EAST SIDNEY LAKE, NY	473	473
FIRE ISLAND INLET TO JONES INLET, NY	340	340
FIRE ISLAND INLET, NY	1,000	1,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FLUSHING BAY AND CREEK, NY	490	490
GREAT SOUTH BAY, NY	1,540	1,540
HUDSON RIVER CHANNEL, NY	1,265	1,265
HUDSON RIVER, NY (MAINT)	2,485	2,485
HUDSON RIVER, NY (O&C)	1,340	1,340
INSPECTION OF COMPLETED WORKS, NY	460	460
JAMAICA BAY, NY	1,410	1,410
JONES INLET, NY	200	200
LONG ISLAND INTRACOASTAL WATERWAY, NY	2,190	2,190
MORICHES INLET, NY	980	980
MT MORRIS LAKE, NY	1,958	1,958
NEW YORK AND NEW JERSEY CHANNELS, NY	6,720	6,720
NEW YORK HARBOR (DRIFT REMOVAL), NY & NJ	5,030	5,030
NEW YORK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS)	740	740
NEW YORK HARBOR, NY	12,319	12,319
OSWEGO HARBOR, NY	353	353
PORTCHESTER HARBOR, NY	200	200
PROJECT CONDITION SURVEYS, NY	3,038	3,038
ROCHESTER HARBOR, NY	725	725
SAG HARBOR, NY	1,600	1,600
SHINNECOCK INLET, NY	2,000	2,000
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	739	739
STURGEON POINT HARBOR, NY	15	15
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	564	564
WHITNEY POINT LAKE, NY	517	517
NORTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, NC	5,831	5,831
B EVERETT JORDAN DAM AND LAKE, NC	1,500	1,500
BEAUFORT HARBOR, NC	350	350
BOGUE INLET AND CHANNEL, NC	627	627
CAPE FEAR RIVER ABOVE WILMINGTON, NC	897	897
CAROLINA BEACH INLET, NC	1,430	1,430
FALLS LAKE, NC	1,276	1,276
INSPECTION OF COMPLETED WORKS, NC	22	22
LOCKWOODS FOLLY RIVER, NC	455	455
MANTEO (SHALLOWBAG) BAY, NC	4,995	4,995
MASONBORO INLET AND CONNECTING CHANNELS, NC	45	45
MOREHEAD CITY HARBOR, NC	4,737	4,737
NEW RIVER INLET, NC	825	825
NEW TOPSAIL INLET AND CONNECTING CHANNELS, NC	610	610
PAMLICO AND TAR RIVERS, NC	139	139
PROJECT CONDITION SURVEYS, NC	64	64
ROANOKE RIVER, NC	100	100
W KERR SCOTT DAM AND RESERVOIR, NC	1,742	1,742
WILMINGTON HARBOR, NC	8,405	8,405

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
NORTH DAKOTA		
BOWMAN - HALEY LAKE, ND	241	241
GARRISON DAM, LAKE SAKAKAWEA, ND	8,513	8,563
HOMME LAKE, ND	153	153
LAKE ASHTABULA AND BALDHILL DAM, ND	1,230	1,230
PIPESTEM LAKE, ND	401	401
SOURIS RIVER, ND	292	292
OHIO		
ALUM CREEK LAKE, OH	790	790
ASHTABULA HARBOR, OH	750	750
BERLIN LAKE, OH	3,270	3,270
CAESAR CREEK LAKE, OH	1,309	1,309
CLARENCE J BROWN DAM, OH	1,175	1,175
CLEVELAND HARBOR, OH	3,915	5,915
CONNEAUT HARBOR, OH	735	735
DEER CREEK LAKE, OH	745	745
DELAWARE LAKE, OH	777	777
DILLON LAKE, OH	709	709
FAIRPORT HARBOR, OH	1,785	1,785
HURON HARBOR, OH	790	790
INSPECTION OF COMPLETED WORKS, OH	240	240
LORAIN HARBOR, OH	2,152	2,152
MASSILLON LOCAL PROTECTION PROJECT, OH	25	25
MICHAEL J KIRWAN DAM AND RESERVOIR, OH	1,033	1,033
MOSQUITO CREEK LAKE, OH	1,329	1,329
MUSKINGUM RIVER LAKES, OH	7,993	7,993
NORTH BRANCH KOKOSING RIVER LAKE, OH	544	544
PAINT CREEK LAKE, OH	661	661
PROJECT CONDITION SURVEYS, OH	85	85
ROCKY RIVER HARBOR, OH	---	590
ROSEVILLE LOCAL PROTECTION PROJECT, OH	30	30
SANDUSKY HARBOR, OH	870	870
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	174	174
TOLEDO HARBOR, OH	4,550	4,550
TOM JENKINS DAM, OH	350	350
WEST FORK OF MILL CREEK LAKE, OH	565	565
WILLIAM H HARSHA LAKE, OH	821	821
OKLAHOMA		
ARCADIA LAKE, OK	417	417
BIRCH LAKE, OK	480	480
BROKEN BOW LAKE, OK	1,471	1,971
CANDY LAKE, OK	18	168
CANTON LAKE, OK	2,656	2,656
COPAN LAKE, OK	823	823
EUFAULA LAKE, OK	7,240	7,240

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FORT GIBSON LAKE, OK	5,954	5,954
FORT SUPPLY LAKE, OK	838	838
GREAT SALT PLAINS LAKE, OK	209	209
HEYBURN LAKE, OK	557	557
HUGO LAKE, OK	1,639	1,639
HULAH LAKE, OK	447	447
INSPECTION OF COMPLETED WORKS, OK	72	72
KAW LAKE, OK	1,756	1,756
KEYSTONE LAKE, OK	6,435	6,435
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, OK	4,588	4,588
OOLOGAH LAKE, OK	2,353	2,353
OPTIMA LAKE, OK	63	63
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	32	32
PINE CREEK LAKE, OK	1,160	1,160
ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK	4,001	4,001
SARDIS LAKE, OK	944	944
SCHEDULING RESERVOIR OPERATIONS, OK	386	386
SKIATOOK LAKE, OK	947	947
TENKILLER FERRY LAKE, OK	3,178	3,178
WAURIKA LAKE, OK	1,441	1,441
WEBBERS FALLS LOCK AND DAM, OK	3,297	3,297
WISTER LAKE, OK	729	1,429
OREGON		
APPLEGATE LAKE, OR	748	748
BLUE RIVER LAKE, OR	332	332
BONNEVILLE LOCK AND DAM, OR & WA	6,250	6,250
CHETCO RIVER, OR	435	435
COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	16,274	18,874
COLUMBIA RIVER AT THE MOUTH, OR & WA	7,403	7,403
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, O	357	357
COOS BAY, OR	4,144	4,144
COQUILLE RIVER, OR	316	316
COTTAGE GROVE LAKE, OR	919	919
COUGAR LAKE, OR	705	705
DEPOE BAY, OR	3	363
DETROIT LAKE, OR	672	672
DORENA LAKE, OR	580	580
FALL CREEK LAKE, OR	619	619
FERN RIDGE LAKE, OR	1,277	1,277
GREEN PETER - FOSTER LAKES, OR	1,050	1,050
HILLS CREEK LAKE, OR	408	408
INSPECTION OF COMPLETED WORKS, OR	220	220
JOHN DAY LOCK AND DAM, OR & WA	4,507	4,507
LOOKOUT POINT LAKE, OR	1,990	1,990
LOST CREEK LAKE, OR	2,919	2,919
MCNARY LOCK AND DAM, OR & WA	4,989	4,989
PORT ORFORD, OR	702	702
PROJECT CONDITION SURVEYS, OR	200	200

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ROGUE RIVER, OR	641	641
SCHEDULING RESERVOIR OPERATIONS, OR	67	67
SIUSLAW RIVER, OR	822	822
SKIPANON CHANNEL, OR	176	176
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	134	134
TILLAMOOK BAY AND BAR, OR	148	148
UMPQUA RIVER, OR	1,421	1,421
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	1,234	1,234
WILLAMETTE RIVER BANK PROTECTION, OR	285	285
WILLOW CREEK LAKE, OR	646	646
YAQUINA BAY AND HARBOR, OR	7,895	7,895
PENNSYLVANIA		
ALLEGHENY RIVER, PA	6,905	6,905
ALVIN R BUSH DAM, PA	608	608
AYLESWORTH CREEK LAKE, PA	216	216
BELTZVILLE LAKE, PA	832	832
BLUE MARSH LAKE, PA	2,121	2,121
CONEMAUGH RIVER LAKE, PA	1,259	1,259
COWANESQUE LAKE, PA	1,785	2,035
CROOKED CREEK LAKE, PA	1,491	1,491
CURWENSVILLE LAKE, PA	659	659
EAST BRANCH CLARION RIVER LAKE, PA	903	903
ERIE HARBOR, PA	125	125
FOSTER JOSEPH SAYERS DAM, PA	713	713
FRANCIS E WALTER DAM, PA	663	663
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	321	321
INSPECTION OF COMPLETED WORKS, PA	95	95
JOHNSTOWN, PA	13	13
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,472	1,472
LOYALHANNA LAKE, PA	1,778	1,778
MAHONING CREEK LAKE, PA	1,392	1,392
MONONGAHELA RIVER, PA	14,293	14,293
OHIO RIVER LOCKS AND DAMS, PA, OH & WV	22,407	22,407
OHIO RIVER OPEN CHANNEL WORK, PA, OH & WV	218	218
PROJECT CONDITION SURVEYS, PA	88	88
PROMPTON LAKE, PA	437	437
PUNXSUTAWNEY, PA	13	13
RAYSTOWN LAKE, PA	3,533	4,783
SCHUYLKILL RIVER, PA	740	740
SHENANGO RIVER LAKE, PA	2,644	2,644
STILLWATER LAKE, PA	334	334
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	70	70
TIOGA - HAMMOND LAKES, PA	2,382	3,352
TIONESTA LAKE, PA	1,788	1,788
UNION CITY LAKE, PA	258	258
WOODCOCK CREEK LAKE, PA	817	817
YORK INDIAN ROCK DAM, PA	517	517
YOUGHIOGHENY RIVER LAKE, PA & MD	2,011	2,011

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
RHODE ISLAND		
PROVIDENCE RIVER AND HARBOR, RI	584	1,584
SAKONNET HARBOR, RI	---	500
SOUTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, SC	3,629	5,629
CHARLESTON HARBOR, SC	7,145	7,145
COOPER RIVER, CHARLESTON HARBOR, SC	3,235	3,235
FOLLY RIVER, SC	266	266
GEORGETOWN HARBOR, SC	5,234	5,234
INSPECTION OF COMPLETED WORKS, SC	26	26
MURRELLS INLET, SC	---	1,000
PORT ROYAL HARBOR, SC	21	21
PROJECT CONDITION SURVEYS, SC	60	60
SHIPYARD RIVER, SC	477	477
TOWN CREEK, SC	398	398
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	6,422	6,502
COLD BROOK LAKE, SD	496	496
COTTONWOOD SPRINGS LAKE, SD	172	172
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	8,852	8,942
LAKE TRAVERSE, SD & MN	580	580
MISSOURI R BETWEEN FORT PECK DAM AND GAVINS PT, SD, MT	586	586
OAHE DAM, LAKE OAHE, SD & ND	11,192	11,282
SCHEDULING RESERVOIR OPERATIONS, SD	306	306
TENNESSEE		
CENTER HILL LAKE, TN	6,070	6,070
CHEATHAM LOCK AND DAM, TN	5,307	5,307
CHICKAMAUGA LOCK, TN	1,900	1,900
CORDELL HULL DAM AND RESERVOIR, TN	4,916	4,916
DALE HOLLOW LAKE, TN	4,191	4,191
INSPECTION OF COMPLETED WORKS, TN	5	5
J PERCY PRIEST DAM AND RESERVOIR, TN	3,278	3,278
OLD HICKORY LOCK AND DAM, TN	6,326	6,326
TENNESSEE RIVER, TN	14,484	14,484
WOLF RIVER HARBOR, TN	348	348
TEXAS		
AQUILLA LAKE, TX	738	738
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VI	1,340	1,340
BARBOUR TERMINAL CHANNEL, TX	314	314
BARDWELL LAKE, TX	1,453	1,453
BAYPORT SHIP CHANNEL, TX	1,810	1,810

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
BELTON LAKE, TX	3,103	3,103
BENBROOK LAKE, TX	1,975	1,975
BRAZOS ISLAND HARBOR, TX	4,802	4,802
BUFFALO BAYOU AND TRIBUTARIES, TX	2,029	2,029
CANYON LAKE, TX	2,689	2,689
CHANNEL TO PORT MANSFIELD, TX	2,627	2,627
CORPUS CHRISTI SHIP CHANNEL, TX	5,036	5,036
DENISON DAM, LAKE TEXOMA, TX	5,517	5,517
DOUBLE BAYOU, TX	805	805
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	10	10
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	2,801	2,801
FREEPORT HARBOR, TX	4,802	4,802
GALVESTON HARBOR AND CHANNEL, TX	87	87
GIWW, CHANNEL TO VICTORIA, TX	752	752
GRANGER DAM AND LAKE, TX	1,573	1,573
GRAPEVINE LAKE, TX	2,433	2,433
GULF INTRACOASTAL WATERWAY, TX	21,765	21,765
HORDS CREEK LAKE, TX	1,203	1,203
HOUSTON SHIP CHANNEL, TX	8,137	8,137
INSPECTION OF COMPLETED WORKS, TX	393	393
JIM CHAPMAN LAKE, TX	1,144	1,144
JOE POOL LAKE, TX	759	759
LAKE KEMP, TX	201	201
LAVON LAKE, TX	2,439	2,439
LEWISVILLE DAM, TX	2,959	2,959
MATAGORDA SHIP CHANNEL, TX	4,315	4,315
MOUTH OF THE COLORADO RIVER, TX	2,953	2,953
NAVARRO MILLS LAKE, TX	1,524	1,524
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	1,785	1,785
O C FISHER DAM AND LAKE, TX	1,005	1,005
PAT MAYSE LAKE, TX	941	941
PROCTOR LAKE, TX	1,709	1,709
PROJECT CONDITION SURVEYS, TX	75	75
RAY ROBERTS LAKE, TX	1,002	1,002
SABINE - NECHES WATERWAY, TX	10,013	10,013
SAM RAYBURN DAM AND RESERVOIR, TX	4,191	4,191
SCHEDULING RESERVOIR OPERATIONS, TX	249	249
SOMERVILLE LAKE, TX	2,773	2,773
STILLHOUSE HOLLOW DAM, TX	1,744	1,744
TEXAS CITY SHIP CHANNEL, TX	371	371
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX	2,007	2,007
TRINITY RIVER AND TRIBUTARIES, TX	29	29
TEXAS WATER ALLOCATION ASSESMENT	---	1,500
WACO LAKE, TX	2,301	2,901
WALLISVILLE LAKE, TX	1,208	1,208
WHITNEY LAKE, TX	4,680	4,680
WRIGHT PATMAN DAM AND LAKE, TX	2,643	2,643

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
UTAH		
INSPECTION OF COMPLETED WORKS, UT	55	55
SCHEDULING RESERVOIR OPERATIONS, UT	305	305
VERMONT		
BALL MOUNTAIN LAKE, VT	607	607
BURLINGTON HARBOR, VT	---	1,000
NARROWS OF LAKE CHAMPLAIN, VT & NY	46	46
NORTH HARTLAND LAKE, VT	561	561
NORTH SPRINGFIELD LAKE, VT	583	583
TOWNSHEND LAKE, VT	629	629
UNION VILLAGE DAM, VT	464	464
VIRGINIA		
APPOMATTOX RIVER, VA	593	593
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA	1,750	1,750
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA	1,325	1,325
CHANNEL TO NEWPORT NEWS, VA	120	120
CHINCOTEAGUE INLET, VA	877	877
GATHRIGHT DAM AND LAKE MOOMAW, VA	1,465	1,465
HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	995	995
INSPECTION OF COMPLETED WORKS, VA	77	77
JAMES RIVER CHANNEL, VA	4,294	4,294
JOHN H KERR LAKE, VA & NC	8,041	8,041
JOHN W FLANNAGAN DAM AND RESERVOIR, VA	1,525	1,525
LITTLE WICOMICO RIVER, VA	605	605
NORFOLK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS), V	225	225
NORFOLK HARBOR, VA	6,105	6,105
NORTH FORK OF POUND RIVER LAKE, VA	406	406
OCCOQUAN RIVER,VA	---	1,000
PAGAN RIVER, VA	145	145
PHILPOTT LAKE, VA	3,060	3,060
POTOMAC RIVER AT MT VERNON, VA	410	410
PROJECT CONDITION SURVEYS, VA	617	617
RUDEE INLET, VA	646	646
STARLINGS CREEK, VA	551	551
THIMBLE SHOAL CHANNEL, VA	204	204
WATERWAY ON THE COAST OF VIRGINIA, VA	1,185	1,185
WASHINGTON		
CHIEF JOSEPH DAM, WA	2,113	2,113
COLUMBIA RIVER AT BAKER BAY, WA & OR	3	3
COLUMBIA RIVER BETWEEN CHINOOK AND SAND ISLAND, WA	6	6
EVERETT HARBOR AND SNOHOMISH RIVER, WA	1,212	1,212
GRAYS HARBOR AND CHEHALIS RIVER, WA	9,820	12,570
HOWARD HANSON DAM, WA	1,849	1,849

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ICE HARBOR LOCK AND DAM, WA	6,094	6,094
INSPECTION OF COMPLETED WORKS, WA	146	146
LAKE WASHINGTON SHIP CANAL, WA	6,797	6,797
LITTLE GOOSE LOCK AND DAM, WA	1,537	1,537
LOWER GRANITE LOCK AND DAM, WA	4,291	4,291
LOWER MONUMENTAL LOCK AND DAM, WA	2,821	2,821
MILL CREEK LAKE, WA	925	925
MT ST HELENS SEDIMENT CONTROL, WA	312	312
MUD MOUNTAIN DAM, WA	2,440	2,440
PROJECT CONDITION SURVEYS, WA	316	316
PUGET SOUND AND TRIBUTARY WATERS, WA	967	967
QUILLAYUTE RIVER, WA	37	1,037
SCHEDULING RESERVOIR OPERATIONS, WA	415	415
SEATTLE HARBOR, EAST WATERWAY CHANNEL DEEPENING, WA	100	450
SEATTLE HARBOR, WA	714	714
STILLAGUAMISH RIVER, WA	205	205
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	56	56
TACOMA, PUYALLUP RIVER, WA	78	78
THE DALLES LOCK AND DAM, WA & OR	3,432	3,432
WILLAPA RIVER AND HARBOR, WA	---	650
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,137	1,137
BLUESTONE LAKE, WV	1,689	4,800
BURNSVILLE LAKE, WV	1,723	1,723
EAST LYNN LAKE, WV	1,714	1,714
ELKINS, WV	16	16
INSPECTION OF COMPLETED WORKS, WV	91	91
KANAWHA RIVER LOCKS AND DAMS, WV	7,782	7,782
OHIO RIVER LOCKS AND DAMS, WV, KY & OH	15,934	15,934
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH	2,786	2,786
R D BAILEY LAKE, WV	1,934	1,934
STONEWALL JACKSON LAKE, WV	1,216	1,216
SUMMERSVILLE LAKE, WV	1,526	1,526
SUTTON LAKE, WV	1,903	1,903
TYGART LAKE, WV	3,568	3,568
WHEELING CREEK, WV	---	500
WISCONSIN		
ASHLAND HARBOR, WI	170	170
EAU GALLE RIVER LAKE, WI	735	735
FOX RIVER, WI	3,252	3,252
GREEN BAY HARBOR, WI	1,640	1,640
KENOSHA HARBOR, WI	925	925
KEWAUNEE HARBOR, WI	490	490
LA FARGE LAKE, WI	53	53
MANITOWOC HARBOR, WI	738	738
MILWAUKEE HARBOR, WI	819	819

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SHEBOYGAN HARBOR, WI	290	290
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	1,534	1,534
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	28	28
TWO RIVERS HARBOR, WI	537	537
WYOMING		
JACKSON HOLE LEVEES, WY	1,163	1,163
MISCELLANEOUS		
COASTAL INLET RESEARCH PROGRAM	3,000	2,750
CULTURAL RESOURCES (NAGPRA/CURATION)	3,000	1,500
DREDGE WHEELER READY RESERVE	13,500	8,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,166	1,000
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	8,000	7,000
DREDGING OPERATIONS TECHNICAL SUPPORT (DOTS) PROGRAM	2,100	1,500
EARTHQUAKE HAZARDS PROGRAM FOR BUILDINGS AND LIFELINES	600	500
GREAT LAKES SEDIMENT TRANSPORT MODELS	---	500
HARBOR MAINTENANCE FEE DATA COLLECTION	975	575
MANAGEMENT TOOLS FOR O&M	1,100	500
MONITORING OF COASTAL NAVIGATION PROJECTS	2,000	1,700
NATIONAL DAM SAFETY PROGRAM	40	40
NATIONAL DAM SECURITY PROGRAM	25	25
NATIONAL EMERGENCY PREPAREDNESS PROGRAMS (NEPP)	6,000	4,000
PERFORMANCE BASED BUDGETING SUPPORT PROGRAM	1,650	415
PROTECTING, CLEARING AND STRAIGHTENING CHANNELS(SEC 3)	50	50
RECREATION MANAGEMENT SUPPORT PROGRAM (RMSP)	1,950	1,500
REGIONAL SEDIMENT MANAGEMENT SEDIMENT DEMO PROGRAM	1,500	1,500
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	675	675
REMOVAL OF SUNKEN VESSELS	500	500
WATER OPERATIONS TECHNICAL SUPPORT (WOTS) PROGRAM	1,500	700
WATERBORNE COMMERCE STATISTICS	4,600	4,000
WETLANDS FUNCTIONAL ASSESSMENT METHODOLOGY	1,000	---
ZEBRA MUSSEL CONTROL	700	700
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-16,867	-43,867
TOTAL, OPERATION AND MAINTENANCE	1,854,000	1,901,959

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement appropriates $39,940,000 to carry out the provisions of the Central Utah Project Completion Act as proposed by the House and the Senate.

BUREAU OF RECLAMATION

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs and activities of the Bureau of Reclamation. Additional items of the conference agreement are discussed below.

WATER AND RELATED RESOURCES

The conference agreement appropriates $678,450,000 for Water and Related Resources instead of $635,777,000 as proposed by the House and $655,192,000 as proposed by the Senate.

The conference agreement includes $39,467,000 for the Central Arizona Project as proposed by the House.

The additional funds provided by the House under the California Investigations Program for studies of ways to increase the reliability of water supplies in southern Orange County, California, have been included under the Southern California Investigations Program.

The conference agreement includes an additional $1,000,000 for the Columbia and Snake Rivers Salmon Recovery project. The additional funds may be used for water acquisition and other actions that may be required by Endangered Species Act biological opinions concerning the operation and maintenance of Bureau of Reclamation projects.

The conference agreement includes an increase of $4,758,000 over the budget request for the Middle Rio Grande project in New Mexico for the Bureau of Reclamation to undertake research, monitoring, and modeling of evapotranspiration, implement a program for the transplant of silvery minnow larvae and young-of-year, and carry out habitat conservation and restoration activities along the middle Rio Grande River valley as specified in the Senate report. Additional funding is also provided for Bureau of Reclamation participation in the recent settlement regarding the recovery of the Rio Grande silvery minnow.

The conference agreement includes $2,960,000 for the Title XVI Water Reclamation and Reuse Program. Of the funds provided, $500,000 is provided for the Bureau of Reclamation to participate with the City of Espanola, New Mexico, in a feasibility study to investigate opportunities to reclaim and reuse municipal wastewater and naturally impaired surface and groundwater, and $300,000 is provided to continue the Phoenix Metropolitan Water Reclamation and Reuse (Aqua Fria) project in Arizona. In addition, $1,000,000 is provided for the Bureau of Reclamation to support the WateReuse Foundation's research program as described in the House report.

The conferees have provided $5,000,000 for the Drought Emergency Assistance Program to address the severe drought conditions that currently exist in New Mexico and other western states. The conferees direct the attention of the Bureau of Reclamation to the need for the acquisition of water for the San Carlos Reservoir on the Gila River in Arizona.

The conference agreement includes $8,500,000 for the Native American Affairs Program of the Bureau of Reclamation, of which $200,000 is for the Bureau to undertake studies, in consultation and cooperation with the Jicarilla Apache Tribe, of the most feasible method of developing a safe and adequate municipal, rural and industrial water supply for the residents of the Jicarilla Apache Indian Reservation in New Mexico.

Of the amount provided for the Wetlands Development Program, $1,500,000 is provided for design and construction of the restoration of the Upper Truckee River in the vicinity of the airport at South Lake Tahoe, California, including channel realignment, and meadow and floodplain restoration.

The conference agreement deletes language proposed by the House which provides that none of the funds appropriated in the Act may be used by the Bureau of Reclamation for closure of the Auburn Dam, California, diversion tunnel or restoration of the American River channel through the Auburn Dam construction site.

The conferees have included language in the bill proposed by the Senate which provides that $16,000,000 shall be available for the Rocky Boys Indian Water Rights Settlement project in Montana; provides that not more than $500,000 shall be available for projects carried out by the Youth Conservation Corps; increases the amount authorized for Indian municipal, rural, and industrial water features of the Garrison Diversion project in North Dakota by $2,000,000; and amends the Reclamation Safety of Dams Act of 1978.

The conference agreement deletes bill language proposed by the Senate providing $2,300,000 for the Albuquerque Metropolitan Area Water Reclamation and Reuse project. Funding for this project is included in the total amount appropriated for Water and Related Resources.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

The conference agreement appropriates $9,369,000 for the Bureau of Reclamation Loan Program account as proposed by the House and the Senate.

CENTRAL VALLEY PROJECT RESTORATION FUND

The conference agreement appropriates $38,382,000 for the Central Valley Project Restoration Fund as proposed by the House and the Senate.

POLICY AND ADMINISTRATION

The conference agreement appropriates $50,224,000 for Policy and Administration as proposed by the Senate instead of $47,000,000 as proposed by the House.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

Section 201. The conference agreement includes language proposed by the House which provides that none of the funds appropriated by this or any other Act may be used to purchase or lease water in the Middle Rio Grande or Carlsbad projects in New Mexico unless the purchase or lease is in compliance with the requirements of section 202 of Public Law 106–60.

Section 202. The conference agreement includes language proposed by the Senate which provides that funds for Drought Emergency Assistance are to be used primarily for leasing of water for specified drought related purposes from willing lessors in compliance with State laws. The language also provides that leases may be entered into with an option to purchase provided the purchase is approved in the State in which the purchase takes place and does not cause economic harm in the State in which the purchase is made.

Section 203. The conference agreement includes language proposed by the House which provides authority to the Secretary of the Interior to make an annual assessment upon Central Valley Project water and power contractors for the purpose of making an annual payment to the Trinity Public Utilities District. The language has been amended to clarify that the payments to the Trinity Public Utilities District will be made without the need for appropriations.

Section 204. The conference agreement includes language proposed by the Senate regarding the activities of the Glen Canyon Dam Adaptive Management Program. The language in the Senate bill has been amended to increase the funding limit for the program to not more than $7,850,000, adjusted for inflation, and to not preclude voluntary contributions to the Adaptive Management Program.

Section 205. The conference agreement includes language proposed by the Senate which authorizes and directs the Secretary of the Interior to use not to exceed $1,000,000 to refund amounts received by the United States as payments for charges assessed by the Secretary prior to January 1, 1994, for failure to file certain certification or reporting forms prior to the receipt of project water pursuant to sections 206 and 224(c) of the Reclamation Reform Act of 1982.

Section 206. The conference agreement includes language proposed by the Senate which amends the Canyon Ferry Reservoir, Montana, Act.

Section 207. The conference agreement includes language proposed by the Senate which provides that beginning in fiscal year 2000 and thereafter, any amounts provided for the Newlands Water Rights Fund for purchasing and retiring water rights in the Newlands Reclamation Project shall be nonreimbursable.

Section 208. The conference agreement includes language proposed by the Senate which permits the use of Colorado-Big Thompson Project facilities for nonproject water.

Section 209. The conference agreement includes language proposed by the Senate which amends the Irrigation Project Contract Extension Act of 1998.

Section 210. The conference agreement includes a provision proposed by the Senate which extends through fiscal year 2001 the prohibition on the use of funds to further reallocate Central Arizona Project water until the enactment of legislation authorizing and directing the Secretary of the Interior to make allocations and enter into contracts for the delivery of Central Arizona Project water.

Section 211. The conference agreement includes language which amends the San Luis Rey Indian Water Rights Settlement Act, Public Law 100–675.

Section 212. The conference agreement includes language providing for the conveyance of the Sly Park Unit in California to the El Dorado Irrigation District.

Provision not included in the conference agreement.—The conference agreement does not include a provision proposed by the Senate related to recreation development within the State of Montana.

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
WATER AND RELATED				
ARIZONA				
AK CHIN INDIAN WATER RIGHTS SETTLEMENT ACT PROJECT....	---	6,762	---	6,762
CENTRAL ARIZONA PROJECT.....	33,667	---	39,467	---
COLORADO RIVER BASIN SALINITY CONTROL, TITLE I.....	1,068	10,315	1,068	10,315
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM.....	3,722	380	3,722	380
HOPI/WESTERN NAVAJO WATER DEVELOPMENT PLAN.....	---	---	1,000	---
NORTHERN ARIZONA INVESTIGATIONS PROGRAM.....	300	---	300	---
SOUTH CENTRAL ARIZONA INVESTIGATIONS PROGRAM.....	690	---	890	---
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT.....	5,189	---	5,189	---
TRES RIOS WETLANDS DEMONSTRATION.....	550	---	550	---
TUCSON AREA WATER RECLAMATION AND REUSE STUDY.....	300	---	300	---
YUMA AREA PROJECTS.....	1,738	17,450	1,738	17,450
CALIFORNIA				
CACHUMA PROJECT.....	666	401	666	401
CALIFORNIA INVESTIGATIONS PROGRAM.....	1,293	---	1,293	---
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PROJ.....	500	---	824	---
CENTRAL VALLEY PROJECT:				
AMERICAN RIVER DIVISION, AUBURN-FOLSOM SOUTH UNIT.	4,740	10,708	10,240	10,708
DELTA DIVISION.....	14,636	4,706	14,636	4,706
EAST SIDE DIVISION.....	585	3,595	585	3,595
FRIANT DIVISION.....	4,170	2,531	4,170	2,531
MISCELLANEOUS PROJECT PROGRAMS.....	11,824	1,009	11,824	1,009
REPLACEMENTS, ADDITIONS, EXTRAORDINARY MAINT.....	---	8,013	---	8,013
SACRAMENTO RIVER DIVISION.....	6,171	1,612	8,691	1,612
SAN FELIPE DIVISION.....	897	---	897	---
SAN JOAQUIN DIVISION.....	2,608	---	2,608	---
SHASTA DIVISION.....	3,474	7,356	3,474	7,356
TRINITY RIVER DIVISION.....	7,116	4,791	7,116	4,791
WATER AND POWER OPERATIONS.....	897	6,490	897	6,490
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT.....	6,385	5,447	7,385	5,447
YIELD FEASIBILITY INVESTIGATION.....	1,800	---	1,800	---
LONG BEACH AREA WATER RECLAMATION PROJECT.....	2,000	---	2,000	---
LOS ANGELES AREA WATER RECLAMATION/REUSE PROJ.....	740	---	740	---
MISSION BASIN BRACKISH GROUNDWATER DESALTING DEMO.....	---	---	503	---
NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJ.....	2,000	---	5,000	---
ORANGE COUNTY REGIONAL WATER. RECLAMATION PROJ.....	2,000	---	2,000	---
ORLAND PROJECT.....	---	617	---	617
SALTON SEA RESEARCH PROJECT.....	1,000	---	5,000	---
SAN DIEGO AREA WATER RECLAMATION PROGRAM.....	7,500	---	7,500	---
SAN GABRIEL BASIN PROJECT.....	2,000	---	2,000	---
SAN JOSE AREA WATER RECLAMATION AND REUSE PROG.....	3,500	---	3,500	---
SOLANO PROJECT.....	1,084	1,088	1,084	1,088
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM.....	624	---	1,124	---
VENTURA RIVER PROJECT, CASITAS DAM.....	---	5,500	---	5,500

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
COLORADO				
ANIMAS-LAPLATA PROJECT, SECTIONS 5 & 8	2,000	---	2,000	---
COLLBRAN PROJECT	132	967	132	967
COLORADO-BIG THOMPSON PROJECT	355	7,381	355	7,381
COLORADO INVESTIGATIONS PROGRAM	188	---	188	---
FRUITGROWERS DAM PROJECT	102	16	102	16
FRYINGPAN-ARKANSAS PROJECT	285	4,653	285	4,653
GRAND VALLEY UNIT, CRBSCP	412	507	412	507
LEADVILLE/ARKANSAS RIVER RECOVERY PROJECT	469	1,291	469	1,291
LOWER COLORADO RIVER BASIN INVESTIGATIONS PROGRAM	69	---	69	---
LOWER GUNNISON BASIN UNIT, CRBSCP, TITLE II	---	332	---	332
MANCOS PROJECT	42	22	42	22
PARADOX VALLEY UNIT, CRBSCP, TITLE II	---	2,058	---	2,058
PINE RIVER PROJECT	90	58	90	58
SAN LUIS VALLEY PROJECT, CLOSED BASIN/CONEJOS DIV	410	2,812	410	2,812
UNCOMPAHGRE PROJECT	287	23	287	23
IDAHO				
BOISE AREA PROJECTS	1,746	5,683	1,746	5,683
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	4,622	---	5,622	---
DRAIN WATER MANAGEMENT STUDY, BOISE PROJECT	250	---	500	---
IDAHO INVESTIGATIONS PROGRAM	248	---	248	---
MINIDOKA AREA PROJECTS	3,466	1,841	3,766	1,841
MINIDOKA NORTHSIDE DRAINWATER MANAGEMENT PROJECT	288	---	288	---
KANSAS				
KANSAS INVESTIGATIONS PROGRAM	400	---	400	---
WICHITA PROJECT	---	226	---	226
MONTANA				
CANYON FERRY RESRVOIR	---	---	325	---
FORT PECK RURAL COUNTY WATER SYSTEM	---	---	1,500	---
FORT PECK, DRY PRAIRIE RURAL WATER SYSTREM	---	---	435	---
HUNGRY HORSE PROJECT	---	283	---	283
MILK RIVER PROJECT	325	512	325	512
MONTANA INVESTIGATIONS PROGRAM	251	---	251	---
ROCKY BOYS INDIAN WATER RIGHTS SETTLEMENT	16,000	---	16,000	---
NEBRASKA				
MIRAGE FLATS PROJECT	35	53	35	53
NORTH LOOP DIVISION, MIRDAN CANAL	---	---	1,750	---
NEBRASKA INVESTIGATIONS PROGRAM	17	---	17	---

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
NEVADA				
LAKE MEAD/LAS VEGAS WASH PROGRAM	800	---	1,500	---
LAHONTAN BASIN PROJECT	6,864	1,577	6,864	1,577
NEWLANDS PROJECT WATER RIGHTS FUND	---	---	2,700	---
SOUTHERN NEVADA WATER RECYCLING	---	---	500	---
WALKER RIVER BASIN PROJECT	---	---	300	---
NEW MEXICO				
ALBUQUERQUE METRO AREA WATER & RECLAMATION REUSE	---	---	2,300	---
CARLSBAD PROJECT	2,345	607	2,345	857
EASTERN NEW MEXICO WATER SUPPLY	---	---	250	---
MIDDLE RIO GRANDE PROJECT	2,604	8,480	7,362	8,480
NAVAJO-GALLUP WATER SUPPLY PROJECT	---	---	450	---
PECOS RIVER BASIN WATER SALVAGE PROJECT	---	176	---	176
RIO GRANDE PROJECT	947	2,287	947	2,287
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	183	---	183	---
SO. NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAMS	238	---	238	---
TUCUMARI PROJECT	18	5	18	5
UPPER RIO GRANDE BASIN INVESTIGATIONS PROGRAM	164	---	164	---
VELARDE COMMUNITY DITCH PROJECT	3,880	---	3,880	---
NORTH DAKOTA				
DAKOTA INVESTIGATIONS PROGRAM	387	---	387	---
DAKOTA TRIBES INVESTIGATIONS PROGRAM	187	---	187	---
GARRISON DIVERSION UNIT, P-SMBP	17,416	3,875	21,416	3,875
OKLAHOMA				
ARBUCKLE PROJECT	---	168	---	168
MCGEE CREEK PROJECT	---	535	---	535
MOUNTAIN PARK PROJECT	---	232	---	232
NORMAN PROJECT	---	163	---	163
OKLAHOMA INVESTIGATIONS PROGRAM	234	---	234	---
W.C. AUSTIN PROJECT	---	262	---	262
WASHTIA BASIN PROJECT	---	638	---	638
OREGON				
CROOKED RIVER PROJECT	384	307	384	307
DESCHUTES ECOSYSTEM RESTORATION PROJECT	500	---	1,000	---
DESCHUTES PROJECT	294	137	294	137
EASTERN OREGON PROJECTS	205	249	205	249
GRANDE RONDE WATER OPTIMIZATION STUDY	50	---	50	---
KLAMATH PROJECT	10,837	348	10,837	348
OREGON INVESTIGATIONS PROGRAM	601	---	601	---
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	260	623	260	623
TUALATIN PROJECT	197	123	197	123

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
TUALATIN VALLEY WATER SUPPLY FEASIBILITY STUDY	100	---	100	---
UMATILLA BASIN PROJECT, PHASE III STUDY	100	---	100	---
UMATILLA PROJECT	571	1,723	571	1,723
SOUTH DAKOTA				
LEWIS AND CLARK RURAL WATER SYSTEM	---	---	1,000	---
MID-DAKOTA RURAL WATER PROJECT	6,000	40	8,000	40
MNI WICONI PROJECT	23,570	6,165	27,570	6,165
RAPID VALLEY PROJECT	---	30	---	30
TEXAS				
BALMORHEA PROJECT	31	---	31	---
CANADIAN RIVER PROJECT	---	131	---	131
HASKELL STREET RECLAIMED WATER PROJECT	---	---	500	---
NUECES RIVER PROJECT	---	393	---	393
PALMETTO BEND PROJECT	---	546	---	546
SAN ANGELO PROJECT	---	262	---	262
TEXAS INVESTIGATIONS PROGRAM	346	---	596	---
UTAH				
HYRUM PROJECT	62	11	62	11
MOON LAKE PROJECT	15	5	15	5
NAVAJO SANDSTONE AQUIFER RECHARGE STUDY	250	---	250	---
NEWTON PROJECT	39	14	39	14
NORTHERN UTAH INVESTIGATIONS PROGRAM	230	---	230	---
OGDEN RIVER PROJECT	76	29	76	29
PROVO RIVER PROJECT	401	340	401	340
SCOFIELD PROJECT	91	24	91	24
SOUTHERN UTAH INVESTIGATIONS PROGRAM	235	---	235	---
STRAWBERRY VALLEY PROJECT	88	7	88	7
WEBER BASIN PROJECT	1,267	141	1,267	141
WEBER RIVER PROJECT	296	32	296	32
WASHINGTON				
COLUMBIA BASIN PROJECT	3,600	7,524	3,600	7,524
WASHINGTON INVESTIGATIONS PROGRAM	264	---	264	---
YAKIMA PROJECT	523	7,483	523	7,483
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	11,056	---	11,056	---
WYOMING				
KENDRICK PROJECT	4	5,597	4	5,597
NORTH PLATTE PROJECT	19	1,295	19	1,295
SHOSHONE PROJECT	42	905	42	905
WYOMING INVESTIGATIONS PROGRAM	70	---	70	---

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
VARIOUS				
COLORADO RIVER BASIN SALINITY CONTROL, TITLE II.....	11,085	---	11,085	---
COLORADO RIVER STORAGE PROJECT, SECTION 5.....	3,813	1,455	3,813	1,455
COLORADO RIVER STORAGE PROJECT, SECTION 8, RFW.....	7,135	---	7,135	---
COLORADO RIVER WATER QUALITY IMPROVEMENT.....	150	---	150	---
DAM SAFETY PROGRAM:				
DEPARTMENT DAM SAFETY PROGRAM.....	---	1,700	---	1,700
INITIATE SOD CORRECTIVE ACTION.....	---	51,600	---	51,600
SAFETY EVALUATION OF EXISTING DAMS.....	---	17,500	---	17,500
SAFETY OF DAMS CORRECTIVE ACTION STUDIES.....	---	1,000	---	1,000
DEPARTMENTAL IRRIGATION DRAINAGE PROGRAM.....	3,000	---	2,000	---
DROUGHT EMERGENCY ASSISTANCE PROGRAM.....	500	---	5,000	---
EFFICIENCY INCENTIVES PROGRAM	3,169	---	3,000	---
EMERGENCY PLANNING AND DISASTER RESPONSE PROG.....	---	309	---	309
ENDANGERED SPECIES RECOVERY IMPLEMENT. PROG.....	12,179	---	12,179	---
ENVIRONMENTAL AND INTERAGENCY COORDINATION.....	1,824	---	1,000	---
ENVIRONMENTAL PROGRAM ADMINISTRATION.....	2,155	---	1,500	---
EXAMINATION OF EXISTING STRUCTURES.....	30	4,740	30	4,240
FEDERAL BUILDING SEISMIC SAFETY PROGRAM.....	---	1,400	---	1,000
GENERAL PLANNING ACTIVITIES.....	1,842	---	1,700	---
LAND RESOURCES MANAGEMENT PROGRAM.....	6,484	---	5,884	---
LOWER COLORADO RIVER OPERATIONS PROGRAM.....	13,729	---	11,729	---
MISCELLANEOUS FLOOD CONTROL OPERATIONS.....	---	506	---	506
NATIONAL FISH AND WILDLIFE FOUNDATION.....	1,300	---	1,300	---
NATIVE AMERICAN AFFAIRS PROGRAM.....	8,500	---	8,500	---
NEGOTIATION AND ADMINISTRATION OF WATER MARKETING.....	1,254	---	1,000	---
OPERATION AND MAINTENANCE PROGRAM MANAGEMENT.....	169	865	169	865
PICK-SLOAN MISSOURI BASIN PROGRAM - OTHER PROJ.....	3,232	25,667	3,232	25,667
POWER PROGRAM SERVICES.....	1,023	473	1,023	473
PUBLIC ACCESS AND SAFETY PROGRAM.....	464	---	464	---
RECLAMATION LAW ADMINISTRATION.....	4,914	---	4,696	---
RECLAMATION RECREATION MANAGEMENT ACT - TITLE XXVIII.	3,743	---	3,743	---
RECREATION, FISH AND WILDLIFE PROGRAM ADMIN.....	2,766	---	2,000	---
SCIENCE AND TECHNOLOGY:				
ADVANCED WATER TREATMENT RESEARCH PROGRAM.....	1,225	---	1,225	---
APPLIED SCIENCE AND TECHNOLOGY DEVELOPMENT.....	3,249	---	3,249	---
DESALINATION RESEARCH DEVELOPMENT PROGRAM.....	300	---	1,300	---
HYDROELECTRIC INFRASTRUCTURE PROT/EHNANCE.....	660	---	660	---
TECHNOLOGY ADVANCEMENT PROGRAM.....	283	---	283	---
WATERSHED/RIVER SYSTEMS MANAGEMENT PROGRAM.....	933	---	933	---
SITE SECURITY.....	---	1,043	---	1,043
SOIL AND MOISTURE CONSERVATION.....	263	---	263	---
TECHNICAL ASSISTANCE TO STATES.....	1,840	---	1,000	---
TITLE XVI WATER RECLAMATION AND REUSE PROGRAM.....	1,460	---	2,960	---
UNITED STATES/MEXICO BORDER ISSUES- TECH SUPPORT.....	50	---	50	---
WATER MANAGEMENT AND CONSERVATION PROGRAM.....	7,605	---	7,100	---
WETLANDS DEVELOPMENT.....	3,750	---	3,250	---

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
UNDISTRIBUTED REDUCTION BASED ON ANTICIPATED DELAYS...	-31,120	---	-47,720	---
TOTAL, WATER AND RELATED RESOURCES.....	353,822	289,236	389,864	288,586

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
LOAN PROGRAM				
CALIFORNIA				
CASTROVILLE IRRIGATION WATER SUPPLY PROJECT.....	1,300	---	1,300	---
SALINAS VALLEY WATER RECLAMATION.....	800	---	800	---
SAN SEVAINE CREEK WATER PROJECT.....	6,844	---	6,844	---
VARIOUS				
LOAN ADMINISTRATION.....	425	---	425	---
TOTAL, LOAN PROGRAM.....	9,369	---	9,369	---

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreement are discussed below.

PROJECT MANAGEMENT

The conferees strongly support the progress being made by the Office of Engineering and Construction Management in bringing standardization, discipline, oversight, and increased professionalism to the Department's project management efforts. The project engineering and design (PED) process developed by the Department represents significant progress toward correcting serious management deficiencies that have historically plagued the Department's construction projects. The conferees believe that implementation of the PED process for all construction and environmental projects throughout the Department will provide the assurance necessary to eliminate the current requirement for an external independent review of all projects prior to releasing funds for construction. The conferees expect the continuation of the external independent review process as discussed in both the House and Senate reports.

PASSENGER MOTOR VEHICLES

The conferees have provided statutory limitations on the number of passenger motor vehicles that can be purchased by the Department of Energy in fiscal year 2001. These limitations are included each year, but the Department has been interpreting this limitation to mean that sport utility vehicles are not considered passenger motor vehicles and do not count against the appropriation ceiling. The conferees consider this to be disingenuous at best and a violation of the appropriations language at worst.

The conferees expect the Department to adhere strictly to the limits set for the purchase of motor vehicles. It is the intention of the conferees in prescribing these limitations that sport utility vehicles are to be considered passenger motor vehicles and, therefore, subject to the limitation. Further, the Department is to provide a full and complete accounting of the current motor vehicle inventory at each location. The Department should work with the Committees on Appropriations to ensure that the report provides the necessary information.

CONTRACTOR TRAVEL

The conference agreement includes a statutory provision limiting reimbursement of Department of Energy management and operating contractors for travel expenses to not more than $185,000,000. This limitation consists of $175,000,000 for contractor travel and a reserve fund of $10,000,000 to be administered by the Department's Chief Financial Officer and released for emergency travel requirements.

The Department had requested $200,000,000 for contractor travel. The reduction in fiscal year 2001 is not to be prorated, but should be applied to those organizations that appear to have the most questionable travel practices. This is not meant to restrict trips between laboratories to coordinate on program issues.

INDEPENDENT CENTERS

The Department is to identify all independent centers at each DOE laboratory and facility in the fiscal year 2002 budget submission. These centers are to be funded directly in program accounts, rather than overhead, with the exception of those centers which clearly benefit more than one program at a laboratory or facility. The Department is directed to provide a list of any centers that are funded through overhead accounts with the fiscal year 2002 budget submission.

REPROGRAMMINGS

The conference agreement does not provide the Department of Energy with any internal reprogramming flexibility in fiscal year 2001 unless specifically identified by the House, Senate, or conference agreement. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the House and Senate Committees on Appropriations in advance, in writing, and may not be implemented prior to approval by the Committees.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT

The conference agreement includes an allowance of six percent for the laboratory directed research and development (LDRD) program and two percent for nuclear weapons production plants. Travel costs for LDRD are exempt from the contractor travel ceiling. The conferees direct the Department's Chief Financial Officer to develop and execute a financial accounting report of LDRD expenditures by laboratory and weapons production plant. This report, due to the House and Senate Committees on Appropriations by December 31, 2000, and each year thereafter, should provide costs by personnel salaries, equipment, and travel. The Department should work with the Committees on the specific information to be included in the report.

SAFEGUARDS AND SECURITY BUDGET AMENDMENT

The conferees have chosen to reflect the amounts requested for safeguards and security funding in the manner proposed in the budget amendment submitted to Congress by the Department. Adjustments have been made in each account to reflect the consolidation of safeguards and security costs into a few major accounts and the transfer of these costs from overhead accounts to specific program line items. However, the conferees do not concur with the amendment to the extent its purpose is to reorganize all safeguards and security functions at the Department under the control and direction of the Office of Security and Emergency Operations, or any other entity not part of line management. The conferees agree that the direct responsibility for safeguards and security must be united and integrated with the responsibility of line operations.

ADDITIONAL DEPARTMENT OF ENERGY REQUIREMENTS

The conferees agree with the House report language on augmenting Federal staff, overhead costs reviews and reprogramming guidelines.

GENERAL REDUCTIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAM DIRECTIONS

The Department is directed to provide a report to the House and Senate Committees on Appropriations by January 15, 2001, on the actual application of any general reductions of funding or use of prior year balances contained in the conference agreement. In general, such reductions should not be applied disproportionately against any program, project, or activity. However, the conferees are aware there may be instances where proportional reductions would adversely impact critical programs and other allocations may be necessary. The report should also include the distribution of the safeguards and security funding adjustments.

ENERGY SUPPLY

The conference agreement provides $660,574,000 for Energy Supply instead of $616,482,000 as proposed by the House and $691,520,000 as proposed by the Senate. The conference agreement includes the House proposal to make funds available until expended rather than the Senate proposal to limit availability to two years. The conference agreement does not include the Senate bill language transferring funds from the United States Enrichment Corporation or earmarking funds for a variety of projects to demonstrate alternative energy technologies.

RENEWABLE ENERGY RESOURCES

The conference agreement provides $422,085,000 instead of $390,519,000 as proposed by the House and $444,117,000 as proposed by the Senate for renewable energy resources.

Biomass/biofuels.—The conference agreement includes $112,900,000 for biomass/biofuels. The conferees have provided $26,740,000 for research to be managed by the Office of Science, the same as the budget request. The conference agreement includes $40,000,000 for power systems and $46,160,000 for the transportation program. The conference agreement does not include prescriptive language specifying funding allocations as contained in the House and Senate reports.

The conferees encourage the Department to continue the integrated approach to bioenergy activities and recommend the use of up to $18,000,000 within available funds for the bioenergy initiative. Funding for this initiative may be derived from both the power and transportation programs.

In the power program, the conference agreement provides $2,000,000 for the Iowa switch grass project which is a multi-year project; $4,000,000 for the McNeill biomass plant in Burlington, Vermont; $395,000 for the final Federal contribution to the Vermont agriculture methane project; $500,000 for the bioreactor landfill project to be administered by the Environmental Education and Research Foundation and Michigan State University; $1,000,000 for methane energy and agriculture development (MEAD) in Tillamook Bay, Oregon; and $1,000,000 for the Mount Wachusett College biomass conversion project in Massachusetts.

The Department is to accelerate the large-scale biomass demonstration at the Winona, Mississippi, site.

The conference agreement provides $4,000,000 in power systems to support a project to demonstrate a commercial facility employing the thermo-depolymerization technology at a site adjacent to the Nevada Test Site. The project shall proceed on a cost-shared basis where Federal funding shall be matched in at least an equal amount with non-Federal funding.

In the transportation program, the conference agreement provides $1,000,000 for continuation of biomass research at the Energy and Environmental Research Center on the integration of biomass with fossil fuels for advanced power systems transportation fuels; $600,000 for the University of Louisville to work on the design of bioreactors for production of fuels and chemicals for ethanol production; and $2,000,000 for the design and construction of a demonstration facility for regional biomass ethanol manufacturing in southeast Alaska.

The conference agreement also includes $2,000,000 for the Michigan Biotechnology Institute to be derived equally from power and transportation systems.

Funding allocated by the Department for the regional biomass program and feedstock production should be derived equally from the power and transportation programs.

Geothermal.—The conference agreement includes $27,000,000 for geothermal activities. The conference agreement does not include language specifying funding allocations as contained in the Senate report. The conferees have provided $2,000,000 to complete

the Lake County Basin 2000 Geothermal project in Lake County, California.

Hydrogen.—The conference agreement includes $29,970,000 for hydrogen activities, including $350,000 for the Montana Trade Port Authority in Billings, Montana; $250,000 for the gasification of Iowa switch grass; and $800,000 for the ITM Syngas project.

The conferees have also provided $2,000,000 for the multi-year demonstration of an underground mining locomotive and an earth loader powered by hydrogen at existing facilities within the State of Nevada. The demonstration is subject to a private sector industry cost-share of not less than an equal amount, and a portion of these funds may also be used to acquire a prototype hydrogen fueling appliance to provide on-site hydrogen in the demonstration.

Hydropower.—The conference agreement includes $5,000,000 for hydropower. The conferees are aware that the Department is funding research that is supposed to be applicable to the needs of the large dams in the northwest United States. The Department is concerned that the Federal power marketing administrations are not involved in developing this research program. The Department is directed to provide a report coordinated with the power marketing administrations that indicates how this hydropower research is applicable to the current and future needs of the power marketing administrations and the schedule by which this research will provide useable products.

Solar Energy.—The conference agreement includes $110,632,000 for solar energy programs. The conference agreement does not include language specifying funding allocations as contained in the House and Senate reports.

The conference agreement provides $13,800,000 for concentrating solar power, including $1,000,000 to initiate planning of a one MW dish engine field validation power project at the University of Nevada-Las Vegas.

The conference agreement includes $78,622,000 for photovoltaic energy systems, including up to $3,000,000 for the million solar roofs initiative. The conferees have provided $1,500,000 for the Southeast and Southwest photovoltaic experiment stations.

The conference agreement includes $3,950,000 for solar building technology research.

Wind.—The conference agreement includes $40,283,000 for wind programs. The conference agreement does not include prescriptive language specifying allocations as included in the Senate report. The conferees have provided $1,000,000 for the Kotzebue wind project. Of the funding for wind energy systems, not less than $5,000,000 shall be made available for new and ongoing small wind programs, including not less than $2,000,000 for the small wind turbine development project. From within available funds, $100,000 has been provided for a wind turbine and for educational purposes at the Turtle Mountain Community College in North Dakota.

Electric energy systems and storage.—The conference agreement includes $52,000,000 for electric energy systems and storage. The conferees urge the Department to support the university, industry-based partnership at the University of California-Irvine Advanced Power and Energy Program to conduct energy and information related technology demonstrations to accelerate the development and deployment of cost-efficient technologies benefiting all energy consumers affected by a deregulated energy industry.

The conference agreement includes $6,000,000 to accelerate the development and application of high temperature superconductor technologies through joint efforts among DOE laboratories, universities, and industry to be led by Los Alamos and Oak Ridge National Laboratories.

The conference agreement includes $500,000 for completion of the distributed power demonstration project begun last year at the Nevada Test Site.

Renewable Support and Implementation.—The conference agreement includes $21,600,000 for renewable support and implementation programs.

The Federal Energy Management Program should report to the Committees on Appropriations by December 31, 2001, on the accomplishments of the Departmental energy management program with the fiscal year 2001 appropriations including the number of energy efficiency projects funded, the number of energy savings performance contracts supported, and the total estimated savings.

From within available funds, the conference agreement provides $1,000,000 for the Office of Arctic Energy as proposed by the Senate.

The conference agreement includes $5,000,000 for the international renewable energy program. Of this amount, $1,000,000 is to be provided to International Utility Efficiency Partnerships, Inc. (IUEP). The IUEP shall competitively award all projects, continuing its leadership role in reducing carbon dioxide emissions using voluntary market-based mechanisms.

The conference agreement includes $4,000,000 for the renewable energy production incentive program.

The conference agreement includes $6,600,000 for renewable Indian energy resources projects as proposed by the Senate.

The conference agreement includes $4,000,000 for renewable program support, of which $1,000,000 is for an Indoor Air Quality and Energy Conservation Research Planning grant to study and develop technologies to improve air quality within homes and buildings.

Program direction.—The conference agreement includes $18,700,000 for program direction. The conferees have provided additional funding to support implementation of the management reforms identified in the recent National Academy of Public Administration review.

NUCLEAR ENERGY

The conference agreement provides $259,925,000 for nuclear energy activities instead of $231,815,000 as proposed by the House and $262,084,000 as proposed by the Senate.

Advanced radioisotope power systems.—The conference agreement includes $32,200,000, an increase over the budget request of $30,864,000. The additional funds are to maintain the infrastructure to support future national security needs and NASA missions.

Isotope support.—The conference agreement includes a total program level of $27,215,000 for the isotope program. This amount is reduced by offsetting collections of $8,000,000 to be received in fiscal year 2001, resulting in a net appropriation of $19,215,000. The conferees understand that the total estimated cost of Project 99–E–201, the isotope production facility at Los Alamos National Laboratory, has increased significantly due to factors outside the control of the Office of Nuclear Energy and have included $2,500,000 to partially cover these additional costs.

University reactor fuel assistance and support.—The conference agreement includes $12,000,000, the same as the budget request.

Research and development.—The conference agreement provides $47,500,000 for nuclear energy research and development activities.

The conference agreement includes $5,000,000, the same as the budget request, for nuclear energy plant optimization. The conferees direct the Department to ensure that projects are funded jointly with non-Federal partners and that total non-Federal contributions are equal to or in excess of total Department contributions to projects funded in this program.

The conferees have provided $35,000,000 for the nuclear energy research initiative.

The conference agreement includes $7,500,000 for nuclear energy technologies. The Senate had included these activities in the nuclear energy research initiative program. Funding of $4,500,000 is provided to develop a road map for the commercial deployment of a next generation power reactor; $1,000,000 for the preparation of a detailed assessment that analyzes and describes the changes needed to existing advanced light water reactor (ALWR) designs; $1,000,000 for planning and implementation of initiatives in support of an advanced gas reactor; and $1,000,000 to undertake a study to determine the feasibility of deployment of small modular reactors.

Infrastructure.—The conference agreement includes the budget request of $39,150,000 for ANL-West Operations, $9,000,000 for test reactor landlord activities, and $44,010,000 for the Fast Flux Test Facility.

Nuclear facilities management.—The conference agreement adopts the budget structure proposed by the House and provides $34,850,000 for nuclear facilities management activities, the same as the budget request.

The conference agreement provides the full amount of the budget request to complete draining and processing EBR-II primary sodium. The conferees direct the Department to notify the House and Senate Committees on Appropriations immediately if any issues arise that would delay the Department's scheduled date to complete these activities.

Uranium programs.—The conference agreement transfers the budget request of $53,400,000 for uranium programs to a new appropriation account, Uranium Facilities Maintenance and Remediation.

Program direction.—The conference agreement includes $22,000,000 for program direction. This reduction reflects the transfer of 25 employees in the field and up to 5 employees at Headquarters who managed the uranium programs to the Office of Environmental Management.

ENVIRONMENT, SAFETY AND HEALTH

The conference agreement includes $35,998,000 for non-defense environment, safety and health activities. The conferees direct that the reduction from the budget request be directed to eliminate lower-priority activities currently funded in this program. The conference agreement includes $1,000,000 to be transferred to the Occupational Safety and Health Administration as proposed by the House. The conferees expect the Department to budget for this activity in fiscal year 2002.

TECHNICAL INFORMATION MANAGEMENT PROGRAM

The conference agreement includes $8,600,000 as proposed by the Senate.

FUNDING ADJUSTMENTS

The conference agreement also includes $47,100,000, the same amount as the budget request, for research performed by the Office of Science related to renewable energy technologies, and $2,352,000 proposed as an offset from nuclear energy royalties to be received in fiscal year 2001. A reduction of $16,582,000 reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

The conference agreement provides $277,812,000 for Non-Defense Environmental Management instead of $281,001,000 as proposed by the House and $309,141,000 as proposed by the Senate. Funding of $5,000,000 is

provided to expedite environmental cleanup at the Brookhaven National Laboratory. No funding has been provided for the Atlas site in Moab, Utah, which has not been authorized. The recommendation transfers $1,900,000 from the post-2006 program to the site/project completion program to maintain the schedule for completing cleanup of three Oakland geographic sites.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

The conference agreement provides $393,367,000 for uranium activities instead of $301,400,000 as proposed by the House and $297,778,000 as proposed by the Senate, and adopts the budget structure proposed by the House.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement includes $345,038,000 for the uranium enrichment decontamination and decommissioning fund. This includes $273,038,000 for cleanup activities and $72,000,000 for uranium and thorium reimbursements. The conferees recognize there are eligible uranium and thorium licensee claims under Title X of the Energy Policy Act that have been approved for reimbursement, but not yet paid in full. Additional funding of $42,000,000 over the budget request of $30,000,000 has been provided for these payments.

URANIUM PROGRAMS

The conference agreement provides $62,400,000 for uranium activities, an increase of $9,000,000 over the budget request of $53,400,000. Additional funding of $9,000,000, as proposed by the Senate, has been provided for activities associated with the depleted uranium hexafluoride (DUF6) management and conversion project.

DOMESTIC URANIUM INDUSTRY

The conferees are very concerned about the front end of the U.S. nuclear fuel cycle. The conferees direct the Secretary to work with the President and other Federal agencies to ensure that current laws with respect to the privatization of USEC and with respect to the implementation of the Russian HEU agreement and their impact on United States domestic capabilities are carried out. In addition, the Secretary is instructed to take timely measures to ensure that conversion capability is not lost in the United States. The conferees expect that any such measures will not interfere with the implementation of the Russian HEU agreement and the important national security goals it is accomplishing.

The conferees direct the Secretary to undertake an evaluation and make specific recommendations on the various options to sustain a domestic uranium enrichment industry in the short and long-term to be delivered to Congress no later than December 31, 2000. The Secretary's evaluation shall include recommendations for dealing with the Portsmouth facility and its role in maintaining a secure and sufficient domestic supply of enriched uranium. Further, this investigation should consider the technological viability and commercial feasibility of all proposed enrichment technologies including various centrifuge options, AVLIS and SILEX technologies, or other emerging technology. The evaluation should also consider the role of the Federal government in developing and supporting the implementation and regulation of these new technologies in order to secure a reliable and competitive source of domestic nuclear fuel.

FUNDING ADJUSTMENT

A reduction of $14,071,000 reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

SCIENCE

The conference agreement provides $3,186,352,000 instead of $2,830,915,000 as proposed by the House and $2,870,112,000 as proposed by the Senate. The conference agreement does not include the Senate language earmarking funds for various purposes and limiting funding for the small business innovation research program.

High energy physics.—The conference agreement provides $726,130,000 for high energy physics and reflects the adjustments recommended in the Science budget amendment submitted by the Department. Funding of $230,931,000 has been provided for facility operations at the Fermi National Accelerator Laboratory.

Nuclear physics.—The conference agreement provides $369,890,000 for nuclear physics, the same as the original budget request.

Biological and environmental research.—The conference agreement includes $500,260,000 for biological and environmental research. The conferees have included $20,135,000 for the low-dose effects program, an increase of $8,453,000 over the budget request. The conference agreement provides $9,000,000 for molecular nuclear medicine.

The conferees have provided the budget request of $2,500,000 for the Laboratory for Comparative and Functional Genomics at Oak Ridge National Laboratory.

The conference agreement includes $2,000,000 for the Discovery Science Center in Orange County, California; $1,500,000 for the Children's Hospital emergency power plant in San Diego; $1,000,000 for the Center for Science and Education at the University of San Diego; $500,000 for the bone marrow transplant program at Children's Hospital Medical Center Foundation in Oakland, California; $1,000,000 for the North Shore Long Island Jewish Health System in New York; $1,700,000 for the Museum of Science and Industry in Chicago; $2,000,000 for the Livingston Digital Millenium Center to be located at Tulane University; and $1,000,000 for the Center for Nuclear Magnetic Resonance at the University of Alabama-Birmingham.

The conference agreement includes $3,000,000 for the Nanotechnology Engineering Center at the University of Notre Dame in South Bend, Indiana; $2,000,000 for the School of Public Health at the University of South Carolina for modernization upgrades; $2,000,000 for the National Center for Musculoskeletal Research at the Hospital for Special Surgery in New York; and $1,300,000 for the Western States Visibility Assessment Program at New Mexico Tech to trace emissions resulting from energy consumption.

The conference agreement includes $1,000,000 for high temperature super conducting research and development at Boston College; $2,500,000 for the positron emission tomography facility at West Virginia University; $1,000,000 for the advanced medical imaging center at Hampton University; $500,000 for the Natural Energy Laboratory in Hawaii; $800,000 for the Child Health Institute of New Brunswick, New Jersey; and $900,000 for the linear accelerator for University Medical Center of Southern Nevada.

The conference agreement also includes $200,000 for the study of biological effects of low level radioactive activity at University of Nevada-Las Vegas; $1,000,000 for the Medical University of South Carolina Oncology Center; $11,000,000 for development of technologies using advanced functional brain imaging methodologies, including magnetoencephalography, for conduct of basic research in mental illness and neurological disorders, and for construction; $2,000,000 for a science and technology facility at New Mexico Highlands University; $2,000,000 for the University of Missouri-Columbia to expand the federal investment in the university's nuclear medicine and cancer research capital program; and $2,000,000 for the Inland Northwest Natural Resources Research Center at Gonzaga University.

Basic energy sciences.—The conference agreement includes $1,013,370,000 for basic energy sciences. The conferees have included $8,000,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR).

Spallation Neutron Source.—The recommendation includes $278,600,000, including $259,500,000 for construction and $19,100,000 for related research and development, the same as the amended budget request, for the Spallation Neutron Source.

Advanced scientific computing research.—The conference agreement includes $170,000,000 for advanced scientific computing research.

Energy research analyses.—The conference agreement includes $1,000,000 for energy research analyses, the same amount provided by the House and the Senate.

Multiprogram energy labs—facility support.—The conference agreement includes $33,930,000 for multi-program energy labs-facility support.

Fusion energy sciences.—The conference agreement includes $255,000,000, as proposed by the House, for fusion energy sciences.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the conference agreement includes $49,818,000 for safeguards and security activities at laboratories and facilities managed by the Office of Science. This is offset by a reduction of $38,244,000 that is to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program Direction.—The conference agreement includes $139,245,000 for program direction. Funding of $4,500,000 has been provided for science education.

Funding adjustments.—A reduction of $38,244,000 reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. A general reduction of $34, 047,000 has been applied to this account.

NUCLEAR WASTE DISPOSAL

The conference agreement provides $191,074,000 for Nuclear Waste Disposal instead of $213,000,000 as proposed by the House and $59,175,000 as proposed by the Senate. Combined with the appropriation of $200,000,000 to the Defense Nuclear Waste Disposal account, a total of $391,074,000 will be available for program activities in fiscal year 2001. The funding level reflects a reduction of $39,500,000 from the budget request and the transfer of $6,926,000 in safeguards and security costs in accordance with the Department's amended budget request.

In addition, the conferees recommend that $10,000,000 of funds previously appropriated for interim waste storage activities in Public Law 104–46 may be made available upon written certification by the Secretary of Energy to the House and Senate Committees on Appropriations that the site recommendation report cannot be completed on time without additional funding.

Site recommendation report.—The conferees reiterate the expectation by Congress that the Department submit its site recommendation report in July 2001 according to the current schedule. While the conference agreement does not provide the full funding requested by the Department, the conferees expect the Department to promptly submit a reprogramming request if it becomes apparent that limited funding will delay the site recommendation report beyond July 2001.

The conferees further expect that, if the site is approved, the Department will continue to analyze further design improvements and enhancements between that time

and the submittal of a license application to the Nuclear Regulatory Commission.

State oversight funding.—The conference agreement includes $2,500,000 for the State of Nevada. This funding will be provided to the Department of Energy which will reimburse the State for actual expenditures on appropriate scientific oversight responsibilities conducted pursuant to the Nuclear Waste Policy Act of 1982. These funds are to be provided to the Nevada Division of Emergency Management for program management and execution and may not be used for payment of salaries and expenses for State employees.

Local oversight funding.—The conference agreement includes $6,000,000 for affected units of local government. The conferees expect the Department to provide the full amount of funding allocated to the State and local counties for oversight activities. Any proposed reduction to the amounts identified by Congress for State and local oversight will require prior approval of a reprogramming request by the Committees on Appropriations.

Limitation on the use of funds to promote or advertise public tours.—The conferees direct that none of the funds be used to promote or advertise any public tour of the Yucca Mountain facility, other than public notice that is required by statute or regulation.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $226,107,000 for Departmental Administration instead of $153,527,000 as proposed by the House and $210,128,000 as proposed by the Senate. Additional funding adjustments include a transfer of $25,000,000 from Other Defense Activities; the use of $8,000,000 of prior year balances; and a reduction of $18,000 for safeguards and security costs. Revenues of $151,000,000 are estimated to be received in fiscal year 2001, resulting in a net appropriation of $75,107,000.

The conference agreement provides $5,000,000 for the Office of the Secretary as proposed by the House. All funds for the newly established National Nuclear Security Administration have been provided in the defense portion of this bill.

The conference agreement provides $32,148,000 for the Chief Financial Officer, an increase of $1,400,000 over the budget request of $30,748,000. These additional funds are to support the DOE project management career development program.

Working capital fund.—The conference agreement does not include statutory language proposed by the House prohibiting funding Federal employee salaries and expenses in the working capital fund. However, any proposal by the Department to transfer salaries and expenses to the working capital fund will require prior approval by the House and Senate Committees on Appropriations.

Cost of work for others.—The conference agreement includes a one-time increase of $40,000,000 in the cost of work for others program to accommodate safeguards and security requirements. It is anticipated that this amount will be offset by an estimated $40,000,000 in revenues derived from non-Department of Energy customers for the purpose of funding safeguards and security activities throughout the Department. In fiscal year 2002 and beyond, the conferees expect the Department to submit a safeguards and security budget that includes amounts obtained previously from other agencies or customers.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $31,500,000 for the Inspector General as proposed by the House instead of $28,988,000 as proposed by the Senate. The conference agreement does not include statutory language proposed by the House requiring a study of the economic basis of recent gasoline price levels.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The conferees support the Administrator's efforts to establish and fill critical positions within the National Nuclear Security Administration (NNSA). The conferees agree that the Administrator's authority should not be impacted by any action that would otherwise limit or preclude hiring which may occur as a result of a change of administrations, and that the Administrator should to the maximum extent possible under applicable statutes proceed with effecting appointments.

WEAPONS ACTIVITIES

The conference agreement provides $5,015,186,000 for Weapons Activities instead of $4,579,684,000 as proposed by the House and $4,883,289,000 as proposed by the Senate. Statutory language proposed by the House limiting the funds availability to two years has not been included by the conferees.

Reprogramming.—The conference agreement provides limited reprogramming authority of $5,000,000 or 5 percent, whichever is less, within the Weapons Activities account without submission of a reprogramming to be approved in advance by the House and Senate Committees on Appropriations. No individual program account may be increased or decreased by more than this amount during the fiscal year using this reprogramming authority. This should provide the needed flexibility to manage this account.

Congressional notification within 30 days of the use of this reprogramming authority is required. Transfers which would result in increases or decreases in excess of $5,000,000 or 5 percent to an individual program account during the fiscal year require prior notification and approval from the House and Senate Committees on Appropriations.

The Department is directed to submit a report to the Committees on Appropriations by January 15, 2001, that reflects the allocation of the safeguards and security reduction, the use of prior year balances and the application of general reductions, and any proposed accounting adjustments.

Directed stockpile work.—In stockpile research and development, additional funding of $19,000,000 has been provided for life extension development activities and to support additional sub-critical experiments. Additional funding of $10,000,000 has been provided to support activities required to maintain the delivery date for a certified pit. No additional funds are provided for cooperative research on hard and deeply buried targets.

Funding for stockpile maintenance has been increased by $22,000,000 as follows: $13,000,000 for life extension operations and development and engineering activities; $5,000,000 for the Kansas City Plant; and $4,000,000 for the Y–12 Plant.

Funding for stockpile evaluation has been increased by $23,000,000 as follows: $6,000,000 for the elimination of the testing backlog and joint test equipment procurements; $8,000,000 for the Pantex Plant; $6,000,000 for the Y–12 Plant; and $3,000,000 for the Savannah River Plant.

Campaigns.—The conference agreement provides $41,400,000 for pit certification, the same as the budget request. Additional funding of $10,000,000 has been provided for dynamic materials properties to support the maintenance of core scientific capabilities, Liner Demonstration Experiments, and other various multi-campaign supporting physics demonstrations for the Atlas pulsed power facility at the Los Alamos National Laboratory and the Nevada Test Site.

An additional $15,000,000 has been provided to support research, development and preconceptual design studies for an advanced hydrodynamic test facility using protons.

Additional funding of $17,000,000 has been provided for enhanced surveillance activities as follows: $3,000,000 for the Kansas City Plant; $7,000,000 for the Pantex Plant; $4,000,000 for the Y–12 Plant; $1,000,000 for the Savannah River Plant; and $2,000,000 to support accelerated deployment of test and diagnostic equipment.

Funding for pit manufacturing readiness is increased by $17,000,000. An increase of $2,000,000 is provided to initiate conceptual design work on a pit manufacturing facility. Additional funding of $15,000,000 is provided to support the pit production program which is now behind schedule and over cost. The conferees strongly support the Senate language regarding the Department's lack of attention to this critical program and the requirement for a progress report by December 1, 2000, and each quarter thereafter.

An additional $5,000,000 has been provided to the Y–12 Plant for secondary readiness.

Inertial Fusion.—The conference agreement includes $449,600,000 for the inertial fusion program in the budget structure proposed by the House.

Additional funding of $25,000,000 as proposed by the House has been provided to further development of high average power lasers. The conference agreement includes the budget request of $9,750,000 for the Naval Research Laboratory and the budget request of $32,150,000 for the University of Rochester. The conference agreement reflects the transfer of $40,000,000 from National Ignition Facility (NIF) operations funding to the NIF construction project.

The conference agreement provides $2,500,000 from within available funds to transfer the Petawatt Laser from Lawrence Livermore National Laboratory to the University of Nevada-Reno, as proposed by the Senate.

National Ignition Facility.—The conference agreement provides $199,100,000 for continued construction of the National Ignition Facility (NIF). The conferees have included a directed reduction of $25,000,000 in the Weapons Activities account which is to be applied to programs under the direction of the Lawrence Livermore National Laboratory.

The conferees have included statutory language providing that only $130,000,000 shall be made available for NIF at the beginning of fiscal year 2001 and the remaining $69,100,000 shall be available only upon a certification after March 31, 2001, by the Administrator of the National Nuclear Security Administration that several requirements have been met. These requirements include:

A. A recommendation on an appropriate path forward for the project based on a detailed review of alternative construction options that would (1) focus on first achieving operation of a 48 or 96 beam laser; (2) allow for the full demonstration of a such a system in support of the stockpile stewardship program before proceeding with construction and operation of a larger laser complex; and (3) include a program and funding plan for the possible future upgrade to a full NIF configuration. The recommendation should include identification of available ''off-ramps'' and decision points where the project could be scaled to a smaller system.

B. Certification that project and scientific milestones as established in the revised construction project data sheet for the fourth quarter of fiscal year 2000 and the first two quarters of fiscal year 2001 have been met on schedule and on cost.

C. Certification that the first and second quarter project reviews in fiscal year 2001 determined the project to be on schedule and

cost and have provided further validation to the proposed path forward.

D. Completion of a study that includes conclusions as to whether the full-scale NIF is required in order to maintain the safety and reliability of the current nuclear weapons stockpile, and whether alternatives to the NIF could achieve the objective of maintaining the safety and reliability of the current nuclear weapons stockpile.

E. Certification that the NIF project has implemented an integrated cost-schedule earned-value project control system by March 1, 2001.

F. A five-year budget plan for the stockpile stewardship program that fully describes how the NNSA intends to pay for NIF over the out years and what the potential for other impacts on the stockpile stewardship program will be.

The conferees remain concerned about the Department's proposed budget increase and schedule delay for the NIF at the Lawrence Livermore National Laboratory (LLNL). The conferees believe that previously the Department of Energy, and most recently the National Nuclear Security Administration (NNSA), may have failed to examine adequately options for NIF that have fewer than the full 192 beams. For example, a preferred course for NIF may be to complete 48 or 96 beams as soon as possible (although block procurement of infrastructure and glass may be considered), bring the reduced NIF into operation, perform the necessary scientific and technical tests to evaluate whether a full NIF will work and its impact on stockpile stewardship, and then develop a path forward for NIF that balances its scientific importance within the overall needs of the stockpile stewardship program. To move on this path in fiscal year 2001, the conferees recommend that $199,100,000 be appropriated for NIF as follows: $74,100,000 as originally proposed for Project 96–D–111, $40,000,000 from NIF operations funding within the budget request for LLNL, $25,000,000 to be identified within the budget request at LLNL, plus an additional $60,000,000 in new appropriations.

Furthermore, the conferees direct the Administration to prepare a budget request for fiscal year 2002 that fully reflects a balanced set of programs and investments within the stockpile stewardship program, and that the overall budget profile over the next eight years will accommodate a $3.4 billion NIF along with the other critical aspects of the program.

Defense computing and modeling.—The conference agreement provides $786,175,000 for defense computing modeling and the Accelerated Strategic Computing Initiative in the budget structure proposed by the House. The recommendation is $10,000,000 less than the budget request, and the reduction should be taken against lower priority activities.

Tritium.—A total of $167,000,000 is provided for continued research and development on a new source of tritium. Funding of $15,000,000 has been provided for design only activities in Project 98–D–126, Accelerator Production of Tritium.

Readiness in technical base and facilities.—The conference agreement includes several funding adjustments transferring funds from this program to individual campaigns.

For operations of facilities, $137,300,000 has been transferred to the inertial fusion program. An additional $36,000,000 has been provided to the production plants for replacement of critical infrastructure and equipment as follows: $12,000,000 for the Kansas City Plant; $12,000,000 for the Pantex Plant; $10,000,000 for the Y–12 Plant; and $2,000,000 for the Savannah River Plant.

Additional funding of $10,000,000 has been provided for the operation of pulsed power facilities; $20,000,000 for microsystems and microelectronics activities at the Sandia National Laboratory; $7,000,000 for a replacement CMR facility at Los Alamos National Laboratory; and $3,100,000 to fund the transition period for the new contractor at the Pantex Plant in Texas.

For program readiness, the conference agreement transfers $7,400,000 to the inertial fusion program and adds $6,100,000 for the TA–18 relocation.

For nuclear weapons incident response, a new program established in readiness technical base and facilities, the conference agreement provides $56,289,000. Funding of $44,205,000 for the nuclear emergency search team and $12,084,000 for the accident response group was transferred from the emergency management program in the Other Defense Activities account.

Special projects are supported at the budget request of $48,297,000. Additional funds have not been provided for AMTEX. From within available funds, $1,000,000 has been provided to support a program in partnership with university systems to meet the needs of the NNSA.

For materials recycling, the conference agreement provides an additional $8,000,000 to maintain restart schedules for hydrogen fluoride and wet chemistry operations at the Y–12 Plant.

For containers, the conference agreement provides an additional $4,000,000 to support the effort to repackage pits which is currently behind schedule at the Pantex Plant due to operational problems.

Funding for advanced simulation and computing has been transferred to the defense computing and modeling campaign.

The conference agreement does not provide additional funding to process uranium-233 as proposed by the Senate, but the conferees expect the Department to act expeditiously to process this material in a manner that would retain and make available isotopes for beneficial use. The Department should provide to the House and Senate Committees a report on the status of this project by March 1, 2001.

Construction projects.—The conference agreement provides $35,500,000 for preliminary project engineering and design. Funding of $20,000,000 is provided for design and supporting infrastructure upgrades for the Microsystems and Engineering Sciences Applications facility at Sandia National Laboratory; $5,000,000 for proof of concept and completion of facility operational capability for the Atlas pulsed power machine at the Nevada Test Site; and $1,000,000 for initiation of design activities for the relocation of the TA–18 nuclear materials handling facility at Los Alamos National Laboratory.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the conference agreement includes $377,596,000 for safeguards and security activities at laboratories and facilities managed by the Office of Defense Programs. This is offset by a reduction of $310,796,000 to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program direction.—The conference agreement provides $224,071,000 for program direction as proposed by the Senate.

Funding adjustments.—The conference agreement includes the use of $13,647,000 in prior year balances and a reduction of $310,796,000 that reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. In addition, the conference agreement includes a general reduction of $35,700,000 of which $25,000,000 is to be taken against programs at Lawrence Livermore National Laboratory.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides $874,196,000 for Defense Nuclear Nonproliferation instead of $861,477,000 as proposed by the House and $908,967,000 as proposed by the Senate. Statutory language proposed by the House limiting the funds availability to two years has not been included by the conferees. Statutory language proposed by the Senate to earmark funding for the Incorporated Research Institutions for Seismology has not been included. The conferees have provided a total of $53,000,000 for the long-term Russian initiative within this account.

Limitation on Russian and Newly Independent States' (NIS) program funds.—The conferees are concerned about the amount of funding for Russian and NIS programs which remains in the United States for Department of Energy contractors and laboratories rather than going to the facilities in Russia and the NIS. The conferees direct that not more than the following percentages of funding may be spent in the United States in fiscal year 2001 for these programs: Materials Protection, Control and Accounting, 43%; International Proliferation Prevention Program, 40%; Nuclear Cities Initiative, 49%; Russian Plutonium Disposition, 38%; and International Nuclear Safety, 78%.

The conferees expect the Department to continue to increase the level of funding which is provided to Russia versus the funding which remains in the United States for Department of Energy contractors and laboratories in each subsequent year. The Department is to provide a report to the Committees by January 31, 2001, and each subsequent year on the amount of funding provided to Russia and NIS in each program area. The Department should work with the Committees on the specific information to be included in the report.

Nonproliferation and verification research and development.—The conference agreement provides $252,990,000 for nonproliferation and verification research and development. Funding of $17,000,000 has been provided for the nonproliferation and international security center (NISC) at Los Alamos National Laboratory, and $1,000,000 for the Incorporated Research Institutions for Seismology PASSCAL Instrument Center.

Concerns have been raised repeatedly that there should be more opportunity for open competition in certain areas of the nonproliferation and verification research and development program. A recent report by an outside group established by the Department to review the Office of Nonproliferation Research and Engineering included a similar recommendation. The report stated that, ''There should be greater opportunity for the wider U.S. scientific and technical community to contribute to the success of the NN–20 portfolio. This can be done through open competition administered by DOE Headquarters and through partnerships chosen and managed by the DOE national laboratories.'' . . . ''Areas that come to mind as candidates for open competition include seismic verification technologies for very low yield underground nuclear tests and chemical and biological agent detection and identification technologies. Other possible areas might be specialized electronic chip development and certain radio-frequency technologies.''

The conferees expect the Department to act in good faith on the recommendations provided by the external review group, and direct the Department to initiate a free and open competitive process for 25 percent of its research and development activities during fiscal year 2001 for ground-based systems treaty monitoring. The competitive process should be open to all Federal and non-Federal entities.

The conferees direct the Department to report to the Committees on Appropriations on the status of implementing the external review panel's recommendations and the results of the directed open competition by March 30, 2001.

Arms control.—The conference agreement provides $152,014,000 for arms control activities including $24,500,000 for the Initiatives for Proliferation Prevention and $27,500,000 for the Nuclear Cities Initiative. In addition to the $10,000,000 added to the Nuclear Cities Initiative, the conferees have provided another $19,000,000 for the long-term Russian initiative in the arms control program to be distributed as follows: $15,000,000 for spent fuel dry storage; $500,000 for the plutonium registry at Mayak; $2,500,000 for geologic repository cooperation research and planning; and $1,000,000 for research reactor spent fuel acceptance.

International materials protection, control and accounting (MPC&A).—The conference agreement includes $173,856,000 for the MPC&A program including $24,000,000 for the long-term Russian initiative. The conferees have provided $5,000,000 for plutonium storage at Mayak and $19,000,000 for expanded MPC&A activities at Russian naval sites.

HEU transparency implementation.—The conference agreement provides $15,190,000, the same as the budget request.

International nuclear safety.—The conference agreement provides $20,000,000, the same as the budget request, for the international nuclear safety program. This funding is to be used only for activities in support of completing the upgrades to Soviet-designed nuclear reactors. From within available funds, the conference agreement provides $1,000,000 for a cooperative effort between the United States and Russia to address intergranular stress corrosion cracking and restore the structural integrity of Russian nuclear plants until decommissioning.

Fissile materials disposition.—The conference agreement provides $249,449,000 for fissile materials disposition. Funding of $139,517,000, as proposed by the House, has been provided for the U.S. surplus materials disposition program. The conference agreement provides $26,000,000 for Project 99–D–143, the MOX fuel fabrication facility.

Program direction.—The conference agreement provides $51,468,000 for the program direction account as proposed by the House. The conferees are aware that the Department does not have enough qualified Federal employees available to manage the nonproliferation and national security programs, particularly the Russian programs. The conferees will favorably consider a reprogramming of funds from program areas to the program direction account as Federal employees are hired to replace the contractor employees who currently oversee these programs.

Funding adjustment.—The conference agreement includes a reduction of $40,245,000 that reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

NAVAL REACTORS

The conference agreement provides $690,163,000 for Naval Reactors instead of $694,600,000 as proposed by the Senate and $677,600,000 as proposed by the House. Additional funding of $17,000,000 is provided to optimize the program to shutdown prototype reactors and complete all major inactivation work by fiscal year 2002.

Funding adjustment.—The conference agreement includes a reduction of $4,437,000 that reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides $10,000,000 for this new account as proposed by the Senate. These funds are provided to the Administrator of the National Nuclear Security Administration for the costs associated with hiring new employees and establishing the office.

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conference agreement provides $4,974,476,000 for Defense Environmental Restoration and Waste Management instead of $4,522,707,000 as proposed by the House and $4,635,763,000 as proposed by the Senate. Additional funding of $1,082,714,000 is contained in the Defense Facilities Closure Projects account and $65,000,000 in the Defense Environmental Management Privatization account for a total of $6,122,190,000 provided for all defense environmental management activities.

The conference agreement does not include statutory language proposed by the House pertaining to the use of funds for the Waste Isolation Pilot Plant or language proposed by the Senate earmarking funds for programs to be managed by the Carlsbad office of the Department of Energy.

The conference agreement limits the number of motor vehicles that can be purchased in fiscal year 2001 to not more than 30 for replacement only. The conferees have included an additional reporting requirement on the entire Department and have specified that sport utility vehicles are to be counted within this ceiling.

National monument designation.—The conferees agree that no funds spent by the Department for the coordination, integration, or implementation of a management plan related to the Hanford Reach National Monument shall result in the reduction or delay of cleanup at the Hanford site.

Site/Project Completion.—The conference agreement provides an additional $11,000,000 for F and H-area stabilization activities at the Savannah River Site in South Carolina as proposed by the House, and $19,000,000 to address funding shortfalls at the Hanford site in Richland, Washington, as proposed by the Senate. Funding of $12,308,000 has been transferred to other accounts as proposed by the House.

The conference agreement supports the budget request of $2,500,000 for the cooperative agreement with WERC and provides $25,000 for an independent evaluation of the mixed-waste landfill at Sandia National Laboratories in New Mexico.

For construction, the conference agreement provides $17,300,000 for Project 01–D–414, preliminary project engineering and design (PE&D). Project 01–D–415, 235–F packaging and stabilization, at the Savannah River Site has been funded at $4,000,000. Funding of $500,000 requested for Project 01–D–402, INTEC cathodic protection system expansion project, at Idaho Falls has been transferred to the new PE&D project. Funding of $27,932,000 for the Highly Enriched Blend Down Facility has been transferred to the fissile materials disposition program.

Post 2006 Completion.—The conference agreement includes an additional $10,000,000 to maintain schedules required by revised compliance agreements with the State of Washington as proposed by the Senate, and $6,000,000 to support transuranic and low-level waste activities at the Savannah River Site in South Carolina as proposed by the House. Funding of $10,000,000 for the Four Mile Branch project and $18,000,000 for the Consolidated Incinerator Facility at the Savannah River Site has not been provided as proposed by the House. Funding of $18,692,000 has been transferred to the Science and Technology program.

The conference agreement provides $400,000 to begin design activities for a subsurface geosciences laboratory at Idaho.

From within available funds for the Waste Isolation Pilot Plant, $1,000,000 has been provided for a transparency demonstration project.

A total of $3,000,000 has been provided to support a program with the United States-Mexico Border Health Commission to demonstrate technologies to reduce hazardous waste streams and to support the Materials Corridor Partnership Initiative.

Funding of $1,300,000 for Project 01–D–403, immobilized high level waste interim storage facility, at Richland, Washington, has been transferred to the PE&D project in site/project completion account.

Office of River Protection.—The conference agreement provides $757,839,000 for the Office of River Protection at the Hanford site in Washington. The conference agreement provides $377,000,000 for Project 01–D–416, Tank Waste Remediation System, at Richland, Washington, to vitrify the high-level waste in underground tanks. Funding to vitrify waste at the Hanford site was requested in the Defense Environmental Management Privatization account in fiscal year 2001. However, due to the failure of the contractor to provide a viable cost estimate under the concept of a ''privatized'' contract, the contract will now be structured as a cost plus incentive fee contract and will be funded in the regular appropriation account.

Science and technology development.—The conference agreement provides $256,898,000 for the science and technology development program. Funding of $21,000,000 has been transferred to this account for the Idaho validation and verification program. This transfer is not intended to reduce the environmental management base program in Idaho. The Department is directed to provide $10,000,000 for the next round of new and innovative research grants in the environmental management science program in fiscal year 2001, and $10,000,000 for technology deployment activities.

The conference agreement provides $4,000,000 for the international agreement with AEA Technology; $4,500,000 for the Diagnostic Instrumentation and Analysis Laboratory; $4,350,000 for the university robotics research program; an additional $1,000,000 for the D&D focus area; and up to $4,000,000 to continue evaluation, development and demonstration of the Advanced Vitrification System upon successful completion of supplemental testing. The conferees have provided $2,000,000 to the National Energy Technology Laboratory to be used for the continuation of the Mid-Atlantic Recycling Center for End-of-Life Electronics initiative (MARCEE) in cooperation with the Polymer Alliance Zone.

The conference agreement includes $4,000,000 for the long-term stewardship program to be administered at Headquarters and $4,000,000 for the Idaho National Engineering and Environmental Laboratory. No funds are provided for the low dose radiation effects program, as the entire Senate recommended amount is provided within the Office of Science.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the conference agreement includes $203,748,000 for safeguards and security activities at laboratories and facilities managed by the Office of Defense Programs. This is offset by a reduction of $193,217,000 to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program direction.—The conferees have provided $363,988,000 for the program direction account. This funding level reflects the transfer of the uranium programs from the office of nuclear energy to the office of environmental management. Funding of

$4,100,000 has been provided to allow for the transfer of up to 5 employees from Headquarters and 25 employees at Oak Ridge who manage the uranium programs.

Funding adjustments.—The conference agreement includes the use of $34,317,000 of prior year balances and $50,000,000 in pension refunds, the same as the budget request. The conference agreement includes a reduction of $193,217,000 that reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. A general reduction of $10,700,000 has also been included.

DEFENSE FACILITIES CLOSURE PROJECTS

The conference agreement appropriates $1,082,714,000 the same as the amended budget request. The conferees expect the Department to request adequate funds to keep each of these projects on a schedule for closure by 2006 or earlier.

Any savings resulting from safeguards and security costs are to be retained and used for cleanup activities at the closure sites.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

The conference agreement provides $65,000,000 for the defense environmental management privatization program instead of $259,000,000 as proposed by the House and $324,000,000 as proposed by the Senate. The conference agreement provides no funds for the Tank Waste Remediation System (TWRS) project at Hanford. Funding for this project, which had previously been considered as a privatization contract, has been transferred to the Defense Environmental Restoration and Waste Management appropriation account.

The conference agreement also includes a rescission of $97,000,000 of funds previously appropriated for the TWRS project in the Defense Environmental Management Privatization appropriation account.

OTHER DEFENSE ACTIVITIES

The conference agreement appropriates $585,755,000 for Other Defense Activities instead of $592,235,000 as proposed by the House and $579,463,000 as proposed by the Senate. Details of the conference agreement are provided below.

SECURITY AND EMERGENCY OPERATIONS

For nuclear safeguards and security, the conference agreement provides $116,409,000 as proposed by the House. The conferees have provided $3,000,000 for the critical infrastructure protection program, an increase of $600,000 over fiscal year 2000. The conference agreement also provides $2,000,000 to procure safety locks to meet Federal specifications.

The conference agreement provides $33,000,000 for security investigations, the same as the budget request.

The conference agreement includes $33,711,000 for emergency management. Funding of $3,600,000 was transferred to the program direction account to reflect the conversion of contractor employees to Federal employees at a substantial cost savings. Funding of $44,205,000 for the nuclear emergency search team and $12,084,000 for the accident response group was transferred to the Weapons Activities account.

Program direction.—The conference agreement provides $92,967,000 for the program direction account as proposed by the House. This reflects the transfer of $3,600,000 from the emergency management program.

INTELLIGENCE

The conference agreement includes $38,059,000 as proposed by the House and the Senate to support the Department's intelligence program.

COUNTERINTELLIGENCE

The conference agreement includes $45,200,000 as proposed by the House and the Senate to support the Department's counterintelligence program.

ADVANCED ACCELERATOR APPLICATIONS

The conference agreement provides $34,000,000 to establish a new program for advanced accelerator applications, including $3,000,000 for research and development of technologies for economic and environmentally sound refinement of spent nuclear fuel at the University of Nevada-Las Vegas.

The Department is directed to prepare a program plan for managing and executing this program using the extensive expertise of the Office of Science and the Office of Defense Programs in accelerator research, design, and applications, and the expertise of the Office of Nuclear Energy in transmutation of nuclear waste. This program plan should be submitted to the Committees by March 1, 2001.

The conferees make no recommendation as to how the Department should manage the advanced accelerator application program.

INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE

The conference agreement provides $14,937,000, the same as the budget request for the office of independent oversight and performance assurance.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides $125,567,000 for defense-related environment, safety and health activities. The conferees have provided $3,000,000 to establish a program at the University of Nevada-Las Vegas for Department-wide management of electronic records; $1,750,000 for the University of Louisville and the University of Kentucky to undertake epidemiological studies of workers; $880,000 to provide medical screening for workers employed at the Amchitka nuclear weapons test site; and $500,000 for the State of Nevada to address deficiencies in the Cancer Registry, Vital Statistics, and Birth Defects Registry activities.

The conference agreement includes $17,000,000 for the Department's administrative costs associated with the proposed Energy Employees Compensation Initiative. These funds are not available until the program is authorized by law.

WORKER AND COMMUNITY TRANSITION

The conference agreement provides $24,500,000 for the worker and community transition program, including $2,100,000 for infrastructure improvements at the former Pinellas plant. The conferees expect that communities denied funds in fiscal year 2000 will be granted priority status in fiscal year 2001.

The conference agreement provides that no funds may be used to augment the $24,500,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT

The conference agreement provides $25,000,000 for national security programs administrative support instead of $51,000,000 as proposed by the House and no funding as proposed by the Senate.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides $3,000,000 as proposed by the House and the Senate.

FUNDING ADJUSTMENTS

A reduction of $595,000 and the elimination of the $20,000,000 offset to user organizations for security investigations reflects the allocation of the safeguards and security amended budget request.

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement provides $200,000,000 as proposed by the House instead of $292,000,000 as proposed by the Senate.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

The conferees have included the statutory language extending Bonneville's voluntary separation incentive program until January 1, 2003.

During fiscal year 2001, Bonneville plans to pay the Treasury $620,000,000 of which $163,000,000 is to repay principal on the Federal investment in these facilities.

SOUTHEASTERN POWER ADMINISTRATION

The conference agreement includes $3,900,000, the same as the budget request, for the Southeastern Power Administration.

SOUTHWESTERN POWER ADMINISTRATION

The conference agreement includes $28,100,000, the same as the budget request, for the Southwestern Power Administration.

WESTERN AREA POWER ADMINISTRATION

The conference agreement provides $165,830,000, instead of $164,916,000 as proposed by the Senate and $160,930,000 as proposed by the House. The conference agreement increases the amount of purchase power and wheeling to $65,224,000 and increases offsetting collections by the same amount. Funding of $5,950,000 is provided for the Utah Reclamation Mitigation and Conservation Account.

FALCON AND AMISTAD FUND

The conference agreement includes $2,670,000, the same as the budget request, for the Falcon and Amistad Operating and Maintenance Fund.

FEDERAL ENERGY REGULATORY COMMISSION

The conference agreement includes $175,200,000, the same as the budget request for the Federal Energy Regulatory Commission.

RESCISSIONS

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement includes language rescinding $75,000,000 from funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal in Public Law 104–46, the fiscal year 1996 Energy and Water Development Appropriations Act.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

The conference agreement includes language rescinding $97,000,000 from the Defense Environmental Management Privatization account. Funds were appropriated in this account in prior years for the Hanford Tank Waste Remediation System Project. This project is no longer being considered for a privatization contract. It has been transferred to the Defense Environmental Restoration and Waste Management appropriation account and will be funded there in future appropriation acts.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. The conference agreement includes a provision proposed by the House that none of the funds may be used to award a management and operating contract unless such contract is awarded using competitive procedures, or the Secretary of Energy grants a waiver to allow for such a deviation. Section 301 does not preclude extension of a contract awarded using competitive procedures.

Sec. 302. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or implement workforce restructuring plans or provide enhanced severance

payments and other benefits and community assistance grants for Federal employees of the Department of Energy under section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102–484.

Sec. 303. The conference agreement modifies a provision proposed by the House that none of the funds may be used to augment the $24,500,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

Sec. 304. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or initiate Requests for Proposals for a program if the program has not been funded by Congress in the current fiscal year. This provision precludes the Department from initiating activities for new programs which have been proposed in the budget request, but which have not yet been funded by Congress.

Sec. 305. The conference agreement includes a provision proposed by the House and Senate that permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill.

Sec. 306. The conference agreement includes language providing that not to exceed 6 percent of funds shall be available for Laboratory Directed Research and Development.

Sec. 307. The conference agreement includes language limiting to $185,000,000 the funds available for reimbursement of management and operating contractor travel expenses. Of the $185,000,000, $175,000,000 is available for contractor travel and $10,000,000 is to be held in reserve by the Department's Chief Financial Officer for emergency travel requirements. The language also requires the Department of Energy to reimburse contractors for travel consistent with regulations applicable to Federal employees and specifies that the travel ceiling does not apply to travel funded from Laboratory Directed Research and Development funds.

Sec. 308. The conference agreement includes language prohibiting the Bonneville Power Administration from performing energy efficiency services outside the legally defined Bonneville service territory.

Sec. 309. The conference agreement includes language limiting the types of waste that can be disposed of in the Waste Isolation Pilot Plant in New Mexico. None of the funds may be used to dispose of transuranic waste in excess of 20 percent plutonium by weight for the aggregate of any material category. At the Rocky Flats site, this provision includes ash residues; salt residues; wet residues; direct repackage residues; and scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

Sec. 310. The conference agreement includes language allowing the Administrator of the National Nuclear Security Administration to authorize certain nuclear weapons production plants to use not more than 2 percent of available funds for research, development and demonstration activities.

Sec. 311. The conference agreement includes language allowing each Federal power marketing administration to engage in activities relating to the formation and operation of a regional transmission organization.

Sec. 312. The conference agreement includes language that would permit the Secretary of Energy to use $10,000,000 of funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal upon receipt of written certification that the site recommendation report cannot be completed on time without additional funding.

Sec. 313. The conference agreement includes language proposed by the Senate that would provide a three year term of office for the first person appointed to the position of the Under Secretary of Nuclear Security of the Department of Energy.

Sec. 314. The conference agreement includes language proposed by the Senate limiting the authority of the Secretary of Energy to modify the organization of the National Nuclear Security Administration.

Sec. 315. The conference agreement includes language proposed by the Senate prohibiting the pay of personnel engaged in concurrent service or duties inside and outside the National Nuclear Security Administration.

Report on impacts of limits on on-site storage.—The conference agreement does not include statutory language proposed by the Senate, but the conferees direct that not later than 90 days after enactment of the fiscal year 2001 Energy and Water Development Appropriations Act, the Secretary of Energy shall submit to Congress a report containing a description of all alternatives that are available to the Northern States Power Company and the Federal government to allow the company to continue to operate the Prairie Island nuclear generating plant until the end of the term of the license issued to the company by the Nuclear Regulatory Commission, in view of a law of the State of Minnesota that limits the quantity of spent nuclear fuel that may be stored at the plant, assuming that the existing Federal and State laws remain unchanged.

Report on electricity prices.—The conferees note that California is currently experiencing an energy crisis. Wholesale electricity prices have soared, resulting in electrical bills that have increased by as much as 300 percent in the San Diego area. Conferees understand that the staff of the Federal Energy Regulatory Commission is currently investigating the crisis. The Commission is directed to submit to Congress a report on the results of the investigation no later than December 1, 2000. The report shall include identification of the causes of the San Diego price increases, a determination whether California wholesale electricity markets are competitive, a recommendation whether a regional price cap should be set in the Western States, a determination whether manipulation of prices has occurred at the wholesale level, and a determination of remedies, including legislation or regulations, that are necessary to correct the problem and prevent similar incidents in California and elsewhere in the United States.

Provisions not adopted by the conferees.—The conference agreement deletes language proposed by the House and Senate prohibiting the use of funds for contracts modified in a manner that deviates from the Federal Acquisition Regulation.

The conference agreement deletes language proposed by the Senate allowing the Secretary of Energy to enter into multiyear contracts without obligating the estimated costs.

The conference agreement deletes language proposed by the Senate requiring the Department of Energy's laboratories to provide an annual funding plan to the Department.

The conference agreement deletes language proposed by the House prohibiting the payment of Federal salaries in the working capital fund.

The conference agreement deletes language proposed by the Senate prohibiting the expenditure of funds to establish or maintain independent centers at Department of Energy laboratories or facilities. The conference agreement includes report language requiring the Department to identify these centers in the budget request.

The conference agreement deletes language proposed by the House requiring a report on activities of the executive branch to address high gasoline prices and develop an overall national energy strategy.

The conference agreement deletes language proposed by the Senate prohibiting the expenditure of funds to restart the High Flux Beam Reactor.

The conference agreement deletes language proposed by the Senate limiting the inclusion of costs of protecting fish and wildlife within the rates charged by the Bonneville Power Administration.

The conference agreement deletes language proposed by the Senate limiting the cost of construction of the National Ignition Facility.

The conference agreement deletes language proposed by the Senate requiring an evaluation of innovative technologies for demilitarization of weapons components and treatment of hazardous waste.

The conference agreement deletes language proposed by the Senate requiring a report on national energy policy.

The conference agreement deletes language proposed by the Senate noting concern with the House provision on limiting funds for worker and community transition. The conference agreement deletes language proposed by the Senate requiring a report on the impact of State-imposed limits on spent nuclear fuel storage. This requirement has been included in report language.

The conference agreement deletes language proposed by the Senate limiting the use of funds to promote or advertise public tours at Yucca Mountain. This requirement has been included in report language.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in title III are contained in the following table.

Department of Energy (in thousands)

	Budget Request	Conference
ENERGY SUPPLY		
RENEWABLE ENERGY RESOURCES		
Renewable energy technologies		
Biomass/biofuels energy systems		
Power systems	47,830	40,000
Transportation	54,110	46,160
Subtotal, Biomass/biofuels energy systems	101,940	86,160
Biomass/biofuels energy research	26,740	26,740
Subtotal, Biomass	128,680	112,900
Geothermal technology development	26,970	27,000
Hydrogen research	22,940	27,000
Hydrogen energy research	2,970	2,970
Subtotal, Hydrogen	25,910	29,970
Hydropower	5,000	5,000
Solar energy		
Concentrating solar power	14,940	13,800
Photovoltaic energy systems	81,450	75,775
Photovoltaic energy research	2,847	2,847
Subtotal, Photovoltaic	84,297	78,622
Solar building technology research	4,470	3,950
Solar photoconversion energy research	14,260	14,260
Subtotal, Solar energy	117,967	110,632
Wind energy systems	50,140	40,000
Wind energy research	283	283
Subtotal, Wind	50,423	40,283
Total, Renewable energy technologies	354,950	325,785

Department of Energy (in thousands)

	Budget Request	Conference
Electric energy systems and storage		
High temperature superconducting R&D	31,900	37,000
Energy storage systems	5,000	6,000
Transmission reliability	10,960	9,000
Total, Electric energy systems and storage	47,860	52,000
Renewable support and implementation		
Departmental energy management	4,988	2,000
International renewable energy program	11,460	5,000
Renewable energy production incentive program	4,000	4,000
Renewable Indian energy resources	5,000	6,600
Renewable program support	6,500	4,000
Total, Renewable support and implementation	31,948	21,600
National renewable energy laboratory	1,900	4,000
Program direction	18,159	18,700
TOTAL, RENEWABLE ENERGY RESOURCES	454,817	422,085

Department of Energy (in thousands)

	Budget Request	Conference
NUCLEAR ENERGY		
Advanced radioisotope power system	30,864	32,200
Isotopes		
Isotope support and production	16,218	24,715
Construction		
99-E-201 Isotope production facility (LANL)	500	2,500
Subtotal, Isotope support and production	16,718	27,215
Offsetting collections	---	-8,000
Total, Isotopes	16,718	19,215
University reactor fuel assistance and support	12,000	12,000
Research and development		
Nuclear energy plant optimization	5,000	5,000
Nuclear energy research initiative	34,903	35,000
Nuclear energy technologies	---	7,500
Total, Research and development	39,903	47,500
Infrastructure		
ANL-West operations	---	39,150
Fast flux test facility (FFTF)	38,524	44,010
Test reactor area landlord	7,415	7,575
Construction		
99-E-200 Test reactor area electrical utility upgrade, Idaho National Engineering Laboratory, ID	879	925
95-E-201 Test reactor area fire and life safety improvements, Idaho National Engineering Laboratory, ID	458	500
Subtotal, Construction	1,337	1,425
Subtotal, Test reactor area landlord	8,752	9,000
Total, Infrastructure	47,276	92,160

Department of Energy (in thousands)

	Budget Request	Conference
Nuclear facilities management	66,126	---
Nuclear facilities management		
EBR-II shutdown	---	8,800
Disposition of spent fuel and legacy materials	---	16,200
Disposition technology activities	---	9,850
Total, Nuclear facilities management	---	34,850
Uranium programs	47,779	---
Program direction	27,620	22,000
TOTAL, NUCLEAR ENERGY	288,286	259,925

Department of Energy (in thousands)

	Budget Request	Conference
ENVIRONMENT, SAFETY AND HEALTH		
Environment, safety and health	19,906	16,000
Program direction	19,998	19,998
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	39,904	35,998
ENERGY SUPPORT ACTIVITIES		
Technical information management program	1,802	1,600
Program direction	7,335	7,000
TOTAL, ENERGY SUPPORT ACTIVITIES	9,137	8,600
Subtotal, Energy supply	792,144	726,608
Renewable energy research program	-47,100	-47,100
Transfer from Geothermal and USEC	-12,000	---
Offset from nuclear energy royalties	-2,352	-2,352
Reduction for safeguards and security	---	-16,582
TOTAL, ENERGY SUPPLY	730,692	660,574

Department of Energy (in thousands)

	Budget Request	Conference
NON-DEFENSE ENVIRONMENTAL MANAGEMENT		
Site closure	81,248	81,636
Site/project completion	63,798	61,621
Post 2006 completion	137,766	137,744
Reduction for safeguards and security	---	-3,189
TOTAL, NON-DEFENSE ENVIRONMENTAL MANAGEMENT	282,812	277,812
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Decontamination and decommissioning	264,588	---
Uranium/thorium reimbursement	30,000	---
TOTAL, URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING	294,588	---
URANIUM FACILITIES MAINTENANCE AND REMEDIATION		
Uranium Enrichment Decontamination and Decommissioning Fund		
Decontamination and decommissioning	---	273,038
Uranium/thorium reimbursement	---	72,000
Total, Uranium enrichment D&D fund	---	345,038
Other Uranium Activities		
Maintenance of facilities and inventories	---	29,193
Pre-existing liabilities	---	11,330
Depleted UF6 conversion project	---	21,877
Total, Other uranium activities	---	62,400
Reduction for safeguards and security	---	-14,071
TOTAL, URANIUM FACILITIES MAINTENANCE AND REMEDIATION	---	393,367

Department of Energy (in thousands)

	Budget Request	Conference
SCIENCE		
High energy physics		
Research and technology	236,000	234,720
Facility operations	440,872	459,010
Construction		
00-G-307 SLAC office building	5,200	5,200
99-G-306 Wilson hall safety improvements, Fermilab	4,200	4,200
98-G-304 Neutrinos at the main injector, Fermilab	23,000	23,000
Subtotal, Construction	32,400	32,400
Subtotal, Facility operations	473,272	491,410
Total, High energy physics	709,272	726,130
Nuclear physics	365,069	369,890
Biological and environmental research	435,954	497,760
Construction		
01-E-300 Laboratory for Comparative and Functional Genomics, ORNL	2,500	2,500
Total, Biological and environmental research	438,454	500,260

Department of Energy (in thousands)

	Budget Request	Conference
Basic energy sciences		
Materials sciences	448,964	456,111
Chemical sciences	219,090	223,229
Engineering and geosciences	40,304	40,816
Energy biosciences	33,662	33,714
Construction		
99-E-334 Spallation neutron source (ORNL)	261,900	259,500
Total, Basic energy sciences	1,003,920	1,013,370
Advanced scientific computing research	179,817	170,000
Energy research analyses	988	1,000
Multiprogram energy labs - facility support		
Infrastructure support	1,023	1,160
Oak Ridge landlord	7,475	10,711
Construction		
MEL-001 Multiprogram energy laboratory infrastructure projects, various locations	22,059	22,059
Total, Multiprogram energy labs - fac. support	30,557	33,930
Fusion energy sciences program	243,907	255,000
Safeguards and security	49,818	49,818
Program direction		
Field offices	82,929	83,307
Headquarters	51,408	51,438
Science education	6,500	4,500
Total, Program direction	140,837	139,245
Subtotal, Science	3,162,639	3,258,643
General reduction	---	-34,047
Reduction for safeguards and security	---	-38,244
TOTAL, SCIENCE	3,162,639	3,186,352

Department of Energy (in thousands)

	Budget Request	Conference
NUCLEAR WASTE DISPOSAL		
Repository program	255,034	135,200
Program direction	63,540	62,800
Reduction for safeguards and security	---	-6,926
TOTAL, NUCLEAR WASTE DISPOSAL	318,574	191,074

Department of Energy (in thousands)

	Budget Request	Conference
DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Salaries and expenses		
Office of the Secretary	6,648	5,000
Board of contract appeals	878	878
Chief financial officer	30,748	32,148
Contract reform	2,500	2,500
Congressional and intergovernmental affairs	5,146	5,000
Economic impact and diversity	5,126	5,126
General counsel	22,724	22,724
International affairs	9,400	8,500
Management and administration	78,882	77,800
Policy office	6,688	6,600
Public affairs	4,150	3,900
Subtotal, Salaries and expenses	172,890	170,176
Program support		
Minority economic impact	1,498	1,500
Policy analysis and system studies	406	422
Environmental policy studies	1,600	1,000
Corporate management information program	12,000	12,000
Subtotal, Program support	15,504	14,922
Total, Administrative operations	188,394	185,098
Cost of work for others	34,027	74,027
Subtotal, Departmental Administration	222,421	259,125
Use of prior year balances and other adjustments	-8,000	-8,000
Transfer from other defense activities	---	-25,000
Reduction for safeguards and security	---	-18
Total, Departmental administration (gross)	214,421	226,107
Miscellaneous revenues	-128,762	-151,000
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	85,659	75,107

Department of Energy (in thousands)

	Budget Request	Conference
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General	33,000	31,500

Department of Energy (in thousands)

	Budget Request	Conference
ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Stewardship operation and maintenance		
Directed stockpile work		
Stockpile research and development	243,300	272,300
Stockpile maintenance	257,994	279,994
Stockpile evaluation	151,710	174,710
Dismantlement/disposal	29,260	29,260
Production support	149,939	149,939
Field engineering, training and manuals	4,400	4,400
Reduction for safeguards and security	-17,427	---
Subtotal, Directed stockpile work	819,176	910,603
Campaigns		
Primary certification	41,400	41,400
Dynamic materials properties	64,408	74,408
Advanced radiography	43,000	58,000
Construction		
97-D-102 Dual-axis radiographic hydrotest facility (LANL), Los Alamos, NM	35,232	35,232
Subtotal, Advanced radiography	78,232	93,232
Secondary certification and nuclear systems margins	52,964	52,964
Enhanced surety	40,600	40,600
Weapons system engineering certification	16,300	16,300
Certification in hostile environments	15,400	15,400
Enhanced surveillance	89,651	106,651
Advanced design and production technologies	75,735	75,735
Inertial confinement fusion	120,800	250,500
Construction		
96-D-111 National ignition facility, LLNL	73,469	199,100
Subtotal, Inertial confinement fusion	194,269	449,600

Department of Energy (in thousands)

	Budget Request	Conference
Defense computing and modeling	249,100	716,175
Construction		
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA	2,300	2,300
00-D-103, Terascale simulation facility, LLNL, Livermore, CA	4,900	5,000
00-D-105 Strategic computing complex, LANL, Los Alamos, NM	56,000	56,000
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM	6,700	6,700
Subtotal, Construction	69,900	70,000
Subtotal, Defense computing and modeling	319,000	786,175
Pit manufacturing readiness	108,038	125,038
Secondary readiness	15,000	20,000
Materials readiness	40,511	40,511
Tritium readiness	77,000	77,000
Construction		
98-D-125 Tritium extraction facility, SR	75,000	75,000
98-D-126 Accelerator production of Tritium, various locations	---	15,000
Subtotal, Construction	75,000	90,000
Subtotal, Tritium readiness	152,000	167,000
Reduction for safeguards and security	-52,204	---
Subtotal, Campaigns	1,251,304	2,105,014

Department of Energy (in thousands)

	Budget Request	Conference
Readiness in technical base and facilities		
Operations of facilities	1,313,432	1,252,232
Program readiness	75,800	74,500
Nuclear weapons incident response	---	56,289
Special projects	48,297	48,297
Material recycle and recovery	22,018	30,018
Containers	7,876	11,876
Storage	9,075	9,075
Advanced simulation and computing	477,075	---
Reduction for safeguards and security	-220,867	---
Subtotal, Readiness in technical base and fac	1,732,706	1,482,287
Construction		
01-D-103 Preliminary project engineering and design (PE&D), various locations	14,500	35,500
01-D-124 HEU storage facility, Y-12 plant, Oak Ridge, TN	17,749	17,800
01-D-126 Weapons Evaluation Test Laboratory Pantex Plant, Amarillo, TX	3,000	3,000
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA	4,975	5,000
99-D-104 Protection of real property (roof reconstruction-Phase II), LLNL, Livermore, CA	2,786	2,800
99-D-106 Model validation & system certification center, SNL, Albuquerque, NM	5,200	5,200
99-D-108 Renovate existing roadways, Nevada Test Site, NV	1,874	2,000
99-D-125 Replace boilers and controls, Kansas City plant, Kansas City, MO	13,000	13,000
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO	23,566	23,765
99-D-128 Stockpile management restructuring initiative, Pantex consolidation, Amarillo, TX	4,998	4,998
98-D-123 Stockpile management restructuring initiative, Tritium factory modernization and consolidation, Savannah River, SC	30,767	30,767
97-D-123 Structural upgrades, Kansas City plant, Kansas City, KS	2,864	2,918

Department of Energy (in thousands)

	Budget Request	Conference
95-D-102 Chemistry and metallurgy research (CMR) upgrades project (LANL)	13,337	13,337
Subtotal, Construction	138,616	160,085
Subtotal, Readiness in technical base and fac	1,871,322	1,642,372
Total, Stewardship operation and maintenance	3,941,802	4,657,989
Transportation safeguards division		
Operations and equipment	79,357	79,357
Program direction	36,316	36,316
Total, Transportation safeguards division	115,673	115,673
Safeguards and security	356,840	356,840
Construction		
99-D-132 SMRI nuclear material safeguards and security upgrade project (LANL), Los Alamos, NM	18,043	18,043
88-D-123 Security enhancements, Pantex plant, Amarillo, TX	2,713	2,713
Subtotal, Construction	20,756	20,756
Total, Safeguards and security	377,596	377,596
Program direction	204,154	224,071
Subtotal, Weapons activities	4,639,225	5,375,329
Use of prior year balances	---	-13,647
General reduction	---	-35,700
Reduction for safeguards and security	---	-310,796
TOTAL, WEAPONS ACTIVITIES	4,639,225	5,015,186

Department of Energy (in thousands)

	Budget Request	Conference
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D	216,550	235,990
Construction		
00-D-192 Nonproliferation and international security center (NISC), LANL	7,000	17,000
Total, Nonproliferation and verification, R&D	223,550	252,990
Arms control	119,915	152,014
International materials protection, control, and accounting	146,081	173,856
Long-term nonproliferation program for Russia	100,000	---
HEU transparency implementation	15,166	15,190
International nuclear safety	18,902	20,000
Fissile materials disposition		
U.S. surplus materials disposition	117,912	139,517
Russian surplus materials disposition	34,803	40,000
Program direction - MD	9,878	---
Construction		
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC	---	20,932
01-D-142 Immobilization and associated processing facility, various locations	3,000	3,000
99-D-141 Pit disassembly and conversion facility, various locations	20,000	20,000
99-D-143 Mixed oxide fuel fabrication facility various locations	15,000	26,000
Subtotal, Construction	38,000	69,932
Total, Fissile materials disposition	200,593	249,449
Program direction	41,383	51,468
Use of prior year balances	---	-526
Reduction for safeguards and security	---	-40,245
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	865,590	874,196

Department of Energy (in thousands)

	Budget Request	Conference
NAVAL REACTORS		
Naval reactors development	623,063	644,500
Construction		
GPN-101 General plant projects, various locations.	11,400	11,400
01-D-200 Major office replacement building, Schenectady, NY	1,300	1,300
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	16,000	16,000
Subtotal, Construction	28,700	28,700
Total, Naval reactors development	651,763	673,200
Program direction	21,320	21,400
Reduction for safeguards and security	---	-4,437
TOTAL, NAVAL REACTORS	673,083	690,163
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator	---	10,000
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	6,177,898	6,589,545

Department of Energy (in thousands)

	Budget Request	Conference
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT.		
Site/project completion		
Operation and maintenance	856,812	919,167
Construction		
01-D-402 Intec cathodic protection system expansion project, Idaho National Engineering and Environmental Laboratory, Idaho Falls, ID	481	---
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC	27,932	---
01-D-414 Preliminary project, engineering and design (PE&D), various locations	---	17,300
01-D-415 235-F packaging and stabilization project, Savannah River, SC	---	4,000
99-D-402 Tank farm support services, F&H area, Savannah River site, Aiken, SC	7,714	7,714
99-D-404 Health physics instrumentation laboratory (INEL), ID	4,277	4,300
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA	1,690	1,690
97-D-470 Regulatory monitoring and bioassay laboratory, Savannah River site, Aiken, SC	3,949	3,949
96-D-471 CFC HVAC/chiller retrofit, Savannah River site, Aiken, SC	12,512	12,512
92-D-140 F&H canyon exhaust upgrades, Savannah River, SC	8,879	8,879
86-D-103 Decontamination and waste treatment facility (LLNL), Livermore, CA	2,000	2,000
Subtotal, Construction	69,434	62,344
Total, Site/project completion	926,246	981,511

Department of Energy (in thousands)

	Budget Request	Conference
Post 2006 completion		
Operation and maintenance	2,453,735	2,251,514
Uranium enrichment D&D fund contribution	420,000	420,000
Construction		
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC	27,212	27,212
Office of River Protection		
Operation and maintenance	---	309,619
Construction		
01-D-403 Immobilized high level waste interim storage facility, Richland, WA	1,300	---
01-D-416 Tank waste remediation system, Richland, WA	---	377,000
99-D-403 Infrastructure support, Richland, WA	7,812	7,812
97-D-402 Tank farm restoration and safe operations, Richland, WA	46,023	46,023
94-D-407 Initial tank retrieval systems, Richland, WA	17,385	17,385
Subtotal, Construction	72,520	448,220
Subtotal, Office of River Protection	72,520	757,839
Total, Post 2006 completion	2,973,467	3,456,565

Department of Energy (in thousands)

	Budget Request	Conference
Science and technology	195,032	256,898
Safeguards and security	203,748	203,748
Program direction	347,881	363,988
Subtotal, Defense environmental management	4,646,374	5,262,710
Use of prior year balances	-34,317	-34,317
Pension refund	-50,000	-50,000
General reduction	---	-10,700
Reduction for safeguards and security	---	-193,217
TOTAL, DEFENSE ENVIRON. RESTORATION AND WASTE MGMT	4,562,057	4,974,476
DEFENSE FACILITIES CLOSURE PROJECTS		
Site closure	1,027,942	1,027,942
Safeguards and security	54,772	54,772
TOTAL, DEFENSE FACILITIES CLOSURE PROJECTS	1,082,714	1,082,714
DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION		
Privatization initiatives, various locations	539,976	90,092
Use of prior year balances	-25,092	-25,092
TOTAL, DEFENSE ENVIRONMENTAL MGMT. PRIVATIZATION	514,884	65,000
TOTAL, DEFENSE ENVIRONMENTAL MANAGEMENT	6,159,655	6,122,190

Department of Energy (in thousands)

	Budget Request	Conference
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Security and emergency operations		
Nuclear safeguards	123,566	116,409
Security investigations	38,597	33,000
Emergency management	91,773	33,711
Program direction	89,367	92,967
Subtotal, Security and emergency operations	343,303	276,087
Intelligence	35,010	36,059
Construction		
01-D-800 Sensitive compartmented information facility, LLNL, Livermore, CA	1,975	2,000
Subtotal, Intelligence	36,985	38,059
Counterintelligence	44,328	45,200
Advanced accelerator applications	---	34,000
Independent oversight and performance assurance		
Program direction	14,937	14,937
Environment, safety and health (Defense)	85,963	102,963
Program direction - EH	22,604	22,604
Subtotal, Environment, safety & health (Defense)	108,567	125,567
Worker and community transition	21,497	21,500
Program direction - WT	3,000	3,000
Subtotal, Worker and community transition	24,497	24,500
National Security programs administrative support	---	25,000
Office of hearings and appeals	3,000	3,000
Subtotal, Other defense activities	575,617	586,350
Reduction for safeguards and security	---	-595
TOTAL, OTHER DEFENSE ACTIVITIES	575,617	585,755

Department of Energy (in thousands)

	Budget Request	Conference
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal	112,000	200,000
ENERGY EMPLOYEES COMPENSATION INITIATIVE		
Energy employees beryllium compensation fund	12,800	---
Energy employees pilot project	2,000	---
Paducah employees exposure compensation fund	2,200	---
TOTAL, ENERGY EMPLOYEES COMPENSATION INITIATIVE	17,000	---
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	13,042,170	13,497,490
POWER MARKETING ADMINISTRATIONS		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Purchase power and wheeling	34,463	34,463
Program direction	5,000	5,000
Subtotal, Operation and maintenance	39,463	39,463
Offsetting collections	-34,463	-34,463
Use of prior year balances	-1,100	-1,100
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	3,900	3,900
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses	3,795	3,795
Purchase power and wheeling	288	288
Program direction	18,388	18,388
Construction	6,817	6,817
Subtotal, Operation and maintenance	29,288	29,288
Offsetting collections	-288	-288
Use of prior year balances	-900	-900
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	28,100	28,100

Department of Energy (in thousands)

	Budget Request	Conference
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation	23,115	23,115
System operation and maintenance	36,104	36,104
Purchase power and wheeling	35,500	65,224
Program direction	106,644	106,644
Utah mitigation and conservation	5,036	5,950
Subtotal, Operation and maintenance	206,399	237,037
Offsetting collections	-35,500	-65,224
Use of prior year balances	-5,983	-5,983
TOTAL, WESTERN AREA POWER ADMINISTRATION	164,916	165,830
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance	2,670	2,670
TOTAL, POWER MARKETING ADMINISTRATIONS	199,586	200,500
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	175,200	175,200
FERC revenues	-175,200	-175,200
TOTAL, FEDERAL ENERGY REGULATORY COMMISSION	---	---
Defense nuclear waste disposal (rescission)	-85,000	-75,000
Defense environmental privatization (rescission)	---	-97,000
GRAND TOTAL, DEPARTMENT OF ENERGY	18,064,720	18,341,776

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement includes $66,400,000 for the Appalachian Regional Commission as proposed by the Senate instead of $63,000,000 as proposed by the House.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

The conference agreement includes $18,500,000 for the Defense Nuclear Facilities Safety Board as proposed by the Senate instead of $17,000,000 as proposed by the House.

DELTA REGIONAL AUTHORITY

The conference agreement includes $20,000,000 for the Delta Regional Authority as proposed by the Senate.

DENALI COMMISSION

The conference agreement includes $30,000,000 for the Denali Commission as proposed by the Senate.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $481,900,000 as proposed by the House and the Senate, to be offset by revenues of $447,958,000, for a net appropriation of $33,942,000. This reflects the statutory language adopted by the conference to reduce the revenues collected in fiscal year 2001 by 2 percent.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $5,500,000 as proposed by the House and the Senate, to be offset by revenues of $5,390,000, for a net appropriation of $110,000. This reflects the statutory language adopted by the conference to reduce the revenues collected in fiscal year 2001 by 2 percent.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

The conference agreement provides $2,900,000 instead of $2,700,000 as proposed by House and $3,000,000 as proposed by the Senate.

GENERAL PROVISIONS

The conference agreement deletes language proposed by the Senate establishing a Presidential Energy Commission.

TITLE V

FISCAL YEAR 2001 EMERGENCY APPROPRIATIONS

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

The conference agreement includes an emergency appropriation of $203,460,000 as proposed by the Senate for Cerro Grande Fire Activities at the Los Alamos National Laboratory in New Mexico.

The recommendation includes $46,860,000 for repair and risk mitigation associated with physical damage and destruction; $25,400,000 for restoring services; $18,000,000 for emergency response; and $15,000,000 for resuming laboratory operations.

In addition, funding is provided for the following construction projects: $6,100,000 for Project 97–D–102, Dual-Axis Radiographic Hydrotest Facility (DAHRT); $25,000,000 for Project 01–D–701, Site-wide Fire Alarm System Replacement; $20,000,000 for Project 01–D–702, Emergency Operations Center Replacement and Relocation; $29,100,000 for Project 01–D–703, TA–54 Waste Management Mitigation; $10,000,000 for Project 01–D–704, Office Building Replacement Program for Vulnerable Facilities; and $8,000,000 for Project 01–D–705, Multi-channel Communications System. The Department is directed to include construction project data sheets for these projects in the fiscal year 2002 budget request.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement includes an emergency appropriation of $11,000,000 for the Appalachian Regional Commission for the North Fork Hughes River Watershed project in Ritchie County, West Virginia.

TITLE VI

GENERAL PROVISIONS

Sec. 601. The conference agreement includes language directing that none of the funds in this Act or any prior appropriations Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

Sec. 602. The conference agreement includes language regarding the purchase of American-made equipment and products, and prohibiting contracts with persons falsely labeling products as made in America.

Sec. 603. The conference agreement includes language providing that no funds may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit of the Central Valley Project until certain conditions are met. The language also provides that the costs of the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program shall be classified as reimbursable or non-reimbursable by the Secretary of the Interior and that any future obligation of funds for drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries pursuant to Reclamation law.

Sec. 604. The conference agreement includes language proposed by the Senate limiting the use of funds to propose or issue rules, regulations, decrees, or orders for the purpose of implementing the Kyoto Protocol. The conferees do not concur with the report language proposed by the House.

Sec. 605. The conference agreement includes language extending the Coastal Wetlands Planning, Protection and Restoration Act.

Sec. 606. The conference agreement includes language redesignating the Interstate Sanitation Commission as the Interstate Environmental Commission.

Provisions not adopted.—The conference agreement deletes language proposed by the House amending the Energy Policy and Conservation Act.

The conference agreement deletes language proposed by the House limiting the use of funds to pay salaries of employees of the Department of Energy who refused to take polygraph examinations.

The conference agreement deletes language proposed by the Senate repealing sections of Public Law 106–246.

The conference agreement deletes language proposed by the Senate requiring the Tennessee Valley Authority to complete an environmental impact statement before proceeding with the sale of mineral rights.

The conference agreement deletes language proposed by the Senate requiring a report to Congress on electricity prices. This requirement has been included in report language.

The conference agreement deletes language proposed by the House prohibiting the use of funds to pay an individual who simultaneously holds positions within the National Nuclear Security Administration and the Department of Energy. This matter has been addressed in section 315.

TITLE VII

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

The conference agreement includes language providing funds to reduce the public debt.

TITLE VIII

NUCLEAR REGULATORY COMMISSION

The conference agreement includes language extending the Nuclear Regulatory Commission's (NRC) authority to assess license and annual fees through fiscal year 2005. This extension is necessary to provide the resources needed to fund the activities of the Commission. The conferees have also provided authority to reduce the fee recovery requirement from 100 percent to 98 percent in fiscal year 2001, and further decrease the fee incrementally until the fee recovery requirement is reduced to 90 percent in 2005. This will address fairness and equity concerns relating to charging NRC licensees for agency expenses which do not provide a direct benefit to them.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2000	$21,647,047
Budget estimates of new (obligational) authority, fiscal year 2001	23,146,559
House bill, fiscal year 2001	22,204,000
Senate bill, fiscal year 2001	23,131,901
Conference agreement, fiscal year 2001	24,088,380
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	+2,441,333
Budget estimates of new (obligational) authority, fiscal year 2001	+941,821
House bill, fiscal year 2001	+1,884,380
Senate bill, fiscal year 2001	+956,479

JAMES T. WALSH,
TOM DELAY,
DAVE HOBSON,
JOE KNOLLENBERG,
RODNEY FRELINGHUYSEN,
ANNE M. NORTHUP,
JOHN E. SUNUNU,
VIRGIL GOODE, Jr.,
BILL YOUNG,
ALAN B. MOLLOHAN,
MARCY KAPTUR,
CARRIE P. MEEK,
DAVID E. PRICE,
BUD CRAMER,
DAVE OBEY,

Managers on the Part of the House.

CHRISTOPHER S. BOND,
CONRAD BURNS,
RICHARD C. SHELBY,
LARRY E. CRAIG,
KAY BAILEY HUTCHISON,
TED STEVENS,
PETE V. DOMENICI,
BARBARA A. MIKULSKI,
PATRICK LEAHY,
FRANK R. LAUTENBERG,
TOM HARKIN,
ROBERT C. BYRD,

HARRY REID,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

LEADERSHIP LACKING ON HMO REFORM

(Mr. GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. GREEN of Texas. Mr. Speaker, I just wanted a one minute at an unusual time of the day because this House has passed one of the strongest HMO reform bills that I have seen. We passed it over a year ago, and yet this bill still languishes in its House-Senate conference committee. Obviously we need more effort to make sure that we pass a national HMO reform bill.

This issue is important to the voters, and it has been, and that is why when I listened to the presidential debates last night, I heard it come up a number of times, how we needed a strong managed care reform or HMO reform bill.

Let me set the record straight: the Texas legislature passed a bill in 1995 that was a strong HMO reform bill. In 1995, the Texas legislature passed a strong HMO reform bill. It was vetoed by Governor Bush. In 1997, they passed another bill that became law without his signature. Last night, listening to the debates, you would have thought there had been a lot of exercise in leadership on HMO reform in the Governor's office in Texas.

What we need is strong leadership in the White House for an HMO reform bill, because it does not look like it is going to happen this year. So next year we will need it. Our bill, the Dingell-Norwood bill, was actually patterned after the Texas law of 1997.

So, just like you want to hear the rest of the story, the whole point is that we need strong HMO reform legislation, it needs to pass the House and the Senate, and it needs to have the aggressive activity from a chief executive in the President of the United States. I would hope that the people would realize for the record who is embellishing their record now.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4461) ''An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.''

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. CLAY) is recognized for 5 minutes.

(Mr. CLAY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SCHOOL CONSTRUCTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 5 minutes.

Mr. ETHERIDGE. Mr. Speaker, I appreciate this opportunity to speak this evening on an issue that is critically important for communities throughout my district and across this country and that is school construction.

I am pleased to be joined this evening by several of my Democratic colleagues in a series of special order speeches to call on the Republican leadership to pass real school construction legislation before this Congress adjourns.

Since the beginning of my service in the United States House nearly 4 years ago, I worked hard with members of both bodies across the partisan aisle to craft a creative legislative response to the urgent problem of overcrowded schools, run-down facilities and the widespread use of trailers and closets as classrooms.

Mr. Speaker, across my district and many places in this country, our schools are bursting at the seams. Just about every day I hear from teachers, parents, students and others that the need for better schools for our children to learn and teachers to teach are desperately needed.

□ 1900

Mr. Speaker, I am pleased that so many Members have come together to support a common sense bipartisan piece of legislation to address this problem.

H.R. 4094, the Rangel-Johnson-Etheridge bill, has enjoyed the support of 228 cosponsors in the House, Republicans and Democrats alike. This important bill would provide about $25 billion in new school construction bonds for communities throughout this country.

We now have a clear majority of the Members in the U.S. House who will vote for this bill if we can just get it to the floor for a vote; but, unfortunately, the Republican leadership continues to keep it tied up in committee.

Mr. Speaker, this refusal to act on this common sense bipartisan bill to build and renovate schools stands in sharp contrast to the blatant manipulation of the appropriations bills to bring pork back to their home districts.

For example, the Transportation appropriations bill is full of earmarked projects for the House districts of powerful Members of the Republican leadership. Senator JOHN MCCAIN of the other body stood on that floor, and I quote, said ''there were over $700 million in transit earmarks in the Chicago Metropolitan Transit Authority in the home district of the Speaker of the House, and yet the Republican leadership refuses to allow an up and down vote on our modest proposal to provide tax credits to help finance just a few neighborhood schools.''

The Transportation appropriations bill also reported earmarks of $102 million for something called the U.S. 82 Bridge across the Mississippi River in Greenville, Mississippi, in the home State of the majority leader of the other body; and yet the Republican leadership of this Congress refuses to have a vote for simple school construction for the children of this country.

Mr. Speaker, as the former chairman of my State's House Committee on Appropriations, I know well the need for government investment in certain projects to help give people a hand up, but I also know that budgets and appropriations represent more than just items on the balance sheet. They represent our values.

What does it say about the values of this Congress that the leadership refuses to allow a vote on a bipartisan school construction bill, while at the same time it loads up must-pass bills with these special-interest pork projects?

The Interior appropriations bill contains many special items earmarked. For example, there is $500,000 for a National First Ladies Library in Ohio for a senior ranking member. It contains $176,000 for the Reindeer Herders Association, and it contains $1.5 million to refurbish the Vulcan Statue in Alabama.

Mr. Speaker, these projects may have their merit. I am not an expert on every line item in an appropriations bill; but as the former superintendent of my State schools, I do know that our schools are bursting at the seams. Our communities need our help to help build and modernize schools, reduce classroom sizes and relieve overcrowding and enhance good order and discipline in classrooms and improving education for all of our children.

H.R. 4094 will not solve all of our problems, but it is a good step in the right direction; and I urge the Republican leadership of this House to bring this common sense bill to the floor without further delay and let us pass it.

The SPEAKER pro tempore (Mr. DICKEY). Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

(Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

H.R. 4094, AMERICA'S BETTER CLASSROOM ACT OF 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BACA) is recognized for 5 minutes.

Mr. BACA. Mr. Speaker, the challenge confronting us today and the future of education in America is before us. We, as a Nation, must put education as the number one priority if we are to meet the needs of the 21st century, if we are to look at where our children are going to be. We need to invest in education. We need to make sure that class size reduction is in our classroom.

We need to make sure that we do modernization in our classroom. If we look at today's society, if we look at where we were, many years ago many of us were very fortunate, that when we went to school, class sizes were small, we were able to have the relationship between 25 and one ratio. In today's classroom, we have 45 to one ratio. It is ridiculous.

How can we have our children learn? How can we get them to progress and how can we hold accountability when we have so many students in our classroom? We have to put a high priority, that is why we have to look at modernization. We have to look at classroom reduction. If not, what is going to happen to our children? And if we look at modernization, we also have to look to create an atmosphere that is good for our children as well.

When they go into the classroom, we want to make sure that the faucets work well, that there is no broken window, there are no leaking roofs. If we look at technology, we want to make sure that everybody is competitive, that our children and others have the same opportunity that other individuals have. It can only happen if we fund education at the highest level.

What we also have to make sure that we do is, if we have 100-some teachers that we have the accountability. If it is not there, what is going to happen to us? What is going to happen to our children? Our children are at stake. Our future is at stake. They are our future. They are our future taxpayers. They are the ones that are going to guide our Nation, but it is our responsibility to provide for them; and if not, we fail America, we fail our children.

Let me tell say, Mr. Speaker, we have to invest more, and the agenda by the Democratic Party right now and the bipartisan H.R. 4094 deals with a lot of these problems right now, deals with the classroom size, deals with modernization, deals with teacher training, deals with incentives, deals with tax breaks; and at the same time we also have to provide incentives for students to go on to our community colleges and our State colleges.

In California alone, we have over 6 million students in K through 12. If we do not begin to take steps to build additional schools, what is going to happen to our children there? And these children that are ready to go on to a 4-year institution or community colleges where they are overcrowded, what is going to happen to them? Are they going to have access to our community colleges or State colleges or universities?

The answer is no. That is why we also have to provide a tax incentive and tax break and a tax tuition to make sure our children have that opportunity. We all have to come together. This is not a partisan issue. This is a bipartisan issue. This is about America. This is about our children. This is about investment.

Let me tell my colleagues, when I hear teachers telling me that they are out buying supplies because we are not providing the funding. My son is a teacher at a junior high school and he is going out and spending money. He just became a teacher this year, and let me tell my colleagues he is going out and buying supplies. They should not have to buy supplies. We should fund education. We are not investing enough in education.

The Republican Party plan right now does not invest enough money in education. We have to put more money in education. It is an investment in the future and at the same time we have to deal with Head Start programs, preschool programs, after-school programs, provide the incentives so our children have that opportunity to learn in an environment that is conducive. How can someone go to a school in our ghettos and some of our other areas where they are not even fixed and they are not compared to other institutions, and they look at TV and they see a modern school in that area and they say the environment is great?

Well, teachers have to also be motivated. They are motivated when they know they have good schools, they have the equipment, they have the tools and the instruments to teach our children. It can only happen if we provide those funds.

Mr. Speaker, we have a lot of work ahead of us. We have got a big agenda ahead of us right now, but we have to come together; and if we do not come together, America will lose.

SECURITIES AND EXCHANGE COMMISSION PROPOSED RULE FOR AUDITING FIRMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. SHAYS) is recognized for 5 minutes.

Mr. SHAYS. Mr. Speaker, I rise to speak about the rule proposed by the Securities and Exchange Commission, SEC, that would affect the consulting affiliates of auditing firms.

The proposed rule was brought to my attention over a month ago by constituents concerned about its effect on large accounting firms who also perform consulting services for their clients.

In response to the concerns raised by some of my constituents, I wrote to SEC Chairman Arthur Levitt and asked that the comment period on the rule be extended past its September 25 deadline and that the rule be modified to address the concerns raised by members of the accounting industry.

Under no circumstance was it my desire or intention to delay the ultimate decision to next year and a new commission. I particularly want to go on record as opposing any attempt to require a delay through legislative means.

I continue to believe all parties involved, including the accounting industry, should strive to reach a workable and mutually agreeable compromise before a final determination is made. It is my hope as the SEC moves forward with this rule they will remain open to the comments and concerns raised by the accounting industry and the challenges it faces.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. TIERNEY) is recognized for 5 minutes.

(Mr. TIERNEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

OUTRAGE AT STATE DEPARTMENT'S DISMISSAL OF SAILORS WHO DIED ON THE U.S.S. COLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, I rise today to share my outrage at our State Department's callous and thoughtless dismissal of the young men and women who died on the U.S.S. Cole.

I will quote from an October 16 State Department memorandum telling Voice of America to quash an editorial on terrorism, and I quote from that: ''The 17 or so dead sailors does not compare to the 100-plus Palestinians who have died in recent weeks.''

Since when are American lives less valuable to our State Department than Palestinian lives? Yes, my colleagues heard me right: our State Department dismissed the lives of our young sailors who died on the U.S.S. Cole. Something is really wrong when the Federal bureaucracy is writing off our servicemen while the rest of the Nation is mourning.

Mr. Speaker, I do sincerely grieve for the Palestinians and Israelis who have lost their lives in the tragic conflict over the recent weeks; however, when our own State Department dismisses the lives of our young men and women protecting our national interests overseas, something is truly wrong and heads should roll.

Mr. Speaker, I will submit the State Department's memorandum for the CONGRESSIONAL RECORD and would like to thank C-N-S-News.com and its executive editor Scott Hogenson for breaking this important story and shedding light on this contemptible behavior by our State Department.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Ms. SCHAKOWSKY) is recognized for 5 minutes.

(Ms. SCHAKOWSKY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

END-OF-THE-YEAR SPENDING ORGY IN CONGRESS RIGHT NOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, we seem to have an end-of-the-year spending orgy going on in Congress right now. David Broder mentions in his column in The Washington Post today that spending for fiscal year 2001 will be $100 billion more than allowed under the last major budget deal, according to the ''Congressional Quarterly.''

Apparently most of the congressional leadership feels that we have to give into the excessive spending demanded by the President, because the alternative is to shut down the government. Unfortunately, there simply are not enough fiscal conservatives to override presidential vetoes. However, we are spending away a surplus that we do not yet have.

We are jeopardizing the economy and our children's future in the process. We now have a foreign trade deficit of almost a billion dollars a day. This means we are buying roughly $350 billion a year from other countries more than we are selling to them. This is primarily because we have entered into bad trade deals, deals good for some big multinational companies, but very bad for small American businesses and American workers.

Most economists agree that we lose roughly 20,000 jobs per billion, and no country can sustain a $350 billion-a-year trade deficit for very long. Do we ever wonder why so many young people are working as waiters or waitresses or why so many young people are going to graduate school because the good jobs are not there for even college graduates like they used to be?

Along with this foreign trade deficit is all the spending our government does in and for other countries. The liberals found out many years ago that foreign aid was very unpopular, so they just started spending foreign aid money through numerous other foreign programs.

They will very misleadingly say that our foreign aid money is less than 1 percent of our Federal budget. What they do not say is that we spend in addition to regular foreign aid, many billions more through the military, the Agriculture and Commerce Departments, the State Department, the United Nations, the International Monetary Fund, the World Bank and on and on and on.

This administration has deployed our troops around the world more times than the six previous administrations put together, mostly just turning our military in international social workers. Billions and billions and billions in Haiti, Rwanda, Somalia, Bosnia and Kosovo. Right now we are spending $2 billion a year on what the Associated Press has described as a forgotten war against Iraq.

□ 1915

Most of our people do not even realize we are still bombing there against a nation now so weak that it is absolutely no threat to us at all unless our continued bombing forces them into some type of desperate terrorist actions.

Many large companies benefit greatly from these trade deals and from our sending billions to other countries in military or non-military missions. They and their allies in the national media and elsewhere have made it politically incorrect to oppose these trade deals or oppose sending mega billions overseas.

Those who do oppose all this foreign spending or these trade deals that benefit big international corporations are very falsely accused of being isolationists. However, if Members hear anyone make this charge, they should realize immediately that this name-calling simply means that the person calling someone an isolationist is trying to avoid an argument on the merits.

This Nation should be friends with every nation. We should have all sorts of foreign exchange programs and diplomatic relations, and send our experts in every field when requested, and lead international fundraising in times of human catastrophe. But this does not mean that we should keep sending billions and billions overseas, or continually bombing people who have not threatened us, or be the world's policeman through our military.

President Kennedy said in 1961 that with just 6 percent of the world's population, we must realize that we are neither omnipotent nor omniscient, and that there is not an American solution to every world problem. Now we are less than 4 percent of the world's population.

George Washington warned against entangling alliances with foreign countries, and Dwight Eisenhower warned against a military-industrial complex that would commit us all over the world simply so that it and its companies could get more money.

Professor John Moser, writing in the Autumn 1999 issue of Ohio History, noted that Senator Robert Taft was often falsely called an isolationist when he was really a conservative nationalist. Moser writes of Taft: ''. . .he was remarkably prescient on many of the problems inherent in a highly interventionist foreign policy: unprecedented accumulation of power in the hands of the executive branch of the government, curtailment of civil liberties at home, the charge of 'imperialism' arising from American influence abroad, and most importantly, the danger of what Paul Kennedy referred to as 'imperial overreach,' the extension of overseas commitments beyond the ability of a nation to meet them.''

Senator Taft once said, ''Nothing can destroy this country except the overextension of our resources.'' We should heed these words today.

STUDENT LOAN DEFAULT RATES

The SPEAKER pro tempore (Mr. DICKEY). Under a previous order of the House, the gentleman from Texas (Mr. HINOJOSA) is recognized for 5 minutes.

Mr. HINOJOSA. Mr. Speaker, there is much good news in higher education this year and we should take a few moments in the House of Representatives to take note of it. This is news for which we can all take some credit—the Congress, the Administration, borrowers, colleges and universities, lenders, loan guaranty agencies—so it is in that spirit that I offer these observations.

Twenty to 25 years ago, few people left college with student loan debt. But today, student loans are a fact of life for millions of students and graduates. They have opened the door of opportunity to individuals who otherwise would have no options to improve their earning potential.

President Clinton recently announced that the student loan cohort default rate is the lowest on record, falling from a high of 22.4 to 6.9 percent.

This represents a savings to taxpayers of approximately $7 billion over the period from fiscal year 1993 to fiscal year 2000. But more importantly, it speaks volumes about the Department of Education's program flexibility and willingness to work with borrowers.

Secretary of Education Riley noted that this record has been achieved by ''a robust economy, strong department management, tougher enforcement tools authorized by Congress, and stepped up efforts by colleges, lenders, guaranty agencies, and others.''

What makes this even more noteworthy is that the decline in defaults came at a time when student loan volume was tripling and educational opportunity was expanding to more low-income students, entailing higher risks. It is a great achievement.

The President also recently announced a reduction in interest rates for students in the Direct Loan Program who make their first 12 payments on time. Students have especially welcomed this reduction in college costs. Student organization leaders have noted that all students benefit when the Direct Loan Program can offer the same kinds of repayment incentives as the bank-based Federal Family Education Loan Program.

This encourages healthy competition between the programs, which makes students the ultimate beneficiaries.

This reduction is possible because of the change Congress made in the 1998 Higher

Education Amendments. These changes gave the Secretary the authority to offer the same kind of repayment incentives to Direct Loan borrowers as exist in the bank-based program.

Mr. Speaker, I would also like to note that there is a third piece of good news in which Congress has played an important role. In fiscal year 2000 alone, $4 billion has been recovered on defaulted loans through vigorous collection efforts by the Department of Education and the loan guaranty agencies. Congress authorized the use of offsetting Federal income tax refunds, wage garnishment, and other methods to aid in the collection of these loans.

What is important, however, is that defaulters also have the opportunity to get out of default through loan consolidation and the opportunity to repay their loans based on their income. We must never burden students with loans they cannot repay, and much of our current as well as future savings will be due to the appropriate use of the carrot as well as the stick.

Declining default rates, increased collections, savings produced by the direct student loan program—when we combine the fruits of all these labors, the end result is that we are saving American taxpayers $18 billion.

Too often we overlook the good news in education and fail to note the successes of our legislation and its implementation.

Let us take a moment here to offer congratulations to all for the excellent news coming out of higher education this year.

DEMOCRATIC EDUCATION AGENDA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON. Mr. Speaker, I rise today in support of the Democratic education agenda for the 107th Congress.

We live in a changed world: a new economy, new technology, and new family realities. More than ever, we all need our children to achieve their full potential. But our children are not getting the support they need.

Our friends in the majority promised radical improvements for public education when they gained control of the House 6 years ago. They said they would get the government out of our schools, and they followed through on that pledge by trying to abolish the Department of Education.

They continually turned their backs on their responsibility to focus on the priorities of the American people. Saying the Federal government has no place in our public schools did nothing to lift up a child or to help a parent, and the American people rightly rejected their plan.

I quote the distinguished majority leader, the gentleman from Missouri (Mr. GEPHARDT), when I say, ''It is time for a new vision.''

While looking forward to the 107th Congress, Democrats will make six new commitments to modernize our public schools and lift up every child:

First, we will recruit and train high quality teachers and principals. Because America's public schools are attended by 90 percent of American children, we need to ensure that every class is led by a highly-qualified teacher; we also aim to establish new incentives to recruit highly-qualified teachers.

Secondly, we will reduce class size. We will recruit 100,000 highly-qualified teachers and reduce class sizes for grades one through three to a national average of 18 children;

Thirdly, we will build accountability measures to ensure that school districts and States set high standards and help every student achieve by building on proven reforms;

Fourthly, we will build new schools and repair existing ones. The Federal help to renovate 6,000 local public schools and repair an additional 8,300 schools to improve learning conditions is vital to our children's future.

We will aim to expand educational technology. We will continue to provide schools with Internet capacity, and bring new technology into the classrooms.

Finally, we will promote lifelong learning in all of our public schools. Our agenda wants to put America on the path to have preschool universally available to every child, and to bring the dream of a college education closer to reality for everyone by making tuition more affordable through tax relief, and by increasing funds for college grants and loans.

These simple six steps will ensure that our children are guaranteed the education they deserve.

Since coming to the House of Representatives, I have worked to bring Congress to the classroom. Two years ago, I visited Crispus Attucks Junior High School, which was my alma mater. Crispus Attucks is a good example of what can be achieved when people in government are committed to public education and public schools.

The school created a good learning environment and provides training on computers and the Internet.

I worked to have Crispus Attucks High School connected with a school in Darby, United Kingdom, and they are doing a tremendous job because they have similar characteristics, and are getting acquainted in a very vital way with each other.

However, more help is needed. With information technology now a key element of the global economy, we must make sure that our children are prepared to use this technology when they enter the world of work.

The Democratic agenda aims to secure computers for all schools. The future of our children is vital, and Federal help must not be seen as negative big government intervention.

The educator and author Derek Bok once wrote, ''If you think education is expensive, try ignorance.'' Bad House majority policies have cost America dearly. Children are being neglected, and they cannot raise themselves.

We would provide $1.7 billion for reducing class size. The opposition did not guarantee one Federal dollar for class size reduction.

We would provide a new $1 billion teacher quality initiative, whereas the opposition has rejected this proposal and has proposed funding lower than this for two combined programs.

We would provide $1.3 billion to leverage about $6.7 billion in grants and loans to fund school renovation. The opposition rejects this approach.

All of our proposals, including funding for after-school programs, safe-and-drug-free schools, accountability and the Head Start and Gear-Up programs have either been rejected or cut dramatically by the House leadership. This is unacceptable.

Mr. Speaker, I ask my colleagues to stand up for education and for our schools, and work towards a better America for all of our children. If we do not stand up for education and our schools, we will fall for anything.

CONGRATULATIONS TO PROFESSOR DANIEL J. MCFADDEN ON WINNING NOBEL PRIZE FOR ECONOMICS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE. Mr. Speaker, I rise this evening to recognize and to congratulate a distinguished member of the University of California at Berkeley, Professor Daniel J. McFadden.

Last week, Professor McFadden, along with Professor James Heckman of the University of Chicago, received the Nobel Prize for Economics.

Together, through their research and observations, they have contributed significantly to the understanding of individual and societal behavior. Their vital work cuts across disciplinary barriers and greatly enhances our understanding of economics and public policy.

Prior to joining the world of the academic and social sciences community at the University of California at Berkeley in 1963, Professor McFadden, like many of us, attended public school.

As a young man during his college years, he was always attracted to the studies of human behavior. His passion for the field of behavioral sciences and the drive to learn and analyze human behavior helped launch an ambitious career and a lifelong commitment to the study of behavioral and social sciences.

Subsequently, Dr. McFadden developed and linked these behavioral theories to mathematics, statistics, and economics.

Mr. Speaker, I am proud and honored to congratulate and recognize Professor McFadden for this lifetime of achievements. His dedication and his outstanding work in economics have contributed significantly to our society.

The implications of his research extend far beyond the ivory tower. Because of his efforts, governmental

agencies and city planners in the United States are able to make better decisions about health care services, social services, employment programs, transportation, and other critical areas of modern life.

The cities of the San Francisco-Oakland Bay area, for example, owe a great deal of the work to Professor McFadden in terms of his research in helping to shape the design of our Bay Area Rapid Transit commuter train system, which is very crucial to tens of thousands of people for their daily commute to work.

Professor Daniel McFadden joins 16 other Berkeley colleagues as Nobel Prize winners. This impressive roster of intellectuals also demonstrates the commitment of this university to the larger social and economic world. As an alumna of the University of California at Berkeley, I am especially proud of these accomplishments.

Mr. Speaker, once again, I congratulate Professor McFadden for his Nobel Prize award. I appreciate having this opportunity to express my appreciation for the hard work and commitment of our most recent Nobel Prize winner in economics, Professor Daniel J. McFadden.

EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to speak on the Congress education agenda, or lack of one.

Two months ago, the Nation's schools opened their doors to the largest number of students in history. Yet, the Nation began the 2000–2001 academic year facing a national education crisis.

Our teachers and students are struggling to teach and learn in underfunded, inadequate, substandard, and crowded conditions. The average American school building is now more than 40 years old, and the estimated price tag to bring our schools into good condition is $127 billion.

Many of our Nation's communities, like my own, are working to build and modernize schools, but they lack or have very limited funding.

Our President has proposed a school construction tax credit to help communities build and modernize 6,000 schools, and grants and loans for emergency repairs to nearly 5,000 schools a year for 5 years. This school construction relief has bipartisan support in the House of Representatives, and needs to be voted on.

Mr. Speaker, there is also substantial support in the House of Representatives for H.R. 4094, the Rangel-Johnson bill, which would amend the Tax Code to provide incentives for school construction and modernization. It has more than 225 cosponsors. I ask my colleagues to include the provisions of that bill in the final agreement, as well.

But school modernization and reconstruction is only a beginning. Mr. Speaker, in the district of the Virgin Islands, which I represent, just under 3,000 members of the American Federation of Teachers are in the fifth day of a strike for retroactive wages and better working conditions.

When our teachers strike, our students suffer. We need the Federal government to help us in many areas so we can better address our teachers' very valid concerns and their long overdue salary increases.

We in the Congressional Black Caucus have an important education agenda. We are calling for a public school emergency recovery program, which comprehensively addresses the needs of our poorest and most needy schools. It will cost $10 billion of the surplus.

The schools in my and other districts need this help. It is more important than a tax break for the richest 1 percent in our country, and it is a much better and more effective way to address the needs of education than our vouchers, which at best is a risky deflection of funding from public schools, where most of our Nation's children are educated.

Mr. Speaker, my daughter Rabiah is a second grade teacher at Barnard School here in the District, a school that would benefit from the CBC's proposed initiative. This week, she and other teachers are being sent home. She had 22 students in her class. Barnard School and many others need more teachers, not less, to meet the needs of their children.

The time has come for us to send a message across the Nation that our children are a priority and that we value and will invest in the education that they receive. We need to pass a budget that reflects investment in school modernization, that addresses the needs of our teachers by creating smaller classes, by increasing opportunities for training, by giving them more support staffing and programs, and by providing incentives to keep good teachers in our classrooms.

I urge our leadership to follow the will of the majority of the Members of this House by bringing to the floor and passing an education budget that fully responds to the real education needs of all segments of our Nation.

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I echo the President's call for continued work to strengthen accountability and raise test scores; to turn around failing schools or shut them down or put them under new management; to expand after school programs and college opportunities for young people; and to ensure a qualified teacher in every class.

Mr. Speaker, as we come to the end of this session of Congress, we will be saying good-bye to several of our colleagues. One of them is a steadfast champion of education as well as labor, the gentleman from Missouri (Mr. CLAY). As he leaves the House after his years of distinguished service, he leaves us in this country an outstanding legacy which includes enacting legislation to strengthen Head Start, elementary and secondary education programs, and college financial aid programs, as well as many other mainstays of American education.

I can think of no more fitting tribute to his service than passing landmark funding for this Nation's public schools and creating the Congressional Black Caucus' public school emergency recovery program.

Mr. Speaker, the outcome of our end-of-the-term negotiations this year must begin with an education budget that ensures a 21st century education for each and every one of our Nation's children, truly leaving not one of them behind.

GOVERNMENT MUST DO MORE TO IMPROVE EDUCATION

The SPEAKER pro tempore (Mr. DICKEY). Under a previous order of the House, the gentleman from New York (Mr. OWENS) is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, for the past few years, the American people have, through numerous focus groups and polls, sent a strong message to all elected officials. Government must do more to improve education. Government at every level, the local level, the State level, and at the Federal level must do more to improve education.

Now we are finally approaching the closing days of the 106th Congress, the scandal of this session of Congress is that, despite the existence of a $230 billion Federal surplus, to date, the Republican majority has refused to respond to the clear demand of the American voters.

The Republicans have chosen to move in the opposite direction. Republican inaction is sabotaging the Federal effort to improve our schools. Even long-standing programs, such as ESEA Title I have not been reauthorized by this Republican-controlled Congress. Only destructive proposals are being placed on the negotiations table by the Republicans.

Publicly funded school vouchers and block grants are two of the most dangerous Republican proposals on the table. Both of these radical programs will hasten the demise of the public school systems in our Nation.

We call on President Clinton to rule that block grants and vouchers are nonnegotiable items in the end game negotiations that are now beginning to take place. Title I block grants are nonnegotiable. We refuse to accept a situation where block grants would return the power to the States using Federal money to decide how Title I will be spent.

It is the neglect, the savage neglect over the years of the States that have created conditions in our inner city

communities and poverty rural communities that the Federal Government found necessary to address when the Elementary and Secondary Education System Act was established.

Why should we abandon the very schools and communities that the Elementary and Secondary Education System Act was meant to help? There is no honorable trade-off possible for block grants and vouchers. We hope that, in the negotiations, there will be a flat refusal to trade off with the Republicans on block grants and vouchers.

The bad news is that Republicans have turned their backs on education as the number one priority of the American people. But the good news is that Democrats have responded vigorously. All year long, we have made proposals.

Democrats have proposed two school construction initiatives. One that most people know about is the Rangel-Johnson initiative that proposes to pay the interest on money borrowed by States and local governments. Up to $25 billion would be covered by a Federal allocation of about $4 billion to cover the interest. The President has also proposed a direct appropriations initiative of $1.3 billion.

Democrats support funding for smaller class sizes. Democrats support funding for more teachers in the classrooms, and therefore the ratio of students to teachers would be a more acceptable ratio and encourage greater teaching.

But one cannot have smaller class sizes if one does not have the classrooms. The construction initiative is vital to the implementation of the Democratic initiative to get smaller class sizes. Certainly in the poorest schools in the poorest communities, we do not have the classes for the smaller class sizes.

The 21st century learning centers proposed by the Democrats for after-school programs, for summer school programs, those programs also need room to operate in. One cannot operate effective summer schools unless one has buildings that are air conditioned in most parts of the country.

The community technology centers are an initiative of this Democratic administration. They want to expand that. We need space. We need buildings.

An increase in Head Start and preschool programs is another Democratic initiative. We cannot increase Head Starts in the poorest communities where they are most needed. We cannot increase preschool programs in the poorest communities where they are most needed unless we have new facilities. We have to have better buildings and more buildings in order to accommodate these programs.

In our inner-city communities, school construction comes first. In Brooklyn, in my 11th Congressional District, we worked vigorously to get rid of coal burning schools, schools that have furnaces that burn coal. I am happy to report that the end is almost in sight, that the School Construction Authority in New York City has an agenda where by the end of the year 2001, there will be no more coal burning furnaces in our schools.

It is imperative that we act now to construct more schools. The Democratic initiative is necessary.

EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, I rise today in support of the public schools in our country. I know that should not be a major statement, but after hearing all of what people want to do with vouchers and everything else, maybe we need to have an affirmative affirmation that says, yes, we support our public schools in our country.

Some of the key priorities for our public schools are class size reduction, school modernization, and technology improvements of both our elementary and our secondary schools.

We need to fund the President's plans for school modernization and class size reduction, to ensure that our most valuable national resource, our children, will not continue to suffer from substandard school facilities and overcrowded classrooms.

Studies by the National Center for Education Statistics show that, on the average, public schools in America are 42 years old. School buildings begin rapid deterioration after 40 years. Additionally, 30 percent of our schools were built before 1970 and have never been renovated.

These schools are also lagging behind in our efforts to connect every classroom to the Internet. Only 42 percent of schools built before 1985 are connected to the Internet, compared to almost 60 percent of those built since.

According to GAO's estimate, it would cost $112 billion to bring all our Nation's schools into good overall condition.

In my home State of Texas, where my wife teaches algebra, we have over 4 million students in almost 7,000 schools. Of those schools, 76 percent of the Texas schools need repairs or upgrades just to reach the ''good'' condition; 46 percent need repairs to a building such as plumbing, electrical, heating or cooling systems; 60 percent have at least one environmental quality like air quality, ventilation, or lighting; and the student-to-computer ratio stands 11 to 1, 11 to 1 student-computer ratio. So one just has to wait one's turn for the use of that computer.

The cost for this alone in Texas is estimated to be $10 billion to modernize school infrastructure and over $4 billion to address the technology needs.

Aging schools, however, are not the only problem we have before us. We have to address the growing student population.

Again, according to the National Center for Educational Statistics, elementary and secondary school enrollment, already at a record-high 52.7 million, will climb to 54.3 million by 2008.

Again, in Texas, we see similar trends. Our education system has stretched past a breaking point when one adds in the expected growth in the number of students.

Over the next decade, the number of students in the elementary and secondary schools are expected to grow almost 8 percent in Texas alone, approximately 316,000 students. It is estimated almost 13,000 new classrooms will have to be built to handle this influx of new students.

Voters in my own hometown in Houston are trying to address this problem. In a recent Houston ISD bond election, they approved $678 million to repair over 70 schools and to build 10 new ones. Fifty of the schools in HISD are over 50 years old. Twenty-five are over 70 years old. Much more is needed because they downsized it.

Also, voters in the Aldine school district where my wife teaches just approved a $115.8 million bond package that would fund six new schools, a transportation center, and would provide upgrades for existing campuses.

Aldine Independent School District is already feeling the impact of increased enrollment with the number of students having grown over 1,200 each year for the last 7 years.

$678 million and $115 million sound like a lot of money, but it is really a drop in the bucket. School populations continue to increase, newer schools are beginning to show wear and tear; and facilities must be upgraded to keep our schools equipped with the cutting edge technology our children will need to be competitive in tomorrow's job market.

These numbers show that it is absolutely vital that Congress address the conditions of our Nation's schools now because the situation will obviously get worse.

Now, most of the school construction comes from, first, local money but also State money. But we need to make sure that we help what we can. Even if it is only a few pennies on the dollar, Mr. Speaker, we can help. That is the reason I support the President's plan to reduce the class size and build more classrooms.

Additionally, I join my colleagues from around the country sponsoring legislation that will make tax credit bonds available to our schools, offer incentives for teachers who choose to teach at low-income or underserved areas and offer tax credits and student loan forgiveness for college students who choose to make teaching their profession.

I hope my colleagues will join me in supporting these important initiatives, and that we can work together and provide funding for our schools to educate our children. Our most important natural resource is the brains in our children that are being educated today.

GOVERNOR BUSH MISSES MARK ON COUNTRY PROSPERITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, we are engaged in a great fiscal debate in which the Governor of Texas tells us that, under his plan, every American who pays taxes will get tax relief. He is completely wrong. He should know that there are 15 million Americans who pay Federal taxes, who pay FICA taxes out of their wages that will not get a penny out of his tax plan, because he ignores the working poor. Those who care for people in nursing homes, those who clean our buildings and wash our cars are left behind. What is worse, of course, is that he provides almost half the benefits to the richest 1 percent of Americans.

Now, what concerns me most about the Governor's statements is that he mocks the importance of fiscal responsibility when he tells the country that the prosperity of the last 8 years has nothing to do with governmental decisions made in Washington.

He is correct that the lion's share of the credit for our national prosperity goes to American workers whose ingenuity, hard work and inventiveness is building a new economy. But for political gain, he denies that there is another essential element, and that is fiscal responsibility here in Washington.

By denying that what we do here in Washington has anything to do with how the economy performs, he grants to us a fiscal license, a statement that government has nothing to do with prosperity, hence government can do whatever it wants.

The fact is otherwise. The facts are that, during the mid-1980s and the late 1980s and the early 1990s, Americans were hard working and inventive and ingenious, and yet we did not have prosperity in this country.

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Why? Because we had a budget deficit that was growing every year and threatened to swallow up private savings in our economy. We cannot afford the license the political rhetoric from the Governor of Texas would grant.

Now, we are told by the Governor that he does not want to provide so much benefit to the upper 1 percent. He tells us that his plan will provide only $223 billion of tax relief to that richest 1 percent over the next 10 years. He does this by ignoring the second largest piece of his proposal, and that is his repeal of the estate tax. He tries to minimize the fiscal effect of that by using fuzzy phase-in figures.

But the fact is the estate tax will be producing $50 billion a year, $500 billion over 10 years, which means the wealthiest 1 percent, over a 10-year period, will be getting $700 billion of tax relief, not just the $223 billion the Governor admits to. That is why when we look at the estate tax and the income tax the conclusion is clear: he provides more tax relief for the wealthiest 1 percent than everything he proposes to do to help our health care system, to strengthen Medicare, to strengthen the military and to provide for our schools combined.

It is time that we focus on the fiscal details of the plans of those who are running for President. This is not a popularity contest.

THE NATIONAL IMPROVEMENT IN MATHEMATICS AND SCIENCE TEACHING ACT

The SPEAKER pro tempore (Mr. DICKEY). Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

Mr. HOLT. Mr. Speaker, we are fortunate to live in an exciting and prosperous time. The Internet has bridged gaps between generations and nations. Biotechnology has produced medical miracles. Our cars have more computing power than the Apollo spacecraft. Success in this information age depends not just on how well we educate our children generally but how well we educate them in science and mathematics specifically.

Following the launch of Sputnik in 1957, major steps were taken in the United States to improve resources going into science. The goal was to pursue a superior technical workforce. This produced generations of scientists and engineers who have contributed greatly to our economic and technical accomplishments. I am a product of the Sputnik revolution. I have spent several decades in the world of teaching and physics research. But now, as a policymaker, I see the shortcomings of our earlier revolution in science and mathematics education, and I see the need to increase our effort for science and mathematics education today.

The push for improving public competence in science and mathematics is justified by economics, national security, and arguments about democracy. It is also important for personal fulfillment. Mathematics and science bring order and harmony and balance to our lives. They teach us that our world is intelligible and not capricious. They give us the skill for lifelong learning; really for creating progress itself. From the evidence we currently have at hand, it is clear we are not providing this quality education in math and science to our children.

I am proud to have been one of four Members of the House and Senate to serve on the National Commission on the Teaching of Mathematics and Science, chaired by former Senator and astronaut, John Glenn, and including leaders from industry, academia and professional and educational organizations. The Glenn Commission, as it has come to be known, was established to improve math and science education throughout the United States, and in its report, released 3 weeks ago, ''Before It's Too Late,'' the commission identifies teaching as the most powerful instrument for reform; and thus teaching is the place to begin.

The commission calls for major changes throughout the teaching profession, the scientific professions, and the institutions that produce our teachers. Our country must devote attention to the quality, quantity and professional work environment of teachers in science and mathematics. In the next 10 years, we will have to recruit and hire 2.2 million teachers just to stay even with attrition in the teaching force. Most of these teachers, including all elementary schoolteachers, will be called on to teach science, and many will feel inadequate to teach it.

Along with my colleague, the gentlewoman from Maryland (Mrs. MORELLA), who also served on the commission, I am introducing legislation that seeks to make these changes. The National Improvement in Mathematics and Science Teaching Act, as it is called, establishes a new title in the Elementary and Secondary Education Act to improve the quality of math and science education.

Specifically, this Glenn Commission bill establishes a State assistance grant program to recruit quality teachers into the field. Under this program, every State will receive funding that they can use for a variety of purposes that are designed to attract new and qualified math and science teachers. States can establish a loan forgiveness program, signing bonuses, or even create a career ladder for math and science teachers. The bill also establishes a similar grant program to improve professional development of these teachers. Like the previous grant program, States would have the flexibility to use these funds on a variety of activities, including master teacher initiatives, summer fellowships in relevant industries, or summer workshops, among other things.

The Glenn Commission bill establishes 15 John Glenn academies to recruit recent college graduates and mid-career professionals to compete for 3,000 prestigious 1-year paid academy fellowships. The fellows will be nationally recruited for a 1-year intensive course on effective teaching methods in mathematics and science. In return, these Glenn fellows will agree to teach for 5 years in districts with science and math teacher shortages. I am pleased that this bill establishes a grant program to address the achievement gap in math and science education.

Lastly, this bill establishes industry tax credits and deductions designed to encourage partnerships between schools and business and industry. Specifically, industries can receive tax credits for creating summer fellowships for math and science teachers. Likewise, businesses can receive deductions for donating new math and science equipment and materials to our public schools.

We are just days away from the end of the 106th Congress, so some may

wonder why I am introducing a bill so late in this congressional session. In fact, I could have waited to introduce this bill at the start of the next session, but I see this as a critical problem that needs to be addressed starting now. The Glenn Commission only released its report a few weeks ago, and I believe it is important to get to work as quickly as possible to address the recommendations of this commission.

We should not wait until next year to address an issue that will have such a huge impact on the future of our children and our country. If we are going to make a difference in the education and the lives of our citizens, it is imperative that we start making changes right away.

The gentlewoman from Maryland (Mrs. MORELLA) and I are trying to do this, and I urge my colleagues to support this important legislation.

EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as I stand here and think about how the economy is booming, we talk about how many jobs that have been created; yet we have record unemployment, and we are passing bills to bring people over under the H–1B visas to take the better jobs. Now, I do not have a problem with that, Mr. Speaker; but we have got to educate the people here so that we do not continue to do this forever.

It has been said that a school is four walls and a roof with a future inside. If that is true, then we need to start to look at the investments that we make in education. I have heard far too much about the trillion dollar tax break and far too little on the investment in our future, which is with our young people. It is very simple. It is so easy. And this administration has taken a lead in standing firm and holding the line, hopefully until we can get some of these issues addressed.

All of us know we need additional teachers and after-school programs. We all know that we need to do something about our buildings. In my State of Texas there are buildings that have more portables than the main building, and some of the portables are a block from the first restroom that kids can go to. I do not believe that we think that all of this ought to be left to the local districts because they simply cannot afford it when the districts are poor.

Mr. Speaker, this is a wealthy Nation. This is a Nation that can do about whatever it wants to, and I do not believe that we are thinking soundly when we are willing to leave here without addressing the real needs of our future, which is our students. We have to get rid of these leaky inadequate buildings that have no heat, no running water, and are not even in a condition to be wired properly for today's education. Yet we continue to talk about how much we can give for a tax break.

I do not know why it is so difficult to understand that kids simply cannot grasp what they are being taught if they are in a class with too many other children and only one teacher. In my State of Texas, the ratio is one teacher for 22 children. That is really above the national average, but every one of those asks for a waiver each year so that they can have even more students in a class. Just imagine young children coming to school for the first time and finding themselves in a class of 25, 30, and 40 children with one teacher. We wonder why they do not do well on tests and wonder why they drop out or start being absent from school. No child wants to feel that they are being left out, and yet that is what we are getting when we have our classes that are too large because we do not have enough teachers.

One of the reasons we do not have enough teachers is because we do not pay them adequately. If we graduate young teachers now from college that are well prepared for today's classrooms, they can get a job making twice as much almost anywhere else. We have got to address the issue of educating our young people, and we have to acknowledge that we have a long ways to go in many of these communities.

The answer is not vouchers for a private school. I do not have a thing against private schools. I think whoever wants to send their children to private schools should be able to do that. But I do not think it should be with taxpayers' money while we are neglecting the public schools, which is where 90 percent of the children have to go. Imagine kids still going to school in areas that are not safe, where half the teachers are eligible for retirement, but they simply cannot retire because they do not have anyone to replace them. They go into schools that are not equipped with our technology and computer hardware that we all say we have to have.

In spite of all this, Mr. Speaker, the Republican leadership stands in the way of bringing a bill to the floor to just spend a portion of what we call the surplus to address these basic needs. I am hoping that we can remember our ABC's. A, for additional teachers and additional after-school programs. Without additional teachers, my own State will lose something like $146.8 million to reduce overcrowded classroom sizes.

And B is for building improvements. Current estimates indicate that my State faces $13.7 billion in costs for school modernization; 76 percent of the schools in Texas report a need to upgrade or repair buildings.

And C, of course, Mr. Speaker, is reducing classroom size. Hopefully, that is simple enough that all of us can remember that and not go home this session without addressing this.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON address the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

(Mr. ENGEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRATULATIONS TO CHRISTINE MARTIN, NEW J-SCHOOL DEAN

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from West Virginia (Mr. MOLLOHAN) is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Speaker, I would like to offer my congratulations to Christine Martin, who was recently named dean of the Perley Isaac Reed School of Journalism at West Virginia University.

Dean Martin lead the school of journalism in an interim capacity for 1 year before receiving a permanent appointment. In that short term, she has greatly contributed to a first-class faculty with the addition of award-winning journalists George Esper and Terry Wimmer.

Mr. Speaker, in tribute to this talented, well-respected educator and journalist, and in recognition of her many achievements, I provide for the RECORD a recent newspaper article written on the occasion of her appointment as dean and extend my congratulations.

MARTIN SELECTED AS NEW J-SCHOOL DEAN

(By Chandra Broadwater)

Christine Martin, a West Virginia University journalism professor and interim dean of the Perley Isaac Reed School of Journalism, was selected as the permanent dean of the school last week.

The selection of Martin formally concluded a nationwide search for the position.

Martin was named to the post of dean after the search was narrowed down to three total finalists.

''I think that the school of journalism will be very well served with Chris as dean,'' Dean Bill Deaton of the College of Human Resources and Education and chair of the Journalism Dean Search Committee said. ''She's demonstrated through her progress as interim dean her ability to effectively work with different media in the school.''

Martin will be the first woman to lead the school and the sixth dean in its history.

''I've worked with Chris since I came to WVU in 1996 and I had also known her from a Pennsylvania paper that we both worked at,'' journalism professor and search committee member Leslie Rubinkowski said. ''I know her as being an excellent journalist and good editor. She brings a lot of these qualities to her job.''

Rubinkowski also acknowledges that Martin did a great job in getting projects within the journalism school started.

''Chris has spearheaded many projects in the last year,'' she said. ''Under her guidance, we are redesigning the journalism curriculum. The way that scholarships are awarded has been changed and Journalism Week, which faded away in the last five years, was revived.''

In addition to noting Martin's work in creating the Vietnam war correspondent women's panel, Rubinkowski ultimately felt that Martin was chosen as dean of the journalism school because of the respectable and likeable persona that she reflects.

''People like and respect her because she's a good journalist and leader.''

After coming to WVU in 1990 as an associate professor, Martin directed the school's writing program, chaired the news editorial sequence and coordinated its honors program.

Before coming to WVU, she taught writing, literature and journalism at Washington and Jefferson College in Washington, Pa. Martin also worked as a reporter, education writer and news editor for the Pittsburgh Tribune Review and the Uniontown Herald-Standard.

Martin is also a 1999 Freedom Forum Teacher of the Year, a 1998 Carnegie Foundation Professor of the Year (the only one in West Virginia), a 1997–98 WVU Foundation Outstanding Teacher and the 1996–97 Journalism Teacher of the Year.

Martin also began a program that brings together WVU and state newsrooms called, ''Bridging the Gap: A Personnel and Resource Exchange.'' In addition to her work with WVU, she conducts writing workshops for newspapers across the state.

Martin also co-directs the reporting and writing fellowship program for college graduates at the Poynter Institute in St. Petersburg, Fla. every summer.

Martin earned her undergraduate degree in English from California University (Pa.). She also holds a master's degree from the University of Maryland, where she is currently completing a Ph.D. in American studies.

Martin currently is in Vietnam, pursuing her interests in female war correspondents who covered the Vietnam War. She was unavailable for comment.

□ 2000

EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, when I first came to Washington, I was determined to make education our Nation's number one priority. That commitment has not changed.

What has changed is my understanding of what it takes so that our children are ready to learn when they enter the classroom. We can have the best schools and the best teachers in the world; but if our children do not enter the classroom ready to succeed, those schools and those teachers and those students will fail.

Let us face it, if today's children are lucky enough to have two parents living with them, chances are both parents work outside the home, they work long hours, they commute long distances, and it is our children who are being left behind.

It is certainly not their parents' fault. They are working and commuting long hours to support their families. But it is our children who are paying the price because their parents need to earn a living. That is not right. Parents should not have to choose between financial stability and their children's emotional stability. We need to help parents bridge the gap between work and family so their children are ready to learn when they enter the classroom.

Mr. Speaker, we know that learning does not start on the first day of kindergarten. Children are growing and changing from the very day they are born. Study after study has shown that the first 3 years are critical to a child's development. Provisions need to be made for families so that they can be together at these critical times so parents can be with new babies and newly adopted children.

Paid family leave is a key tool we can use to make sure that children get off to a positive start and that their parents can be with them at these critical times. And by providing parents with voluntary universal prekindergarten programs, we will give them the chance to get their children on the right track. Programs like Head Start and Early Head Start show us that pre-K programs work. All parents should have the option of enrolling their children in a structured, quality, voluntary pre-K program.

With parents working hard, children are spending more and more time in child care. Ensuring that quality child care is available to all children will go a long way to making sure that our children are ready to learn when they go to school.

We need more good child care, including care for children under the age of 3 and for night and weekend workers. But it is not just young children who are coming to school unprepared. Older children face challenges also.

Title XI of the Elementary and Secondary Education Act, which I wrote and saw signed into law in my first term, needs to be expanded. It needs to be expanded to allow schools to use more Federal funds for in-school support services for students and for their families.

Services such as after-school programs, mentoring programs, tutoring and counseling help young people address their angers and their frustrations and their fears before they have tragic consequences, and these programs ensure that young people are ready to learn when they enter the classroom.

Also, Mr. Speaker, students cannot learn when they are hungry. It is proven that those students who eat breakfast do better on tests, they are more well-behaved in school, and they miss less time from school than those who do not eat breakfast. We need to make sure every child starts the day off with a good meal.

My pilot Federal breakfast program, which is underway in five school districts across the Nation, is the first step toward a universal school breakfast program.

We must also make quality education accessible to all of our children. That means building new, modern schools that are welcoming to those with disabilities as well as to those without. That means making sure that no one is left behind.

In the high-tech global economy, however, those without a high-tech education, those without high-tech skills will be left behind. That is why we must make sure that minorities and women are encouraged to study math, science, technology, and engineering. Females make up slightly more than 50 percent of this country's population, but less than 30 percent of America's scientists are women.

My ''Go Girl'' bill will create a bold new workforce of energized young women in science, math and technology careers.

GENERAL LEAVE

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order tonight.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

EDUCATION IS KEY TO OPPORTUNITY, EQUALITY, AND SUCCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I could not help but listen to the Members who have preceded me in discussing what I think is a universal issue, and that is to help our children in this Nation learn.

Education is the key to opportunity, the key to equality, the key to success. Unfortunately, we have failed in creating opportunities for excellence.

It is difficult for a country as powerful as America and Members of the United States Congress to be able to come to the floor of the House and admit, in some part, failure. That is why it is so very important for us to emphasize what needs to be done and to also emphasize that all cannot be done at the local level.

Education is national. It should be a national priority. And so, Mr. Speaker, I think it is vital that, before we leave this session, we focus on issues such as reducing class size so that our children can get individual tutoring and teaching and nurturing so that education is fun and education for them is a positive experience.

To do that, we must admit that our schools in America are crumbling and local jurisdictions cannot build all of the schools that are needed. Every one of us have schools in our community that have portable buildings, limited

heat, limited air conditioning. They were only supposed to be there on a temporary basis. Yet first-graders and kindergartners and second-graders are all in these portable buildings maybe high school students and middle school students. And for some, in inclement weather, those individuals have to leave those portables to go to the restroom facilities, gym facilities.

What kind of life is that for our children?

We need increased teacher salaries. We need to respect teachers for the learning and the knowledge that they bring to the classroom. And, yes, we need the training of more math and science teachers.

I have seen the actual results of that. The ranking member on the Committee on Immigration Claims, we supported H–1B non-immigrant visas to help in our high-technology industry. But, Mr. Speaker, the real issue is are we preparing Americans for those jobs, are we training incumbent workers, are we training college students? There has to be a greater opportunity and there must be a greater access and opportunity for education.

I visited with some of my elementary school students this past week from Henderson Elementary School, hard-working students. But yet, Mr. Speaker, they had maybe three computers to a classroom, maybe not that many. I asked the 10-year-old and 9-year-old how often they got to the computer, and they said maybe once or twice or three times a week. Even if there is slightly more than that, that is not enough to prepare a technologically educated society.

Mr. Speaker, it is important that we do more for education.

Let me just simply close on another and different note, but I think it is extremely important to clarify something very close to my heart as a member of the House Committee on the Judiciary, a cosponsor of the Hate Crimes Prevention Act of 1999 and 2000. There seems to be a lot of debate about this, Mr. Speaker. But let me clarify the record.

Coming from Texas, all of the world's eyes were on Jasper, Texas, in 1998 when the heinous act of James Byrd, Jr. was discovered, the dismemberment of a man because of his color. Out of that terrible tragedy, legislators such as Representatives Senfronia Thompson of Texas, Senator Rodney Ellis of Texas, Joe Deshotel, a cosponsor, and many others put forward the Hate Crimes Act of Texas in order to ensure that this terrible act would be an illegal act not only in Texas but to show the world what Texas was made of.

That act was dealing with race, ethnicity, gender, disability, religion or sexual orientation. It was inclusive. It was constitutionally secure. It would pass constitutional muster, unlike the legislation of 1991, which was simply a Hate Crimes Reporting Act that I believe the Governor of the State of Texas was referring to in all of his debates.

We do not have a real hate crimes legislation or bill in the State of Texas. And when the family of James Byrd, Jr. went to the Governor's office and begged for his support for that very strong legislative initiative, he did not give it. Plain and simple, the signals went out to the Senate that it was not a legislative initiative that the Governor's office was supporting.

It passed the House, with Speaker Laney, the Democratic speaker in the House of Representatives in the State of the Texas. But in a Republican Senate in the State of Texas, it could not pass.

The Governor of my State, Governor Bush, did not help it pass and did not support its passage. And now we do not have, in light of the heinous act, murderous act against James Byrd, Jr., not even as a tribute to him could we pass a real hate crimes bill in the State of Texas.

I hope this Congress will take up the challenge and stop the opposing of a real hate crimes legislation that could be passed in this session and do what is right. We could not do what was right for Texas. Let us do what is right for all of America and make it a Federal law, and let us not stand in the way of acknowledging that that country abhors hateful acts because they are simply different. As the Voters' Rights Act was passed and the Civil Rights Act was passed, we can pass a real civil rights bill, the Hate Crimes Prevention Act, and tell America and the world that we stand not for hate but for inclusion and empowerment.

SOCIAL SECURITY SOLVENCY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of Michigan. Mr. Speaker, I rise tonight to discuss Social Security. It is going to be almost like a professor lecturing a class. So everybody that is interested in Social Security should listen up. Those that are not interested in Social Security should be because it is America's biggest program, probably the United States Government's most important program.

When I came to Congress in 1993, I left the Michigan Senate as chairman of the Taxation Committee. At that time, we were looking at the consequences of low investment and savings. I discovered that, in the United States, we have the lowest savings of any industrialized country in the world. And then I started looking at Social Security and the problems that Social Security was having in terms of the demographics in terms of financing the current promises in future years.

When I came to Congress, what I did in 1993, I introduced my first Social Security bill. And then 2 years later, in 1995, 1997, and 1999, I introduced subsequent Social Security bills, all scored by the Social Security Administration to keep Social Security solvent for the next 75 years.

I have been serving as chairman of the Bipartisan Task Force on Social Security in the Committee on the Budget. With testimony we received, we came up with 18 unanimous recommendations of what should be in a Social Security bill. I incorporated those and introduced a bipartisan bill that is now before the House.

I would suggest to everybody, current retirees, near retirees and young workers and young people in general to start looking at Social Security because it has the potential of developing a generational warfare if we continue to make promises of increased Social Security benefits and then we simply satisfy that challenge by increasing taxes on future generations.

Let me just say that if we do nothing, if we add no more benefits to Social Security or Medicare or Medicaid but continue under the existing programs to keep those programs solvent, we will have to have a payroll tax to keep Social Security and Medicaid and Medicare solvent that will take 47 percent of our wages.

□ 2015

Right now the FICA tax is 15 percent of wages.

The Social Security Benefit Guarantee Act. When Franklin Delano Roosevelt created the Social Security program over 6 decades ago, he wanted it to feature a private sector component to build retirement income. Social Security was supposed to be one leg of a three-legged stool to support retirees. It was supposed to go hand in hand with personal savings and private pension plans, and it is interesting, searching in the archives for some of the testimony back in 1935 when we started Social Security, to see that the Senate on two different occasions voted that it should allow private investment savings as an alternative to the government doing it; but when the House and the Senate went to conference, the decision was made that year to simply have it a totally government program, and that is what it is, a pay-as-you-go program where existing workers pay in their taxes to support existing retirees.

The demographics, the problem of demographics, fewer workers and more retirees, which we will get into in a moment. The system is really stretched to its limits. Seventy-eight million baby boomers begin retiring in 2008. These are the high-income people in general. That means they go out of the paying-in mode, paying in their taxes, directly related to their higher incomes, and start taking out benefits again directly related to what their incomes have been. That is when the problem starts. Social Security spending exceeds tax revenues starting in 2015. We increased the Social Security taxes substantially in 1983 so currently, temporarily, there are huge

surpluses coming in, and we have been spending that surplus for other government programs.

Social Security trust funds go broke in 2037, although the crisis could arrive much sooner. The crisis is going to arrive when we need to start coming up with the money that we borrowed and spent for other programs in the past, and that is the real problem. That is the real challenge.

Insolvency is not some guess or estimate. Insolvency is certain. We know how many people there are, and we know when they are going to retire. We know that people will live longer in retirement, and our estimates on how long they live have been fairly accurate over the past. We know how much they will pay into Social Security and taxes, and we know how much they are going to take out under the benefit structure we have. Payroll taxes will not cover benefits starting in 2015, and the shortfalls will add up to $120 trillion of extra money needed over and above what is coming in in taxes, $120 trillion between 2015 and 2075.

To put that in perspective, I am not sure any of us really know how much a trillion dollars is, but our spending that we are going to end up for this current fiscal year that we have just started is going to be approximately $1.9 trillion. Just for Social Security over the next 75 years, we are going to need to come up with an additional $120 trillion. It is a huge problem, and it is so frustrating that we have not paid attention to it.

We have let the last 8 years go because politicians have been afraid that they would be demagogued in the election. We have missed an opportunity over the last 8 years by not having the leadership in the White House to move ahead with saving Social Security. Instead, we have had words saying Social Security should come first but no legislation proposed that could be scored to keep Social Security solvent over the next 75 years.

Here is part of the demographic problems. The coming Social Security crisis, pay-as-you-go retirement system, will not meet the challenge of demographic change.

Workers per Social Security beneficiary. Back in 1940, here are 38 workers paying in their taxes for every one retiree. Today there are three workers paying in their taxes for every one retiree, and the estimate is by 2025 there are only going to be two workers paying in their benefits that is going to cover the Social Security check for every one retiree. So if that person's Social Security benefits end up being whatever, $15,000, or $1,200, $1,500 a month, those two workers are going to have to pay in that $600 or $750 a month each to cover those benefits of that one retiree. So we would let taxes go that high.

This depicts sort of graphically the short-term surplus and the long-term future deficits. Remember, I mentioned this red represents $120 trillion, $120 trillion that we are going to be short; that that much more is needed over and above the Social Security taxes to accommodate the promises that we have made in Social Security. Because we have been raising taxes a great deal on the fewer and fewer workers, we have ended up with a short-term surplus, and Republicans came in as a majority in 1995 and for the first time we started not using all of the Social Security surplus for other government program spending. For the first time in 40 years we started saying, look, we have to stop spending the Social Security surplus, and last year we called it a lockbox. Whatever it is called, what we did was made a decision, and we enforced it by saying we are not going to spend any of the Social Security surplus on any other programs.

We talk about all of these huge surpluses. Most of the surplus coming in is from the Social Security tax.

Let me just give three numbers in terms of what is going to happen this current fiscal year that started the first of this month. This year we are estimating that we are going to take in $533 billion of Social Security taxes, $533 billion coming in. What is needed to pay benefits this year is $367 billion. That means we have a surplus in Social Security of $166 billion. So the $166 billion that is coming in from the Social Security tax, where we are really at this time at least overtaxing American workers to come up with the extra money and we are using that extra money to pay down the debt held by the public. So what we will do is we will write an IOU to the Social Security trust fund. There is a box down in Maryland full of IOUs where we have spent the money in the past, where we have borrowed it and spent it for other things; and this current year we expect to take $166 billion for the Social Security surplus, write an IOU for it, and use that money to pay down the public debt.

This is Barry Pump. I do not know if the cameras see him; but Barry Pump is from Iowa, one of our star pages. So I thank Barry very much.

Economic growth will not fix Social Security. So some have said the economy is great, it is going to mean that we are not going to have the Social Security problems; let us keep this economy rolling and we can quit worrying about Social Security. Untrue.

Social Security benefits are indexed to wage growth. So the higher one's wages, when they retire the higher their benefits.

So an increased economy means that more taxes are paid in earlier; but later on when one eventually retires, they are going to take more benefits out. So the growing expanding economy, the way we have Social Security structured right now, is not going to solve the problem. I mean, that is why 4 years ago when I introduced my bill Social Security was estimated to go insolvent, to not have enough money coming in in 2012.

The expanding economy over the last 3 years has grown enough, a lot of it coming in from capital gains taxes, by the way, has grown enough that short-term, as far as the extra money coming in, means that we will have enough money to cover benefits another extra 3 years until 2015. Growth makes the numbers look better now but leaves a larger hole to fill later.

The administration has used these short-term advantages as an excuse to do nothing; and I just want to emphasize that this growing economy, though they can say, look, the Social Security trust fund is going to be there to pay benefits until 2035, it used to be 2032, or we are not going to have enough money coming in from the Social Security tax by 2012, now we are extended to 2015, does not solve the long-term financial fiscal problems for Social Security because the paychecks going out later on are going to be that much greater.

I think this is important that most Americans do not realize. Somehow they feel that somehow they earn something with a Social Security account, a Social Security fund. Not true. There is no Social Security account with their name on it. These trust fund balances, and I am quoting from the Office of Management and Budget of this administration, these trust fund balances are available to finance future benefit payments and other trust fund expenditures but only in a bookkeeping sense. They are claims on the Treasury that when redeemed will have to be financed by raising taxes, borrowing from the public, or reducing benefits or somehow reducing other government expenditures.

Again, the source is the Office of Management and Budget. I think it is interesting to note that the Supreme Court now in two decisions has ruled that there is no entitlement for Social Security. Regardless of how many years one paid into Social Security, Social Security is a tax. The benefits are whatever Congress and the President decide those benefits are going to be. So what we have seen in the past, when there was a financial problem in 1977, 1983, when they were coming short of money, they reduced benefits and increased taxes. I just stress as vigorously as I can that it is going to be unconscionable to yet again raise taxes on the American worker.

We will see a chart later I have, but right now 75 percent of American workers pay more in the Social Security tax than they do in the income tax.

This represents the public debt versus the Social Security shortfall. Our total debt in this country, what we owe the trust funds and what we owe in Treasury bills, is $3.4 trillion. The shortfall of Social Security between now and 2057 is $46.6 trillion.

Vice President GORE is suggesting that if we pay off this debt by using extra Social Security money coming in and any other surplus that can be found, that if we pay off this debt it is going to solve this problem and keep

Social Security solvent until 2057. It is like adding another giant IOU to the trust fund. So technically if this Chamber passed a bill saying we are going to write an IOU for $9 trillion to the Social Security trust fund, the actuaries would say well, this will keep Social Security solvent for the next 75 years. The fact is that the challenge, the problem, is coming up with those dollars once we have fewer dollars coming in on the taxes than are required for the benefits.

I am going to portray this in another way. The blue at the bottom, the light blue, represents the $260 billion that we are now using to pay on financing the debt, the interest on that particular debt approaching $300 billion. Vice President GORE is suggesting that if we dedicate somehow this savings every year for the next 75 years to Social Security, it will keep Social Security solvent.

So what the difference between the $46.6 trillion that is needed and what this interest savings will be is $35 trillion. So the red part of this graph represents the shortfall that still is going to be there even if this Chamber and the Senate and the President has the guts, has the intestinal fortitude, to dedicate this kind of interest rate savings to Social Security. It is a problem that cannot be solved by adding IOUs.

□ 2030

The biggest risk is doing nothing at all. Social Security has a total unfunded liability of over $9 trillion. I mentioned that over the next 75 years you need $120 trillion of future dollars, that inflated future dollar. To raise that $120 trillion over the next 75 years, you need $9 trillion today. So Alan Greenspan, the Chairman of the Federal Reserve, suggests that we need $9 trillion today, so put it in a real interest bearing account that will bring in 6 to 7 percent real return in order to accommodate the $120 trillion shortfall over the next 75 years.

Nine trillion dollars we have got to come up with today if we are going to solve the problem and not make any changes in this program, and not get any better return on the investment than we are getting on Social Security now, which is less than 2 percent for the average taxpayer.

The Social Security trust fund contains nothing but IOUs. To keep paying promised Social Security benefits, the payroll tax will have to be increased by nearly 50 percent, or benefits will have to be cut by 30 percent.

Everyone should start out with a prerequisite that we are not going to increase taxes once again, and we are not going to cut benefits for existing retirees or near term retirees. Somehow we have got to do a better job on getting a better return on that investment.

The Social Security lockbox. A little bit of a gimmick, but it has served us well in trying to make sure that we do not spend the Social Security surplus. It saves the Social Security trust fund dollars for Social Security. It keeps Washington's big spenders from using trust fund dollars for other government spending.

I have heard the Vice President say, look, we need that lockbox for Social Security. The House, this Chamber, has passed the lockbox language. We have sent it to the Senate. Now the Democrats in the Senate are filibustering that so it is not passed into a bill and sent to the President.

If Vice President GORE really wants to implement that lockbox provision to make sure that we do not spend the Social Security surplus, then I think probably all he has to do is tell that particular Chamber that they should go ahead and pass the legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). The Chair would remind the gentleman not to cast reflections on the other Chamber, such as characterizing Senate action or their activities.

Mr. SMITH of Michigan. Thank you, Mr. Speaker, and I would apologize if I did that.

Mr. Speaker, this Chamber passed the bill. It has languished over in the Senate. With the Vice President's help, I am sure we could get it through the Senate Chamber.

The diminishing return of your Social Security investment. The average Social Security taxpayer will receive a 1.9 percent interest rate, real interest rate return, on what that worker and their employer, or, if they are self-employed, what they pay into Social Security. So the average worker is not going to live long enough, even though our life spans are substantially increasing, to get back what they have paid in in Social Security tax. So that is part of the problem, is getting a better return on that investment.

The real return on Social Security is 1.9 percent for most workers, and it shows a negative return, as you see over here, for some, compared to over 7 percent for the marketplace. So the marketplace for the last 120 years has averaged a return of 7 percent, a real return. This is what this graph depicts.

You have a negative return if you happen to be a minority. The reason is that a young black worker today, their life expectancy is about 62.5 years. That means they can work all their life, paying into Social Security, but, on average, they die before they start taking any benefits out, and they are substantially shortchanged. But even the average, even the best, even the person that lives to be 105, on average they are only going to get a return that is 1.9 percent real return on the money, tax money, that has been sent in. And this is over and above that amount of the Social Security tax that is used for insurance, for disability insurance. This only counts that amount that is put into the OSDI fund. Again, on the average, the market return is 7 percent.

Another way of depicting the problem, because it is sort of like maybe the mechanic that knows the operation of the internal combustion engine, so they are very careful about taking care of their automobile, and they change the oil and they do the lubrication on a regular basis.

Well, I have been studying Social Security now for 7 years. I know the internal workings of Social Security, and it is running out of lubrication. The friction currently on Social Security means that there are going to be tremendous problems in the future, and that huge liability is going to fall on our kids and our grandkids.

I am a farmer from Michigan, and traditionally we have always tried to pay down the farm mortgage in an effort to leave our kids a little better off. This government, this Congress, this White House, is now taking a course where we are jeopardizing the potential happiness and success of our kids and our grandkids by leaving them this great huge obligation. We have got to deal with it, we have got to change it. It has to be more than rhetoric. It has got to be real action for written bills that can keep Social Security solvent.

This chart, very briefly, is the number of years it takes to get back your Social Security tax. If you were lucky enough to retire in 1940, because of the low taxes, you could get back everything you and your employer paid in in 2 months. By 1980, you have to live 4 years after retirement.

If you retire in 2005, you have got to live 23 years after retirement to break even, to get back just what you and your employer put in into the tax. In 1983, they increased the age limit that starts this next year, and that is why this sort of levels off up here. But by 2015 and 2025, you are going to have to live 26 years after you retire in order to get back what you and your employer paid in. I am not sure our medical technology is going to be that good by that time. It may be, but a better way to do it is to make some changes now that will mean that our kids and our grandkids are not put under this huge burden and that they can appreciate the benefits of Social Security, as their grandparents and their parents hopefully have.

This is a picture of my grandkids getting ready for Halloween. Whether it is Selena or James or Henry or George, he is a real tiger, or Emily or Clair or Francis or Nicholas. Nicholas is now 13. When he retires, he is going to have this challenge, not to mention his younger brothers and sisters and cousins, that they are going to have if we do not do something on Social Security.

I put the picture of my grandkids on my office wall. As I walk out to vote, I try to make my voting decisions on how it will affect this country and the future generations of this country 15, 20, 30, 40 years from now.

We have got to start looking longer range. We have got to start dealing with the two important programs that

we have for seniors, Medicare and Social Security; and Medicaid with nursing home care is another issue that we have got to start dealing with.

We cannot keep putting it off simply because it is hard, because it is a difficult problem, simply because somebody might criticize us for things or portions that we do in it. Somehow Republicans and Democrats have got to get together and seriously move ahead.

This chart represents what we have done in the past. I do not know if the cameras still show my grandkids, but imagine them up there, because what we are going to do with their taxes down here can be very significant. Here is what we have done in 1940, 1960, 1980 and 2000. In 1940 the rate was 2 percent and the base was $3,000. So the total amount of tax for the employee and the employer was $60, combined; combined.

In 1960, it got to 6 percent, and the base was $4,800. So you, the employee, paid 3 percent on the first $4,800, and the employer paid the same; a maximum tax combined for the employee and the employer of $288.

It got up to 1980, and they raised the tax again; got into a little problem, so this Chamber decided, well, an easy way to do it is load more taxes on the American worker. So, again we increased the tax up to 10.16 on the first $25,900, total possible tax for employee and employer combined, $2,631.

In 2000, we got up to 12.4 percent on the first $76,200, a total tax now of $9,448.

Mr. DREIER. Mr. Speaker, if the gentleman would yield, I would like to congratulate my friend. I just walked in, and I see the picture and I see the headline saying ''increasing payroll taxes again is not the answer.''

I would like to say that I could not agree with the gentleman more. Obviously increasing the payroll taxes would be a horrible thing on those struggling workers, certainly the middle-income wage earners.

Mr. Speaker, I would simply like to compliment my colleague on this very interesting special order.

Mr. SMITH of Michigan. Mr. Speaker, reclaiming my time, I would certainly thank the gentleman from California (Mr. DREIER), the chairman of our Committee on Rules.

Mr. Speaker, just finishing the taxes, and maybe really what we have not finished is the bottom line. If we do not get a better return on the investment, we are in for real problems. Governor Bush has suggested that we have some real investment that stays within Social Security; that is not going outside of the Social Security system, but simply allows a better return on some of the money.

We can do better. As we know, you can get a CD and do better than a 1.9 percent return. Any return that we can expand over and above 1.9 percent on average is going to mean that retirees live a better life.

My oldest grandson's name is Nick Smith. Maybe that is my immorality. But Nick painted the fence for us this past year. He made $180, and I said, Nick, you really need to put some of that into a Roth IRA. Then I went through the tables year by year on the magic of compound interest. So we went year by year and found out that by age 66, he would have almost $70,000; and if he waited until he was 72 to take that money out at the rate investments have been earning money over the last 100 years on average, it would end up $140,000.

He said, well, grandpa, can I still put some money, maybe, in your Roth IRA, but I want to save most of it to buy a car.

That is part of the problem we are facing today. Our savings and investment in this country is still low, and that means two things. It means we do not have the money to do the research, to put into the companies, to expand to the best possible state-of-the-art machinery to compete in this world, but it also means that the retirement for these individuals is not going to be as good as it really could be.

With good investments, let me say, and I am going to show you some examples from Texas and California, with good investments, a modest-income worker today can retire as a rich retiree. This is one of the problems why it is so important, I think, that we do not again raise taxes on the working poor in this country, on the average working family.

This pie chart represents that 78 percent of families now pay more in the payroll tax than they do the income tax.

□ 2045

Mr. Speaker, 78 percent of our families pay more in the FICA tax than the payroll deduction. Actually, it drops down to 74; 74 percent pay more in the Social Security tax than they do in the income tax.

Let us not raise taxes again. The longer we put off this decision, the longer we put off this decision, the more drastic the changes are going to have to be. So the bills that I introduced in 1995 and 1997 were less drastic, it did not have to make the kind of changes, but the bill I introduced this year actually had to borrow some money from the onbudget surplus to accommodate the transition to make the system work, to make the system solvent, without reducing any benefits for existing or near-term retirees and without increasing taxes. The longer we wait, the more drastic the solution. So let us do it.

Mr. Speaker, the six principles of saving Social Security that Governor Bush has proposed, that are consistent with the bills many of us have introduced: protect current and future beneficiaries; allow freedom of choice; preserve the safety net; make Americans better off, not worse off; create a fully funded system; no tax increases.

Mr. Speaker, let us talk just for a second about personal retirement accounts. They do not come out of Social Security. They stay in Social Security, and they are part of your retirement. They can only be used for retirement purposes, and the way Governor Bush has proposed, the way I have proposed, the way the gentleman from Texas (Mr. STENHOLM) and the gentleman from Arizona (Mr. KOLBE) have all proposed is that we have limited safe investments, that we can only invest in certain safe investments, such as an IRA or a 401(k) or the Thrift Savings Plan that we have for Federal employees, where you get your choice of four or five safe investments to invest in, and then you can only use it for retirement purposes.

They become part of your Social Security retirement benefits. A worker will own his or her retirement account; and if you die before you reach retirement age, it is not a case where you get zero, zip, nothing; but it will go into your estate for your heirs and, again, limited to safe investments that will earn more than the 1.9 percent paid by Social Security. That is dramatic maybe, but no new taxes, no cut in benefits for existing or near-term retirees.

Mr. Speaker, I borrowed a lot of these charts from Senator ROD GRAMS. He has also introduced a Social Security bill that keeps Social Security solvent that allows choice within safe savings accounts. Personal retirement accounts offer more retirement security. If John Doe makes an average of $36,000 a year, he can expect monthly pays of $6,514 from his personal retirement account compared to Social Security, which is $1,280. And that is because of the magic of compound interest.

Mr. Speaker, choosing personal accounts, in our law in 1935, we gave State and local governments the option of whether or not to go into Social Security or set up their own retirement pension system, where they could do their own investments for their own pension. The Galveston County, Texas, employees reap the benefits. Employees of Galveston County, Texas, opted out of Social Security.

This is how they faired: death benefits under Social Security $253. You get a burial benefit. Under the Galveston plan, you get $75,000 death benefit. Disability benefits per month, Social Security $1,280, and Galveston plan, they are ending up with $2,749.

This is disability. This is retirement. The retirement benefits per month, retirement is the same as disability under Social Security $1,280; but under the Galveston plan for retirement benefits, it is $4,790 a month compared to Social Security of $1,280 a month for that same person if they had paid into Social Security and let government use the money the way the government administers and uses this program. Spouses and survivors benefit under the Galveston County plan.

I use these plans to try to argue to my grandson Nick Smith why the magic of compound interest is so important and why savings and investment now can make a huge difference.

This is a quote from a young lady whose husband died, and she said, ''Thank God that some wise men privatized Social Security here. If I had regular Social Security, I'd be broke.'' After her husband died, Wendy Colehill used her death-benefit check of $126,000 to pay for his funeral expenses and she entered college. Under Social Security, she would have received a mere $255. Fairly young, so he died at an early age, she was not eligible for all of those benefits.

How do we save Social Security? That is the question. Right now, as chairman of the Joint Task Force on Social Security, some of the witnesses came in making predictions with the new RD&A technology, the new gene sequencing, where the new gene catalog and the nanotechnology that is developing very rapidly, they were estimating that within 25 years a person would have the option of whether or not they wanted to live to be 100 years old; and within 35 years, our technology would be such that they could have the option of whether or not to live to be 120 years old. Tremendous policy implications, let alone the increased argument that young people more than ever before should be as diligent as possible to save and invest today.

You should take that money out, get it out, have it directly taken out of your paycheck, maybe, something to add to those retirement benefits, because you need that personal savings on top of Social Security even at its best, even if we can solve it.

Again, San Diego enjoys the personal retirement accounts because they opted out of Social Security. A 30-year-old employee who earns a salary of $30,000 for 35 years and contributes 6 percent to his personal retirement account would receive $3,000 per month in retirement. Under the current system, he would contribute twice as much, but receive only $1,077 in Social Security.

The difference between the San Diego system and the PRAs and the Social Security is more than the difference in a check. It is also the difference between ownership and depending on politicians in Washington on what they do with your Social Security. Even those who oppose PRAs agree they offer more retirement security.

This is interesting. It is a letter from Senator BARBARA BOXER, Senator DIANE FEINSTEIN, and Senator TED KENNEDY to President Clinton allow the PRAs in San Diego to continue and not go into Social Security. They said in the letter to the President, quote, ''Millions of our constituents will receive higher retirement benefits from their current public pensions than they would under Social Security. So let them keep Social Security. At least that has to be an option.''

Nobody is proposing, Governor Bush is not proposing that it be a mandate. Everybody is saying it is still an option whether you want the potential to earn more money where it belongs to you, where it is in your account; but if you want to stay in the existing system, you can.

The United States certainly trails other countries in saving its retirement system. In the 18 years since Chile offered PRAs, 95 percent of Chilean workers have created accounts. Their average rate of return has been 11.3 percent per year. Among others, Australia, Britain, Switzerland offer workers PRAs.

I represented this country in an international conclave, if you will, discussing public pension retirement benefits and listening to those other countries what they are doing to very quickly move ahead with getting a better return on some of that investment. It made me feel somewhat embarrassed as we lag behind, as we have been unwillingly to step up to the plate, if you will, and make some solid decisions that are going to save Social Security, one of our most important programs.

British workers chose PRAs with 10 percent returns. And who could blame them compared to our 1.9 percent return we are getting? Two out of three British workers enrolled in the second tier Social Security, they have half of it they allow to go into the second tier. They chose to enroll in PRAs. The British workers have enjoyed a 10 percent on their pension investment.

Over the past few years, the pool of PRAs in Britain exceeds nearly $1.4 trillion larger than their entire economy and larger than the private pensions of all other European countries combined. So what we have now is other European countries that are following the lead of Australia, Chile, Great Britain in terms of looking at ways to get a better return on the investment that is coming in.

Based on a family income of $58,475, the return on a PRA is even better. If you invest 2 percent of what you earn versus 6 percent for pink or if you are investing 10 percent, which is the dark purple, and if you were to invest that kind of money over 20 years and 30 years and 40 years, even at the 2 percent, you see you have $55,000 at the end of 20 years. That is the magic of compound interest. In 30 years, it keeps going up, and by 40 years, it is worth $278,000.

Look at what happens if you were to invest 10 percent and the Social Security tax is now 12.4 percent. It takes about 2 percent for the disability insurance program. Nobody is touching that. That insurance has to stay in place for the disability portion; but eventually, if you were allowed to invest 10 percent or you dig into your pocket and come up with other investments to account for 10 percent, in 40 years that would be worth $1,389,000; and if you have a 10 percent return on that, you would not have to go into the base, but just the interest would be $138,000 a year. A 5 percent return would be half of that, or about 70,000 a year.

The magic of compound interest is important. Somehow we have to allow and provide ways for more Americans to save and invest more.

Mr. Speaker, I saved out the chart of my grandkids just to stress with every grandparent, with every parent that might be listening tonight, with every young student who is really the kids that are at risk for the kind of future that we might give them, if we do nothing, because the potential is that they are going to have to pay huge tax obligations, Vice President Gore by suggesting that we add another IOU and take the interest savings and apply it to other Social Security and, therefore, the trust fund gets big enough to pay it simply demands that sometime in the future, somebody is going to have to come up with that money to pay off the trust fund.

To do that, what we have done in the past is increase taxes; that is the easiest thing for this Chamber to do. It is the worst thing for our economy. There are only three ways to come up with the money. Let me point that out; I will put my pointer down so I can use my hands as I conclude this last statement.

Some people have said, do not worry, there is a trust fund out there. If we use the payback, the money from the trust fund, Social Security will last until 2035; and for the most of us, that is long enough.

I would suggest to you that there is no difference between having a trust fund and not having a trust fund, if we are going to keep our commitment that we are going to provide the benefits that we promised, because if we do not have a trust fund, the way to come up with the money to continue paying benefits is threefold. You either borrow the money from the public, and all the leading economists say if we were to borrow $120 trillion over the next 75 years, it would so disrupt our economy that it would be disastrous for the United States of America.

□ 2100

So if we cannot borrow it, then how about the option of increasing taxes? That is the other option, increasing taxes.

Of course, the third option is cutting benefits. What they did in 1973 and again in 1983, before I got here, was they did both, increased taxes and cut benefits. Let us not do that again.

Those are the same alternatives we would have if we have a trust fund. So to pay back the money that is in the trust fund, we still have to raise taxes or cut other spending, or increase public borrowing. So, in effect, it is the same having or not having a trust fund.

It is important to pay down the public debt. It is a good start. It means we do not start spending the money for other government programs, and that is the danger.

The argument between the Republicans and the Democrats is, the Republicans say, let us get the money out

of town. Otherwise, we will spend it. The Democrats say, we will pay down the debt but we have a lot of increased spending we want to do.

The challenge is not whether we cut spending or pay down the debt, the challenge is, are we going to hold down spending in this country? Can we get this money out of town in some way?

The first choice would be to continue to pay down the debt held by the public with all of these surpluses that we bring in. We have decided 2 weeks ago, our Republican majority, that we were going to draw a line in the sand. Like last year, we drew a line in the sand saying, here is the social security lockbox. We are not going to spend any of the social security surplus for any government programs.

We held to it, we did it. That was good. This year we went further. We said, of all of the social security surplus, of all of the surplus coming into all of the other 120 trust funds, where most of the money is coming from, of all of the surplus, on-budget and off-budget, we are going to take 90 percent of that and use that money to pay down the debt held by the public.

Good. Good policy. That leaves 10 percent that we are arguing about, and that we hope to conclude this budget and this spending this year as we argue about that remaining 10 percent. But I think we have the edge now in the support of public opinion that we at least take 90 percent of all that surplus and use it to pay down the public debt.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 114, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2001

Mr. DREIER, from the Committee on Rules (during the special order of Mr. SMITH of Michigan), submitted a privileged report (Rept. No. 106–989) on the resolution (H. Res. 637) providing for consideration of the joint resolution (H.J. Res. 114) making further continuing appropriations for the fiscal year 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4635, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

Mr. DREIER, from the Committee on Rules (during the special order of Mr. SMITH of Michigan), submitted a privileged report (Rept. No. 106–990) on the resolution (H. Res. 638) waiving points of order against the conference report to accompany the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 2796, WATER RESOURCES DEVELOPMENT ACT OF 2000

Mr. DREIER, from the Committee on Rules (during the special order of Mr. SMITH of Michigan), submitted a privileged report (Rept. No. 106–991) on the resolution (H. Res. 639) providing for consideration of the Senate bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. DREIER, from the Committee on Rules (during the special order of Mr. SMITH of Michigan) submitted a privileged report (Rept. No. 106–992) on the resolution (H. Res. 640) providing for the consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

ACCESS TO HEALTH INSURANCE

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I wanted to make reference initially to last night's debate between Vice President AL GORE and Texas Governor Bush, but my focus this evening is on health insurance and the various health care issues that have come into play in this Congress, as well as in the presidential debate last evening.

I have always felt that one of the most important issues that we face and one of the biggest concerns that I have is the inability of many Americans to find health insurance, to be covered by health insurance. The candidates last night presented starkly different views on how to extend coverage to the 42.6 million Americans who currently lack health insurance. That is a large segment of our population, 42.6 million Americans, and it continues to grow.

During their exchange on this issue last night, the Governor said something which I found to be very telling and very disturbing. I wanted to read back what Governor Bush said during the debate. He said, ''There is an issue with uninsured. There sure is. And we have got uninsured in my State. Ours is a big State, a fast-growing State. We share a common border with another nation, but we are providing health care for our people.''

Continuing, the Governor added, ''One thing about insurance, that's a Washington term.''

Mr. Speaker, I was very offended by Governor Bush's referring to insurance, in this context health insurance, as a Washington term. In fact, I consider that remark very elitist and really absurd. All American parents who are out in the real world struggle to find a way to provide insurance for their children. I think they should be very alarmed when the Governor views health insurance as a Washington thing.

Really, all Americans should be alarmed because of his statement that somehow this is a Washington thing. Does that mean that Governor Bush thinks it is okay, for example, that my colleagues here, I will use the opposition, the Republican Members of Congress, the fact that they have health insurance and 42.6 million Americans do not?

And really, I would like to look at Governor Bush's record on the issue of health insurance, because I think that by referring to it as a Washington thing, he belittles it and shows that he really does not have much concern about the 42 million Americans that do not have health insurance.

If we look at the Governor's record in Texas, it shows that Texas has the highest number of uninsured children in the country. When setting up the State's Child Health Insurance Program, which we adopted as a Federal program in this House and was signed into law by President Clinton, but when setting up the State's Child Health Insurance Program pursuant to and with Federal money, Governor Bush wanted to set the eligibility threshold at only 150 percent of the Federal poverty level.

I say that by way of contrast to my own State of New Jersey, which also has a Republican Governor, but set 350 percent of the Federal poverty level for that CHIP Federal kids' health insurance program, or more than twice the level that Governor Bush proposed in Texas.

Now, what happened eventually is the Texas legislature came forward and said they wanted to push this eligibility threshold up to 200 percent, which Governor Bush eventually signed. But the point of the matter, the fact of the matter is that it was possible under the Federal law to push this eligibility higher and to include more children under the Texas child health care program, and Governor Bush did not do it.

So when he says that insurance is a Washington thing, does that mean that he does not really care that much about the kids in Texas, that they should not be able to take advantage of

the Federal program and Federal dollars that are allowing them to be covered by health insurance?

When it comes to insuring adults, Governor Bush's record is really no better than it is with the kids. Texas has the highest percentage of uninsured low-income adults, 51 percent, in the Nation. Its Medicaid eligibility level is just a paltry $4,728 in annual income for parents of three-person families.

A little later I am going to get into the proposals that Vice President GORE and President Clinton and the Democrats in the House have put forward to try to get more adults insured. We care deeply to try to end the problem of the uninsured in this country. If that is a Washington thing, so be it. But I would maintain it is an American thing, that kids are suffering because they do not have health insurance, parents are suffering because they do not have health insurance.

When it comes to overall spending on health in the State of Texas, the Governor has distorted his own record. He made it look like health care is a much bigger priority for him than it really is.

In last week's debate, the previous debate prior to last night, Governor Bush said Texas had spent $4.7 billion on health care under his administration when in fact that is simply not true. Something like $3.5 billion of that money came from private and local sources and not the State expenditure.

I am trying to make the point, Mr. Speaker, that access to health insurance is simply not a priority for the Governor, not a priority in terms of spending, not a priority in terms of trying to get the State of Texas to cover more kids and more adults.

The lack of health insurance in the United States is not a problem that should be cavalierly dismissed as a Washington thing by any policymaker or any politician, let alone a candidate for the President of the United States. It is a very real problem that affects real Americans with real consequences.

Let me just give some statistics about why I say that, and why it is true that health insurance is not just a Washington thing, but something that everyone in the country has to be worried about.

There are millions of American parents who are unable to take sick and suffering children to the doctor because they simply cannot afford it. There are 27,000 uninsured women who are diagnosed with breast cancer every year, and are 50 percent more likely to die from it because they are uninsured. There are older couples whose hopes for a dignified retirement after a lifetime of work are swept away in an instant by an unexpected avalanche of medical debt. There are young families whose hopes for the future are destroyed when a breadwinner dies or is disabled because an illness was not diagnosed and treated in a timely fashion.

Eighty-three thousand Americans die each year because they do not have insurance, and as a result, do not get adequate or timely care. I can assure the Members, Mr. Speaker, that to them, insurance is far more than just a Washington term to their families.

The Federal government and State governments across the country have spent the last 10 years trying to stem the tide of people turning to the emergency room for their medical care.

I know Governor Bush throughout the debates has talked about the fact that, you know, you can go to an emergency room in Texas, you can go to a hospital emergency room. The problem with that is that that is not really good health care because there is no prevention. If we have preventative care and take measures before we have to go to an emergency room, our likelihood of doing well and living longer and not being disabled are much greater.

Preventative care does not just save lives and stop tragedies before they occur, it is also more efficient and less expensive for everybody, including the Federal government. Those facts are understood by health experts, but not a lot of times by politicians.

I would say the same thing to the Governor: Rather than talk about the fact that people in Texas have access to an emergency room, put programs in effect so people can get health insurance and can take the preventative measures so they do not have to wait until they get so sick that they have to go to an emergency room.

Governor Bush's view that insurance is a Washington term may be a view that is held by wealthy people who have insurance and can foot the bill easily for any medical emergency that may arise, but it is definitely a view that is clearly out of touch with the American mainstream.

It is a view every American, particularly those without insurance, should be aware of in this political season. It is a view that, if followed, will throw a monkey wrench in both private sector and public efforts to bring down the cost of health care, and it is a view that nobody who is interested in addressing the problems of the uninsured in this country should for a single second take seriously.

I know it sounds very critical of me to talk about the Governor in this light, but it really annoyed me to hear the term ''insurance'' somehow referred to as a Washington term, as if the rest of the country or the average person was not concerned about it. I know that they are.

I want to spend some time also this evening contrasting, if you will, not only the presidential candidates but the parties on the issue of health care. I know it sounds very political, but the bottom line is that this Congress only has another week or so before it adjourns.

The Democrats, including myself, over the last 2 years that this Congress has been in session have put forth a number of proposals, whether it is a prescription drug benefit under Medicare or it is HMO reform with the Patients' Bill of Rights, or it is the idea that whatever surplus is available should be primarily used to shore up social security and Medicare, or it is the idea of trying to cover more kids or more parents.

We have been out there putting forth, with President Clinton and Vice President GORE's support, many proposals that would address some of the problems that Americans face with health insurance, whether they are uninsured or they have some type of insurance that is inadequate.

It really galls me to think that we are here at the 11th hour and most of these problems have not been addressed by the Republican leadership on the other side of the aisle, and will not be addressed if Governor Bush is elected president.

So I think it is important to contrast the candidates and the parties on health care. I am just going to take a little time tonight if I could to give my own view, and then give the view of an independent group that has analyzed the proposals that have been put forth by both sides.

I want to start with the issue of prescription drugs, because I think right now the fact that so many seniors and disabled people who have Medicare are not able to access prescription drugs is a major problem, almost a crisis in the country.

If we listen to what George Bush has been saying, what Governor Bush has been saying, he is saying that he wants to provide some sort of prescription drug program that would provide coverage initially through State-based low-income-only programs, and then through HMOs and insurance companies.

I say that because what the Governor has proposed is not to bring prescription drugs under the rubric of Medicare, but rather, to give a subsidy or a voucher, if you will, to low-income people so they can go out and try to buy prescription drug policies in the open market, in the private market.

That is very different from what Vice President Gore and the Democrats have been saying. I think it was clearly defined in last night's debate. What Vice President Al Gore has been saying is that Medicare is a successful program that provides coverage for one's hospital care and for one's doctor's care, and it would not be that difficult and would not cost that much money, particularly if we have a surplus, for the Federal government to provide prescription drug benefits under Medicare, as well.

So that is the major difference between the Democrat and the Republican proposals. The Democrats are saying they want to expand Medicare to include prescription drugs. The Republicans are saying they do not want to use Medicare as the vehicle, they want to give a subsidy or they want to

give a voucher, or in the case of Governor Bush's proposal, a voucher essentially just for low-income people.

There are a lot of other differences, but I just want to say, Members do not have to take my word for it. There is an organization called Families USA which just put out a report on health care and the 2000 election.

I just want to describe Families USA. Families USA is a nonprofit, nonpartisan consumer health organization established under section 501(c)(4) of the Internal Revenue Code that has never endorsed, supported, nor opposed any political candidate, and they are not doing it now.

In addition, Families USA has spent two decades working on various aspects of our health care system, and has amassed considerable expertise on health issues. The Democrats and myself have cited them many times, and the Republicans as well.

On the issue of prescription drugs, and I just want to run through this, if I could, in their report that just came out they say, ''There is a marked contrast between the two candidates on this issue.''

□ 2115

Vice President GORE intends to establish a voluntary prescription drug benefit in the Medicare program, and I stress in the Medicare program. This would ensure that all seniors and people with disabilities gain access to prescription drug coverage. It would also enable Medicare to bring its considerable market clout on behalf of program beneficiaries to the bargaining table.

Now, that sounds a little bureaucratic, but let me explain what that means. One of the biggest problems with prescription drugs right now is the cost for seniors. If they do not have some kind of coverage through their employer or through some sort of coverage that they are able to purchase, which many do not, then they have to go buy it on the open market at the local pharmacy, and the cost is prohibitive.

There is a price discrimination between seniors who have to just go buy the prescription at the local pharmacy out-of-pocket versus seniors who happen to be fortunate to be in some sort of plan, either through their employer or in some other way.

But what Vice President GORE does and what the Democrats do with their Medicare prescription drug proposal is they give the seniors who are now part of this plan clout with regard to prices, because they establish a benefit provider in each region of the country that will bargain for the best price, just like an HMO does, for example, for the prescription drugs, and that brings the price down. So that is what they are talking about here when Families USA says that the Democratic plan is better.

Then they say in the Families USA report, they contrast Governor Bush's approach by way of contrast. Initially he relies on State-run pharmaceutical programs and subsequently on insurance companies, HMOs, to offer prescription drug coverage.

To date, however, State pharmaceutical programs reach only a tiny portion of seniors who need drug coverage, and such assistance is usually confined to seniors with very low incomes.

The point is that the Republican plan is only going to help seniors with low incomes. It is not going to help the vast majority of seniors with middle incomes, which basically are the people that are crying out for some sort of help.

In addition, in analyzing the Bush plan, Families USA's assessment says that private health plans and insurance companies have very limited success in providing drug coverage for seniors.

I mention that because what they are basically saying here is that, if one gives the senior or the disabled person the voucher, the way Governor Bush has proposed, to go out and try to buy prescription drug coverage in the open market, not under Medicare, they are not going to be able to find it. They are not going to find an insurance company that will offer that for the price of the subsidy that the Bush plan proposes.

Now, additionally, what Families USA says about the GORE plan, the Democratic Medicare prescription drug plan, is that it is very specific in detailing the drug coverage that is guaranteed to every Medicare beneficiary as well as the cost sharing that seniors would have to pay.

So what we are saying in the Democratic plan is that we are going to be able to guarantee one to have any drug that is medically necessary. We are going to tell one exactly what the premium is, exactly what one is going to get.

Under the Bush proposal, on the other hand, decision making about the specifics of the drug benefit as well as out-of-pocket costs are left to the private insurance companies and the HMOs. So, again, one does not really know what one is getting.

But I want to stress again the difference here, the difference is the Bush Republican plan is a voucher plan. It does not come under the rubric of Medicare. The Democratic plan, the Gore plan, is an expansion of Medicare that covers prescription drugs just in the same way that hospital care and physician care is provided under Medicare right now.

Now, let me go to a second category here because I want to cover each of these health care issues because I think they are so important in terms of contrasting the difference between the parties.

The second one is the future of Medicare itself. Medicare, as we know, in the next, maybe, 10, 20 years, not right away, but at some point in the future will start to run out of money because there are going to be so many baby boomers that become 65, that become seniors, that there is not enough money to pay for it.

Now, what President Clinton and Vice President GORE have been saying is that they want to use most of the surplus to shore up the Social Security program and the Medicare program.

But what we see is that, instead, by contrast, Governor Bush talks about restructuring the Medicare program in ways that I believe that will increasingly privatize and encourage people to opt out of Medicare or go to private insurance.

I do not want to dwell on that too much because I want to get to the next issue, which is I think so important and, again, became an issue in last night's debate, right at the beginning of the debate.

That is HMO reform. HMO reform is clearly something that so many Americans are concerned about because more and more people are in HMOs, and they find that they are victims of various abuses, primarily because what they find is that decisions about what kind of Medicare they get, whether they get a particular operation, whether they get to stay in the hospital a particular length of time is determined, not by their physician and themselves as a patient, but by the insurance companies. Naturally they do not like it because it lends itself to all kinds of abuse.

Well, it was interesting last night because, during the debate, Governor Bush said that he was in support of HMO reform and that he mentioned that, in the State of Texas, his home State, that they actually had passed legislation that would provide for certain patient protections if one was in an HMO.

But the interesting thing about it is Governor Bush used the example of HMO reform to say he would be successful if he were to be elected President because, in Texas, he was able to bring both parties together and everyone together to pass patient protections.

Well, I have to point out that, when the issue of patients' rights in the context of HMO reform first came up in the tax legislature and the bill was passed in 1995, Governor Bush actually vetoed the legislation.

So he talked about playing a role and bringing people together, the Texas legislature decided they wanted HMO reform, he vetoes the bill. Well, a couple years later, in 1997, there was again passed in the Texas legislature legislation to protect patients in the context of HMOs. This was a very comprehensive HMO reform that Governor Bush referred to in last night's debate. Well, this time, even though he opposed the legislation and refused to sign it, he let it become law.

That is hardly an advocate for patients' rights. That is hardly someone who, as he says, is trying to bring people together to pass legislation. You veto it once and then you say, okay, I do not like it, but I will let it become law without my signature.

What it means is this was happening despite what Governor Bush wanted. He did not want it to happen, but he did not want to stop it probably because he was afraid of the political consequences if he vetoed it again.

By contrast, Vice President GORE last night and throughout the 7 years now that he has been the Vice President, with the support of Democrats and some Republicans as well in Congress, has been an advocate on a Federal level for a comprehensive HMO reform bill which Vice President GORE mentioned last night, the Norwood-Dingell bill.

He was very specific about bringing up that legislation in the debate last evening and asking Governor Bush repeatedly whether he supported the Norwood-Dingell bill and, of course, Governor Bush would not say whether he supported it or not. If he would not admit he supported it, I would say we have to assume he does not support it.

It is a much stronger bill than even what the Texas legislature passed without Governor Bush's signature. It is a bill that is vehemently opposed by the HMOs and the health insurance industry and all of the special interests and very much supported by the majority of the American people.

We passed the Patients' Bill of Rights, the Norwood-Dingell bill here in the House of Representatives. Almost every Democrat voted for it, and some Republicans voted for it too, otherwise it wouldn't have passed. In fact, the gentleman from Georgia (Mr. NORWOOD), one of the sponsors, is a Republican, the lead sponsor.

But the bottom line is that the Republicans both here, the Republican leadership, both here in this House as well as in the other body, have tried to kill this bill ever since it passed. It went to conference. I was part of the conference committee. It has never come out of conference.

I would almost guarantee that, in the week or two we have left here, it will not appear on the floor of this House or this Senate. It will not go to the President. It will not become law. Why? Because basically what it does is it does two major things. It says that decisions about what is medically necessary, what kind of care one gets, what kind of operation one gets, how long one stays in the hospital, decisions about what is medically necessary are going to be made by the physician and the patient, not by the insurance companies; and the insurance companies oppose that tooth and nail because they want to make the decisions to save money.

Secondly, it has very good enforcement so that if, in fact, one is denied care by one's insurance company, one has a way of redressing one's grievances by going to an independent panel that will review the decision and have the power to overturn it or ultimately going to a court of law and having the decision overturned so that one can get the medical care that one's doctor and that one feels is necessary.

So, again, marked contrast here between the views of the two candidates, the Presidential candidates as well as the parties on this issue.

I do not mean to suggest that all the Republicans are bad on this, because some of them are good. But the Republican leadership in the House as well as in the Senate, as well as Governor Bush, refuse to support the Patients' Bill of Rights, the Norwood-Dingell bill.

Let me go to an issue that I mentioned earlier, and that is the whole issue of increased access and for people to be covered with insurance who do not have it. I am not going to keep repeating over an over again what Governor Bush said about insurance being a Washington thing. I think he probably regrets that he made the statement, hopefully. But the bottom line is we still have over 40 million Americans who are uninsured. What are we going to do about it.

Again, I would like to contrast the records between the two candidates and again between the two parties. Fortunately, here in the House of Representatives, the effort to expand coverage for children was successfully passed on a bipartisan basis, the CHIP program. Initially, the Republican leadership opposed it, but eventually they came around to passing it, and it was passed on a bipartisan basis.

But what happened is that when this program then was given back to the States to handle it and to try to handle it in a way that would provide for coverage for the 5 million kids that it was meant to try to deal with and to give health insurance, as I mentioned already, Governor Bush, in his capacity as Governor of Texas, tried to make the eligibility for the program very minimal, only 150 percent of the poverty level. In terms of the outreach to try to get kids signed up for the program, he was very ineffective.

In fact, the situation in Texas got so bad that a Federal judge just ruled a few weeks ago that Texas had to, under pain of the court's action or penalty, do a better job about enrolling kids in Medicaid as well as the CHIP program. So they were not even doing a good job getting kids enrolled in Medicaid at the very low end of poverty, let alone the ones that are eligible for the Federal CHIP program.

Now, by contrast, what Vice President GORE has been saying, and he mentioned it in the debate last night, is that he wants to expand the eligibility at the Federal level, and that money then goes back to the States so kids whose parents are even at a higher income can join up in the Federal-State health insurance program called CHIP.

He suggests raising the CHIP program, the Children's Health Insurance Program, eligibility to 250 percent of the Federal poverty level. He also says that, if you are parents and your income is even higher than, that he will allow you to buy into CHIP or Medicaid for children with family incomes above 250 percent of the Federal poverty level.

Now of course Vice President GORE successfully pushed for enactment of the existing CHIP program which Governor Bush tried to cut back in the State of Texas. But beyond that, what the Democrats and what Vice President Gore are now proposing is that the CHIP program be even expanded to cover the parents of the kids who are eligible for CHIP. Basically, this is a way of now expanding health insurance for people who were working but whose incomes are too high to be eligible for Medicaid.

What I would stress again, Mr. Speaker, is that, when we talk about Vice President Gore's program and the Democratic initiative here with children, the CHIP program, and expanding it to adults, we are not talking about people who are on welfare. They are usually eligible for Medicaid. We are talking about working people who on the job, because of their low income or because the employer does not offer it, are not able to get health insurance. These are working people. These are people oftentimes who have two or even three jobs, and they are not able to offer health insurance for their kids or for themselves.

So what Vice President GORE is saying is let us take this CHIP program, which is working, and let us expand it to the parents. If we enroll the parents, we also find that that means that they are more likely to get into the program and enroll their kids.

Some parents, unfortunately, selfishly, will not enroll their kids if they are not eligible for the program.

□ 2130

Vice President GORE has also been saying that with regard to the other large group of people that are uninsured, which are the people between 55 and 65, we call them near elderly, who are not yet eligible for Medicare, that they would be able to buy into the Medicare program and pay so much a month, $300 or $400 a month, to buy into the Medicare program. It is another way of expanding access to health insurance for people who are currently uninsured.

Now, I have made reference once so far this evening to the Families USA report in the context of prescription drug coverage, but I wanted to make reference to it again, if I could, in the context of health coverage for children and expanding the CHIP program to include more kids at higher incomes and also for their parents. If we look at this Families USA report, and I will not repeat what Bush and GORE are proposing, but I wanted to just give a little bit of the analysis that the Families USA report provides.

The report says, under the section that deals with expanding insurance for adults, that at the centerpiece of his proposal to expand coverage Governor Bush proposes to establish a refundable tax credit for people and families who purchase health coverage on

their own if they do not receive insurance through their employers and do not qualify for Medicaid or any other government assistance. For individuals with incomes below $15,000 per year, the tax credit would equal $1,000 and would taper off as an individual's income increases above $15,000. For families with incomes below $30,000 per year, the tax credit would equal $2,000 and would taper off as the family's income increases above $30,000.

Now, Governor Bush has made reference to these tax credits, $1,000 or $2,000 depending on where one is below a certain income, and he suggests that that is one way of expanding coverage. This contrasts of course to what Vice President GORE has been saying about expanding the CHIP program for children and expanding it to include adults, the parents of those kids, as well as GORE's proposal to let the near elderly buy into Medicare.

Well, this is how Families USA assesses the two proposals. It says Governor Bush's proposals to expand health coverage for adults are likely to be ineffectual and in some respects may even be harmful. Because of its limited size, the tax credit proposal for low- and moderate-income individuals and families who purchase their own health coverage is unlikely to make a significant dent in the number of people who are uninsured.

Today, the average cost of a family health plan purchased by an employer is $6,351 per year, and coverage purchased by families in the individual market typically cost considerably more. As a result, a family would need to spend more than $4,300 over and above the $2,000 family tax credit simply to pay for premiums. This amount would constitute over 14 percent of income for a family earning $30,000 a year and over one-fifth of the income of a family with $20,000 in annual income. Either way, the tax credit would still leave most of these families with an inability to purchase health coverage.

Now, to his credit, Governor Bush is at least proposing something, and I will grant him that. But it is not anything that is going to be effective in expanding health coverage for those who are uninsured.

Vice President GORE's proposal, by contrast, and this is what Families USA says, to expand health coverage for adults builds on public programs, such as Medicaid, CHIP, and Medicare that work well. His proposal to establish CHIP-type health coverage for low-wage working parents will not only provide increased coverage for those parents but is likely to spur children's enrollment in CHIP as families are enabled to enroll together. The Medicare buy-in proposal is projected to increase health coverage for approximately 300,000 near-elderly persons.

Now, Mr. Speaker, I do not want to spend too much more time, and I think my time is probably running out; but I just wanted to say this in conclusion. I do not look at these health care issues from the point of view of ideology. I know that generally most Republicans tend to be more conservative than most Democrats, and more Democrats are liberal, even though not all of them are. But the bottom line is, I do not look at the ideology. I look at what works. And the difference between what Vice President GORE and Governor Bush are proposing and between what most of the Democrats and most of the Republicans are proposing, I think really does not come down so much to ideology but what works practically.

Practically speaking, if we want to provide a prescription drug coverage program for seniors, we should put it under Medicare, because Medicare works. And we should not look at the Republican proposals to provide some voucher that assume that people are going to go out and buy coverage that does not exist.

And the same thing is true for the CHIP program and the efforts to try to expand health coverage for the uninsured. Basically what Vice President GORE and the Democrats have been doing here for the last 6 years is advocating and, in some cases passing, legislation that would provide for the government to set up a program like CHIP through the States that people can pretty much be guaranteed that they are going to have health insurance. It is health insurance that is provided by the government.

Now, I am not saying that we want national health insurance, but where we have gaps and people who are working and still having the inability to get health insurance on the open market, the government needs to step in. That is what Vice President GORE proposed with CHIP. It is working. That is what he proposes for expanding coverage for the near elderly and for the parents whose kids are in CHIP. What Governor Bush is proposing as an alternative is simply to give a tax credit, which once again will not provide the money or the ability for those families to buy health insurance.

So all I am saying is that there are huge contrasts here between the two presidential candidates. There are huge contrasts between the parties on these various health care issues. And I think the major difference is that the Democrats are proposing plans that will actually work and make a difference for people who do not have health insurance, or who do not have prescription drugs, and who suffer from the abuses of HMOs. That is why what we are proposing should be passed.

My greatest regret in this Congress is that on many occasions when the Democrats have tried to put forward these programs they have not been successful because the Republican leadership has opposed them. We have had a few occasions where the Republicans have joined us, but in most cases they have not. And it is a very sad commentary that this Congress is going to end within the next week or two not having addressed these major problems that face so many Americans.

TRIBUTE TO THE HONORABLE JOHN E. PORTER, MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 60 minutes.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the Porter special order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, it gives me great pleasure to host this special order tonight for the gentleman from Illinois (Mr. PORTER), and I want to thank the gentleman from Colorado (Mr. MCINNIS) for giving up his time to allow us to honor this very special gentleman tonight.

The gentleman from Illinois (Mr. PORTER) is retiring, after serving in Congress for 21 years. It is difficult for those of us who are gathered to honor JOHN tonight to sum up in the short time everything that he has done for the 10th Congressional District of Illinois and for his country since joining this body in 1980. It is my hope, based on the words that my colleagues and I will offer tonight, that all who are within the sound of our voices will understand the tremendous character of this man and all that he has accomplished, most notably in the areas of human rights, health research, and protecting the environment.

It is also my hope that based on our comments JOHN PORTER will know how well-respected he is, not only by his congressional colleagues but by the elected officials of his home State and district, his staff, former staff, his constituents, and the many groups who have had the pleasure of working with him throughout the years.

Tonight, Mr. Speaker, we will hear of the legacy JOHN has created during his years of service in this body. We will hear a small part of the large impact he has made on his district, his State, his country, and the world.

I have a confession to make. I am an unabashed JOHN PORTER fan. It is not because I have lived for many years in his district and know how well his leadership and his views suit those of his constituents there, nor is it because of the small kindnesses he has always personally shown to me. Those are reasons enough to sing the praises of this wonderful man. Like hundreds of thousands of men and women in Illinois, throughout the United States and around the four corners of this globe, I know and love this man for his great

humanity, his concern for the underdog, and his unquestioned commitment to making this world a better place in which to live.

When I was elected in 1998, to serve the people of the 13th District of Illinois here in Congress, I knew that it would be helpful for me to look at the other members of the Illinois delegation for guidance. Knowing his excellent reputation, JOHN PORTER was the first person I sought out. Asking him for input was easy, given our similar political ideologies. However, I doubt JOHN, and the ease with which he provided advice, fully understood how much guidance he truly gave.

With that, Mr. Speaker, I am going to turn to some of my colleagues so that they too can share their thoughts on our dear friend. And I will first yield to the gentleman from Illinois (Mr. LAHOOD). As my colleagues know, before his election, the gentleman from Illinois (Mr. LAHOOD) served as the chief of staff to then House minority leader, Bob Michel of Illinois. In this capacity he had the opportunity to work on a number of issues with JOHN PORTER and, as a result, probably knows him as well or better than any other Member in this body.

I yield to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I appreciate the time that has been set aside here by the gentlewoman from Illinois (Mrs. BIGGERT) to honor our colleague, JOHN PORTER.

Mr. Speaker, JOHN deserves to be honored. JOHN has been an outstanding Member of this body. Prior to coming to the House of Representatives, he served with great distinction in the Illinois House of Representatives.

JOHN has known political turmoil in his life because he has been through some very, very tough elections. I think people who have not really followed his career should know that JOHN is probably as good a politician as there is. In order to get to this body, one has to be a politician, and JOHN has been, particularly in the early days of his election to the House of Representatives, come through some very, very close elections in the district that he represents.

JOHN represents a district north of Chicago, primarily Lake and McHenry County, Lake County primarily, and it is an area that is not really considered a suburban area of Chicago but kind of an entity unto its own. His district runs right up against the Wisconsin border. JOHN has done so well in representing his district that the last several years, he has had elections that were less contentious and the people of his district have recognized the many good things that he has been able to do.

Serving on the Committee on Appropriations, JOHN is known as a cardinal. What that means is that he is a chairman of a subcommittee. If not the most important, certainly one of the most important subcommittees of the Committee on Appropriations, the Labor-HHS subcommittee, which is the subcommittee that really looks very carefully at dollars that are provided for medical care and dollars that are provided for research. And JOHN has really set a legacy for himself in terms of his commitment to cancer research, to Alzheimer's research, to AIDS research, and to so many of the real, real serious kinds of diseases that face our country.

JOHN PORTER has been at the forefront of making a commitment of dollars to really find cures for these dreaded diseases; as I said, whether it be cancer or Alzheimer's or AIDS, or any other number of diseases. So he has been a leader in this area. And I really think it will be his legacy that he will be remembered for the enormous commitment that he made to research and particularly research to the National Institutes of Health, the National Cancer Institute, and so many of these programs here in Washington that try to reach out and find the very best people in America to help us find cures for these dreaded diseases.

JOHN has been a wonderful public servant not only for the 10th district but also for the State of Illinois and for the country. He has been a strong, strong leader in human rights and has lead the cause of human rights in many different parts of the world that go unrecognized in so many ways because they do not always get the headlines. But I think those people that have worked with JOHN on human rights issues recognize the leadership that he has provided in that area.

□ 2145

So an outstanding career, an outstanding career of leadership, an outstanding career of commitment to the people of Illinois, to the people of the 10th district, and to the people of this country.

JOHN has also been a regular attender of our delegation lunches. And those of us that attend those very regularly, as I know the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Illinois (Mr. EWING) and the gentleman from Illinois (Mr. SHIMKUS), do enjoy sharing our apple pie with JOHN. Because of all I guess the funny things I will remember about JOHN is that he loves apple pie, and he cannot sit through a lunch with just one piece of apple pie. And so the gentleman from Illinois (Mr. EWING) or myself or somebody is always passing him an additional piece of apple pie. That is something that I think I will always remember about JOHN in terms of sort of the funny things, the humorous things, the human things that happen in this business.

So we will miss JOHN for his leadership and his commitment. I am delighted to have had a chance to say a word or two about his leadership, and I thank the gentlewoman from Illinois for setting aside this time to do that.

I know that all of us wish JOHN PORTER good luck and Godspeed in whatever he does. We will surely miss him.

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for his comments. Is it not curious that it is always the thinnest people that can eat two pieces of pie while the rest of us try to avoid them so we can pass them on to him?

Mr. LAHOOD. I would agree.

Mrs. BIGGERT. Mr. Speaker, the other area that the gentleman from Illinois (Mr. LAHOOD) and I see a lot of the gentleman from Illinois (Mr. PORTER) is at the ''Tuesday Lunch Bunch That Meets on Wednesday But Does Not Have Lunch Group.'' We spent meetings once a week to discuss issues that are important to those of us that belong in that group what we call the ''Republican Moderates.''

Mr. Speaker, I am pleased to recognize my friend and colleague, the gentleman from Illinois (Mr. SHIMKUS).

I should note that the gentleman from Illinois (Mr. SHIMKUS) will hold a similar special order next week for another Member from Illinois who is retiring from the 106th Congress, the gentleman from Illinois (Mr. EWING), who we will hear from in just a few minutes. But, unfortunately, we are losing two great members of the Illinois delegation due to retirement this year, and it is our pleasure to honor both of them.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, I would like to thank the gentlewoman from Illinois (Mrs. BIGGERT) for arranging this special order. I wish we did not have to have our next one next week. I wish we were finished with our business. But I look forward to taking up that cause next week.

Of course we are here to pay tribute to who has become a good friend of mine, the gentleman from Illinois (Mr. PORTER), who is retiring. It has really been an honor and a privilege to serve with him in the House of Representatives.

I have always been impressed by his commitment to his ideas and his beliefs. He has always been a gentleman and treated even newbies like myself as a colleague and as an equal. I have learned much about the process in this House of Representatives by observing how JOHN PORTER has gone about doing his business, and I appreciated his tutelage and his friendship.

Most important, however, is that I have a newfound respect for our Nation's efforts and ongoing need for medical research. As we all know here, and it is nice to be able to publicly acclaim the ongoing efforts of the gentleman from Illinois (Mr. PORTER) to increase Federal funding for medical research as our colleague and friend, the gentleman from Illinois (Mr. LAHOOD), just mentioned.

Prior to coming to Congress, I had little knowledge of how much our Government played in the fight against diseases and how much it emphasized

medical research. Thanks to JOHN, I now not only understand that role, but I am now an advocate for expanding it.

Far too many of us do not think of sickness or diseases until we have a loved one who is faced with it. We are lucky and the Nation is lucky to have a person like JOHN PORTER who has worked hard to ensure that quality health care will be available when we need it.

There are many people involved in providing health care, whether it is the hospitals, big inner-city hospitals or rural hospitals, community health centers, home health, visiting nurses, you name it, there are many people working diligently in the fields. Most of them are working long hours for little to no pay. They have an advocate here in Washington, D.C., who has also worked numerous long hours, sometimes without recognition, a champion in health care and health care delivery and medical research. And that is Mr. JOHN PORTER.

We have benefited from his time here in this body. We have benefited as a people. We have benefited as colleagues. We have benefited as a Nation. I have benefited personally from observing his leadership and his thoughtful, deliberate process to help in the benefit of all.

I would really like to thank the gentlewoman from Illinois (Mrs. BIGGERT) for arranging this special order and paying tribute to our colleague, the gentleman from Illinois (Mr. PORTER). It is an important thing to do before we adjourn in this Congress, and her thoughtfulness in remembering him goes a long way and adds to her credentials as being a great new Member who we are glad to have here.

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for his comments.

Mr. Speaker, it really is a pleasure to be on the Illinois delegation. I think that we have had such a unique opportunity for both sides of the aisle to work so carefully together. So I think that we are going to miss the gentleman from Illinois (Mr. PORTER) so much because of his contribution to that Illinois delegation.

We have another Member, as I mentioned before, from Illinois. So I am pleased to recognize the gentleman from Illinois (Mr. EWING), my friend and colleague. Unfortunately, like the gentleman from Illinois (Mr. PORTER), the gentleman from Illinois (Mr. EWING) is stepping down at the end of this Congress. That is not the only thing that these two men have in common, however.

Much, like they have been in this body for 9 years together. The gentleman from Illinois (Mr. EWING) and the gentleman from Illinois (Mr. PORTER) served together in the Illinois General Assembly in the mid-1970s. So they have been traveling on the same circuit for a long time. I am happy to have the gentleman from Illinois (Mr. EWING) here to say something about the gentleman from Illinois (Mr. PORTER).

Mr. Speaker, I yield to the gentleman from Illinois (Mr. EWING).

Mr. EWING. Mr. Speaker, I thank the gentlewoman very much for putting this special order together for our friend, the gentleman from Illinois (Mr. PORTER), and for allowing me to take a few minutes to talk about JOHN and some of the experiences that we have experienced over the years.

I must say that the gentlewoman is a wonderful addition to our delegation and she is such a good participant in all that we do here and I appreciate that and I will miss working with her.

The gentleman from Illinois (Mr. PORTER) though has spent 11 terms here in this body. That is hard to believe, but that is 22 years.

Prior to that, as the gentlewoman said, he was in the Illinois Assembly. I was kind of looking back at my figures here and I realized that JOHN came 2 years before I did. He will have had a career of 28 years in public office. And at the end of my term, I will have put in 26 years.

Besides that, JOHN and I had offices next to each other in Springfield in, I think it is, the Illinois State Office Building behind the Capitol. So we shared a great many things. I do not think we had to share a secretary, as many members do share a secretary, but we did not have the same one. But we would be in there late at night, which is the way the legislature operated back then, and we would have a lot of time to visit about family and our children and those things. So JOHN and I reached a deep friendship early on in our political career.

JOHN then ran for Congress. I do not know exactly how that was, but he ran three times to get to Congress for one term. And there was, I think, an election he lost and than a special election. And then by the time he had done those two elections, it was time for the next election to get him a full term here. So he worked very hard to become a Member of Congress.

After he got here, he went on the Committee on Appropriations. And as he leaves, he leaves as one of the 13 cardinals of that committee, which is an attainment that many here would like to emulate. Few get the opportunity to be one of the cardinals in the appropriations process.

I have heard my other colleagues, the gentleman from Illinois (Mr. LAHOOD) and the gentleman from Illinois (Mr. SHIMKUS), talk about some of his priorities there. And I know that JOHN has had a very kind heart. He is certainly a compassionate conservative in the best sense of the word.

JOHN is a very quiet man. His area now is Labor HHS, one of the hardest of the appropriation bills to pass. And while I know that that sometimes worries JOHN greatly at the end of the sessions, I have seen him go through that, he is always so mild mannered about it. I do not know if I could keep my restraint as much as JOHN does in handling that bill and all the rhetoric that goes on on this floor about that bill.

But he has done many other things in his career here. He has been a great supporter of the Pottawattamie Airport and the Waukegan Regional Airport. And through those efforts, those institutions in his area, his district, have grown and they brought air service to northern Illinois and he has helped secure the funding for very important improvements there.

The gentleman from Illinois (Mr. PORTER) also worked to help local school districts particularly address the shortfall in impact in Federal aid. This may seem like kind of a strange thing to talk about, but that is very important to school districts. Because when they do not get that Federal aid, they have got to reach into their pocket and take it out of the money that they normally would have to spend for education that they get out of their local tax dollars. And that Federal aid comes because of the military people who were in those school districts, and that is very important.

He has been an advocate for strengthening ethics in Government and reforming the way this institution, the U.S. Congress, operates.

The gentleman from Illinois (Mr. PORTER) has advanced legislation to make urgently needed improvements in Congress's internal standards, and I think that we should thank him for that. That is a thankless job but one that we have to continue to work on always.

He has been a fighter against drunk driving and instrumental in the passage of legislation mandating a 21-year-old drinking age in this country.

He has worked to prevent the spread of chemical weapons. He authored the Chemical and Biological Weapons Nonproliferation Act and directed the Secretary of Commerce to develop effective export controls to prevent the spread of deadly chemical and biological weapons to other nations.

He has been a leading voice in support of human rights and democratic reforms in China and Hong Kong. He led the successful effort to defend the Great Lakes Naval Training Center against the threat of closure during the most recent round of cutbacks considered by the Base Realignment and Closure Commission. The decision to keep this center open is expected to bring 8,000 jobs to his area.

Did my colleagues know that that is the only base we have in Illinois? Many States have a number of military installations. Sometimes we talk about how much comes back to our State in tax dollars. Well, one reason we are a little behind some of our sister States is that we only have one major military installation left in our State, where we used to have a number of them. The gentleman from Illinois (Mr. PORTER) is to receive the thanks for protecting that important installation.

I would just say in closing that I consider JOHN PORTER a true friend, a real gentleman, a fine legislator, and I know that he will go on to do many,

many other fine things in service of his country and his State.

I thank the gentlewoman very much for allowing me the time to talk about my friend.

Mrs. BIGGERT. Mr. Speaker, it is my pleasure to hear what the gentleman had to say about him. I know that he is both of our friends, and we will miss him. It is nice that the gentleman has expressed that so eloquently.

□ 2200

We will now move to Arkansas. I am pleased to yield the gentleman from Arkansas (Mr. DICKEY). The gentleman from Arkansas (Mr. DICKEY) serves on the Committee on Appropriations Subcommittee on Labor, Health and Human Services, and Education of which John Porter is the chairman. So given the attention and controversy that our appropriation bill always seems to attract, I know that John Porter and the gentleman from Arkansas (Mr. DICKEY) have gone through some interesting battles together. So I am happy that the gentleman from Arkansas (Mr. Dickey) could join us tonight to honor our friend John Porter.

Mr. DICKEY. Mr. Speaker, I thank the gentlewoman from Illinois (Mrs. BIGGERT) for her thoughtfulness in remembering this fine gentleman.

I would like to state a little bit for the listeners and the viewers just exactly what type of a committee he has been the chairman of. The Committee on Appropriations has 13 subcommittees. One subcommittee is called the Subcommittee on Labor, Health and Human Services, and Education. It has over maybe 820 agencies or programs that it administers. JOHN PORTER is the chairman, and I have been a committee member now for 6 years. This will be my sixth year.

A chairman and the subcommittee members get to know each other quite well. They first of all have to jockey for positions to see who is doing what and what positions we have and what favors and corresponding votes that you give and take, and then you set about trying to find out exactly what the purpose of the committee is.

JOHN PORTER took this chairmanship as if he was made for it. It is the most amazing match I have ever seen. Of course, he had been on it as a minority member for some time but as chairman I have sat and watched him and listened to story after story after story of pain, suffering and human misery. He has done it always with attention and he has asked questions. We sometimes in this committee get what is called compassion fatigue. We hear these sad stories and all of these circumstances where people are just left out alone and this committee is the one with the heart, as I call it, of the Committee on Appropriations and we are the ones that go out and try to help others.

JOHN EDWARD, as I call him, has been just a wonderful, patient listener and been an active participant in trying to help use the Federal resources to help the people who are suffering.

As that chairman, he has shown a great gift in bipartisanship, and that is one of the reasons why he can come to this floor and pass these bills. We sometimes have to pass them with just Republican votes, sometimes with Republican and Democrat votes, but mainly it is because of the controversy in the legislation, it is generally considered liberal. The appropriations are considered liberal. He goes and he tells the story and he does not do it in a bragging sort of way or in an emotional sort of way, and maybe he is not even charismatic in his approach but he just methodically explains each part of the bill and he answers questions and he gets the rhetoric from the other side, the loyal opposition as we call it, and I think it is a great thing to watch him go about it.

He led me quite a bit in health care, in that I could not quite understand what our commitment was and the number of dollars that we were spending, let us say on the National Institutes of Health. He kept saying, no, this is the thing we ought to do and this will be something that you will look back over the years as being the best thing that you have done on any of these committees; and he is probably right.

Dr. Francis Collins came to Hot Springs, Arkansas, in my district not long ago and explained the human genome project. That would not have been done, in my opinion, without JOHN EDWARD PORTER being there trying to in a five-year period of time double the budget of the National Institutes of Health. He had a vision for what that institute, the National Institutes of Health, could do and then he stayed with it.

He was constantly going over there. He was taking us over there. He was having their staff come and explain things to us, but without his leadership and understanding I do not think it would have ever worked.

I have also had an opportunity to go with him on a human rights and health mission to China and Cambodia and Hong Kong and other places, and I not only watched how he was able to speak to the people of those countries and in a knowing way he had been there before or he had talked to them or they had been to America and he had visited with them there and he was an outstanding spokesman. The chairman of the CODEL, as we call it, always leads the introduction and always gives the acceptance to the welcome in each country and he was an outstanding ambassador for our country. I mean, he was so well spoken and calm and did such a good job representing what we consider the best of our country, and that is our concern for people who are suffering and who need care.

Some of the things that we worked on besides the NIH was TRIO, where we rescued the program from a cut. TRIO is a program that encourages kids who are not from a family whose parents are college graduates and which says if you want to stay after school, if you want to stay on the weekends, if you want to come back and have extra work in the summer, we will match your ambition with assistance. Money has been added for the TRIO program year after year after year.

AHEC, which is a program providing for health care to rural areas, has seen a dramatic increase. Head Start has seen a dramatic increase in our committee. All of this shows what JOHN EDWARD PORTER was doing as a leader.

There are some problems that I have had with him, of course. In the early days, a chairman just kind of controls things. He is kind of upset about it so I was always badgering him and keeping him with amendments and he was having to deal with my activist type of approach. He is completely different in that respect, and he is always well prepared, always thinks out his product and it is kind of hard for him to see some of us who were just firing off in several different directions at once. One time in particular it was late at night, I can remember, like 11:00 or 12:00 at night and everybody was talking in the committee and I just stood up kind of kiddingly and said, Mr. Chairman, I think you have lost control of this meeting, and he said one reason I have lost control is you are standing up. Why do you not sit down?

He had that way of doing it. So I sat down and we got on with the business, but he got a kick out of that.

I think one of the reasons, and he will not admit it, but one of the reasons he is leaving is because we have term limits in the chairmanships. We have imposed that on ourselves in the House rules. He has a term limit. He knows that he could not go to another committee that would be as satisfying in his heart and his soul as this one. He knows if he went to another committee he could be chairman, but that he might want to stay here and not being chairman is a factor. I think this might be laid at the feet of term limits, the term limits program; but he probably would not say it. He is too much of a gentleman to say something like that.

I am going to miss him. It might surprise him for me to say that because we have really fought hard on several different issues and compromised and worked out our differences as we have had them, but he is such a fine gentleman. It is a pleasure for me to participate in this special order for JOHN EDWARD PORTER. We will miss you, JOHN.

Mrs. BIGGERT. I thank the gentleman from Arkansas (Mr. DICKEY) for his comments. It is nice to hear from somebody who has worked so closely with Mr. PORTER and had such a wonderful experience from it.

I would like to enter into the record, as I said before I had some statements, and this is from Governor George Ryan the governor of the State of Illinois. I am going to read some of it. I will not read the whole thing but that will be

submitted for the record. This letter says,

Dear John, on behalf of the State of Illinois please accept our heartfelt gratitude for your extraordinary contributions during a lifetime of public service. On the occasion of your retirement from the U.S. Congress, it is fair to recognize and applaud what you have accomplished for your constituents, for people within Illinois and throughout the United States. It is also not an exaggeration to highlight the fact that your leadership in human rights and on environmental issues has benefited people around the world. You are a strong advocate for a thoughtful Federal appropriations process, a clean environment and adequate funding for the arts.

You have earned an influential role among the green Republicans to fight for the Nation's environmental interests in Congress. And you are only one of five House members ever to be appointed to the board of directors of the Kennedy Center for the Performing Arts. Your service in Illinois began in the Illinois House of Representatives during 1972 and I am proud that we served together in the State House before you were elected to Congress in 1980. Those of us who were fortunate to work with you then have not been surprised by what you have accomplished since. As a champion and supporter of the National Institutes of Health, your efforts have helped the Institute bring about numerous medical and health advances. You have successfully advocated Federal funding to expand the Metro commuter rails into the northern suburbs of Illinois, including many towns in your district. The 290 acres of open space at Fort Sheridan is an outgrowth of your creative determination and ability to persuade the Federal Government to transfer the land to the Lake County Forest Preserve District when Fort Sheridan was closed. That this land transfer occurred without cost to the district and continues to exist as an open space for all to enjoy is among your most special contributions. The Great Lakes Naval Station remains open, viable and an economic anchor in Illinois because of your efforts. Among the critical military missions conducted here is Navy and Coast Guard training. Your commitment and effectiveness as an advocate of free trade continues to produce immeasurable economic benefits for the people of Illinois. Our farmers have more markets in which to sell their crops and livestock. Our business community has additional opportunities to positively impact their bottom line. Our workers enjoy a more stable work environment with better compensation.

Additional contributions that will not be forgotten include your efforts for comprehensive flood control measures for the north branch of the Chicago River; the enhancement of safety and operational capacities at Waukegan Airport, including new instrument landing equipment and runway improvements. Waukegan Harbor has been cleaned up with Federal resources and payments you helped secure from the firm who did the polluting.

On behalf of my family and our shared constituents within all walks of life in Illinois, thank you for all you have accomplished. Your ideas and experience and voice in Congress will be sorely missed. We wish you the very best in your next endeavor and hope that it brings you all the joy and happiness that you deserve. Please extend our very best regards to your entire family and especially your children, John, Ann, David, Robin and Donna. Sincerely George H. Ryan, Governor.

STATE OF ILLINOIS,
WASHINGTON OFFICE,
Washington, DC, October 11, 2000.

Hon. JOHN EDWARD PORTER,
Chairman, Labor, Health & Human Services and Education Appropriations Subcommittee, House of Representatives, Washington, DC.

DEAR JOHN: On behalf of the State of Illinois, please accept our heartfelt gratitude for your extraordinary contributions during a lifetime of public service.

On the occasion of your retirement from the US Congress, it's fair to recognize and applaud what you have accomplished for your constituents, for people within Illinois and throughout the United States. It's also not an exaggeration to highlight the fact that your leadership in human rights and on environmental issues has benefited people around the world.

You are a strong advocate for a thoughtful federal appropriations process, a clean environment and adequate funding for the arts. You have earned an influential role among the ''Green Republicans'' to fight for the nation's environmental interests in Congress. And you are one of only five House members ever to be appointed to the Board of Directors of the Kennedy Center for the Performing Arts.

Your service in Illinois began in the Illinois House of Representatives during 1972 and I'm proud that we served together in the State House before you were elected to Congress in 1980. Those of us who were fortunate to work with you then haven't been surprised by what you have accomplished since.

The National Institutes of Health and biomedical research have been huge beneficiaries of your legislative skills and your leadership as Chairman of the Labor/HHS Appropriation Subcommittee. As a champion and supporter of the NIH, your efforts have helped the Institute bring about numerous medical and health advances.

You have successfully advocated federal funding to expand the METRA Commuter rails into the northern suburbs of Illinois, including many towns in your district. The METRA extension into these areas via the Wisconsin Central tracks has stimulated wide ranging economic expansion. The passenger rail service this expansion made possible connected the northern suburbs to O'Hare International Airport and Chicago's Union Station.

The 290 acres of open space at Fort Sheridan is an outgrowth of your creativity, determining and your ability to persuade the federal government to transfer the land to the Lake County Forest Preserve District when Fort Sheridan was closed. That this land transfer occurred without cost to the District and continues to exist as open space for all to enjoy is among your most special contributions.

The Great Lakes Naval Station remains open, viable and an economic anchor in Illinois because of your efforts. Among the critical military missions conducted here is Navy and Coast Guard training.

Illinois is among the first tier of states benefiting from new opportunities to market our products, produce and ideas internationally. Your commitment and effectiveness as an advocate of free trade continues to produce immeasurable economic benefits for the people of Illinois. Our farmers have more markets in which to sell their crops and livestock. Our business community has additional opportunities to positively impact their bottom line. Our workers enjoy a more stable work environment with better compensation.

Additional contributions that will not be forgotten include your efforts for comprehensive flood control measures for the North Branch of the Chicago River. The enhancement of safety and operational capabilities at Waukegan Airport, including new instrument landing equipment and runway improvements. Waukegan Harbor has been cleaned up with federal resources and payments you helped secure from the firm who did the polluting.

On behalf of my family and our shared constituents from all walks of life within Illinois, thank you for all that you have accomplished. Your ideas, experience and voice in Congress will be sorely missed. We wish you the very best in your next endeavor and hope that it brings you all the joy and happiness that you deserve. Please extend our very best regards to your entire family and especially your children—John, Ann, David, Robin, and Donna.

Sincerely,

GEORGE H. RYAN,
Governor.

I think it is amazing all of the correspondence that we have had. The praise from several fellow Illinoians for JOHN PORTER's service in Illinois include a couple of members from the Illinois delegation that I would like to summarize what they have submitted. The gentleman from Illinois (Mr. LIPINSKI) points out that not only has JOHN's work resulted in millions of dollars going to fund biomedical research but his legacy will be saving lives. While they have not always agreed on every issue, he commends John for his conservative stance on fiscal issues and his unwavering commitment to eliminating deficits and balancing the Federal budgets. The gentleman from Illinois (Mr. COSTELLO) touts JOHN's efforts to ensure funding for the National Institutes of Health, and his dedication to human rights issues. He expresses his admiration for JOHN's work in the Illinois delegation and on the Committee on Appropriations. He states that his friendship will be missed.

A couple of comments from former chiefs of staff to JOHN PORTER. Mark Kirk states that America is not great because we are rich or field the most powerful military. We are great because our Nation has been the largest force for good on this earth. JOHN PORTER and the Human Rights Caucus made our values and respect for human rights an essential part of our country's mission to the world. We here in Illinois will miss JOHN PORTER's calm, intellectual and dignified service to the Nation.

At this point, I would like to submit his letter.

MARK STEVEN KIRK
Glenview, Illinois, October 18, 2000.

Congresswoman JUDY BIGGERT,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSWOMAN BIGGERT: I want to applaud you for leading today's Special Order for John Porter.

Our country and future generations owe a real debt to Congressman Porter. he led our nation's commitment to double funding for medical research. It was his decision that laid the foundation for the mapping of the human genome, finding the cause of Alzheimer's disease and a cure for some types of diabetes. John Porter's legacy is one of longer, healthier lives, not just for our nation but the world.

John Porter also embodies the values we hold most dear. America is not great because

we are rich or field the most powerful military. We are great because our nation has been the largest force for good on this Earth. We enshrined our values in the Bill of Rights and exported them through the Universal Declaration of Human Rights. John Porter and the Human Rights Caucus made our values and respect for human rights an essential part of our country's mission to the world.

After 21 years of John Porter's service to the nation, human freedom has spread throughout Eastern Europe and the former Soviet Union, turning enemies into allies. The new leaders in many of these countries were once prisoners of conscience whose best friend and advocate was John Edward Porter. The bond they formed in prison cells with their voice and friend in Congress will reap a permanent reward to the United States.

We here in Illinois will miss John Porter's calm, intellectual and dignified service to the nation. He served us all in the highest tradition of public service and commitment to the greater good.

Sincerely,

MARK KIRK.

Another chief of staff, Robert Bradner, who worked for JOHN for 13 years, cites a specific example of JOHN's foresight. Fifteen years ago, before anyone saw it as a problem, JOHN began pointing out the potential problems with Social Security. While many thought it to be an act of political suicide, he had the courage to take on the issue of Social Security reform. Popular wisdom has finally caught up with him.

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Robert further states, ''JOHN'S belief in a fair process and his ability to work on the basis of mutual respect with colleagues of widely divergent views allowed him to shepherd difficult legislation through the House over the past 6 years that he has been the chairman of the Labor-HHS Committee, in a manner that confirmed to all the true measure of his policy making talent.''

I continue with Robert Bradner. ''Ultimately, I regard JOHN PORTER as a teacher. He taught me and a number of others who passed through his offices about the honor of public service and the importance of ideas.''

OCTOBER 18, 2000.

Hon. JUDY BIGGERT,
Member of Congress,
Washington, DC.

DEAR JUDY: I am delighted that you have organized a special order on the eve of John Porter's retirement from the House of Representatives to commemorate his many years of public service.

I had the great honor to work for John Porter for a total of thirteen years, both during the time that he served as a member of the minority party in the House, and later when he rose to an important chairmanship in the majority. A litany of all that he accomplished in that time would run many pages. However, I would like to share a few observations.

During the 1980s, John Porter distinguished himself as a tireless advocate for human rights and the environment, as a defender of the rights of women and an advocate for a common sense approach to family planning, and as a fierce opponent of federal budget deficits. One accomplishment deserves particular note, for it is emblematic of both his intelligence and his political courage. Fifteen years ago, John began pointing out the dangerous growth of unfunded liabilities in the Social Security system and, soon thereafter, he began introducing legislation to provide for individual social security retirement accounts. At the time, such behavior was considered an act of political suicide. But John had the courage to take on the issue, and a constituency that trusted and valued sound judgment over demagoguery. He was well ahead of his time in seeing this problem for what it was. Today, the popular wisdom has finally caught up with where John was well over a decade ago: recognizing this as a serious problem and beginning to come to grips with solutions. Indeed, a very closely related proposal to John's original legislation is playing a very prominent role in the current Presidential election.

Later in his career, John had the opportunity to accede to the Chairmanship of the Labor, Health & Human Services and Education Subcommittee. This was no easy assignment. In recent years, the Labor–HHS bill has been a place where some of the most passionately held beliefs of conservatives and liberals about the shape and size of government and a myriad of emotional social issues collide headlong. And it is the place where, on an annual basis, those disagreements must somehow be resolved. I would argue that John Porter was almost uniquely qualified for this most difficult assignment. This capability stemmed not from his views on any particular issue but rather from the innate decency that he has always shown to his co-workers and his strong belief that the process by which issues are resolved in a democracy is of equal, if not greater, importance than the particular outcome achieved on a particular issue on a particular day. John's belief in a fair process and his ability to work on the basis of mutual respect with colleagues of widely divergent views allowed him to shepherd this most difficult legislation through the House over the past six years in a manner that confirmed to all the true measure of his policy making talent.

Ultimately, I regard John Porter as a teacher. He taught me, and a number of others who passed through his offices, about the honor of public service and the importance of ideas. He encouraged intellectual discourse and vigorous policy discussion within the office toward the goal of developing a better understanding of the issues and a sounder approach to policy. And he showed me that, on the most trying and emotional issues facing the Congress—such as the resolution to authorize hostilities against Iraq—there is no substitute for a member of Congress that exercises, to the best of their ability, independent judgment to ascertain the best course of action and the courage to support that course.

I thank you again for your efforts in organizing this fine tribute to John Porter, and join with you and so many others in wishing John all the best in his future endeavors.

Sincerely,

ROBERT H. BRADNER.

Another Chief of Staff, Gordon MacDougall, cites JOHN'S motivation for reducing Federal budget deficits as being ''based on his conviction of public service as a responsibility for perpetuating our free and democratic society.'' He also praises JOHN as being a champion of the ideals upon which our system of governing was originally based. He states that ''today's young Americans and their children will be better off for Congressman PORTER'S 20 years of devoted service in Congress.''

OCTOBER 18, 2000.

Hon. JUDY BIGGERT,
U.S. Representative,
Washington, DC.

DEAR CONGRESSWOMAN BIGGERT: I understand that you have organized a ''Special Order'' to celebrate the career of Congressman John E. Porter, and that you have invited former staff to Congressman Porter to contribute sstatements.

I was fortunate to have been introduced to Congressman Porter in 1983, during his second term in Congress. I was subsequently offered a position as Legislative Assistant in his office beginning in January, 1984. I was promoted to the position of Administrative Assistant in 1995, and served on his staff until early 1997. Since leaving his office I have had the opportunity to continue a professional and a personal relationship with Congressman Porter.

John Porter is an individual of high integrity and deep intellect. He has an unwavering commitment to our open system of representative democracy. I believe that he is one of the finest Members of Congress to serve during the last quarter of the 20th Century.

During the first eighteen years of his career, Congressman Porter devoted the majority of his time to efforts to reduce federal budget deficits. In my view, his motivation was not simple or myopic fiscal conservatism, his motivation was based on his conviction of public services as a responsibility for perpetuating our free and democratic society. Congressman Porter remained focused for the majority of his tenure in Congress on adopting fiscal policies to enable future generations to avoid being burdened with federal debt. Coming generations of Americans will benefit from his steady and deliberate effort to help balance the federal budget. I am pleased for Congressman Porter that he has been able to stay in the House long enough to see a balanced federal budget.

With federal fiscal policy coming into balance during the past two years, Congressman Porter has refocused his efforts on federal programs of significance to future generations of Americans. He has led an effort in the House to increase funding for medical research, an investment which will improve the quality of life for future generations of all mankind. Also during this period he has conscientiously worked to forward proposals to stabilize a Social Security system which, without changes, will not last to serve our children.

John Porter has been a champion of the ideals upon which our system of governing was originally based. He is a unique individual, and his character and demeanor will be missed in future Congresses. Today's young Americans and their children will be better off for Congressman Porter's twenty years of devoted service in Congress. I wish him well.

Sincerely,

GORDON P. MACDOUGALL

We also heard from former Illinois officials, Mr. Speaker. Former Illinois State Representative David Barkhausen from JOHN PORTER'S district states that ''one has only to look at the example of JOHN PORTER to recognize that in him we have truly had an exemplary leader and representative in the mold that our Founding Fathers envisioned. The impact of his many contributions will endure, as will the high standards of public service that he has held high for others to follow.''

LAKE BLUFF, IL,
October 18, 2000.

Re ''Special Orders'' tribute for John Porter.

Hon. JUDY BIGGERT,
U.S. Representative,
Washington, DC.

DEAR JUDY: It is my pleasure and privilege to participate in this special tribute to Congressman John Porter from his colleagues and friends.

I am fortunate that my service in the Illinois General Assembly from 1981–1997 (2 years in the House and 14 in the Senate) coincided with most of John's years of service in Washington. He was both a great leader and team player. He also recruited and maintained a staff that was second to none and that was always extremely courteous, cooperative, and effective.

John Porter has been an extraordinarily thoughtful and conscientious Congressman and a model servant. He has combined the characteristics that everyone could hope for in a Congressman from our kind of district. He is a deep and original thinker who has greatly influenced important policies in such areas as health care research. He has reflected and continuously sought the views of his constituents while maintaining an admirable independence of judgment. And he has been extremely attentive to problems and projects of local interest and influential in offering solutions.

In the final Presidential debate last night, the candidates were asked at the end what might help to overcome the cynical and negative views that so many citizens have of their government and its leaders. Cloning John Porter might be one effective solution. One has only to look at the example of John Porter to recognize that, in him, we have truly had an exemplary leader and representative in the mold that our Founding Fathers envisioned. We owe him our deep thanks for the many good years of service he has given us. The impact of his many contributions will endure, as will the high standards of public service that he has held high for others to follow.

I am confident that we can look forward to additional, important contributions from Congressman Porter in the service of his country. For now, I want to join all of you in this heartfelt, if inadequate, praise for his job extraordinarily well done as a member of the United States Congress for the past 21 years.

Sincerely,

DAVID N. BARKHAUSEN.

Illinois State Senator Kathleen Parker worked on JOHN'S campaign for state representative, how many years ago was that, and remembers that he once tracked down a cabinet member in an airport to resolve a problem for a constituent. She further states that he was a man of integrity and, above all, a true friend.

ILLINOIS STATE SENATE,
Springfield, IL, October 18, 2000.

Hon. JUDY BIGGERT,
Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE BIGGERT: Thank you for the opportunity to be included in a Congressional tribute to John Porter.

It's hard to believe that John will have served for 22 years in Congress. It seems like yesterday when I worked on his campaign for State Representative!

I can tell you that through the years Congressman Porter has been loved by his district. He has never forgotten his constituents. While in Washington John has been ever mindful of local views and issues.

Congressman Porter's staff is, if not the best, tied with the best in the country. They work hard, are always responsive and are a pleasure to work with. They work closely with John enabling him to take personal interest in helping his constituents. In one case that I know of Congressman Porter even went as far as to track down a cabinet member in an airport to resolve a problem for an individual in his district.

Out of the four ways to leave office John is leaving the only good way! He has served the Northshore area of Illinois well. He leaves us with the memory of a true statesman and Congressman that we can always admire and be proud of. A man of integrity and above all a true friend.

We will miss John as our Congressman. However, we are hopeful that there is a future ahead in some capacity he may serve our country again. We will all be better off if that occurs.

Sincerely,

KATHLEEN K. PARKER,
State Senator, 29th District.

Illinois State Representative Jeff Schoenberg recounts the first time he met JOHN PORTER was when he was working in his first paid political job for JOHN's election opponent, then Congressman Abner Mikva. Despite these beginnings, Jeff has had an extremely good working relationship with JOHN, and states their offices have maintained a ''seamless cooperation'' in serving the residents of Chicago's North Shore. He agrees that JOHN will best be remembered for his commitment and diligence in bettering the lives of millions of Americans.

His words commending Congressman PORTER follow:

Please allow me to join the many others in offering my best wishes to my colleague and constituent, Congressman John Porter, in his future endeavors.

I must concede that I first became acquainted with John when I was hired in 1978 for my first paid position in politics, as a young field organizer for his election opponent, then Congressman Abner Mikva. Nonetheless, despite that less than auspicious beginning to our working relationship, it has been an extraordinary pleasure to work with Congressman Porter to address our mutual constituent concerns and district needs.

For the past ten years, our offices have maintained a seamless cooperation in serving the residents of Chicago's North Shore. And on the issues that matter most to those who we serve—whether it has been funding for health care and medical research, deficit reduction and greater fiscal accountability in government, or most recently, when we worked shoulder-to-shoulder with the United Power for Action and Justice coalition to increase the availability of funding for affordable housing and health insurance for lower-income women and children—John Porter will always be remembered for his commitment and diligence in bettering the lives of millions of Americans.

I wish Congressman Porter the best of luck and hope his tenure in the Illinois legislature and the United States Congress will continue to inspire young people to public service.

May you continue to go from strength to strength, John, in your pursuit of just causes.

Sincerely,

JEFF SCHOENBERG.

Illinois State Senator Adeline Geo-Karis appreciates how responsive JOHN always was to her constituents, and states how much he will be missed.

ILLINOIS STATE SENATE,
Springfield, IL, October 18, 2000.

Congresswoman JUDY BIGGERT,
13th Congressional District.

DEAR JUDY: I worked with John Porter in the Illinois House, and he became my Congressman. He was always very responsive to my District and to my people, and he did a great job for the 10th District.

I wish him the best that life has to offer and I shall miss him.

Sincerely,

ADELINE J. GEO-KARIS,
Senator—31st District,
Assistant Majority Leader.

Illinois State Representative Elizabeth Coulson states that she will always remember the lessons she learned from JOHN, and that his work on environmental issues was second to none.

ELIZABETH COULSON,
STATE REPRESENTATIVE,
Springfield, IL, October 17, 2000.

Hon. JOHN EDWARD PORTER,
Congressman, 10th District,
Deerfield, IL.

DEAR CONGRESSMAN PORTER: Congratulations on eleven terms in the United States House. We will miss your compassion and good judgment in our 10th District.

As a State Representative, I have often looked to your leadership as an example. I watch with great interest your lead on the Labor, Health and Human Services and Education Subcommittees. Your work on environmental issues is second to none. Again, we will miss you.

You will always be remembered for your independent thinking. As I continue my career in Government I will remember the lessons that I learned from you. I wish you the best of luck in your future endeavors!

Sincerely,

ELIZABETH COULSON,
State Representative, 57th District.

I would like to take a moment to highlight one of JOHN's most notable achievements, and that is his commitment to biomedical research. He is truly a champion in this field, as has been noted by so many who I have quoted. His work on the National Institutes of Health deserves particular mention.

When he became chairman of the Labor-HHS appropriations subcommittee in 1995, NIH had been appropriated $11.3 billion for the previous fiscal year. While that is hardly small chump change, JOHN recognized that NIH is responsible for so many of our country's scientific advances and could be responsible for so much more with additional funding.

As a Congress we set out a few years ago, with the guidance of JOHN, to double the funding for the NIH, and JOHN has done this almost all by himself during his tenure. In the long-awaited conference report for Labor-HHS bill, he has set aside $20.5 billion for NIH. That is a 15 percent increase over last year, and an astounding 81 percent increase during his chairmanship.

These increases in funding for NIH mean good things for so many people. It will, we hope, lead to cures for cancer, AIDS, heart disease, diabetes, depression, Alzheimer's and so many others. In fact, earlier this year in the Wall Street Journal, Al Hunt wrote that this funding increase ''may be the

most significant achievement of this GOP Congress.''

The chairman of Research America, a former representative, Paul Rogers, said in the same article that achieving the consensus necessary for this increase ''would have been very difficult without JOHN PORTER. He has been the main purpose in this effort.'' With that praise, Mr. Rogers perhaps understated JOHN PORTER's role: He was the single motivating force.

This, of course, is not the only praise that JOHN has received, and I could use up the entire hour reciting the organizations that have honored JOHN for his support for biomedical research. Suffice it to say, it is a long and noteworthy list, from the American Medical Association, to the American Society of Microbiology. So, on behalf of the American public who benefits from this critical research done at the NIH, I know we thank JOHN PORTER.

I would also like to take a moment to pay tribute to John Porter's outstanding human rights record. In 1983, after witnessing the severity of human right violations in the former Soviet Union, JOHN helped to form the Congressional Human Rights Caucus. He knew that applying Congressional pressure on foreign governments could be a significant step towards ending human rights abuses around the world.

I doubt that even JOHN PORTER anticipated how successful the caucus would ultimately turn out to be, with a bipartisan membership now totaling 257 Members. Under JOHN's solid leadership, the Human Rights Caucus thoroughly reviewed the actions of and subsequently condemned Chinese authorities for the 1989 Tiananmen Square incident. Under JOHN's leadership the caucus has held regular briefings on important human rights issues, including religious freedom in China, the oppressive regime of the late Nigerian dictator Sani Abacha, the plight of North Korean refugees living in China, and the abhorrent use of children soldiers, just to name a few.

In addition to his work with the caucus, JOHN has been heavily involved personally in human rights work. He has provided a clear and loud voice for the oppressed, and has strongly supported human rights and democratic reform all over the world.

JOHN also cosponsored a Congressional fast and prayer vigil in which numerous Members of Congress fasted on behalf of specific oppressed individuals. Because of his leadership in this area, Representative PORTER received the Anatoly Shcharansky Freedom Award from the Chicago Action for Soviet Jewry, who described him aptly as ''a champion of human rights and a powerful ally in the struggle against oppression and the fight for basic human freedoms.''

JOHN introduced legislation to create a Radio Free China, a broadcasting service to bring uncensored news reports directly to the Chinese people without government intrusion. He then jointly introduced Radio Free Asia to serve China, North Korea, Burma, Vietnam, Cambodia and Laos. Congress authorized the program and JOHN quickly secured funding for the new service.

A Member of Congress who has served more than 20 years can amass a great deal of influence. JOHN PORTER as chairman of an influential appropriations subcommittee is certainly no exception. However, JOHN has bucked the trend and has not used his power and influence for his own personal gain or enrichment. He has used his influence to help those less fortunate than himself, those less fortunate than most Americans.

Gerald LeMelle, Deputy Executive Director for Amnesty International USA, eloquently summed this up when he said of Representative PORTER at a recent farewell reception, ''Whether from your keynote speech at the Latin American Ambassadors Colloquium in 1991, or your steadfast support on issue after issue, you have always been there for us and for human rights, with integrity and principle.''

I agree. JOHN PORTER has always been beside those who could not fight for themselves. For this I admire him.

JOHN PORTER has been a leader in so many areas, and in the middle of our testimonies to him on health care, human rights and health research, it is also important to emphasize his active interest and leadership on issues involving the environment. His record is clear enough on this point and long enough to document his strong and consistent support for major environmental legislation, including the Clean Water Act, the Clean Air Act, the Wilderness Protection Act, the National Park Protection Act and the Land and Water Conservation Fund.

But the fine print of his record also reflects his love of animals and his love of the outdoors. For instance, he voted for the Endangered Species Act and against the inhumane use of animals in product testing and the use of cruel leghold traps. Ten years ago JOHN successfully stopped the radical destruction of tropical rain forests in developing nations by tying future lending to conservation efforts to protect the forests and the wetlands.

Today he is fighting for the protection of the American bear with legislation to stop the illegal poaching of bears for their paws and gallbladders, which has garnered the support of 142 other Members of Congress. For these and many other efforts, he has received awards, honors and accolades from national and international environment groups like the Sierra Club, the Audubon Society, the United Nations Environmental Program and Conservation International.

JOHN is even the recipient of the prestigious Lorax Award from the Global Tomorrow Coalition, a group representing over 100 environmental organizations. But, most important to the people of the Tenth District of Illinois, have been JOHN's efforts to protect human health and the environment at home.

He orchestrated an agreement between the government and the polluters of Waukegan Harbor on Lake Michigan to clean it up. He led an effort to preserve the 290 acres of open space on the northern part of Fort Sheridan and make it available for recreation by transferring it from the army to the Lake County Forest Preserve District at no cost.

He sought and found effective solutions to help area residents and businesses along the North Branch of the Chicago River who suffered from flood damage. Thanks to his efforts, flood waters are now diverted from people's basements to a number of large reservoirs.

JOHN also has been a leading supporter of environmental projects that benefit all the residents of northeastern Illinois. He obtained funding to study Lake Michigan's shoreline erosion and to stabilize it. He introduced legislation to alleviate high water levels in Lake Michigan by increasing water diversion down the Illinois River and secured additional funding for wetland preservation.

So whether you are a resident of JOHN PORTER's district, the City of Chicago and any of its suburbs, or the tropical rain forests of any developing nation, your environment has been positively impacted by the efforts of a great environmental advocate, our friend, JOHN PORTER.

Mr. Speaker, I would like to add that I also have received a statement from the gentleman from New Jersey (Mr. FRELINGHUYSEN), and I would like to just say that he also applauds his work to increase funding for the National Institutes of Health and biomedical research, and says that believing that more funds would lead to more cures for disease and other medical advances. Chairman PORTER embarked on an ambitious program to double the NIH budget.

I would like to also say that he particularly remembers his work with JOHN PORTER as a Member of the Subcommittee on Foreign Operations. In particular, he recalls one battle that was waged with Mr. PORTER. They worked together, in 1997, when they opposed certain provisions of the fiscal year 1998 foreign operations appropriation bill that they thought should not have been included. He says the one thing that he could say about JOHN PORTER is that he always he always stands up for his principles, and, in this particular case, like so many others, he prevailed in the end because he knew the facts and he knew the cause was just.

The gentlewoman from New York (Mrs. MALONEY) says that she had had the privilege of working with Mr. PORTER on such a wide variety of issues; women's rights, health care, human rights, family planning, the environment and many, many more.

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He was always a tremendous advocate for bipartisan cooperation. Over the years, they often worked together to forge common sense solutions to important issues facing our Nation. She says that she knows that there are many Members of Congress who would join her in this sentiment, and she believes that that alone is an outstanding tribute to any Member of the U.S. House of Representatives. In the case of Congressman PORTER, it is an exceptionally fitting tribute.

She had the distinct pleasure of working with Mr. PORTER on international family planning issues and stood together in opposition to any antidemocratic gag rules which would interfere with the availability of family planning around the world.

On this issue, as with so many others, Congressman PORTER has touched so many lives; it is hard to measure the full impact of his efforts.

I would like to then turn to some remarks which I think are very fitting, and that is a thank you to Mr. PORTER from his staff. And they have said that the House of Representatives and the 10th District of Illinois will not be the same next year as Congressman JOHN PORTER sets off on a new career path. Members of his staff would like to take this opportunity to express their gratitude for the journey that they have traveled with him over the past 21 years.

Mr. Speaker, I will quote:

Some of us have worked for the Congressman almost his entire time in office. Our longevity is a testament to the respect and appreciation we have for his honesty, integrity, and leadership. The Boss, as we affectionately called him, has been the one constant amidst the hectic pace of a congressional office caught in a whirlwind of issues, including a government shutdown and impeachment hearings.

He has vigorously pursued those issues of greatest interest to him, including biomedical research, human rights, and environmental conservation. He has never wavered from his duty to fairly represent the people of Illinois' 10th Congressional District.

Congressman Porter rarely lets an occasion go by without acknowledging his appreciation for what he calls ''the best congressional staff in America.'' However, leadership and success come from the top.

Congressman Porter has set service to his constituents as the highest priority. From his impeccable manners, to his insistence that no constituent request goes without response, he has taught us that everyone is to be treated equally.

The honor of working for Congressman John Porter has enriched our lives in more ways than we can ever express.

In the communities of Illinois' wonderful 10th Congressional District, it is a name that commands respect. We know this because we hear his praises sung daily. Even constituents who disagree with his vote respect his judgment and his courage to vote his conscience.

So as you move on, Boss, we wish you the great success in your next endeavor. We know that you will continue to contribute your many talents to helping the people of this great Nation. Thank you, Congressman Porter for setting the standard that others follow. Thank you for giving us the joy of working in this exciting environment that allows us to learn something new each day and be of service to others.

Thank you for standing by us during the ups and downs we have experienced in our personal lives over the past 21 years. Most of all, thank you for letting us be members of the Porter family, to work for you and be with you. We have loved every minute.

Signed Linda Maneck, Dee Jay Kweder, Ed Kelly, Ginny Hotaling, Carol Joy Cunningham, Mary Jane Partridge, Nancy Johnson, Linda Mae Carlson, Jerri Lohman, Katharine Fisher, Spencer Perlman, Jeannette Windon, Michael Liles, Erik Rasmussen, Jori Frahler and David Fabrycky.''

Is that not a nice tribute to have from the members of your staff?

Mr. Speaker, much has been written during this presidential election year of legacy of what a public servant bequests to his succeeding generations, not just on his last days in office, but over the entirety of his career.

Let me close tonight's special order by summing up the sentiments expressed by my colleagues regarding the legacy of our esteemed colleague, JOHN EDWARD PORTER.

What we have heard tonight is that JOHN PORTER has not sought out glory or tried to advance his name at any cost. JOHN is the kind of Congressman that will leave a long record of accomplishments when he walks out of this Chamber as we adjourn sine die.

First, JOHN leaves a great legacy to the 10th District in the State of Illinois. As our governor, State senators and representatives mentioned in their letters and as my colleagues from Illinois attested tonight, JOHN's contributions are without equal. Among the many projects for which he will be remembered, his funding for the METRA Commuter rails that link the northern suburbs of Illinois with downtown Chicago and O'Hare Airport.

Second, JOHN leaves a great legacy to this country. His crusade to increase NIH funding will no doubt lead one day to the cures for the diseases that will save millions of lives. His work on behalf of women's and children's health issues, it is unparalleled.

JOHN leaves a great legacy for our world community. He has represented those around the world who are not able to represent themselves. JOHN fights not only for the most popular crusades, but also for the countries and people forgotten by the glare of CNN. This is a proud legacy.

Perhaps most importantly, JOHN leaves a great legacy for the people whose lives he has personally and directly touched. The thoughtful and loving testimony shared here tonight by his staff and former staff members speak out volumes on the quality and decency of this fine man.

Tonight we heard of the legacy that JOHN has created during his years of service in this body. We heard but a small part of the large impact he has made on his district, his State, his country, and the world.

But tonight is not a leave-taking. It is the exciting commencement of the next stage of JOHN's career. We will all watch with great pride and interest the new challenges that JOHN will decide to tackle in the months and years to come. We all will know that whatever cause or causes he chooses to take on in his next career will be benefited and blessed by his fine touch.

They say there is no limit to the amount of good that a man can do in this world if he does not care who gets the credit. Well, JOHN never cares and never has cared who has gotten the credit, and JOHN can never be credited sufficiently for the great good he has done in this world.

We will all miss JOHN PORTER a great deal, but we are all honored to have been able to serve with a leader of such integrity, dedication, and commitment to principle.

Tonight we celebrate his legacy, we delight in his friendship, and we wish JOHN EDWARD PORTER the very best that life has to offer.

Mr. Speaker, I include for the RECORD the following speech:

SPEECH DELIVERED BY GERALD LEMELLE, DEPUTY EXECUTIVE DIRECTOR FOR AMNESTY INTERNATIONAL USA, ON THE OCCASION OF A FAREWELL RECEPTION FOR REPRESENTATIVE JOHN PORTER, CO-CHAIRMAN OF THE CONGRESSIONAL HUMAN RIGHTS CAUCUS, OCTOBER 3, 2000

Distinguished members of Congress, distinguished staff, dear friends and colleagues, it is my bittersweet pleasure to be here to bid farewell to our dear friend and Co-Chairman of the Congressional Human Rights Caucus, Congressman John Porter.

Chairman Porter has been a key leader in ensuring that the Congressional Human Rights Caucus did not just survive the abolition of caucuses, but has managed to thrive—even ''thrive'' might be an understatement! Today, the Human Rights Caucus has an almost frantic pace of briefings—Guatemala, Burma, Sudan, Algeria, East Timor, Turkey—it matters not the range of countries or even issues, all these countries are covered in a week, with recognized experts or with the activists who are on the front line of these issues! But the Caucus does not cover only countries in the headlines but countries and peoples forgotten by the glare of CNN. The Caucus is here to ensure that human rights around the world remain a focal point for congressional activity—even when Congress gets caught up in other business. And for that, sir, we salute you.

But Chairman Porter has gone beyond the Caucus in his pursuit of human rights. When Native American leaders converged on Washington earlier this year to call for the release of Leonard Peltier, they found a receptive ear in Chairman Porter who hosted an important briefing in which we in Amnesty International were honored to participate. When the Turkish government has gone on a public relations offensive, or when the Administration despite its wiser counsel has decided to pursue arms transfers to that NATO ally, it is Congressman Porter who has been publicly on the side of human rights.

In 1995, at a briefing organized by the Congressional Human Rights Caucus, when Nigeria was suffering under the oppression of the late dictator Sani Abacha, Chairman Porter was one of the few voices calling Abacha what he was—a dictator—and one of the lone voices blasting the Administration's policy.

And of course we cannot talk about the Chairman without talking about Kathryn Porter, a human rights activist in her own

right. While her work on behalf of the Kurdish people and Afghani women is widely recognized and celebrated, we also remember the singular courage she exhibited when she spent some time with Jennifer Harbury in Guatemala, on a lonely stretch of rural road outside an Army base.

While a politician might boast of the state dinners he or she has attended, Chairman Porter attended a ''stateless'' dinner on behalf of Chinese dissidents. While politics is well tuned to the powerful and the popular, Chairman Porter has stood by the underdogs, supporting the rights of religious and ethnic minorities throughout the world, including the Armenians and the Ba'hais. While many in Congress have shunned the challenge of confronting the violations by powerful allies such as Saudi Arabia, Chairman Porter seems to embrace such opportunities. While governments and their representatives tend to have relationships with other governments, we can safely say that Chairman Porter has built relationships with peoples.

We in Amnesty International USA with its 300,000 members in the United states and more than a million members worldwide can say that we are a grateful people for your leadership and your support. I should also add, if I want my staff not to kill me, that your staff has also been fabulous, including Rachel Helfand, Karen Davis, Heidi Gasch, Katharine Fisher, Kelly Currie, and Jeannette Windon. We have grown to respect and rely on them as well.

Whether from your keynote speech at the Latin American Ambassadors Colloquium in 1991 or your steadfast support in issue after issue, you have always been there for us and for human rights, with integrity and principle that is second to none. Dear Chairman Porter, it's not just staffers who voted you number one Congressperson who will be missed most—we also read Washingtonian magazine—we too will miss you deeply.

Thank you sir for your wonderful example and contribution to human rights. You are a real hero to us.

Mr. FRELINGHUYSEN. Mr. Speaker, today we salute the very distinguished gentleman from Illinois, Mr. JOHN EDWARD PORTER, as he prepares to retire after 20 years of dedicated service in the House of Representatives, to the people of Illinois, and to our Nation. I rise to join my colleagues in paying tribute to him and the legacy he leaves behind.

Mr. PORTER embodies a unique blend of fiscal conservatism and social moderation. He is known as a most thoughtful, articulate, and responsible member of the Appropriations Committee, a consistent advocate for human rights for all people, a protector of volunteers to encourage their greater participation in their communities, and a supporter of programs that help men, women, and children in need to have full and productive lives.

It has been my honor to serve with Mr. PORTER as a member of the House Appropriations Committee for the past six years. As Chairman of its Labor, Health and Human Services, Education Subcommittee, he has had the Herculean task of shepherding the largest domestic spending bill through our committee and this Chamber. Not only does this bill contain a substantial amount of money, it also contains a substantial amount of controversial policy issues. Mr. PORTER has done an excellent job of balancing all the competing interests as he worked to craft his annual bill.

In this regard, I applaud especially his work to increase funding for the National Institutes of Health and biomedical research. Believing that more funds would lead to more cures for diseases and other medical advances, Chairman PORTER embarked on an ambitious program to double the NIH budget over five years. Against all odds, and under tight budget constraints, he has managed to increase NIH funding by 15 percent a year for the past three years. At this rate, Congress would meet his goal of doubling that budget in five years. I hope that my colleagues would continue toward that objective and that his leadership with the NIH will be remembered as one of his greatest legacies.

On a more personal note, I particularly remember our work as members of the Foreign Operations Subcommittee. In particular, I recall one battle we waged together in 1997 when we opposed certain provisions of the Fiscal Year 1998 Foreign Operations Appropriations bill that we thought should not have been included. One thing you can say about JOHN PORTER, he always stands up for his principles. In this particular case, like so many others, he prevailed in the end because he knew the facts and the cause was just.

My work with Mr. PORTER was not just confined to the Appropriations Committee, as both of us have been members of the Tuesday Lunch Bunch. Here we consumed a lot of pizza and discussed issues facing us in Congress that deserved extra attention and deliberation.

While we are saddened to see Mr. PORTER retire, we join in wishing him well in the future and thanking him for the high standard he has set for all of us.

Mrs. MALONEY of New York. Mr. Speaker, I want to thank the Illinois delegation for organizing this Special Order tonight, and I want to thank my friend JUDY BIGGERT for coordinating this particular effort honoring Congressman JOHN EDWARD PORTER.

I am here to honor my friend, Chairman JOHN PORTER, who is retiring at the end of this session of Congress. Mr. PORTER has been a good friend, he has been a terrific legislative partner, and he has been a superior legislator.

I have had the privilege of working with Mr. PORTER on such a wide variety of issues—women's rights, health care, human rights, family planning, the environment, and many, many more. He has always been a tremendous advocate for bipartisan cooperation. Over the years, we have often worked together to forge commonsense solutions to important issues facing our Nation. And I know that there are many Members of Congress who would join me in this sentiment. I believe that alone is an outstanding tribute to any Member of this House. In the case of Congressman PORTER, it is an exceptionally fitting tribute.

I had the distinct pleasure of working with Mr. PORTER on international family planning issues. We stood together in opposition to any anti-democratic gag rules, which interfere with the availability of family planning around the world. On this issue, as with so many others, Congressman JOHN PORTER has touched so many lives, it is hard to measure the full impact of his efforts.

He is a leader on protecting the environment. As co-chair of the Human Rights Caucus, he has been a leader on human rights. As Chairman of the Labor-HHS Subcommittee, he has been a leader on biomedical research.

This year, I am proud to serve as the co-chair of the Congressional Caucus for Women's Issues. And every year, the Women's Caucus testified before his subcommittee.

Congresswomen would line up to testify about a whole host of issues—family planning, women's health, title IX, biomedical research, education funding, diabetes, cancer, heart disease, obesity, long-term health care, breast cancer, teen pregnancy, mental health, AIDS, osteoporosis, STD's, child care, homelessness, Head Start, pediatric asthma, violence against women, and many more subjects.

Chairman PORTER often said it was his favorite day in the subcommittee. Mr. PORTER was always interested, attentive, informed, and compassionate. We always knew we had a real advocate and friend on so many of these important issues in Chairman PORTER. He will be sorely missed by the Women's Caucus, he will be missed by the entire Congress, and his leadership will be missed by countless Americans whose lives have been touched by his work.

Mr. REGULA. Mr. Speaker, I know JOHN PORTER as a friend and as a member of the Appropriations Committee. We have served together on the committee during his entire twenty year tenure in Congress.

JOHN PORTER will be remembered as one of the most consistent fiscal conservatives on the Appropriations Committee during his service in office. During his first fourteen years as a minority member of the Labor-Health-and-Human Resources Subcommittee, JOHN worked tirelessly to assure strict oversight of the agencies under his jurisdiction. During that period, we looked to his leadership to hold the line on excessive spending by that subcommittee.

Also during our period together in the minority, JOHN worked hard to reform a budget process which he thought contributed to excessive Federal spending. As a member of the majority, JOHN has continued fighting to reform the budget process during the past six years. He has argued throughout his career that adopting a bipartisan budget resolution in March of each year would help restrain domestic spending at the end of each year. We will remember his thoughtful and wise counsel on how to use the budget process to control Federal spending.

As Chairman of the Labor-HHS Subcommittee JOHN has worked closely with the minority. He is respected equally by both Republicans and Democrats on the committee for his bipartisan approach. JOHN has worked effectively with the minority to manage and control Federal appropriations, and to establish and impose performance measures on Federal agencies. He has gained the respect of all of those who have worked closely with him.

Some of our colleagues will remember JOHN for his strong commitment to medical research. JOHN has championed medical research because of his belief in a better society for our children. His leadership on funding for medical research reflects his concern for the well being of all people.

He has used his position on the Appropriations Committee to make the Federal Government more accountable to taxpayers. JOHN has insisted, like his subcommittee predecessor Bill Natcher, on attending every oversight and public hearing. In order to ensure that all of his colleagues have a chance to amend the Labor-HHS bill, he has insisted on bringing the bill to the House floor every year. JOHN has managed the Labor-HHS in a manner which reflects the principles of our representative democracy.

We will miss JOHN's integrity and his independence. JOHN's work in Congress during the past twenty years will contribute to a stronger democracy for future generations. We will miss him as a leading member of the Appropriations Committee, and we hope that he will stay in close contact with all of his former colleagues on both sides of the aisle.

Mr. HOBSON. Mr. Speaker, I rise today to pay tribute to an outstanding Member of Congress and an individual who has helped make this Nation a better place for families, our veterans, and our armed forces.

Mr. PORTER first came to Congress in 1980. Since that time he has become a recognized leader in health care issues. He has always done a commendable job in working in a bipartisan manner to fund valuable programs through the most difficult of situations. His keen interest in supporting health care, education and labor issues, has helped set Federal priorities in those critical areas which further the best interests of our country.

Mr. PORTER and I share an interest in health care issues, which I developed in my days in the Ohio State Senate. I have always appreciated Chairman PORTER's leadership in supporting needed programs in the Labor/Health and Human Services bill to benefit pediatric care, physician training, mental health services, and other important health programs.

As a former Army Reservist, Mr. PORTER has approved a valued member of the Military Construction Appropriations Subcommittee, where I serve as Chairman. Mr. PORTER has always been a strong advocate for improving the living and working conditions for our military personnel and their families and he will be missed on our subcommittee.

Today, as we honor Mr. PORTER, I am pleased to join with his friends and colleagues, his wife, Kathryn, and his children, in wishing him all the best in the years to come and to thank him for his years of dedicated service to our Nation.

As Ohio's Seventh District Representative to the Congress of the United States, I take this opportunity to join with members of the Ohio delegation and other members of the Appropriations Committee to honor the efforts and the many outstanding achievements of Representative JOHN PORTER. His many contributions as a member of the House of Representatives and leadership as a valued Committee Chairman will be remembered.

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to a great Illinoisan and a dedicated Congressman. My colleague, Congressman JOHN EDWARD PORTER, dedicated 20 years of his life to serve as the Representative from Illinois' Tenth Congressional District. At the helm of the Labor, Health and Human Services, and Education Appropriations Subcommittee, Congressman PORTER worked diligently to forge bipartisanship in the appropriations process.

Over the course of Congressman PORTER's tenure in the House of Representatives, he has taken a leadership role on health care issues. As Chairman of the Labor, HHS and Education appropriations since 1995, he was successful in making biomedical research one of our Nation's highest priorities. This is evidenced in the fact that during his tenure as Chairman, Congressman PORTER doubled funding for the National Institutes of Health (NIH). Congressman PORTER understands the great promise that NIH's research holds for saving lives and conquering diseases such as cancer, diabetes, Parkinson's disease, heart disease, and many others. In addition, he worked tirelessly to provide more funding for community health centers that serve the indigent poor.

I can speak endlessly on Representative PORTER's accomplishments, but I would be remiss if I did not point out that beyond his stellar accomplishments, he is a man of honor and integrity. And as Congressman PORTER enters into retirement, I am grateful to have served with a Member of such high esteem.

Mr. COSTELLO. Mr. Speaker, it is an honor for me to rise today to join my colleagues in paying special tribute to my good friend and colleague from Illinois, Mr. JOHN PORTER. Mr. PORTER and I have worked on many bipartisan issues to improve our nation and home state of Illinois including many health care initiatives. Since coming to Congress, I have appreciated his friendship and admired his work within the Illinois delegation and on the House Appropriations Committee.

Mr. PORTER began his distinguished career as an attorney, having graduated from the University of Michigan in 1961. JOHN PORTER has represented the 10th District and the State of Illinois well. He has dedicated himself to representing the citizens of the Great State of Illinois and has been tireless in his efforts to ensure medical research at NIH will continue and is adequately funded. In addition, he has helped countless people in the United States and around the world in an effort to resolve human rights issues.

Mr. Speaker, JOHN PORTER has served this institution well and he will be greatly missed. I wish Mr. PORTER and his family well in the years to come.

Mr. CRANE. Mr. Speaker, it is a pleasure for me to give this tribute to my good friend and colleague JOHN PORTER. John has served with distinction and honor with me for nearly 22 years in the United States House of Representatives.

JOHN is retiring this year as a senior member of the House Appropriations Committee, Vice-Chairman of the Foreign Operations Subcommittee, and Chairman of the Labor, Health & Human Services and Education Subcommittee. He also serves on the Military Construction Subcommittee.

Like all Congressmen, he on occasion has had things happen to bring him back down to earth. Several years ago when flying into O'Hare he stopped to freshen up before leaving the airport. After washing his hands he went to dry them. The hand dryer had a note attached to it that read: ''Press here for a message from your Congressman.''

On a more serious note, JOHN is founder and co-chairman of the Congressional Human Rights Caucus, a voluntary bipartisan association of members of Congress working to identify, monitor and end human rights violations worldwide.

JOHN also has nearly as large a kennel of bulldogs called Watchdogs of the Treasury from the National Taxpayers Union as I have in my office.

But JOHN has a record we should all be envious of—in 1992, he was one of only six out of 435 House members named a ''Taxpayer Superhero'' by the Grace Commission's Citizens Against Government Waste.

In 1994, he was one of only 35 members of the House to be cited by the Grace Commission for his votes against higher spending and taxes.

In 1997, JOHN had the best score of any House member in the bipartisan Concord Coalition's analysis of spending votes, earning him a place on the Coalition's ''Honor Roll'' of members with the strongest commitment to eliminating deficits and balancing the budget. The Concord Coalition placed him on its ''Honor Roll'' again for his 1998 voting record.

JOHN is regarded as one of the leaders of the ''Green Republicans'' in the House. A supporter of the Clean Air and Clean Water Act, he has enacted landmark legislation to stop destruction of tropical rainforests, fought to prevent unregulated export of waste, and has advocated new standards for recycling and energy efficiency.

A strong supporter of the arts and humanities, JOHN was appointed to the Board of Directors of the Kennedy Center for the Performing Arts in 1999, one of only five House members to receive this honor.

We all know JOHN loves golf almost as much as politics. JOHN will now have more time to spending working on his swing on the golf course. It is indeed an honor for me to salute Congressman JOHN PORTER.

Mr. LANTOS. Mr. Speaker, I rise today with a heavy heart to say good-bye to one of my dearest friends in this Chamber. I know that the entire House shares my sense of loss in the departure of one of the truly great legislators who has served this body for now over 20 years, the gentleman from Illinois, my friend JOHN EDWARD PORTER, I know that not only the 10th District of Illinois will miss him sorely.

Mr. Speaker, when I was a very junior Member of this House, I one day received a request from a young but already distinguished Republican, who wanted to meet with me. As you can imagine, I was impressed and honored to receive such a request, and I happily agreed to this meeting. I still remember vividly that day in my office with JOHN, his wife Katharine Cameron Porter, and my wife Annette. What resulted from this meeting was not only the start of our long friendship with JOHN and Katharine Porter, but also that JOHN and Katharine suggested the creation of what I consider one of the most important entities in this body—the Congressional Human Rights Caucus. JOHN and Katharine both experienced government harassment first hand, when the female members of their congressional delegation to the former Soviet Union were strip searched.

Mr. Speaker, JOHN and I have proudly co-chaired the Congressional Human Rights Caucus since its inception in 1983, and have seen it grow into easily the most active working group on any issue on the Hill with currently over 257 Members from both sides of the aisle. No one can ever measure how many countless people JOHN PORTER has helped, how many people he has given hope, how many times he has spoken out in the defense of human rights, how often he has fought human rights violations wherever they occurred. The Caucus Mandate states, that the purpose of our organization is to ''focus bipartisan attention on the most fundamental American values: the sanctity of the individual and the inalienable rights on which the Founders created our country,'' In doing that, and in continuing to do that, JOHN PORTER is a true American hero.

I am grateful that JOHN PORTER invited me to serve with him as co-chairman of the

Human Rights Caucus. Annette and I are proud and honored to be his friends, and I know that he and I will continue to work on human rights issues. Farewell and Godspeed, and good luck in all your future endeavors.

Mr. Speaker, a few days ago the Congressional Human Rights Caucus formerly said good-bye to our outstanding Co-Chairman in a moving reception. Let there be no mistake, JOHN PORTER is still needed, and I know that he will always be closely involved with the human rights community in whatever capacity. For those Members of the Caucus who unfortunately could not attend our farewell to JOHN, let me just say that it was one of the most moving events the Caucus has held. Leaders of the human rights community representing organizations from around the world came to pay tribute to his outstanding leadership. Mr. Speaker, I submit for the RECORD two of the most moving tributes.

The first one is by our outstanding Assistant Secretary for Democracy, Human Rights and Labor, Harold Hongju Koh, and the second by Gerald LeMelle, Deputy Executive Director for Amnesty International USA.

STATEMENT FOR THE RECORD BY ASSISTANT SECRETARY HAROLD HONGJU KOH

I am honored to join Members of Congress in this special tribute to the remarkable Rep. John Porter. A friend and ally to human rights activists and survivors, John has used his extraordinary talents and his time in Congress for decades to bring human rights issues and concerns to their rightful place on the national agenda. The work of John and the brilliant Tom Lantos in forming the Congressional Human Rights Caucus captures everything we seek in an American human rights policy: bipartisan, principled, global, executed by a genuine partnership between the executive and legislative branches, and deeply committed not just to addressing broad policy questions, but to improving the plight of individual people.

Those of us in the Department of State, in particular at the Bureau for Democracy, Human Rights and Labor, are blessed because our work receives such strong bipartisan support on Capitol Hill. There are many Members, on both sides of the aisle, who care deeply and passionately about human rights and fundamental freedoms. But passion needs a leader. And John, along with Tom Lantos, has been more than their leader—he has been their inspiration. Let me also take this occasion to pay tribute to John's own inspiration—Katharine Porter—who by her own witness, has given so much of herself for so many years to improving human rights for so many.

To highlight John's many accomplishments would take the rest of the evening. Let me say only that Congressional leadership on human rights issues has largely been the result of John's and Tom's joint vision, activism, and hard work. John not only established himself as a leader in the struggle for human dignity, by calling upon Colleagues to join the Caucus, he has focused their combined energies on a range of human rights issues that others said were losing propositions. From East Berlin to East Timor, the positive developments of the past seventeen years demonstrated again and again just how wrong John's critics were. Together with Katherine and their partners in this endeavor, Tom and Annette Lantos, John has challenged all of us to season after season of work on behalf of human rights victims. He initiated briefings, speeches, letters, phone calls, prayer vigils, and even fasts so that cause after cause was heard. He challenged us to remain dedicated to the principle that the cause of liberty is always worth the effort.

John Porter has been the conscience of the Congress on human rights. Although he now changes venue, whatever path he now chooses, he will surely remain a powerful ally in the struggle for human rights. As the Assistant Secretary for Democracy, however, I have half a mind to move to his district and exercise my vote, repeatedly, to force him to stay in office! Congressman Porter, Katharine: Good Luck and Godspeed.

SPEECH DELIVERED BY GERALD LEMELLE, DEPUTY EXECUTIVE DIRECTOR FOR AMNESTY INTERNATIONAL USA

Distinguished member of Congress, distinguished staff, dear friends and colleagues, it is my bittersweet pleasure to be here to bid farewell to our dear friend and Co-Chairman of the Congressional Human Rights Caucus, Congressman John Porter.

Chairman Porter has been a key leader in ensuring that the Congressional Human Rights Caucus did not just survive the abolition of caucuses, but has managed to thrive—even ''thrive'' might be an understatement! Today, the Human Rights Caucus has an almost frantic pace of briefings—Guatemala, Burma, Algeria, East Timor, Turkey—it matters not the range of countries or even issues, all these countries are covered in a week, with recognized experts or with the activists who are on the front line of these issues! But the Caucus does not cover only countries in the headlines but countries and peoples forgotten by the glare of CNN. The Caucus is here to ensure that human rights around the world remain a focal point for congressional activity—even when Congress gets caught up in other business. And for that, we salute you.

But Chairman Porter has gone beyond the Caucus in his pursuit of human rights. When Native American leaders converged on Washington earlier this year to call for the release of Leonard Peltier, they found a receptive ear in Chairman Porter who posted an important briefing in which we in Amnesty International were honored to participate. When the Turkish government has gone on a public relations offensive, or when the Administration despite its wiser counsel had decided to pursue arms transfers to that NATO ally, it is Chairman Porter who has been publicly on the side of human rights.

In 1995, at a briefing organized by the Congressional Human Rights Caucus, when Nigeria was suffering under the oppression of the late dictator Sani Abacha, Chairman Porter was one of few voices calling Abacha what he was—a dictator—and one of the lone voices blasting the Administration's policy.

And of course we cannot talk about the Chairman without talking about Kathryn Porter, a human rights activist in her own right. While her work on behalf of the Kurdish people and Afghani women is widely recognized and celebrated, we also remember the singular courage she exhibited when she spent time with Jennifer Harbury in Guatemala, on a lonely stretch of rural road outside an Army base.

While a politician might boast of the state dinners he or she has attended, Chairman Porter attended a ''stateless'' dinner on behalf of Chinese dissidents. While politics is well tuned to the powerful and the popular, Chairman Porter has stood by the underdogs, supporting the rights of religious and ethnic minorities throughout the world, including the Armenians and the Ba'hais. While many in Congress have shunned the challenge of confronting the violations by powerful allies such as Saudi Arabia, Chairman Porter seems to embrace such opportunities. While governments and their representatives tend to have relationships with other governments, we can safely say that Chairman Porter has built relationships with peoples.

We in Amnesty International USA with its 30,000 members in the United States and more than a million members worldwide can say that we are greatful people for your leadership and your support. I should also add, if I want my staff not to kill me, that your staff has also been fabulous, including Rachel Helfand, Karen Davis, Heidi Gasch, Katharine Fisher, Kelly Currie, and Jeanette Windon. We have grown to respect and rely on them as well.

Whether from your keynote speech at the Latin American Ambassadors Colloquium in 1991 or your steadfast support in issue after issue, you have always been there for us and for human rights, with integrity and principle that is second to none. Dear Chairman Porter, it's not just staffers who voted you number one Congressperson who will be missed most—we also read Washingtonian magazine—we too will miss you deeply.

Thank you sir for your wonderful example and contribution to human rights. You are a real hero to us.

Mr. GILMAN. Mr. Speaker, I consider it a privilege to rise to honor the retirement of a colleague who has been an outstanding leader of this body.

I have had the opportunity to work with JOHN PORTER since he first came to this Chamber back in 1980. He brought with him honor to this job, and has shown great commitment and dedication to his country.

Prior to his election to Congress, JOHN practiced law and served in the Illinois House of Representatives for eight years. He brought with him a great deal of legislative experience and has shown a rich understanding of the legislative process. The leadership skills that have allowed him to accomplish so much are inspiring.

JOHN has accomplished a great deal while serving as Chairman of the Appropriations Subcommittee on Labor, Health and Human Services, and Education. He has diligently worked to allocate funds for family planning and for Medicaid.

JOHN has worked to revitalize involvement in the political process, trying to draw voters in, to take part in the legislative process. He has been an advocate for education. He has also worked tirelessly to increase spending on medical research, recognizing the need to find cures for many life-threatening diseases.

As Chairman of the International Relations Committee, I am pleased to note that JOHN PORTER co-founded the Congressional Human Rights Caucus, and has in that capacity worked to raise awareness of the injustices that have been occurring in other countries.

JOHN PORTER has been a reformer who has crossed party lines on many issues. He has earned the respect of his colleagues on both sides of the aisle. His courage, and his dedication to his constituents is to be commended.

To JOHN's wife, Kathryn, and their five children, we wish you all the best. I am sure you are as proud as we are of the many great years of service JOHN has given to his office, to his constituents, and to our nation.

JOHN PORTER has been a great asset to this body, having fought hard for the people of his Congressional district and our nation. We all wish JOHN good health and happiness in his retirement.

Mr. LIPINSKI. Mr. Speaker, I rise this evening to pay tribute to my friend and colleague, Chairman JOHN PORTER. JOHN PORTER is retiring from the U.S. House of Representatives after eleven impressive terms. Although I am sure that JOHN will continue to be

active on issues such as health care, the environment, and human rights, his presence will be missed by the House of Representatives as a whole and by the Illinois delegation in particular.

As Chairman of the Labor, Health and Human Services and Education Appropriations Subcommittee, JOHN has been a tireless advocate of the Centers for Disease Control and the National Institutes of Health. In fact, JOHN has worked to increase funding for the National Institutes of Health, with a goal of doubling spending from fiscal year 1997 to 2002. Because of JOHN's efforts, Congress is on track to meet this important goal. By increasing funding for biomedical research into effective treatments and possible cures for diabetes, cancer, AIDS, and other life-threatening diseases, JOHN is helping to save lives. He is also helping to save our nation billions of dollars in health care costs. This is a proud legacy to leave behind.

In addition, JOHN can be proud of his active involvement in protecting and promoting human rights around the world. JOHN is the founder and co-chairman of the Congressional Human Rights Caucus, a voluntary bipartisan association of Members of Congress working to identify, monitor and end human rights violations worldwide. I am proud to be one of the 250 Members of Congress who participate in this important caucus. JOHN cares deeply about the plight of the persecuted around the world and has regularly engaged in fasts and prayer vigils to bring needed national attention to the issue of human rights. Although JOHN's leadership and active participation will be sorely missed, the Congressional Human Rights Caucus will continue JOHN's crusade to protect and promote human rights around the globe. Again, this a proud legacy to leave behind.

Finally, although JOHN and I do not always agree on all issues, I have always admired his conservative stance on fiscal issues. I also consider myself a fiscal conservative and admire JOHN's unwavering commitment to eliminating deficits and balancing the federal budget. He should be proud that he is leaving Congress in an era of balanced budgets and record budget surpluses.

Again, although I am sure that JOHN will remain active on issues like health care, the environment, and human rights, he will be missed here in the House of Representatives. He has served his constituents and the nation well. I wish JOHN the best of luck in all of his future endeavors.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PASCRELL (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. STUPAK (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mr. HANSEN (at the request of Mr. ARMEY) for today and the balance of the week on account of wife's surgery.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. CLAY, for 5 minutes, today.

Mr. ETHERIDGE, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Mr. TIERNEY, for 5 minutes, today.

Ms. SCHAKOWSKY, for 5 minutes, today.

Mr. HINOJOSA, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. MOLLOHAN, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 34. An act to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

H.R. 208. An act to amend title 5, United States Code, to allow for the contributions of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan, and for other purposes.

H.R. 707. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes.

H.R. 1654. An act to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes.

H.R. 1715. An act to extend and reauthorize the Defense Production Act of 1950.

H.R. 2389. An act to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of pubic schools, roads, and other purposes.

H.R. 2842. An act to amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB) Program, to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when a State court orders the employee to provide health insurance coverage for a child of the employee but the employee fails to provide the coverage, and for other purposes.

H.R. 2879. An act to provide for the placement at the Lincoln Memorial of a plague commemorating the speech of Martin Luther King, Jr., known as the ''I Have a Dream'' speech.

H.R. 2883. An act to amend the Immigration and Nationality Act to modify the provisions governing acquisition of citizenship by children born outside of the United States, and for other purposes.

H.R. 2984. An act to direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargant River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

H.R. 3235. An act to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during nonschool hours.

H.R. 3236. An act to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Weber Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 3292. An act to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

H.R. 3468. An act to direct the Secretary of the Interior to convey to certain water rights to Duchesne City, Utah.

H.R. 3577. An act to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho.

H.R. 3767. An act to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under section 217 of such Act.

H.R. 3986. An act to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington.

H.R. 3995. An act to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government.

H.R. 4002. An act to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger.

H.R. 4259. An act to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

H.R. 4386. An act to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes.

H.R. 4389. An act to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

H.R. 4681. An act to provide for the adjustment of status of certain Syrian nationals.

H.R. 4828. An act to designate the Steens Mountain Wilderness Area and the Steens Mountain Cooperative Management and Protection Area in Harney County, Oregon, and for other purposes.

H.R. 5107. An act to make certain corrections in copyright law.

H.R. 5417. An act to rename the Stewart B. McKinney Homeless Assistance Act as the ''McKinney-Vento Homeless Assistance Act''.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 624. An act to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana, and for other purposes.

S. 1809. An act to improve service systems for individuals with developmental disabilities, and for other purposes.

S. 2686. An act to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes.

ADJOURNMENT

Mrs. BIGGERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Thursday, October 19, 2000, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

10611. A letter from the Multimedia Systems Manager, Communications and Information, Department of the Air Force, Department of Defense, transmitting the Department's final rule—Visual Information Documentation Program (RIN: 0701–AA–63) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10612. A letter from the Secretary of Defense, transmitting a Technology Control Assessment Plan pursuant to the National Defense Authorization Act for Fiscal Year 2001; to the Committee on Armed Services.

10613. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Regulations Requiring Manufacturers to Assess the Safety and Effectiveness of New Drugs and Biological Products in Pediatric Patients; Technical Amendment [Docket No. 97N–0165] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10614. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the San Diego Fairy Shrimp (Branchinecta sandiegoensis) (RIN: 1018–AF97) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10615. A letter from the Assistant Secretary for Land and Minerals Management, Department on the Interior, transmitting the Department's final rule—Amendments to Gas Valuation Regulations for Indian Leases (RIN: 1010–AC72) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10616. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Dealer and Vessel Reporting Requirements [Docket No. 991104295–0259–02; I.D. 100599D] (RIN: 0648–AM74) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10617. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Surf Clam and Ocean Quahog Fishery; Suspension of Minimum Surf Clam Size for 2001 [I.D. 100400C) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10618. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Winter II Period [Docket No. 000119014–0137–02; I.D. 100400D] received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10619. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Special Management Zones [Docket No. 000616183–0278–02; I.D. 053000E] (RIN: 0648–AN35) received October 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10620. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transporation, transmitting the Department's final rule—Traffic Separation Scheme: In the Approaches to Los Angeles—Long Beach, California [USCG–2000–7695] (RIN: 2115–AF99) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10621. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transporation, transmitting the Department's final rule—Safety Zone; Strategic Booming Exercise in the Cape May Harbor, Cape May, NJ [CGD05–00–047] (RIN: 2115–AA97) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10622. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Fees for FAA Services for Certain Flights; Extension of Comment Period [Docket No. FAA–00–7018; Admt. No. 187–11] (RIN: 2120–AG17) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10623. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293; Amendment No. 135–78] (RIN: 2120–AF71) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10624. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Commercial Air Tour Limitations in the Grand Canyon National Park Special Flight Rules Area; Modification of the Dimensions of the Grand Canyon National Park Flight Rules Area and Flight Free Zones—received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10625. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30205; Amdt. No. 2013] received October, 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10626. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30204; Amdt. No. 2012] received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10627. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–50 Series Turbofan Engines [Docket No. 2000–NE–38–AD; Amendment 39–11913; AD 2000–20–02] (RIN: 2120–AA64) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10628. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; CSX Railroad Bridge (South Fork of the New River), Ft. Lauderdale, Broward County, FL [CGD07–00–092] received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10629. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Florida East Coast Railway Bridge, across the Okeechobee Waterway, mile 7.4, at Stuart, Martin County, FL [CGD07–00–097] October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10630. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes and Conforming Amendments [USCG–2000–7790] received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10631. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Allowing Alternatives to Incandescent Light in Private Aids to Navigation [USCG 2000–7466] (RIN: 2115–AF98) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10632. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Milford Haven, Virginia [CGD05–00–042] received October 16, 20000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10633. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone and Anchorage Regulations; Delaware Bay and River [CGD05–00–048] (RIN: 2115–AA98) received October 16, 2000, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10634. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Thunderbird Air Show, Long Island Sound, Governor Alfred E. SMITH/Sunken Meadow State Park, Kings Park, NY [CGD01–00–224] (RIN: 2115–AA97) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10635. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10636. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Preparer Due Diligence Requirements for Determining Earned Income Credit Eligibility (RIN: 1545–AW74) received October 16, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY: Committee on Commerce. H.R. 3250. A bill to amend the Public Health Service Act to improve the health of minority individuals; with an amendment (Rept. 106–986). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on Science. H.R. 1552. A bill to authorize appropriations for fiscal year 2000 and fiscal year 2001 for the Marine Research and related environmental research and development program activities of the National Oceanic and Atmospheric Administration and the National Science Foundation, and for other purposes; with an amendment (Rept. 106–987 Pt. 1). Ordered to be printed.

Mr. WALSH: Committee of Conference. Conference report on H.R. 4635. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–988). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 637. Resolution providing for consideration of the joint resolution (H.J. Res. 114) making further continuing appropriations for the fiscal year 2001, and for other purposes (Rept. 106–989). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 638. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4635) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–990). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 639. Resolution providing for consideration of the bill (S. 2796) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes (Rept. 106–991). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 640. Resolution providing for the consideration of motions to suspend the rules (Rept. 106–992). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1552. Referral to the Committee on Resources extended for a period ending not later than October 20, 2000.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WALSH:

H.R. 5482. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. PACKARD:

H.R. 5483. A bill making appropriations energy and water development for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. BILBRAY:

H.R. 5484. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profits tax on electricity sold in Orange and San Diego Counties in California during the summer of 2000; to the Committee on Ways and Means.

By Mr. BARTON of Texas:

H.R. 5485. A bill to temporarily exempt from restrictions on carriage in coastwise trade the transport of petroleum and petroleum products between ports designated by the President; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Mr. NEAL of Massachusetts, Mrs. JOHNSON of Connecticut, Mr. MATSUI, Ms. DUNN, Mr. CARDIN, Mr. RAMSTAD, and Mr. SAM JOHNSON of Texas):

H.R. 5486. A bill to amend the Internal Revenue Code of 1986 to include wireless telecommunications equipment in the definition of qualified technological equipment for purposes of determining the depreciation treatment of such equipment; to the Committee on Ways and Means.

By Mr. EHRLICH:

H.R. 5487. A bill to establish the W. John Child Memorial Foreign Language Award to recognize foreign language proficiency by members of the Foreign Service who are employees of the Department of Agriculture; to the Committee on International Relations.

By Mr. FRELINGHUYSEN (for himself and Mr. WELDON of Pennsylvania):

H.R. 5488. A bill to strengthen the National Defense Features program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GREEN of Texas:

H.R. 5489. A bill to provide Capitol-flown flags to the families of deceased law enforcement officers; to the Committee on the Judiciary.

By Mr. HALL of Ohio (for himself, Mr. BOEHLERT, Mr. RODRIGUEZ, Mr. HOBSON, Mr. BOYD, Mr. FRELINGHUYSEN, Ms. KAPTUR, Mr. GILMAN, Mrs. MEEK of Florida, Mr. TOWNS, and Mr. MCGOVERN):

H.R. 5490. A bill to amend title 10, United States Code, to provide for an Office of Air Force Research and enhance research functions of the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. MARKEY (for himself, Mr. SPENCE, and Mr. NEAL of Massachusetts):

H.R. 5491. A bill to suspend until June 30, 2003, the duty on certain R-core transformers; to the Committee on Ways and Means.

By Ms. MCKINNEY:

H.R. 5492. A bill to require nationals of the United States that employ individuals in a foreign country to provide full transparency and disclosure in all their operations; to the Committee on International Relations.

By Mr. RADANOVICH:

H.R. 5493. A bill to improve the ability of local communities to participate in Federal land management planning conducted by the Forest Service and agencies of the Department of the Interior and to respond to the local impacts of the heavy public use of the Federal lands administered by these agencies; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RILEY (for himself and Mr. EVERETT):

H.R. 5494. A bill to ensure that certain property which was taken into trust by the United States for the benefit of the Poarch Band of Creek Indians of Alabama to protect such land from development shall not be used for gaming; to the Committee on Resources.

By Mr. SIMPSON (for himself, Mr. KIND, Mr. SHERWOOD, and Mr. PETERSON of Minnesota):

H.R. 5495. A bill to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes; to the Committee on Agriculture.

By Mr. SOUDER:

H.R. 5496. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to authorize the Secretary of the Interior to provide for maintenace and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities, and for other purposes; to the Committee on Resources.

By Mr. WELLER (for himself, Mr. FOLEY, Mr. BECERRA, Mr. MATSUI, Mr. RAMSTAD, Mr. ENGLISH, Mr. ROGAN, Mr. SESSIONS, Mr. SENSENBRENNER, Mr. LEWIS of Georgia, Mr. COYNE, Mrs. MALONEY of New York, Mrs. JONES of Ohio, Mr. WAXMAN, Mr. CONDIT, and Mr. BERMAN):

H.R. 5497. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for certain audio or video postproduction equipment; to the Committee on Ways and Means.

By Mr. EWING:

H.R. 5498. A bill to permit landowners to assert otherwise available State law defenses against real property claims by Indian tribes; to the Committee on Resources.

By Mr. YOUNG of Florida:

H.J. Res. 114. A joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes; to the Committee on Appropriations.

By Mr. HOEKSTRA (for himself, Mr. FRANK of Massachusetts, Mr. COLLINS, and Mrs. MALONEY of New York):

H. Res. 641. A resolution expressing the sense of the House of Representatives that Federal Prison Industries, Inc., should immediately cease taking excess Federal computer equipment and selling such computer equipment and other excess Federal property in the commercial market; to the Committee on the Judiciary.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. RANGEL, and Mrs. MALONEY of New York):

H. Res. 642. A resolution to honor Drs. Eric R. Kandel and Paul Greengard for being awarded the Nobel Prize in Physiology or Medicine for 2000, and for other purposes; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 995: Mr. COX.

H.R. 1020: Mr. MURTHA and Mr. LATOURETTE.

H.R. 1396: Mr. BLAGOJEVICH and Mr. MCNULTY.

H.R. 1515: Mr. COYNE.

H.R. 1890: Mr. ANDREWS.

H.R. 2635: Mr. PALLONE.

H.R. 2720: Mr. STRICKLAND.

H.R. 3003: Mr. MCINTYRE.

H.R. 3052: Mr. COX.

H.R. 3202: Mr. ANDREWS.

H.R. 3218: Mr. EHLERS.

H.R. 3463: Mr. ANDREWS.

H.R. 3590: Mr. HEFLEY.

H.R. 3766: Mr. GUTKNECHT.

H.R. 4042: Mr. PALLONE.

H.R. 4127: Mr. COX.

H.R. 4272: Mr. KNOLLENBERG, Ms. BALDWIN, and Mrs. THURMAN.

H.R. 4273: Mr. KNOLLENBERG, Ms. BALDWIN, and Mrs. THURMAN.

H.R. 4277: Mrs. CAPPS and Mr. GEKAS.

H.R. 4412: Ms. CARSON and Ms. WATERS.

H.R. 4467: Mr. GOODLATTE.

H.R. 4471: Mr. PASTOR.

H.R. 4543: Mr. DINGELL, Mr. DEMINT, and Mrs. TAUSCHER.

H.R. 4547: Mr. GOODLATTE.

H.R. 4698: Mr. COX.

H.R. 4723: Mr. DEMINT.

H.R. 4728: Mr. EVANS and Mr. HALL of Texas.

H.R. 4740: Mr. BOEHLERT, Mr. WU, and Mr. HOEFFEL.

H.R. 4773: Mr. KENNEDY of Rhode Island.

H.R. 4825: Mr. SANDERS, Mr. ACKERMAN, Mr. ANDREWS, and Mr. BOUCHER.

H.R. 4887: Ms. VELAZQUEZ, Ms. CARSON and Mr. PAYNE.

H.R. 4971: Mr. WOLF, Mr. WEXLER, and Mrs. FOWLER.

H.R. 4976: Mr. NUSSLE, Ms. BROWN of Florida, Mrs. MCCARTHY of New York, Mr. FOLEY, Mr. TALENT, Mr. BRYANT, Mr. KINGSTON, and Mr. PASTOR.

H.R. 5079: Mr. MINGE.

H.R. 5080: Mrs. LOWEY.

H.R. 5090: Mr. COX.

H.R. 5091: Mr. NORWOOD.

H.R. 5095: Mr. BLUMENAUER.

H.R. 5137: Mr. KUCINICH, Ms. CARSON, and Mr. BLUMENAUER.

H.R. 5247: Mr. WEYGAND.

H.R. 5265: Mr. MCCRERY and Mr. SCARBOROUGH.

H.R. 5344: Mr. COX.

H.R. 5349: Mr. BURR of North Carolina, Mr. FRELINGHUYSEN, Mr. GOODE, Mr. LOBIONDO, Mr. MCINNIS, Mr. MCKEON, Mr. MILLER of Florida, Mr. STEARNS, and Mr. TIAHRT.

H.R. 5361: Mr. KENNEDY of Rhode Island.

H.R. 5401: Mr. GREEN of Texas.

H.R. 5423: Mr. HINOJOSA, Mr. VITTER, and Mr. WALDEN of Oregon.

H.R. 5475: Mr. NADLER.

H.R. 5479: Mr. STARK and Ms. WOOLSEY.

H. Con. Res. 321: Mr. RODRIGUEZ.

H. Con. Res. 337: Mr. PASCRELL, Ms. CARSON, Mr. GEORGE MILLER of California, Mr. GEJDENSON, Ms. RIVERS, and Mr. LATOURETTE.

H. Con. Res. 421: Mr. TANNER, Mr. JENKINS, Mr. DUNCAN, Mr. GORDON, and Mr. FORD.

H. Con. Res. 426: Mr. SIMPSON, Mr. OWENS, Mr. FOLEY, Ms. DEGETTE, Mr. UDALL of Colorado, Mr. SCARBOROUGH, Mr. CAMP, Mr. YOUNG of Alaska, Mr. HALL of Texas, Mr. LAMPSON, Mr. CHAMBLISS, Mr. WAMP, Mr. ADERHOLT, Mrs. MEEK of Florida, Mr. BOYD, Mr. SCHAFFER, Mr. FILNER, Mr. BARCIA, Ms. BROWN of Florida, Mr. TOWNS, Mr. PALLONE, Mr. REYNOLDS, Mrs. MYRICK, Mr. MCGOVERN, Mr. DICKS, Mr. WELDON of Florida, Mrs. NORTHUP, Ms. PRYCE of Ohio, Mr. SOUDER, Mr. BROWN of Ohio, Mr. BAKER, Mr. KLECZKA, Mr. TIERNEY, Mr. PORTER, Mr. LARGENT, and Mr. KASICH.

H. Res. 146: Ms. BALDWIN.

H. Res. 203: Mr. PICKERING.

H. Res. 631: Mr. GREENWOOD, Mr. KENNEDY of Rhode Island, and Mrs. MCCARTHY of New York.

H. Res. 635: Mrs. CAPPS, Mr. PETERSON of Minnesota, Mr. MINGE, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mr. ORTIZ, Mr. SISISKY, Ms. WATERS, Ms. PELOSI, Mr. ENGEL, Mr. WEINER, Mr. BURTON of Indiana, Mr. DUNCAN, Mr. FRANKS of New Jersey, Mr. HOUGHTON, Mr. LEWIS of Kentucky, Mr. HALL of Ohio, Mr. PAYNE, Mr. SCOTT, Mr. SKELTON, Mr. ANDREWS, Mr. STARK, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Mr. BALLENGER, Mr. EWING, Mr. WAMP, Mr. CONYERS, Mr. OWENS, Mr. BACA, Mr. PICKETT, Mr. LUTHER, Mrs. MALONEY of New York, Ms. LEE, Mr. SHUSTER, Mr. MARTINEZ, Mr. WATT of North Carolina, Mr. BACHUS, Mr. THOMPSON of Mississippi, Mr. GILLMOR, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. DICKEY, Ms. BALDWIN, Mr. BALDACCI, Mr. CONDIT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOOMEY, Mr. CLEMENT, Ms. JACKSON-LEE of Texas, and Mr. TAYLOR of Mississippi.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

S. 2796

OFFERED BY: MR. SHUSTER

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 2: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Water Resources Development Act of 2000''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—WATER RESOURCES PROJECTS

Sec. 101. Project authorization.
Sec. 102. Small projects for flood damage reduction.
Sec. 103. Small project for bank stabilization.
Sec. 104. Small projects for navigation.
Sec. 105. Small project for improvement of the quality of the environment.
Sec. 106. Small projects for aquatic ecosystem restoration.
Sec. 107. Small project for shoreline protection.
Sec. 108. Small project for snagging and sediment removal.
Sec. 109. Petaluma River, Petaluma, California.

TITLE II—GENERAL PROVISIONS

Sec. 201. Cost sharing of certain flood damage reduction projects.
Sec. 202. Harbor cost sharing.
Sec. 203. Nonprofit entities.
Sec. 204. Rehabilitation of Federal flood control levees.
Sec. 205. Flood mitigation and riverine restoration program.
Sec. 206. Tribal partnership program.
Sec. 207. Native American reburial and transfer authority.
Sec. 208. Ability to pay.
Sec. 209. Interagency and international support authority.
Sec. 210. Property protection program.
Sec. 211. Engineering consulting services.
Sec. 212. Beach recreation.
Sec. 213. Performance of specialized or technical services.
Sec. 214. Design-build contracting.
Sec. 215. Independent review pilot program.
Sec. 216. Enhanced public participation.
Sec. 217. Monitoring.
Sec. 218. Reconnaissance studies.
Sec. 219. Fish and wildlife mitigation.
Sec. 220. Wetlands mitigation.
Sec. 221. Credit toward non-Federal share of navigation projects.
Sec. 222. Maximum program expenditures for small flood control projects.
Sec. 223. Feasibility studies and planning, engineering, and design.
Sec. 224. Administrative costs of land conveyances.
Sec. 225. Dam safety.

TITLE III—PROJECT-RELATED PROVISIONS

Sec. 301. Nogales Wash and Tributaries, Nogales, Arizona.
Sec. 302. John Paul Hammerschmidt Visitor Center, Fort Smith, Arkansas.
Sec. 303. Greers Ferry Lake, Arkansas.
Sec. 304. Ten- and Fifteen-Mile Bayous, Arkansas.
Sec. 305. Cache Creek basin, California.
Sec. 306. Larkspur Ferry Channel, Larkspur, California.
Sec. 307. Norco Bluffs, Riverside County, California.
Sec. 308. Sacramento deep water ship channel, California.
Sec. 309. Sacramento River, Glenn-Colusa, California.
Sec. 310. Upper Guadalupe River, California.
Sec. 311. Brevard County, Florida.
Sec. 312. Fernandina Harbor, Florida.
Sec. 313. Tampa Harbor, Florida.
Sec. 314. East Saint Louis and vicinity, Illinois.
Sec. 315. Kaskaskia River, Kaskaskia, Illinois.
Sec. 316. Waukegan Harbor, Illinois.
Sec. 317. Cumberland, Kentucky.
Sec. 318. Lock and Dam 10, Kentucky River, Kentucky.
Sec. 319. Saint Joseph River, South Bend, Indiana.
Sec. 320. Mayfield Creek and tributaries, Kentucky.
Sec. 321. Amite River and tributaries, East Baton Rouge Parish, Louisiana.
Sec. 322. Atchafalaya Basin Floodway System, Louisiana.
Sec. 323. Atchafalaya River, Bayous Chene, Boeuf, and Black Louisiana.
Sec. 324. Red River Waterway, Louisiana.
Sec. 325. Thomaston Harbor, Georges River, Maine.
Sec. 326. Breckenridge, Minnesota.
Sec. 327. Duluth Harbor, Minnesota.
Sec. 328. Little Falls, Minnesota.
Sec. 329. Poplar Island, Maryland.

Sec. 330. Green Brook Sub-Basin, Raritan River basin, New Jersey.
Sec. 331. New York Harbor and adjacent channels, Port Jersey, New Jersey.
Sec. 332. Passaic River basin flood management, New Jersey.
Sec. 333. Times Beach nature preserve, Buffalo, New York.
Sec. 334. Garrison Dam, North Dakota.
Sec. 335. Duck Creek, Ohio.
Sec. 336. Astoria, Columbia River, Oregon.
Sec. 337. Nonconnah Creek, Tennessee and Mississippi.
Sec. 338. Bowie County levee, Texas.
Sec. 339. San Antonio Channel, San Antonio, Texas.
Sec. 340. Buchanan and Dickenson Counties, Virginia.
Sec. 341. Buchanan, Dickenson, and Russell Counties, Virginia.
Sec. 342. Sandbridge Beach, Virginia Beach, Virginia.
Sec. 343. Wallops Island, Virginia.
Sec. 344. Columbia River, Washington.
Sec. 345. Mount St. Helens sediment control, Washington.
Sec. 346. Renton, Washington.
Sec. 347. Greenbrier Basin, West Virginia.
Sec. 348. Lower Mud River, Milton, West Virginia.
Sec. 349. Water quality projects.
Sec. 350. Project reauthorizations.
Sec. 351. Continuation of project authorizations.
Sec. 352. Declaration of nonnavigability for Lake Erie, New York.
Sec. 353. Project deauthorizations.
Sec. 354. Wyoming Valley, Pennsylvania.
Sec. 355. Rehoboth Beach and Dewey Beach, Delaware.

TITLE IV—STUDIES

Sec. 401. Studies of completed projects.
Sec. 402. Watershed and river basin assessments.
Sec. 403. Lower Mississippi River resource assessment.
Sec. 404. Upper Mississippi River basin sediment and nutrient study.
Sec. 405. Upper Mississippi River comprehensive plan.
Sec. 406. Ohio River System.
Sec. 407. Eastern Arkansas.
Sec. 408. Russell, Arkansas.
Sec. 409. Estudillo Canal, San Leandro, California.
Sec. 410. Laguna Creek, Fremont, California.
Sec. 411. Lake Merritt, Oakland, California.
Sec. 412. Lancaster, California.
Sec. 413. Napa County, California.
Sec. 414. Oceanside, California.
Sec. 415. Suisun Marsh, California.
Sec. 416. Lake Allatoona Watershed, Georgia.
Sec. 417. Chicago River, Chicago, Illinois.
Sec. 418. Chicago sanitary and ship canal system, Chicago, Illinois.
Sec. 419. Long Lake, Indiana.
Sec. 420. Brush and Rock Creeks, Mission Hills and Fairway, Kansas.
Sec. 421. Coastal areas of Louisiana.
Sec. 422. Iberia Port, Louisiana.
Sec. 423. Lake Pontchartrain seawall, Louisiana.
Sec. 424. Lower Atchafalaya basin, Louisiana.
Sec. 425. St. John the Baptist Parish, Louisiana.
Sec. 426. Las Vegas Valley, Nevada.
Sec. 427. Southwest Valley, Albuquerque, New Mexico.
Sec. 428. Buffalo Harbor, Buffalo, New York.
Sec. 429. Hudson River, Manhattan, New York.
Sec. 430. Jamesville Reservoir, Onondaga County, New York.
Sec. 431. Steubenviille, Ohio.
Sec. 432. Grand Lake, Oklahoma.
Sec. 433. Columbia Slough, Oregon.
Sec. 434. Reedy River, Greenville, South Carolina.
Sec. 435. Germantown, Tennessee.
Sec. 436. Houston ship channel, Galveston, Texas.
Sec. 437. Park City, Utah.
Sec. 438. Milwaukee, Wisconsin.
Sec. 439. Upper Des Plaines River and tributaries, Illinois and Wisconsin.
Sec. 440. Delaware River watershed.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Bridgeport, Alabama.
Sec. 502. Duck River, Cullman, Alabama.
Sec. 503. Seward, Alaska.
Sec. 504. Augusta and Devalls Bluff, Arkansas.
Sec. 505. Beaver Lake, Arkansas.
Sec. 506. McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma.
Sec. 507. Calfed Bay Delta program assistance, California.
Sec. 508. Clear Lake basin, California.
Sec. 509. Contra Costa Canal, Oakley and Knightsen, California.
Sec. 510. Huntington Beach, California.
Sec. 511. Mallard Slough, Pittsburg, California.
Sec. 512. Penn Mine, Calaveras County, California.
Sec. 513. Port of San Francisco, California.
Sec. 514. San Gabriel basin, California.
Sec. 515. Stockton, California.
Sec. 516. Port Everglades, Florida.
Sec. 517. Florida Keys water quality improvements.
Sec. 518. Ballard's Island, La Salle County, Illinois.
Sec. 519. Lake Michigan Diversion, Illinois.
Sec. 520. Koontz Lake, Indiana.
Sec. 521. Campbellsville Lake, Kentucky.
Sec. 522. West View Shores, Cecil County, Maryland.
Sec. 523. Conservation of fish and wildlife, Chesapeake Bay, Maryland and Virginia.
Sec. 524. Muddy River, Brookline and Boston, Massachusetts.
Sec. 525. Soo Locks, Sault Ste. Marie, Michigan.
Sec. 526. Duluth, Minnesota, alternative technology project.
Sec. 527. Minneapolis, Minnesota.
Sec. 528. St. Louis County, Minnesota.
Sec. 529. Wild Rice River, Minnesota.
Sec. 530. Coastal Mississippi wetlands restoration projects.
Sec. 531. Missouri River Valley improvements.
Sec. 532. New Madrid County, Missouri.
Sec. 533. Pemiscot County, Missouri.
Sec. 534. Las Vegas, Nevada.
Sec. 535. Newark, New Jersey.
Sec. 536. Urbanized peak flood management research, New Jersey.
Sec. 537. Black Rock Canal, Buffalo, New York.
Sec. 538. Hamburg, New York.
Sec. 539. Nepperhan River, Yonkers, New York.
Sec. 540. Rochester, New York.
Sec. 541. Upper Mohawk River basin, New York.
Sec. 542. Eastern North Carolina flood protection.
Sec. 543. Cuyahoga River, Ohio.
Sec. 544. Crowder Point, Crowder, Oklahoma.
Sec. 545. Oklahoma-tribal commission.
Sec. 546. Columbia River, Oregon and Washington.
Sec. 547. John Day Pool, Oregon and Washington.
Sec. 548. Lower Columbia River and Tillamook Bay estuary program, Oregon and Washington.
Sec. 549. Skinner Butte Park, Eugene, Oregon.
Sec. 550. Willamette River basin, Oregon.
Sec. 551. Lackawanna River, Pennsylvania.
Sec. 552. Philadelphia, Pennsylvania.
Sec. 553. Access improvements, Raystown Lake, Pennsylvania.
Sec. 554. Upper Susquehanna River basin, Pennsylvania and New York.
Sec. 555. Chickamauga Lock, Chattanooga, Tennessee.
Sec. 556. Joe Pool Lake, Texas.
Sec. 557. Benson Beach, Fort Canby State Park, Washington.
Sec. 558. Puget Sound and adjacent waters restoration, Washington.
Sec. 559. Shoalwater Bay Indian Tribe, Willapa Bay, Washington.
Sec. 560. Wynoochee Lake, Wynoochee River, Washington.
Sec. 561. Snohomish River, Washington.
Sec. 562. Bluestone, West Virginia.
Sec. 563. Lesage/Greenbottom Swamp, West Virginia.
Sec. 564. Tug Fork River, West Virginia.
Sec. 565. Virginia Point Riverfront Park, West Virginia.
Sec. 566. Southern West Virginia.
Sec. 567. Fox River system, Wisconsin.
Sec. 568. Surfside/Sunset and Newport Beach, California.
Sec. 569. Illinois River basin restoration.
Sec. 570. Great Lakes.
Sec. 571. Great Lakes remedial action plans and sediment remediation.
Sec. 572. Great Lakes dredging levels adjustment.
Sec. 573. Dredged material recyling.
Sec. 574. Watershed management, restoration, and development.
Sec. 575. Maintenance of navigation channels.
Sec. 576. Support of Army civil works program.
Sec. 577. National recreation reservation service.
Sec. 578. Hydrographic survey.
Sec. 579. Lakes program.
Sec. 580. Perchlorate.
Sec. 581. Abandoned and inactive noncoal mine restoration.
Sec. 582. Release of use restriction.
Sec. 583. Comprehensive environmental resources protection.
Sec. 584. Modification of authorizations for environmental projects.
Sec. 585. Land transfers.
Sec. 586. Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness, Minnesota.
Sec. 587. Waurika Lake, Oklahoma.
Sec. 588. Columbia River Treaty fishing access.
Sec. 589. Devils Lake, North Dakota.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

Sec. 601. Comprehensive Everglades restoration plan.
Sec. 602. Sense of Congress concerning Homestead Air Force Base.

TITLE VIII—MISSOURI RIVER RESTORATION

Sec. 701. Definitions.
Sec. 702. Missouri River Trust.
Sec. 703. Missouri River Task Force.
Sec. 704. Administration.
Sec. 705. Authorization of appropriations.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of the Army.

TITLE I—WATER RESOURCES PROJECTS

SEC. 101. PROJECT AUTHORIZATION.

(a) PROJECTS WITH CHIEF'S REPORTS.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the

plans, and subject to the conditions, described in the respective reports designated in this subsection:

(1) BARNEGAT INLET TO LITTLE EGG INLET, NEW JERSEY.—The project for hurricane and storm damage reduction, Barnegat Inlet to Little Egg Inlet, New Jersey: Report of the Chief of Engineers dated July 26, 2000, at a total cost of $51,203,000, with an estimated Federal cost of $33,282,000 and an estimated non-Federal cost of $17,921,000.

(2) PORT OF NEW YORK AND NEW JERSEY, NEW YORK AND NEW JERSEY.—

(A) IN GENERAL.—The project for navigation, Port of New York and New Jersey, New York and New Jersey: Report of the Chief of Engineers dated May 2, 2000, at a total cost of $1,781,235,000, with an estimated Federal cost of $738,631,000 and an estimated non-Federal cost of $1,042,604,000.

(B) CREDIT.—The Secretary may provide the non-Federal interests credit toward cash contributions required—

(i) before, during, and after construction for planning, engineering and design, and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project; and

(ii) during and after construction for the costs of the construction that the non-Federal interests carry out on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

(b) PROJECTS SUBJECT TO FINAL REPORT.—The following projects for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject the conditions, recommended in a final report of the Chief of Engineers if a favorable report of the Chief is completed not later than December 31, 2000:

(1) FALSE PASS HARBOR, ALASKA.—The project for navigation, False Pass Harbor, Alaska, at a total cost of $15,164,000, with an estimated Federal cost of $8,238,000 and an estimated non-Federal cost of $6,926,000.

(2) UNALASKA HARBOR, ALASKA.—The project for navigation, Unalska Harbor, Alaska, at a total cost of $20,000,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $8,000,000.

(3) RIO DE FLAG, FLAGSTAFF, ARIZONA.—The project for flood damage reduction, Rio de Flag, Flagstaff, Arizona, at a total cost of $24,072,000, with an estimated Federal cost of $15,576,000 and an estimated non-Federal cost of $8,496,000.

(4) TRES RIOS, ARIZONA.—The project ecosystem restoration, Tres Rios, Arizona, at a total cost of $99,320,000, with an estimated Federal cost of $62,755,000 and an estimated non-Federal cost of $36,565,000.

(5) LOS ANGELES HARBOR, CALIFORNIA.—The project for navigation, Los Angeles Harbor, California, at a total cost of $153,313,000, with an estimated Federal cost of $43,735,000 and an estimated non-Federal cost of $109,578,000.

(6) MURRIETTA CREEK, CALIFORNIA.—The project for flood damage reduction and ecosystem restoration, Murrietta Creek, California, described as alternative 6, based on the District Engineer's Murrietta Creek feasibility report and environmental impact statement dated October 2000, at a total cost of $89,850,000, with an estimated Federal cost of $57,735,000 and an estimated non-Federal cost of $32,115,000. The locally preferred plan described as alternative 6 shall be treated as a final favorable report of the Chief Engineer's for purposes of this subsection.

(7) SANTA BARBARA STREAMS, LOWER MISSION CREEK, CALIFORNIA.—The project for flood damage reduction, Santa Barbara streams, Lower Mission Creek, California, at a total cost of $18,300,000, with an estimated Federal cost of $9,200,000 and an estimated non-Federal cost of $9,100,000.

(8) UPPER NEWPORT BAY, CALIFORNIA.—The project for ecosystem restoration, Upper Newport Bay, California, at a total cost of $32,475,000, with an estimated Federal cost of $21,109,000 and an estimated non-Federal cost of $11,366,000.

(9) WHITEWATER RIVER BASIN, CALIFORNIA.—The project for flood damage reduction, Whitewater River basin, California, at a total cost of $27,570,000, with an estimated Federal cost of $17,920,000 and an estimated non-Federal cost of $9,650,000.

(10) DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND.—The project for hurricane and storm damage reduction, Delaware Coast from Cape Henlopen to Fenwick Island, at a total cost of $5,633,000, with an estimated Federal cost of $3,661,000 and an estimated non-Federal cost of $1,972,000.

(11) PORT SUTTON, FLORIDA.—The project for navigation, Port Sutton, Florida, at a total cost of $6,000,000, with an estimated Federal cost of $4,000,000 and an estimated non-Federal cost of $2,000,000.

(12) BARBERS POINT HARBOR, HAWAII.—The project for navigation, Barbers Point Harbor, Hawaii, at a total cost of $30,003,000, with an estimated Federal cost of $18,524,000 and an estimated non-Federal cost of $11,479,000.

(13) JOHN MYERS LOCK AND DAM, INDIANA AND KENTUCKY.—The project for navigation, John Myers Lock and Dam, Indiana and Kentucky, at a total cost of $182,000,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(14) GREENUP LOCK AND DAM, KENTUCKY AND OHIO.—The project for navigation, Greenup Lock and Dam, Kentucky and Ohio, at a total cost of $175,000,000. The costs of construction of the project shall be paid ½ from amounts appropriated from the general fund of the Treasury and ½ from amounts appropriated from the Inland Waterways Trust Fund.

(15) OHIO RIVER MAINSTEM, KENTUCKY, ILLINOIS, INDIANA, OHIO, PENNSYLVANIA, AND WEST VIRGINIA.—Projects for ecosystem restoration, Ohio River Mainstem, Kentucky, Illinois, Indiana, Ohio, Pennsylvania, and West Virginia, at a total cost of $307,700,000, with an estimated Federal cost of $200,000,000 and an estimated non-Federal cost of $107,700,000.

(16) MONARCH-CHESTERFIELD, MISSOURI.—The project for flood damage reduction, Monarch-Chesterfield, Missouri, at a total cost of $67,700,000, with an estimated Federal cost of $44,000,000 and an estimated non-Federal cost of $23,700,000.

(17) ANTELOPE CREEK, LINCOLN, NEBRASKA.—The project for flood damage reduction, Antelope Creek, Lincoln, Nebraska, at a total cost of $49,788,000, with an estimated Federal cost of $24,894,000 and an estimated non-Federal cost of $24,894,000.

(18) SAND CREEK WATERSHED, WAHOO, NEBRASKA.—The project for ecosystem restoration and flood damage reduction, Sand Creek watershed, Wahoo, Nebraska, at a total cost of $29,212,000, with an estimated Federal cost of $17,586,000 and an estimated non-Federal cost of $11,626,000.

(19) WESTERN SARPY AND CLEAR CREEK, NEBRASKA.—The project for flood damage reduction, Western Sarpy and Clear Creek, Nebraska, at a total cost of $20,600,000, with an estimated Federal cost of $13,390,000 and an estimated non-Federal cost of $7,210,000.

(20) RARITAN BAY AND SANDY HOOK BAY, CLIFFWOOD BEACH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Cliffwood Beach, New Jersey, at a total cost of $5,219,000, with an estimated Federal cost of $3,392,000 and an estimated non-Federal cost of $1,827,000.

(21) RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NEW JERSEY.—The project for hurricane and storm damage reduction, Raritan Bay and Sandy Hook Bay, Port Monmouth, New Jersey, at a total cost of $32,064,000, with an estimated Federal cost of $20,842,000 and an estimated non-Federal cost of $11,222,000.

(22) DARE COUNTY BEACHES, NORTH CAROLINA.—The project for hurricane and storm damage reduction, Dare County beaches, North Carolina, at a total cost of $69,518,000, with an estimated Federal cost of $49,846,000 and an estimated non-Federal cost of $19,672,000.

(23) WOLF RIVER, TENNESSEE.—The project for ecosystem restoration, Wolf River, Tennessee, at a total cost of $10,933,000, with an estimated Federal cost of $7,106,000 and an estimated non-Federal cost of $3,827,000.

(24) DUWAMISH/GREEN, WASHINGTON.—The project for ecosystem restoration, Duwamish/Green, Washington, at a total cost of $115,879,000, with an estimated Federal cost of $75,322,000 and an estimated non-Federal cost of $40,557,000.

(25) STILLAGUMAISH RIVER BASIN, WASHINGTON.—The project for ecosystem restoration, Stillagumaish River basin, Washington, at a total cost of $24,223,000, with an estimated Federal cost of $16,097,000 and an estimated non-Federal cost of $8,126,000.

(26) JACKSON HOLE, WYOMING.—The project for ecosystem restoration, Jackson Hole, Wyoming, at a total cost of $52,242,000, with an estimated Federal cost of $33,957,000 and an estimated non-Federal cost of $18,285,000.

SEC. 102. SMALL PROJECTS FOR FLOOD DAMAGE REDUCTION.

(a) IN GENERAL.—The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s):

(1) BUFFALO ISLAND, ARKANSAS.—Project for flood damage reduction, Buffalo Island, Arkansas.

(2) ANAVERDE CREEK, PALMDALE, CALIFORNIA.—Project for flood damage reduction, Anaverde Creek, Palmdale, California.

(3) CASTAIC CREEK, OLD ROAD BRIDGE, SANTA CLARITA, CALIFORNIA.—Project for flood damage reduction, Castaic Creek, Old Road bridge, Santa Clarita, California.

(4) SANTA CLARA RIVER, OLD ROAD BRIDGE, SANTA CLARITA, CALIFORNIA.—Project for flood damage reduction, Santa Clara River, Old Road bridge, Santa Clarita, California.

(5) COLUMBIA LEVEE, COLUMBIA, ILLINOIS.—Project for flood damage reduction, Columbia Levee, Columbia, Illinois.

(6) EAST-WEST CREEK, RIVERTON, ILLINOIS.—Project for flood damage reduction, East-West Creek, Riverton, Illinois.

(7) PRAIRIE DU PONT, ILLINOIS.—Project for flood damage reduction, Prairie Du Pont, Illinois.

(8) MONROE COUNTY, ILLINOIS.—Project for flood damage reduction, Monroe County, Illinois.

(9) WILLOW CREEK, MEREDOSIA, ILLINOIS.—Project for flood damage reduction, Willow Creek, Meredosia, Illinois.

(10) DYKES BRANCH CHANNEL, LEAWOOD, KANSAS.—Project for flood damage reduction, Dykes Branch channel improvements, Leawood, Kansas.

(11) DYKES BRANCH TRIBUTARIES, LEAWOOD, KANSAS.—Project for flood damage reduction, Dykes Branch tributary improvements, Leawood, Kansas.

(12) KENTUCKY RIVER, FRANKFORT, KENTUCKY.—Project for flood damage reduction, Kentucky River, Frankfort, Kentucky.

(13) LAKES MAUREPAS AND PONTCHARTRAIN CANALS, ST. JOHN THE BAPTIST PARISH, LOUISIANA.—Project for flood damage reduction, Lakes Maurepas and Pontchartrain Canals, St. John the Baptist Parish, Louisiana.

(14) PENNSVILLE TOWNSHIP, SALEM COUNTY, NEW JERSEY.—The project for flood damage reduction, Pennsville Township, Salem County, New Jersey.

(15) HEMPSTEAD, NEW YORK.—Project for flood damage reduction, Hempstead, New York.

(16) HIGHLAND BROOK, HIGHLAND FALLS, NEW YORK.—Project for flood damage reduction, Highland Brook, Highland Falls, New York.

(17) LAFAYETTE TOWNSHIP, OHIO.—Project for flood damage reduction, Lafayette Township, Ohio.

(18) WEST LAFAYETTE, OHIO.—Project for flood damage reduction, West LaFayette, Ohio.

(19) BEAR CREEK AND TRIBUTARIES, MEDFORD, OREGON.—Project for flood damage reduction, Bear Creek and tributaries, Medford, Oregon.

(20) DELAWARE CANAL AND BROCK CREEK, YARDLEY BOROUGH, PENNSYLVANIA.—Project for flood damage reduction, Delaware Canal and Brock Creek, Yardley Borough, Pennsylvania.

(21) FIRST CREEK, FOUNTAIN CITY, KNOXVILLE, TENNESSEE.—Project for flood damage reduction, First Creek, Fountain City, Knoxville, Tennessee.

(22) MISSISSIPPI RIVER, RIDGELY, TENNESSEE.—Project for flood damage reduction, Mississippi River, Ridgely, Tennessee.

(b) MAGPIE CREEK, SACRAMENTO COUNTY, CALIFORNIA.—In formulating the project for Magpie Creek, California, authorized by section 102(a)(4) of the Water Resources Development Act of 1999 (113 Stat. 281) to be carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary shall consider benefits from the full utilization of existing improvements at McClellan Air Force Base that would result from the project after conversion of the base to civilian use.

SEC. 103. SMALL PROJECTS FOR BANK STABILIZATION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r):

(1) MAUMEE RIVER, FORT WAYNE, INDIANA.—Project for bank stabilization, Maumee River, Fort Wayne, Indiana.

(2) BAYOU SORRELL, IBERVILLE PARISH, LOUISIANA.—Project for bank stabilization, Bayou Sorrell, Iberville Parish, Louisiana.

SEC. 104. SMALL PROJECTS FOR NAVIGATION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is feasible, may carry out the project under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577):

(1) WHITTIER, ALASKA.—Project for navigation, Whittier, Alaska.

(2) CAPE CORAL, FLORIDA.—Project for navigation, Cape Coral, Florida.

(3) EAST TWO LAKES, TOWER, MINNESOTA.—Project for navigation, East Two Lakes, Tower, Minnesota.

(4) ERIE BASIN MARINA, BUFFALO, NEW YORK.—Project for navigation, Erie Basin marina, Buffalo, New York.

(5) LAKE MICHIGAN, LAKESHORE STATE PARK, MILWAUKEE, WISCONSIN.—Project for navigation, Lake Michigan, Lakeshore State Park, Milwaukee, Wisconsin.

(6) SAXON HARBOR, FRANCIS, WISCONSIN.—Project for navigation, Saxon Harbor, Francis, Wisconsin.

SEC. 105. SMALL PROJECT FOR IMPROVEMENT OF THE QUALITY OF THE ENVIRONMENT.

The Secretary shall conduct a study for a project for improvement of the quality of the environment, Nahant Marsh, Davenport, Iowa, and, if the Secretary determines that the project is appropriate, may carry out the project under section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(a)).

SEC. 106. SMALL PROJECTS FOR AQUATIC ECOSYSTEM RESTORATION.

The Secretary shall conduct a study for each of the following projects and, if the Secretary determines that a project is appropriate, may carry out the project under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330):

(1) ARKANSAS RIVER, PUEBLO, COLORADO.—Project for aquatic ecosystem restoration, Arkansas River, Pueblo, Colorado.

(2) HAYDEN DIVERSION PROJECT, YAMPA RIVER, COLORADO.—Project for aquatic ecosystem restoration, Hayden Diversion Project, Yampa River, Colorado.

(3) LITTLE ECONLOCKHATCHEE RIVER BASIN, FLORIDA.—Project for aquatic ecosystem restoration, Little Econlockhatchee River basin, Florida.

(4) LOXAHATCHEE SLOUGH, PALM BEACH COUNTY, FLORIDA.—Project for aquatic ecosystem restoration, Loxahatchee Slough, Palm Beach County, Florida.

(5) STEVENSON CREEK ESTUARY, FLORIDA.—Project for aquatic ecosystem restoration, Stevenson Creek estuary, Florida.

(6) CHOUTEAU ISLAND, MADISON COUNTY, ILLINOIS.—Project for aquatic ecosystem restoration, Chouteau Island, Madison County, Illinois.

(7) SAGINAW BAY, BAY CITY, MICHIGAN.—Project for aquatic ecosystem restoration, Saginaw Bay, Bay City, Michigan.

(8) RAINWATER BASIN, NEBRASKA.—Project for aquatic ecosystem restoration, Rainwater Basin, Nebraska.

(9) CAZENOVIA LAKE, MADISON COUNTY, NEW YORK.—Project for aquatic ecosystem restoration, Cazenovia Lake, Madison County, New York, including efforts to address aquatic invasive plant species.

(10) CHENANGO LAKE, CHENANGO COUNTY, NEW YORK.—Project for aquatic ecosystem restoration, Chenango Lake, Chenango County, New York, including efforts to address aquatic invasive plant species.

(11) EAGLE LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Eagle Lake, New York.

(12) OSSINING, NEW YORK.—Project for aquatic ecosystem restoration, Ossining, New York.

(13) SARATOGA LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Saratoga Lake, New York.

(14) SCHROON LAKE, NEW YORK.—Project for aquatic ecosystem restoration, Schroon Lake, New York.

(15) MIDDLE CUYAHOGA RIVER.—Project for aquatic ecosystem restoration, Middle Cuyahoga River, Kent, Ohio.

(16) CENTRAL AMAZON CREEK, EUGENE, OREGON.—Project for aquatic ecosystem restoration, Central Amazon Creek, Eugene, Oregon.

(17) EUGENE MILLRACE, EUGENE, OREGON.—Project for aquatic ecosystem restoration, Eugene Millrace, Eugene, Oregon.

(18) LONE PINE AND LAZY CREEKS, MEDFORD, OREGON.—Project for aquatic ecosystem restoration, Lone Pine and Lazy Creeks, Medford, Oregon.

(19) TULLYTOWN BOROUGH, PENNSYLVANIA.—Project for aquatic ecosystem restoration, Tullytown Borough, Pennsylvania.

SEC. 107. SMALL PROJECT FOR SHORELINE PROTECTION.

The Secretary shall conduct a study for a project for shoreline protection, Hudson River, Dutchess County, New York, and, if the Secretary determines that the project is feasible, may carry out the project under section 3 of the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'', approved August 13, 1946 (33 U.S.C. 426g; 60 Stat. 1056).

SEC. 108. SMALL PROJECT FOR SNAGGING AND SEDIMENT REMOVAL.

The Secretary shall conduct a study for a project for clearing, snagging, and sediment removal, Sangamon River and tributaries, Riverton, Illinois. If the Secretary determines that the project is feasible, the Secretary may carry out the project under section 2 of the Flood Control Act of August 28, 1937 (50 Stat. 177).

SEC. 109. PETALUMA RIVER, PETALUMA, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall carry out the Petaluma River project, at the city of Petaluma, Sonoma County, California, to provide a 100-year level of flood protection to the city in accordance with the detailed project report of the San Francisco District Engineer, dated March 1995, at a total cost of $32,227,000.

(b) COST SHARING.—Cost sharing for the project shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(a)), as in effect on October 11, 1996.

(c) REIMBURSEMENT.—The Secretary shall reimburse the non-Federal sponsor for any project costs that the non-Federal sponsor has incurred in excess of the non-Federal share of project costs, regardless of the date such costs were incurred.

TITLE II—GENERAL PROVISIONS

SEC. 201. COST SHARING OF CERTAIN FLOOD DAMAGE REDUCTION PROJECTS.

Section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213) is amended by adding at the end the following:

''(n) LEVEL OF FLOOD PROTECTION.—If the Secretary determines that it is technically sound, environmentally acceptable, and economically justified, to construct a flood control project for an area using an alternative that will afford a level of flood protection sufficient for the area not to qualify as an area having special flood hazards for the purposes of the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Secretary, at the request of the non-Federal interest, shall recommend the project using the alternative. The non-Federal share of the cost of the project assigned to providing the minimum amount of flood protection required for the area not to qualify as an area having special flood hazards shall be determined under subsections (a) and (b).''.

SEC. 202. HARBOR COST SHARING.

(a) IN GENERAL.—Sections 101 and 214 of the Water Resources Development Act of 1986 (33 U.S.C. 2211 and 2241; 100 Stat. 4082–4084 and 4108–4109) are each amended by striking ''45 feet'' each place it appears and inserting ''53 feet''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply only to a project, or separable element of a project, on which a contract for physical construction has not been awarded before the date of enactment of this Act.

SEC. 203. NONPROFIT ENTITIES.

(a) ENVIRONMENTAL DREDGING.—Section 312 of the Water Resources Development Act of 1990 (33 U.S.C. 1272) is amended by adding at the end the following:

''(g) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act

of 1970 (42 U.S.C. 1962d–5b), a non-Federal sponsor for any project carried out under this section may include a nonprofit entity, with the consent of the affected local government.''.

(b) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) is amended by redesignating subsection (e) as subsection (f) and by inserting after subsection (d) the following:

''(e) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal sponsor for any project carried out under this section may include a nonprofit entity, with the consent of the affected local government.''.

(c) LAKES PROGRAM.—Section 602 of the Water Resources Development Act of 1986 (100 Stat. 4148–4149) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following:

''(d) NONPROFIT ENTITIES.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), a non-Federal sponsor for any project carried out under this section may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 204. REHABILITATION OF FEDERAL FLOOD CONTROL LEVEES.

Section 110(e) of the Water Resources Development Act of 1990 (104 Stat. 4622) is amended by striking ''1992,'' and all that follows through ''1996'' and inserting ''2001 through 2005''.

SEC. 205. FLOOD MITIGATION AND RIVERINE RESTORATION PROGRAM.

Section 212(e) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e)) is amended—

(1) by striking ''and'' at the end of paragraph (22);

(2) by striking the period at end of paragraph (23) and inserting a semicolon;

(3) by adding at the end the following:

''(24) Lester, St. Louis, East Savanna, and Floodwood Rivers, Duluth, Minnesota;

''(25) Lower Hudson River and tributaries, New York;

''(26) Susquehanna River watershed, Bradford County, Pennsylvania; and

''(27) Clear Creek, Harris, Galveston, and Brazoria Counties, Texas.''.

SEC. 206. TRIBAL PARTNERSHIP PROGRAM.

(a) IN GENERAL.—The Secretary is authorized, in cooperation with Indian tribes and other Federal agencies, to study and determine the feasibility of implementing water resources development projects that will substantially benefit Indian tribes, and are located primarily within Indian country (as defined in section 1151 of title 18, United States Code), or in proximity to an Alaska Native village (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)).

(b) CONSULTATION AND COORDINATION.—The Secretary shall consult with the Secretary of the Interior on studies conducted under this section.

(c) CREDITS.—For any study conducted under this section, the Secretary may provide credit to the Indian tribe for services, studies, supplies, and other in-kind consideration where the Secretary determines that such services, studies, supplies, and other in-kind consideration will facilitate completion of the study. In no event shall such credit exceed the Indian tribe's required share of the cost of the study.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2002 through 2006. Not more than $1,000,000 appropriated to carry out this section for a fiscal year may be used to substantially benefit any one Indian tribe.

(e) INDIAN TRIBE DEFINED.—In this section, the term ''Indian tribe'' means any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

SEC. 207. NATIVE AMERICAN REBURIAL AND TRANSFER AUTHORITY.

(a) IN GENERAL.—The Secretary, in consultation with appropriate Indian tribes, may identify and set aside land at civil works projects managed by the Secretary for use as a cemetery for the remains of Native Americans that have been discovered on project lands and that have been rightfully claimed by a lineal descendant or Indian tribe in accordance with applicable Federal law. The Secretary, in consultation with and with the consent of the lineal descendant or Indian tribe, may recover and rebury the remains at such cemetery at Federal expense.

(b) TRANSFER AUTHORITY.—Notwithstanding any other provision of law, the Secretary may transfer to an Indian tribe land identified and set aside by the Secretary under subsection (a) for use as a cemetery. The Secretary shall retain any necessary rights-of-way, easements, or other property interests that the Secretary determines necessary to carry out the purpose of the project.

(c) DEFINITIONS.—In this section, the terms ''Indian tribe'' and ''Native American'' have the meaning such terms have under section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001).

SEC. 208. ABILITY TO PAY.

Section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—Any cost-sharing agreement under this section for construction of an environmental protection and restoration, flood control, or agricultural water supply project shall be subject to the ability of a non-Federal interest to pay.

''(2) CRITERIA AND PROCEDURES.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with criteria and procedures in effect under paragraph (3) on the day before the date of enactment of the Water Resources Development Act of 2000; except that such criteria and procedures shall be revised, and new criteria and procedures shall be developed, within 180 days after such date of enactment to reflect the requirements of such paragraph (3).''; and

(2) in paragraph (3)—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A)(ii);

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

SEC. 209. INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.

The first sentence of section 234(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)) is amended to read as follows: ''There is authorized to be appropriated to carry out this section $250,000 per fiscal year for fiscal years beginning after September 30, 2000.''.

SEC. 210. PROPERTY PROTECTION PROGRAM.

(a) IN GENERAL.—The Secretary is authorized to implement a program to reduce vandalism and destruction of property at water resources development projects under the jurisdiction of the Department of the Army. In carrying out the program, the Secretary may provide rewards to individuals who provide information or evidence leading to the arrest and prosecution of individuals causing damage to Federal property, including the payment of cash rewards.

(b) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the program.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $500,000 per fiscal year for fiscal years beginning after September 30, 2000.

SEC. 211. ENGINEERING CONSULTING SERVICES.

In conducting a feasibility study for a water resources project, the Secretary, to the maximum extent practicable, should not employ a person for engineering and consulting services if the same person is also employed by the non-Federal interest for such services unless there is only 1 qualified and responsive bidder for such services.

SEC. 212. BEACH RECREATION.

(a) IN GENERAL.—In studying the feasibility of and making recommendations concerning potential beach restoration projects, the Secretary may not implement any policy that has the effect of disadvantaging any such project solely because 50 percent or more of its benefits are recreational in nature.

(b) PROCEDURES FOR CONSIDERATION AND REPORTING OF BENEFITS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and implement procedures to ensure that all of the benefits of a beach restoration project, including those benefits attributable to recreation, hurricane and storm damage reduction, and environmental protection and restoration, are adequately considered and displayed in reports for such projects.

SEC. 213. PERFORMANCE OF SPECIALIZED OR TECHNICAL SERVICES.

(a) IN GENERAL.—Before entering into an agreement to perform specialized or technical services for a State (including the District of Columbia), a territory, or a local government of a State or territory under section 6505 of title 31, United States Code, the Secretary shall certify that—

(1) the services requested are not reasonably and expeditiously available through ordinary business channels; and

(2) the Corps of Engineers is especially equipped to perform such services.

(b) SUPPORTING MATERIALS.—The Secretary shall develop materials supporting such certification under subsection (a).

(c) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than December 31 of each calendar year, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the requests described in subsection (a) that the Secretary received during such calendar year.

(2) CONTENTS.—With respect to each request, the report transmitted under paragraph (1) shall include a copy of the certification and supporting materials developed under this section and information on each of the following:

(A) The scope of services requested.

(B) The status of the request.

(C) The estimated and final cost of the requested services.

(D) Each district and division office of the Corps of Engineers that has supplied or will supply the requested services.

(E) The number of personnel of the Corps of Engineers that have performed or will perform any of the requested services.

(F) The status of any reimbursement.

SEC. 214. DESIGN-BUILD CONTRACTING.

(a) PILOT PROGRAM.—The Secretary may conduct a pilot program consisting of not

more than 5 projects to test the design-build method of project delivery on various civil engineering projects of the Corps of Engineers, including levees, pumping plants, revetments, dikes, dredging, weirs, dams, retaining walls, generation facilities, mattress laying, recreation facilities, and other water resources facilities.

(b) DESIGN-BUILD DEFINED.—In this section, the term ''design-build'' means an agreement between the Federal Government and a contractor that provides for both the design and construction of a project by a single contract.

(c) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall report on the results of the pilot program.

SEC. 215. INDEPENDENT REVIEW PILOT PROGRAM.

Title IX of the Water Resources Development Act of 1986 (100 Stat. 4183 et seq.) is amended by adding at the end the following:

''SEC. 952. INDEPENDENT REVIEW PILOT PROGRAM.

''(a) PROJECTS SUBJECT TO INDEPENDENT REVIEW.—The Secretary shall undertake a pilot program in fiscal years 2001 through 2003 to determine the practicality and efficacy of having feasibility reports of the Corps of Engineers for eligible projects reviewed by an independent panel of experts. The pilot program shall be limited to the establishment of panels for not to exceed 5 eligible projects.

''(b) ESTABLISHMENT OF PANELS.—

''(1) IN GENERAL.—The Secretary shall establish a panel of experts for an eligible project under this section upon identification of a preferred alternative in the development of the feasibility report.

''(2) MEMBERSHIP.—A panel established under this section shall be composed of not less than 5 and not more than 9 independent experts who represent a balance of areas of expertise, including biologists, engineers, and economists.

''(3) LIMITATION ON APPOINTMENTS.—The Secretary shall not appoint an individual to serve on a panel of experts for a project under this section if the individual has a financial interest in the project or has with any organization a professional relationship that the Secretary determines may constitute a conflict of interest or the appearance of impropriety.

''(4) CONSULTATION.—The Secretary shall consult the National Academy of Sciences in developing lists of individuals to serve on panels of experts under this section.

''(5) COMPENSATION.—An individual serving on a panel of experts under this section may not be compensated but may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

''(c) DUTIES OF PANELS.—A panel of experts established for a project under this section shall—

''(1) review feasibility reports prepared for the project after the identification of a preferred alternative;

''(2) receive written and oral comments of a technical nature concerning the project from the public; and

''(3) transmit to the Secretary an evaluation containing the panel's economic, engineering, and environmental analyses of the project, including the panel's conclusions on the feasibility report, with particular emphasis on areas of public controversy.

''(d) DURATION OF PROJECT REVIEWS.—A panel of experts shall complete its review of a feasibility report for an eligible project and transmit a report containing its evaluation of the project to the Secretary not later than 180 days after the date of establishment of the panel.

''(e) RECOMMENDATIONS OF PANEL.—After receiving a timely report on a project from a panel of experts under this section, the Secretary shall—

''(1) consider any recommendations contained in the evaluation;

''(2) make the evaluation available for public review; and

''(3) include a copy of the evaluation in any report transmitted to Congress concerning the project.

''(f) COSTS.—The cost of conducting a review of a project under this section shall not exceed $250,000 and shall be a Federal expense.

''(g) REPORT.—Not later than December 31, 2003, the Secretary shall transmit to Congress a report on the results of the pilot program together with the recommendations of the Secretary regarding continuation, expansion, and modification of the pilot program, including an assessment of the impact that a peer review program would have on the overall cost and length of project analyses and reviews associated with feasibility reports and an assessment of the benefits of peer review.

''(h) ELIGIBLE PROJECT DEFINED.—In this section, the term 'eligible project' means—

''(1) a water resources project that has an estimated total cost of more than $25,000,000, including mitigation costs; and

''(2) a water resources project—

''(A) that has an estimated total cost of $25,000,000 or less, including mitigation costs; and

''(B)(i) that the Secretary determines is subject to a substantial degree of public controversy; or

''(ii) to which an affected State objects.''.

SEC. 216. ENHANCED PUBLIC PARTICIPATION.

(a) IN GENERAL.—Section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) is amended by adding at the end the following:

''(e) ENHANCED PUBLIC PARTICIPATION.—

''(1) IN GENERAL.—The Secretary shall establish procedures to enhance public participation in the development of each feasibility study under subsection (a), including, if appropriate, establishment of a stakeholder advisory group to assist the Secretary with the development of the study.

''(2) MEMBERSHIP.—If the Secretary provides for the establishment of a stakeholder advisory group under this subsection, the membership of the advisory group shall include balanced representation of social, economic, and environmental interest groups, and such members shall serve on a voluntary, uncompensated basis.

''(3) LIMITATION.—Procedures established under this subsection shall not delay development of any feasibility study under subsection (a).''.

SEC. 217. MONITORING.

(a) IN GENERAL.—The Secretary shall conduct a monitoring program of the economic and environmental results of up to 5 eligible projects selected by the Secretary.

(b) DURATION.—The monitoring of a project selected by the Secretary under this section shall be for a period of not less than 12 years beginning on the date of its selection.

(c) REPORTS.—The Secretary shall transmit to Congress every 3 years a report on the performance of each project selected under this section.

(d) ELIGIBLE WATER RESOURCES PROJECT DEFINED.—In this section, the term ''eligible project'' means a water resources project, or separable element thereof—

(1) for which a contract for physical construction has not been awarded before the date of enactment of this Act;

(2) that has a total cost of more than $25,000,000; and

(3)(A) that has as a benefit-to-cost ratio of less than 1.5 to 1; or

(B) that has significant environmental benefits or significant environmental mitigation components.

(e) COSTS.—The cost of conducting monitoring under this section shall be a Federal expense.

SEC. 218. RECONNAISSANCE STUDIES.

Section 905(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(b)) is amended—

(1) in the second sentence by inserting after ''environmental impacts'' the following: ''(including whether a proposed project is likely to have environmental impacts that cannot be successfully or cost-effectively mitigated)''; and

(2) by inserting after the second sentence the following: ''The Secretary shall not recommend that a feasibility study be conducted for a project based on a reconnaissance study if the Secretary determines that the project is likely to have environmental impacts that cannot be successfully or cost-effectively mitigated.''.

SEC. 219. FISH AND WILDLIFE MITIGATION.

(a) DESIGN OF MITIGATION PROJECTS.—Section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(a)) is amended—

(1) by striking ''(1)'' and inserting ''(A)''; and

(2) by striking ''(2)'' and inserting ''(B)'';

(3) by striking ''(d) After the date'' and inserting the following:

''(d) MITIGATION PLANS AS PART OF PROJECT PROPOSALS.—

''(1) IN GENERAL.—After the date'';

(4) by adding at the end the following:

''(2) DESIGN OF MITIGATION PROJECTS.—The Secretary shall design mitigation projects to reflect contemporary understanding of the science of mitigating the adverse environmental impacts of water resources projects.

''(3) RECOMMENDATION OF PROJECTS.—The Secretary shall not recommend a water resources project unless the Secretary determines that the adverse impacts of the project on aquatic resources and fish and wildlife can be cost-effectively and successfully mitigated.''; and

(5) by aligning the remainder of the text of paragraph (1) (as designated by paragraph (3) of this subsection) with paragraph (2) (as added by paragraph (4) of this subsection).

(b) CONCURRENT MITIGATION.—

(1) INVESTIGATION.—The Comptroller General shall conduct an investigation of the effectiveness of the concurrent mitigation requirements of section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283). In conducting the investigation, the Comptroller General shall determine whether or not there are instances in which less than 50 percent of required mitigation is completed before initiation of project construction and the number of such instances.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the results of the investigation.

SEC. 220. WETLANDS MITIGATION.

In carrying out a water resources project that involves wetlands mitigation and that has an impact that occurs within the service area of a mitigation bank, the Secretary, to the maximum extent practicable and where appropriate, shall give preference to the use of the mitigation bank if the bank contains sufficient available credits to offset the impact and the bank is approved in accordance with the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Fed. Reg. 58605 (November 28, 1995)) or other applicable Federal law (including regulations).

SEC. 221. CREDIT TOWARD NON-FEDERAL SHARE OF NAVIGATION PROJECTS.

The second sentence of section 101(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2)) is amended—

(1) by striking ''paragraph (3) and'' and inserting ''paragraph (3),''; and

(2) by striking ''paragraph (4)'' and inserting ''paragraph (4), and the costs borne by the non-Federal interests in providing additional capacity at dredged material disposal areas, providing community access to the project (including such disposal areas), and meeting applicable beautification requirements''.

SEC. 222. MAXIMUM PROGRAM EXPENDITURES FOR SMALL FLOOD CONTROL PROJECTS.

Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended by striking ''$40,000,000'' and inserting ''$50,000,000''.

SEC. 223. FEASIBILITY STUDIES AND PLANNING, ENGINEERING, AND DESIGN.

Section 105(a)(1)(E) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(E)) is amended by striking ''Not more than ½ of the'' and inserting ''The''.

SEC. 224. ADMINISTRATIVE COSTS OF LAND CONVEYANCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the administrative costs associated with the conveyance of property to a non-Federal governmental or nonprofit entity shall be limited to not more than 5 percent of the value of the property to be conveyed to such entity if the Secretary determines, based on the entity's ability to pay, that such limitation is necessary to complete the conveyance. The Federal cost associated with such limitation shall not exceed $70,000 for any one conveyance.

(b) SPECIFIC CONVEYANCE.—In carrying out subsection (a), the Secretary shall give priority consideration to the conveyance of 10 acres of Wister Lake project land to the Summerfield Cemetery Association, Wister, Oklahoma, authorized by section 563(f) of the Water Resources Development Act of 1999 (113 Stat. 359–360).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000 for fiscal years 2001 through 2003.

SEC. 225. DAM SAFETY.

(a) INVENTORY AND ASSESSMENT OF OTHER DAMS.—

(1) INVENTORY.—The Secretary shall establish an inventory of dams constructed by and using funds made available through the Works Progress Administration, the Works Projects Administration, and the Civilian Conservation Corps.

(2) ASSESSMENT OF REHABILITATION NEEDS.—In establishing the inventory required under paragraph (1), the Secretary shall also assess the condition of the dams on such inventory and the need for rehabilitation or modification of the dams.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the inventory and assessment required by this section.

(c) INTERIM ACTIONS.—

(1) IN GENERAL.—If the Secretary determines that a dam referred to in subsection (a) presents an imminent and substantial risk to public safety, the Secretary is authorized to carry out measures to prevent or mitigate against such risk.

(2) EXCLUSION.—The assistance authorized under paragraph (1) shall not be available to dams under the jurisdiction of the Department of the Interior.

(3) FEDERAL SHARE.—The Federal share of the cost of assistance provided under this subsection shall be 65 percent of such cost.

(d) COORDINATION.—In carrying out this section, the Secretary shall coordinate with the appropriate State dam safety officials and the Director of the Federal Emergency Management Agency.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section a total of $25,000,000 for fiscal years beginning after September 30, 1999, of which not more than $5,000,000 may be expended on any one dam.

TITLE III—PROJECT-RELATED PROVISIONS

SEC. 301. NOGALES WASH AND TRIBUTARIES, NOGALES, ARIZONA.

The project for flood control, Nogales Wash and Tributaries, Nogales, Arizona, authorized by section 101(a)(4) of the Water Resources Development Act of 1990 (104 Stat. 4606), and modified by section 303 of the Water Resources Development Act of 1996 (110 Stat. 3711), is further modified to provide that the Federal share of the costs associated with addressing flood control problems in Nogales, Arizona, arising from floodwater flows originating in Mexico shall be 100 percent.

SEC. 302. JOHN PAUL HAMMERSCHMIDT VISITOR CENTER, FORT SMITH, ARKANSAS.

Section 103(e) of the Water Resources Development Act of 1992 (106 Stat. 4813) is amended—

(1) in the subsection heading by striking ''LAKE'' and inserting ''VISITOR CENTER''; and

(2) in paragraph (1) by striking ''at the John Paul Hammerschmidt Lake, Arkansas River, Arkansas'' and inserting ''on property provided by the city of Fort Smith, Arkansas, in such city''.

SEC. 303. GREERS FERRY LAKE, ARKANSAS.

The project for flood control, Greers Ferry Lake, Arkansas, authorized by the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and other purposes'', approved June 28, 1938 (52 Stat. 1218), is modified to authorize the Secretary to construct water intake facilities for the benefit of Lonoke and White Counties, Arkansas.

SEC. 304. TEN- AND FIFTEEN-MILE BAYOUS, ARKANSAS.

The project for flood control, Saint Francis River Basin, Missouri and Arkansas, authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 172), is modified to expand the boundaries of the project to include Ten- and Fifteen-Mile Bayous near West Memphis, Arkansas. Notwithstanding section 103(f) of the Water Resources Development Act of 1986 (100 Stat. 4086), the flood control work at Ten- and Fifteen-Mile Bayous shall not be considered separable elements of the project.

SEC. 305. CACHE CREEK BASIN, CALIFORNIA.

The project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4112), is modified to direct the Secretary to evaluate the impacts of the new south levee of the Cache Creek settling basin on the city of Woodland's storm drainage system and to mitigate such impacts at Federal expense and a total cost of $2,800,000.

SEC. 306. LARKSPUR FERRY CHANNEL, LARKSPUR, CALIFORNIA.

The project for navigation, Larkspur Ferry Channel, Larkspur, California, authorized by section 601(d) of the Water Resources Development Act of 1986 (100 Stat. 4148), is modified to direct the Secretary to prepare a limited reevaluation report to determine whether maintenance of the project is technically sound, environmentally acceptable, and economically justified. If the Secretary determines that maintenance of the project is technically sound, environmentally acceptable, and economically justified, the Secretary shall carry out the maintenance.

SEC. 307. NORCO BLUFFS, RIVERSIDE COUNTY, CALIFORNIA.

Section 101(b)(4) of the Water Resources Development Act of 1996 (110 Stat. 3667) is amended by striking ''$8,600,000'' and all that follows through ''$2,150,000'' and inserting ''$15,000,000, with an estimated Federal cost of $11,250,000 and an estimated non-Federal cost of $3,750,000''.

SEC. 308. SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.

The project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), is modified to authorize the Secretary to provide credit to the non-Federal interest toward the non-Federal share of the cost of the project for the value of dredged material from the project that is purchased by public agencies or nonprofit entities for environmental restoration or other beneficial uses.

SEC. 309. SACRAMENTO RIVER, GLENN-COLUSA, CALIFORNIA.

The project for flood control, Sacramento River, California, authorized by section 2 of the Act entitled ''An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes'', approved March 1, 1917 (39 Stat. 949), and modified by section 102 of the Energy and Water Development Appropriations Act, 1990 (103 Stat. 649), section 301(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3110), title I of the Energy and Water Development Appropriations Act, 1999 (112 Stat. 1841), and section 305 of the Water Resources Development Act of 1999 (113 Stat. 299), is further modified to direct the Secretary to provide the non-Federal interest a credit of up to $4,000,000 toward the non-Federal share of the cost of the project for direct and indirect costs incurred by the non-Federal interest in carrying out activities (including the provision of lands, easements, rights-of-way, relocations, and dredged material disposal areas) associated with environmental compliance for the project if the Secretary determines that the activities are integral to the project. If any of such costs were incurred by the non-Federal interests before execution of the project cooperation agreement, the Secretary may reimburse the non-Federal interest for such pre-agreement costs instead of providing a credit for such pre-agreement costs to the extent that the amount of the credit exceeds the remaining non-Federal share of the cost of the project.

SEC. 310. UPPER GUADALUPE RIVER, CALIFORNIA.

The project for flood damage reduction and recreation, Upper Guadalupe River, California, authorized by section 101(a)(9) of the Water Resources Development Act of 1999 (113 Stat. 275), is modified to provide that the non-Federal share of the cost of the project shall be 50 percent, with an estimated Federal cost and non-Federal cost of $70,164,000 each.

SEC. 311. BREVARD COUNTY, FLORIDA.

(a) INCLUSION OF REACH.—The project for shoreline protection, Brevard County, Florida, authorized by section 101(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3667), is modified to provide that, notwithstanding section 902 of the Water Resources Development Act of 1986, the Secretary may incorporate in the project any or all of the 7.1-mile reach of the project that was deleted from the south reach of the project, as described in paragraph (5) of the Report of the Chief of Engineers, dated December 23, 1996, if the Secretary determines,

in coordination with appropriate local, State, and Federal agencies, that the project as modified is technically sound, environmentally acceptable, and economically justified.

(b) CLARIFICATION.—Section 310(a) of the Water Resources Development Act of 1999 (113 Stat. 301) is amended by inserting ''shoreline associated with the'' after ''damage to the''.

SEC. 312. FERNANDINA HARBOR, FLORIDA.

The project for navigation, Fernandina Harbor, Florida, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 186), is modified to authorize the Secretary to realign the access channel in the vicinity of the Fernandina Beach Municipal Marina 100 feet to the west. The cost of the realignment, including acquisition of lands, easements, rights-of-way, and dredged material disposal areas and relocations, shall be a non-Federal expense.

SEC. 313. TAMPA HARBOR, FLORIDA.

The project for navigation, Tampa Harbor, Florida, authorized by section 4 of the Rivers and Harbors Act of September 22, 1922 (42 Stat. 1042), is modified to authorize the Secretary to deepen and widen the Alafia Channel in accordance with the plans described in the Draft Feasibility Report, Alafia River, Tampa Harbor, Florida, dated May 2000, at a total cost of $61,592,000, with an estimated Federal cost of $39,621,000 and an estimated non-Federal cost of $21,971,000.

SEC. 314. EAST SAINT LOUIS AND VICINITY, ILLINOIS.

The project for flood protection, East Saint Louis and vicinity, Illinois (East Side levee and sanitary district), authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1082), is modified to include ecosystem restoration as a project purpose.

SEC. 315. KASKASKIA RIVER, KASKASKIA, ILLINOIS.

The project for navigation, Kaskaskia River, Kaskaskia, Illinois, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1175), is modified to include recreation as a project purpose.

SEC. 316. WAUKEGAN HARBOR, ILLINOIS.

The project for navigation, Waukegan Harbor, Illinois, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 192), is modified to authorize the Secretary to extend the upstream limit of the project 275 feet to the north at a width of 375 feet if the Secretary determines that the extension is feasible.

SEC. 317. CUMBERLAND, KENTUCKY.

Using continuing contracts, the Secretary shall initiate construction of the flood control project, Cumberland, Kentucky, authorized by section 202(a) of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), in accordance with option 4 contained in the draft detailed project report of the Nashville District, dated September 1998, to provide flood protection from the 100-year frequency flood event and to share all costs in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 318. LOCK AND DAM 10, KENTUCKY RIVER, KENTUCKY.

(a) IN GENERAL.—The Secretary may take all necessary measures to further stabilize and renovate Lock and Dam 10 at Boonesborough, Kentucky, with the purpose of extending the design life of the structure by an additional 50 years, at a total cost of $24,000,000, with an estimated Federal cost of $12,000,000 and an estimated non-Federal cost of $12,000,000.

(b) DEFINITIONS.—For purposes of this section, the term ''stabilize and renovate'' includes the following activities: stabilization of the main dam, auxiliary dam and lock; renovation of all operational aspects of the lock; and elevation of the main and auxiliary dams.

SEC. 319. SAINT JOSEPH RIVER, SOUTH BEND, INDIANA.

Section 321(a) of the Water Resources Development Act of 1999 (113 Stat. 303) is amended—

(1) in the subsection heading by striking ''TOTAL'' and inserting ''FEDERAL''; and

(2) by striking ''total'' and inserting ''Federal''.

SEC. 320. MAYFIELD CREEK AND TRIBUTARIES, KENTUCKY.

The project for flood control, Mayfield Creek and tributaries, Kentucky, carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), is modified to provide that the non-Federal interest shall not be required to pay the unpaid balance, including interest, of the non-Federal share of the cost of the project.

SEC. 321. AMITE RIVER AND TRIBUTARIES, EAST BATON ROUGE PARISH, LOUISIANA.

The project for flood damage reduction and recreation, Amite River and Tributaries, East Baton Rouge Parish, Louisiana, authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (113 Stat. 277), is modified to provide that cost sharing for the project shall be determined in accordance with section 103(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2213), as in effect on October 11, 1996.

SEC. 322. ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA.

The Atchafalaya Basin Floodway System project, authorized by section 601 of the Water Resources Development Act of 1986 (100 Stat. 4142), is modified to authorize the Secretary to construct the visitor center and other recreational features identified in the 1982 project feasibility report of the Corps of Engineers at or near the Lake End Park in Morgan City, Louisiana.

SEC. 323. ATCHAFALAYA RIVER, BAYOUS CHENE, BOEUF, AND BLACK, LOUISIANA.

The project for navigation Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana, authorized by section 101 of the River and Harbor Act of 1968 (82 Stat. 731), is modified to direct the Secretary to investigate the problems associated with the mixture of freshwater, saltwater, and fine river silt in the channel and to develop and carry out a solution to the problem if the Secretary determines that the work is technically sound, environmentally acceptable, and economically justified.

SEC. 324. RED RIVER WATERWAY, LOUISIANA.

The project for mitigation of fish and wildlife loses, Red River Waterway, Louisiana, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4142) and modified by section 4(h) of the Water Resources Development Act of 1988 (102 Stat. 4016), section 102(p) of the Water Resources Development Act of 1990 (104 Stat. 4613), and section 301(b)(7) of the Water Resources Development Act of 1996 (110 Stat. 3710), is further modified to authorize the Secretary to purchase mitigation lands in any of the 7 parishes that make up the Red River Waterway District, including the parishes of Caddo, Bossier, Red River, Natchitoches, Grant, Rapides, and Avoyelles.

SEC. 325. THOMASTON HARBOR, GEORGES RIVER, MAINE.

The project for navigation, Georges River, Maine (Thomaston Harbor), authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 3, 1896 (29 Stat. 215), is modified to redesignate the following portion of the project as an anchorage area: The portion lying northwesterly of a line commencing at point N86,946.770, E321,303.830 thence running northeasterly about 203.67 feet to a point N86,994.750, E321,501.770.

SEC. 326. BRECKENRIDGE, MINNESOTA.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Breckenridge, Minnesota, carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), shall be $10,500,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project described in subsection (a) to take into account the change in the Federal participation in the project in accordance with this section.

SEC. 327. DULUTH HARBOR, MINNESOTA.

The project for navigation, Duluth Harbor, Minnesota, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified to include the relocation of Scenic Highway 61, including any required bridge construction.

SEC. 328. LITTLE FALLS, MINNESOTA.

The project for clearing, snagging, and sediment removal, East Bank of the Mississippi River, Little Falls, Minnesota, authorized under section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), is modified to direct the Secretary to construct the project substantially in accordance with the plans contained in the feasibility report of the District Engineer, dated June 2000.

SEC. 329. POPLAR ISLAND, MARYLAND.

(a) IN GENERAL.—The project for beneficial use of dredged material at Poplar Island, Maryland, authorized by section 537 of the Water Resources Development Act of 1996 (110 Stat. 3776), is modified to authorize the Secretary to provide the non-Federal interest credit toward cash contributions required—

(1) before and during construction of the project, for the costs of planning, engineering, and design and for construction management work that is performed by the non-Federal interest and that the Secretary determines is necessary to implement the project; and

(2) during construction of the project, for the costs of the construction that the non-Federal interest carries out on behalf of the Secretary and that the Secretary determines is necessary to carry out the project.

(b) REDUCTION.—The private sector performance goals for engineering work of the Baltimore District of the Corps of Engineers shall be reduced by the amount of the credit under paragraph (1).

SEC. 330. GREEN BROOK SUB-BASIN, RARITAN RIVER BASIN, NEW JERSEY.

The project for flood control, Green Brook Sub-Basin, Raritan River Basin, New Jersey, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4119), is modified to direct the Secretary to prepare a limited reevaluation report to determine the feasibility of carrying out a nonstructural flood damage reduction project at the Green Brook Sub-Basin. If the Secretary determines that the nonstructural project is feasible, the Secretary may carry out the nonstructural project.

SEC. 331. NEW YORK HARBOR AND ADJACENT CHANNELS, PORT JERSEY, NEW JERSEY.

The project for navigation, New York Harbor and adjacent channels, Port Jersey, New Jersey, authorized by section 202(b) of the Water Resources Development Act of 1986 (100 Stat. 4098) and modified by section 337 of the Water Resources Development Act of 1999 (113 Stat. 306–307), is further modified to authorize the Secretary to provide the non-Federal interests credit toward cash contributions required—

(1) before, during, and after construction for planning, engineering and design, and construction management work that is performed by the non-Federal interests and that the Secretary determines is necessary to implement the project; and

(2) during and after construction for the costs of construction that the non-Federal interests carry out on behalf of the Secretary and that the Secretary determines is necessary to implement the project.

SEC. 332. PASSAIC RIVER BASIN FLOOD MANAGEMENT, NEW JERSEY.

(a) REEVALUATION OF FLOODWAY STUDY.—The Secretary shall review the Passaic River Floodway Buyout Study, dated October 1995, conducted as part of the project for flood control, Passaic River Main Stem, New Jersey and New York, authorized by section 101(a)(18) of the Water Resources Development Act of 1990 (104 Stat. 4607–4610), to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(b) REEVALUATION OF 10-YEAR FLOODPLAIN STUDY.—The Secretary shall review the Passaic River Buyout Study of the 10-year floodplain beyond the floodway of the Central Passaic River Basin, dated September 1995, conducted as part of the Passaic River Main Stem project to calculate the benefits of a buyout and environmental restoration using the method used to calculate the benefits of structural projects under section 308(b) of the Water Resources Development Act of 1990 (33 U.S.C. 2318(b)).

(c) PRESERVATION OF NATURAL STORAGE AREAS.—

(1) IN GENERAL.—The Secretary shall reevaluate the acquisition of wetlands in the Central Passaic River Basin for flood protection purposes to supplement the wetland acquisition authorized by section 101(a)(18)(C)(vi) of the Water Resources Development Act of 1990 (104 Stat. 4609).

(2) PURCHASE.—If the Secretary determines that the acquisition of wetlands evaluated under paragraph (1) is cost-effective, the Secretary shall purchase the wetlands, with the goal of purchasing not more than 8,200 acres.

(d) STREAMBANK EROSION CONTROL STUDY.—The Secretary shall review relevant reports and conduct a study to determine the feasibility of carrying out a project for environmental restoration, erosion control, and streambank restoration along the Passaic River, from Dundee Dam to Kearny Point, New Jersey.

(e) PASSAIC RIVER FLOOD MANAGEMENT TASK FORCE.—

(1) ESTABLISHMENT.—The Secretary, in cooperation with the non-Federal interest, shall establish a task force, to be known as the ''Passaic River Flood Management Task Force'', to provide advice to the Secretary concerning reevaluation of the Passaic River Main Stem project.

(2) MEMBERSHIP.—The task force shall be composed of 22 members, appointed as follows:

(A) APPOINTMENT BY SECRETARY.—The Secretary shall appoint 1 member to represent the Corps of Engineers and to provide technical advice to the task force.

(B) APPOINTMENTS BY GOVERNOR OF NEW JERSEY.—The Governor of New Jersey shall appoint 20 members to the task force, as follows:

(i) 2 representatives of the New Jersey legislature who are members of different political parties.

(ii) 3 representatives of the State of New Jersey.

(iii) 1 representative of each of Bergen, Essex, Morris, and Passaic Counties, New Jersey.

(iv) 6 representatives of governments of municipalities affected by flooding within the Passaic River Basin.

(v) 1 representative of the Palisades Interstate Park Commission.

(vi) 1 representative of the North Jersey District Water Supply Commission.

(vii) 1 representative of each of—

(I) the Association of New Jersey Environmental Commissions;

(II) the Passaic River Coalition; and

(III) the Sierra Club.

(C) APPOINTMENT BY GOVERNOR OF NEW YORK.—The Governor of New York shall appoint 1 representative of the State of New York to the task force.

(3) MEETINGS.—

(A) REGULAR MEETINGS.—The task force shall hold regular meetings.

(B) OPEN MEETINGS.—The meetings of the task force shall be open to the public.

(4) ANNUAL REPORT.—The task force shall submit annually to the Secretary and to the non-Federal interest a report describing the achievements of the Passaic River flood management project in preventing flooding and any impediments to completion of the project.

(5) EXPENDITURE OF FUNDS.—The Secretary may use funds made available to carry out the Passaic River Basin flood management project to pay the administrative expenses of the task force.

(6) TERMINATION.—The task force shall terminate on the date on which the Passaic River flood management project is completed.

(f) ACQUISITION OF LANDS IN THE FLOODWAY.—Section 1148 of the Water Resources Development Act of 1986 (100 Stat. 4254; 110 Stat. 3718–3719), is amended by adding at the end the following:

''(e) CONSISTENCY WITH NEW JERSEY BLUE ACRES PROGRAM.—The Secretary shall carry out this section in a manner that is consistent with the Blue Acres Program of the State of New Jersey.''.

(g) STUDY OF HIGHLANDS LAND CONSERVATION.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New Jersey, may study the feasibility of conserving land in the Highlands region of New Jersey and New York to provide additional flood protection for residents of the Passaic River Basin in accordance with section 212 of the Water Resources Development Act of 1999 (33 U.S.C. 2332).

(h) RESTRICTION ON USE OF FUNDS.—The Secretary shall not obligate any funds to carry out design or construction of the tunnel element of the Passaic River Main Stem project.

SEC. 333. TIMES BEACH NATURE PRESERVE, BUFFALO, NEW YORK.

The project for improving the quality of the environment, Times Beach Nature Preserve, Buffalo, New York, carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), is modified to include recreation as a project purpose.

SEC. 334. GARRISON DAM, NORTH DAKOTA.

The Garrison Dam, North Dakota, feature of the project for flood control, Missouri River Basin, authorized by section 9(a) of the Flood Control Act of December 22, 1944 (58 Stat. 891), is modified to direct the Secretary to mitigate damage to the water transmission line for Williston, North Dakota, at Federal expense and a total cost of $3,900,000.

SEC. 335. DUCK CREEK, OHIO.

The project for flood control, Duck Creek, Ohio, authorized by section 101(a)(24) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary carry out the project at a total cost of $36,323,000, with an estimated Federal cost of $27,242,000 and an estimated non-Federal cost of $9,081,000.

SEC. 336. ASTORIA, OREGON.

The project for navigation, Columbia River, Astoria, Oregon, authorized by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved July 24, 1946 (60 Stat. 637), is modified to provide that the Federal share of the cost of relocating causeway and mooring facilities located at the Astoria East Boat Basin shall be 100 percent but shall not exceed $500,000.

SEC. 337. NONCONNAH CREEK, TENNESSEE AND MISSISSIPPI.

The project for flood control, Nonconnah Creek, Tennessee and Mississippi, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), is modified to authorize the Secretary, if the Secretary determines that it is feasible—

(1) to extend the area protected by the flood control element of the project upstream approximately 5 miles to Reynolds Road; and

(2) to extend the hiking and biking trails of the recreational element of the project from 8.8 to 27 miles.

SEC. 338. BOWIE COUNTY LEVEE, TEXAS.

The project for flood control, Red River below Denison Dam, Texas and Oklahoma, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647), is modified to direct the Secretary to implement the Bowie County levee feature of the project in accordance with the plan described as Alternative B in the draft document entitled ''Bowie County Local Flood Protection, Red River, Texas Project Design Memorandum No. 1, Bowie County Levee'', dated April 1997. In evaluating and implementing the modification, the Secretary shall allow the non-Federal interest to participate in the financing of the project in accordance with section 903(c) of the Water Resources Development Act of 1986 (100 Stat. 4184) to the extent that the Secretary's evaluation of the modification indicates that applying such section is necessary to implement the modification.

SEC. 339. SAN ANTONIO CHANNEL, SAN ANTONIO, TEXAS.

The project for flood control, San Antonio channel, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259) as part of the comprehensive plan for flood protection on the Guadalupe and San Antonio Rivers in Texas, and modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921), is further modified to include environmental restoration and recreation as project purposes.

SEC. 340. BUCHANAN AND DICKENSON COUNTIES, VIRGINIA.

The project for flood control, Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, authorized by section 202 of the Energy and Water Development Appropriations Act, 1981 (94 Stat. 1339), and modified by section 352 of the Water Resources Development Act of 1996 (110 Stat. 3724–3725), is further modified to direct the Secretary to determine the ability of Buchanan and Dickenson Counties, Virginia, to pay the non-Federal share of the cost of the

project based solely on the criteria specified in section 103(m)(3)(A)(i) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)(3)(A)(i)).

SEC. 341. BUCHANAN, DICKENSON, AND RUSSELL COUNTIES, VIRGINIA.

At the request of the John Flannagan Water Authority, Dickenson County, Virginia, the Secretary may reallocate, under section 322 of the Water Resources Development Act of 1990 (104 Stat. 4643–4644), water supply storage space in the John Flannagan Reservoir, Dickenson County, Virginia, sufficient to yield water withdrawals in amounts not to exceed 3,000,000 gallons per day in order to provide water for the communities in Buchanan, Dickenson, and Russell Counties, Virginia, notwithstanding the limitation in section 322(b) of such Act.

SEC. 342. SANDBRIDGE BEACH, VIRGINIA BEACH, VIRGINIA.

The project for beach erosion control and hurricane protection, Sandbridge Beach, Virginia Beach, Virginia, authorized by section 101(22) of the Water Resources Development Act of 1992 (106 Stat. 4804), is modified to direct the Secretary to provide 50 years of periodic beach nourishment beginning on the date on which construction of the project was initiated in 1998.

SEC. 343. WALLOPS ISLAND, VIRGINIA.

Section 567(c) of the Water Resources Development Act of 1999 (113 Stat. 367) is amended by striking ''$8,000,000'' and inserting ''$20,000,000''.

SEC. 344. COLUMBIA RIVER, WASHINGTON.

(a) IN GENERAL.—The project for navigation, Columbia River, Washington, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 13, 1902 (32 Stat. 369), is modified to direct the Secretary, in the operation and maintenance of the project, to mitigate damages to the shoreline of Puget Island, at a total cost of $1,000,000.

(b) ALLOCATION.—The cost of the mitigation shall be allocated as an operation and maintenance cost of the Federal navigation project.

SEC. 345. MOUNT ST. HELENS, WASHINGTON.

The project for sediment control, Mount St. Helens, Washington, authorized by chapter IV of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 318–319), is modified to authorize the Secretary to provide such cost-effective, environmentally acceptable measures as are necessary to maintain the flood protection levels for Longview, Kelso, Lexington, and Castle Rock on the Cowlitz River, Washington, identified in the October 1985 report of the Chief of Engineers entitled ''Mount St. Helens, Washington, Decision Document (Toutle, Cowlitz, and Columbia Rivers)'', printed as House Document number 99–135.

SEC. 346. RENTON, WASHINGTON.

(a) MAXIMUM FEDERAL EXPENDITURE.—The maximum amount of Federal funds that may be expended for the project for flood control, Renton, Washington, carried out under section 205 of the Flood Control Act of 1948, shall be $5,300,000.

(b) REVISION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall revise the project cooperation agreement for the project described in subsection (a) to take into account the change in the Federal participation in the project in accordance with this section.

(c) REIMBURSEMENT.—The Secretary may reimburse the non-Federal interest for the project described in subsection (a) for costs incurred to mitigate overdredging.

SEC. 347. GREENBRIER BASIN, WEST VIRGINIA.

Section 579(c) of the Water Resources Development Act of 1996 (110 Stat. 3790) is amended by striking ''$12,000,000'' and inserting ''$73,000,000''.

SEC. 348. LOWER MUD RIVER, MILTON, WEST VIRGINIA.

The project for flood damage reduction, Lower Mud River, Milton, West Virginia, authorized by section 580 of the Water Resources Development Act of 1996 (110 Stat. 3790), is modified to direct the Secretary to carry out the project substantially in accordance with the plans, and subject to the conditions, described in the watershed plan prepared by the Natural Resources Conservation Service for the project, dated 1992.

SEC. 349. WATER QUALITY PROJECTS.

Section 307(a) of the Water Resources Development Act of 1992 (106 Stat. 4841) is amended by striking ''Jefferson and Orleans Parishes'' and inserting ''Jefferson, Orleans, and St. Tammany Parishes''.

SEC. 350. PROJECT REAUTHORIZATIONS.

(a) IN GENERAL.—Each of the following projects may be carried out by the Secretary, and no construction on any such project may be initiated until the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, as appropriate:

(1) NARRAGUAGUS RIVER, MILBRIDGE, MAINE.—Only for the purpose of maintenance as anchorage, those portions of the project for navigation, Narraguagus River, Milbridge, Maine, authorized by section 2 of the Act entitled ''An Act making appropriations for the construction, repair, completion, and preservation of certain works on rivers and harbors, and for other purposes'', approved June 14, 1880 (21 Stat. 195), and deauthorized under section 101 of the River and Harbor Act of 1962 (75 Stat. 1173), lying adjacent to and outside the limits of the 11-foot and 9-foot channel authorized as part of the project for navigation, authorized by such section 101, as follows:

(A) An area located east of the 11-foot channel starting at a point with coordinates N248,060.52, E668,236.56, thence running south 36 degrees 20 minutes 52.3 seconds east 1567.242 feet to a point N246,798.21, E669,165.44, thence running north 51 degrees 30 minutes 06.2 seconds west 839.855 feet to a point N247,321.01, E668,508.15, thence running north 20 degrees 09 minutes 58.1 seconds west 787.801 feet to the point of origin.

(B) An area located west of the 9-foot channel starting at a point with coordinates N249,673.29, E667,537.73, thence running south 20 degrees 09 minutes 57.8 seconds east 1341.616 feet to a point N248,413.92, E668,000.24, thence running south 01 degrees 04 minutes 26.8 seconds east 371.688 feet to a point N248,042.30, E668,007.21, thence running north 22 degrees 21 minutes 20.8 seconds west 474.096 feet to a point N248,480.76, E667,826.88, thence running north 79 degrees 09 minutes 31.6 seconds east 100.872 feet to a point N248,499.73, E667,925.95, thence running north 13 degrees 47 minutes 27.6 seconds west 95.126 feet to a point N248,592.12, E667,903.28, thence running south 79 degrees 09 minutes 31.6 seconds west 115.330 feet to a point N248,570.42, E667,790.01, thence running north 22 degrees 21 minutes 20.8 seconds west 816.885 feet to a point N249,325.91, E667,479.30, thence running north 07 degrees 03 minutes 00.3 seconds west 305.680 feet to a point N249,629.28, E667,441.78, thence running north 65 degrees 21 minutes 33.8 seconds east 105.561 feet to the point of origin.

(2) CEDAR BAYOU, TEXAS.—The project for navigation, Cedar Bayou, Texas, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved September 19, 1890 (26 Stat. 444), and modified by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved July 3, 1930 (46 Stat. 926), and deauthorized by section 1002 of the Water Resources Development Act of 1986 (100 Stat. 4219), except that the project is authorized only for construction of a navigation channel 12 feet deep by 125 feet wide from mile −2.5 (at the junction with the Houston Ship Channel) to mile 11.0 on Cedar Bayou.

(b) REDESIGNATION.—The following portion of the 11-foot channel of the project for navigation, Narraguagus River, Milbridge, Maine, referred to in subsection (a)(1) is redesignated as anchorage: starting at a point with coordinates N248,413.92, E668,000.24, thence running south 20 degrees 09 minutes 57.8 seconds east 1325.205 feet to a point N247,169.95, E668,457.09, thence running north 51 degrees 30 minutes 05.7 seconds west 562.33 feet to a point N247,520.00, E668,017.00, thence running north 01 degrees 04 minutes 26.8 seconds west 894.077 feet to the point of origin.

SEC. 351. CONTINUATION OF PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—Notwithstanding section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)), the following projects shall remain authorized to be carried out by the Secretary:

(1) The projects for flood control, Sacramento River, California, modified by section 10 of the Flood Control Act of December 22, 1944 (58 Stat. 900–901).

(2) The project for flood protection, Sacramento River from Chico Landing to Red Bluff, California, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 314).

(b) LIMITATION.—A project described in subsection (a) shall not be authorized for construction after the last day of the 7-year period beginning on the date of enactment of this Act, unless, during such period, funds have been obligated for the construction (including planning and design) of the project.

SEC. 352. DECLARATION OF NONNAVIGABILITY FOR LAKE ERIE, NEW YORK.

(a) AREA TO BE DECLARED NONNAVIGABLE; PUBLIC INTEREST.—Unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the boundaries in the portions of Erie County, New York, described in subsection (b), are not in the public interest then, subject to subsection (c), those portions of such county that were once part of Lake Erie and are now filled are declared to be nonnavigable waters of the United States.

(b) BOUNDARIES.—The portion of Erie County, New York, referred to in subsection (a) are all that tract or parcel of land, situate in the Town of Hamburg and the City of Lackawanna, County of Erie, State of New York, being part of Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 of the Ogden Gore Tract and part of Lots 23, 24, and 36 of the Buffalo Creek Reservation, Township 10, Range 8 of the Holland Land Company's Survey and more particularly bounded and described as follows:

Beginning at a point on the westerly highway boundary of Hamburg Turnpike (66.0 feet wide), said point being 547.89 feet South 19°36′46″ East from the intersection of the westerly highway boundary of Hamburg Turnpike (66.0 feet wide) and the northerly line of the City of Lackawanna (also being the southerly line of the City of Buffalo); thence South 19°36′46″ East along the westerly highway boundary of Hamburg Turnpike

(66.0 feet wide) a distance of 628.41 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 40–R2, Parcel No. 44 the following 20 courses and distances:

(1) South 10°00′07″ East a distance of 164.30 feet;

(2) South 18°40′45″ East a distance of 355.00 feet;

(3) South 71°23′35″ West a distance of 2.00 feet;

(4) South 18°40′45″ East a distance of 223.00 feet;

(5) South 22°29′36″ East a distance of 150.35 feet;

(6) South 18°40′45″ East a distance of 512.00 feet;

(7) South 16°49′53″ East a distance of 260.12 feet;

(8) South 18°34′20″ East a distance of 793.00 feet;

(9) South 71°23′35″ West a distance of 4.00 feet;

(10) South 18°13′24″ East a distance of 132.00 feet;

(11) North 71°23′35″ East a distance of 4.67 feet;

(12) South 18°30′00″ East a distance of 38.00 feet;

(13) South 71°23′35″ West a distance of 4.86 feet;

(14) South 18°13′24″ East a distance of 160.00 feet;

(15) South 71°23′35″ East a distance of 9.80 feet;

(16) South 18°36′25″ East a distance of 159.00 feet;

(17) South 71°23′35″ West a distance of 3.89 feet;

(18) South 18°34′20″ East a distance of 180.00 feet;

(19) South 20°56′05″ East a distance of 138.11 feet;

(20) South 22°53′55″ East a distance of 272.45 feet to a point on the westerly highway boundary of Hamburg Turnpike.

Thence southerly along the westerly highway boundary of Hamburg Turnpike, South 18°36′25″ East, a distance of 2228.31 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 27 Parcel No. 31 the following 2 courses and distances:

(1) South 16°17′25″ East a distance of 74.93 feet;

(2) along a curve to the right having a radius of 1004.74 feet; a chord distance of 228.48 feet along a chord bearing of South 08°12′16″ East, a distance of 228.97 feet to a point on the westerly highway boundary of Hamburg Turnpike.

Thence southerly along the westerly highway boundary of Hamburg Turnpike, South 4°35′35″ West a distance of 940.87 feet; thence along the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public Works as shown on Map No. 1 Parcel No. 1 and Map No. 5 Parcel No. 7 the following 18 courses and distances:

(1) North 85°24′25″ West a distance of 1.00 feet;

(2) South 7°01′17″ West a distance of 170.15 feet;

(3) South 5°02′54″ West a distance of 180.00 feet;

(4) North 85°24′25″ West a distance of 3.00 feet;

(5) South 5°02′54″ West a distance of 260.00 feet;

(6) South 5°09′11″ West a distance of 110.00 feet;

(7) South 0°34′35″ West a distance of 110.27 feet;

(8) South 4°50′37″ West a distance of 220.00 feet;

(9) South 4°50′37″ West a distance of 365.00 feet;

(10) South 85°24′25″ East a distance of 5.00 feet;

(11) South 4°06′20″ West a distance of 67.00 feet;

(12) South 6°04′35″ West a distance of 248.08 feet;

(13) South 3°18′27″ West a distance of 52.01 feet;

(14) South 4°55′58″ West a distance of 133.00 feet;

(15) North 85°24′25″ West a distance of 1.00 feet;

(16) South 4°55′58″ West a distance of 45.00 feet;

(17) North 85°24′25″ West a distance of 7.00 feet;

(18) South 4°56′12″ West a distance of 90.00 feet.

Thence continuing along the westerly highway boundary of Lake Shore Road as appropriated by the New York State Department of Public Works as shown on Map No. 7, Parcel No. 7 the following 2 courses and distances:

(1) South 4°55′58″ West a distance of 127.00 feet;

(2) South 2°29′25″ East a distance of 151.15 feet to a point on the westerly former highway boundary of Lake Shore Road.

Thence southerly along the westerly formerly highway boundary of Lake Shore Road, South 4°35′35″ West a distance of 148.90 feet; thence along the westerly highway boundary of Lake Shore Road as appropriated by the New York State Department of Public Works as shown on Map No. 7, Parcel No. 8 the following 3 courses and distances:

(1) South 55°34′35″ West a distance of 12.55 feet;

(2) South 4°35′35″ West a distance of 118.50 feet;

(3) South 3°04′00″ West a distance of 62.95 feet to a point on the south line of the lands of South Buffalo Railway Company.

Thence southerly and easterly along the lands of South Buffalo Railway Company the following 5 courses and distances:

(1) North 89°25′14″ West a distance of 697.64 feet;

(2) along a curve to the left having a radius of 645.0 feet; a chord distance of 214.38 feet along a chord bearing of South 40°16′48″ West, a distance of 215.38 feet;

(3) South 30°42′49″ West a distance of 76.96 feet;

(4) South 22°06′03″ West a distance of 689.43 feet;

(5) South 36°09′23″ West a distance of 30.93 feet to the northerly line of the lands of Buffalo Crushed Stone, Inc.

Thence North 87°13′38″ West a distance of 2452.08 feet to the shore line of Lake Erie; thence northerly along the shore of Lake Erie the following 43 courses and distances:

(1) North 16°29′53″ West a distance of 267.84 feet;

(2) North 24°25′00″ West a distance of 195.01 feet;

(3) North 26°45′00″ West a distance of 250.00 feet;

(4) North 31°15′00″ West a distance of 205.00 feet;

(5) North 21°35′00″ West a distance of 110.00 feet;

(6) North 44°00′53″ West a distance of 26.38 feet;

(7) North 33°49′18″ West a distance of 74.86 feet;

(8) North 34°26′26″ West a distance of 12.00 feet;

(9) North 31°06′16″ West a distance of 72.06 feet;

(10) North 22°35′00″ West a distance of 150.00 feet;

(11) North 16°35′00″ West a distance of 420.00 feet;

(12) North 21°10′00″ West a distance of 440.00 feet;

(13) North 17°55′00″ West a distance of 340.00 feet;

(14) North 28°05′00″ West a distance of 375.00 feet;

(15) North 16°25′00″ West a distance of 585.00 feet;

(16) North 22°10′00″ West a distance of 160.00 feet;

(17) North 2°46′36″ West a distance of 65.54 feet;

(18) North 16°01′08″ West a distance of 70.04 feet;

(19) North 49°07′00″ West a distance of 79.00 feet;

(20) North 19°16′00″ West a distance of 425.00 feet;

(21) North 16°37′00″ West a distance of 285.00 feet;

(22) North 25°20′00″ West a distance of 360.00 feet;

(23) North 33°00′00″ West a distance of 230.00 feet;

(24) North 32°40′00″ West a distance of 310.00 feet;

(25) North 27°10′00″ West a distance of 130.00 feet;

(26) North 23°20′00″ West a distance of 315.00 feet;

(27) North 18°20′04″ West a distance of 302.92 feet;

(28) North 20°15′48″ West a distance of 387.18 feet;

(29) North 14°20′00″ West a distance of 530.00 feet;

(30) North 16°40′00″ West a distance of 260.00 feet;

(31) North 28°35′00″ West a distance of 195.00 feet;

(32) North 18°30′00″ West a distance of 170.00 feet;

(33) North 26°30′00″ West a distance of 340.00 feet;

(34) North 32°07′52″ West a distance of 232.38 feet;

(35) North 30°04′26″ West a distance of 17.96 feet;

(36) North 23°19′13″ West a distance of 111.23 feet;

(37) North 7°07′58″ West a distance of 63.90 feet;

(38) North 8°11′02″ West a distance of 378.90 feet;

(39) North 15°01′02″ West a distance of 190.64 feet;

(40) North 2°55′00″ West a distance of 170.00 feet;

(41) North 6°45′00″ West a distance of 240.00 feet;

(42) North 0°10′00″ East a distance of 465.00 feet;

(43) North 2°00′38″ West a distance of 378.58 feet to the northerly line of Letters Patent dated February 21, 1968 and recorded in the Erie County Clerk's Office under Liber 7453 of Deeds at Page 45.

Thence North 71°23′35″ East along the north line of the aforementioned Letters Patent a distance of 154.95 feet to the shore line; thence along the shore line the following 6 courses and distances:

(1) South 80°14′01″ East a distance of 119.30 feet;

(2) North 46°15′13″ East a distance of 47.83 feet;

(3) North 59°53′02″ East a distance of 53.32 feet;

(4) North 38°20′43″ East a distance of 27.31 feet;

(5) North 68°12′46″ East a distance of 48.67 feet;

(6) North 26°11′47″ East a distance of 11.48 feet to the northerly line of the aforementioned Letters Patent.

Thence along the northerly line of said Letters Patent, North 71°23′35″ East a distance of 1755.19 feet; thence South 35°27′25″ East a distance of 35.83 feet to a point on the U.S. Harbor Line; thence, North 54°02′35″ East along the U.S. Harbor Line a distance of 200.00 feet; thence continuing along the U.S. Harbor Line, North 50°01′45″ East a distance of 379.54 feet to the westerly line of the lands of Gateway Trade Center, Inc.; thence along the lands of Gateway Trade Center, Inc. the following 27 courses and distances:

(1) South 18°44′53″ East a distance of 623.56 feet;

(2) South 34°33′00″ East a distance of 200.00 feet;

(3) South 26°18′55″ East a distance of 500.00 feet;

(4) South 19°06′40″ East a distance of 1074.29 feet;

(5) South 28°03′18″ East a distance of 242.44 feet;

(6) South 18°38′50″ East a distance of 1010.95 feet;

(7) North 71°20′51″ East a distance of 90.42 feet;

(8) South 18°49′20″ East a distance of 158.61 feet;

(9) South 80°55′10″ East a distance of 45.14 feet;

(10) South 18°04′45″ East a distance of 52.13 feet;

(11) North 71°07′23″ East a distance of 102.59 feet;

(12) South 18°41′40″ East a distance of 63.00 feet;

(13) South 71°07′23″ West a distance of 240.62 feet;

(14) South 18°38′50″ East a distance of 668.13 feet;

(15) North 71°28′46″ East a distance of 958.68 feet;

(16) North 18°42′31″ West a distance of 1001.28 feet;

(17) South 71°17′29″ West a distance of 168.48 feet;

(18) North 18°42′31″ West a distance of 642.00 feet;

(19) North 71°17′37″ East a distance of 17.30 feet;

(20) North 18°42′31″ West a distance of 574.67 feet;

(21) North 71°17′29″ East a distance of 151.18 feet;

(22) North 18°42′31″West a distance of 1156.43 feet;

(23) North 71°29′21″ East a distance of 569.24 feet;

(24) North 18°30′39″ West a distance of 314.71 feet;

(25) North 70°59′36″ East a distance of 386.47 feet;

(26) North 18°30′39″ West a distance of 70.00 feet;

(27) North 70°59′36″ East a distance of 400.00 feet to the place or point of beginning.

Containing 1,142.958 acres.

(c) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—The declaration under subsection (a) shall apply to those parts of the areas described in subsection (b) which are filled portions of Lake Erie. Any work on these filled portions is subject to all applicable Federal statutes and regulations, including sections 9 and 10 of the Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 401 and 403), commonly known as the River and Harbors Appropriation Act of 1899, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and the National Environmental Policy Act of 1969.

(d) EXPIRATION DATE.—If, 20 years from the date of enactment of this Act, any area or part thereof described in subsection (a) of this section is not occupied by permanent structures in accordance with the requirements set out in subsection (c) of this section, or if work in connection with any activity permitted in subsection (c) is not commenced within 5 years after issuance of such permits, then the declaration of nonnavigability for such area or part thereof shall expire.

SEC. 353. PROJECT DEAUTHORIZATIONS.

(a) IN GENERAL.—The following projects or portions of projects are not authorized after the date of enactment of this Act:

(1) BLACK WARRIOR AND TOMBIGBEE RIVERS, JACKSON, ALABAMA.—The project for navigation, Black Warrior and Tombigbee Rivers, vicinity of Jackson, Alabama, authorized by section 106 of the Energy and Water Development Appropriations Act, 1987 (100 Stat. 3341–199).

(2) SACRAMENTO DEEP WATER SHIP CHANNEL, CALIFORNIA.—The portion of the project for navigation, Sacramento Deep Water Ship Channel, California, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4092), beginning from the confluence of the Sacramento River and the Barge Canal to a point 3,300 feet west of the William G. Stone Lock western gate (including the William G. Stone Lock and the Bascule Bridge and Barge Canal). All waters within such portion of the project are declared to be nonnavigable waters of the United States solely for purposes of the General Bridge Act of 1946 (33 U.S.C. 525 et seq.) and section 9 of the Act of March 3, 1899 (33 U.S.C. 401), commonly known as the Rivers and Harbors Appropriation Act of 1899.

(3) BAY ISLAND CHANNEL, QUINCY, ILLINOIS.—The access channel across Bay Island into Quincy Bay at Quincy, Illinois, constructed under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(4) WARSAW BOAT HARBOR, ILLINOIS.—The portion of the project for navigation, Illinois Waterway, Illinois and Indiana, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1175), known as the Warsaw Boat Harbor, Illinois.

(5) ROCKPORT HARBOR, ROCKPORT, MASSACHUSETTS.—The following portions of the project for navigation, Rockport Harbor, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577):

(A) The portion of the 10-foot harbor channel the boundaries of which begin at a point with coordinates N605,741.948, E838,031.378, thence running north 36 degrees 04 minutes 40.9 seconds east 123.386 feet to a point N605,642.226, E838,104.039, thence running south 05 degrees 08 minutes 35.1 seconds east 24.223 feet to a point N605,618.100, E838,106.210, thence running north 41 degrees 05 minutes 10.9 seconds west 141.830 feet to a point N605,725.000, E838,013.000, thence running north 47 degrees 19 minutes 04.1 seconds east 25.000 feet to the point of origin.

(B) The portion of the 8-foot north basin entrance channel the boundaries of which begin at a point with coordinates N605,742.699, E837,977.129, thence running south 89 degrees 12 minutes 27.1 seconds east 54.255 feet to a point N605,741.948, E838,031.378, thence running south 47 degrees 19 minutes 04.1 seconds west 25.000 feet to a point N605,725.000, E838,013.000, thence running north 63 degrees 44 minutes 19.0 seconds west 40.000 feet to the point of origin.

(C) The portion of the 8-foot south basin anchorage the boundaries of which begin at a point with coordinates N605,563.770, E838,111.100, thence running south 05 degrees 08 minutes 35.1 seconds east 53.460 feet to a point N605,510.525, E838,115.892, thence running south 52 degrees 10 minutes 55.5 seconds west 145.000 feet to a point N605,421.618, E838,001.348, thence running north 37 degrees 49 minutes 04.5 seconds west feet to a point N605,480.960, E837,955.287, thence running south 64 degrees 52 minutes 33.9 seconds east 33.823 feet to a point N605,466.600, E837,985.910, thence running north 52 degrees 10 minutes 55.5 seconds east 158.476 feet to the point of origin.

(6) SCITUATE HARBOR, MASSACHUSETTS.—The portion of the project for navigation, Scituate Harbor, Massachusetts, authorized by section 101 of the River and Harbor Act of 1954 (68 Stat. 1249), consisting of an 8-foot anchorage basin and described as follows: Beginning at a point with coordinates N438,739.53, E810,354.75, thence running northwesterly about 200.00 feet to coordinates N438,874.02, E810,206.72, thence running northeasterly about 400.00 feet to coordinates N439,170.07, E810,475,70, thence running southwesterly about 447.21 feet to the point of origin.

(7) DULUTH-SUPERIOR HARBOR, MINNESOTA AND WISCONSIN.—The portion of the project for navigation, Duluth-Superior Harbor, Minnesota and Wisconsin, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved June 3, 1896 (29 Stat. 212), known as the 21st Avenue West Channel, beginning at the most southeasterly point of the channel N423074.09, E2871635.43 thence running north-northwest about 1854.83 feet along the easterly limit of the project to a point N424706.69, E2870755.48, thence running northwesterly about 111.07 feet to a point on the northerly limit of the project N424777.27, E2870669.46, thence west-southwest 157.88 feet along the north limit of the project to a point N424703.04, E2870530.38, thence south-southeast 1978.27 feet to the most southwesterly point N422961.45, E2871469.07, thence northeasterly 201.00 feet along the southern limit of the project to the point of origin.

(8) TREMLEY POINT, NEW JERSEY.—The portion of the Federal navigation channel, New York and New Jersey Channels, New York and New Jersey, authorized by the first section of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved August 30, 1935 (49 Stat. 1028), and modified by section 101 of the River and Harbor Act of 1950 (64 Stat. 164), that consists of a 35-foot deep channel beginning at a point along the western limit of the authorized project, N644100.411, E129256.91, thence running southeasterly about 38.25 feet to a point N644068.885, E129278.565, thence running southerly about 1,163.86 feet to a point N642912.127, E129150.209, thence running southwesterly about 56.89 feet to a point N642864.09, E2129119.725, thence running northerly along the existing western limit of the existing project to the point of origin.

(9) ANGOLA, NEW YORK.—The project for erosion protection, Angola Water Treatment Plant, Angola, New York, constructed under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

(10) WALLABOUT CHANNEL, BROOKLYN, NEW YORK.—The portion of the project for navigation, Wallabout Channel, Brooklyn, New York, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 3, 1899 (30 Stat. 1124), that is located at the northeast corner of the project and is described as follows:

Beginning at a point forming the northeast corner of the project and designated with the coordinate of North N 682,307.40; East

638,918.10; thence along the following 6 courses and distances:

(A) South 85 degrees, 44 minutes, 13 seconds East 87.94 feet (coordinate: N 682,300.86 E 639,005.80).

(B) North 74 degrees, 41 minutes, 30 seconds East 271.54 feet (coordinate: N 682,372.55 E 639,267.71).

(C) South 4 degrees, 46 minutes, 02 seconds West 170.95 feet (coordinate: N 682,202.20 E 639,253.50).

(D) South 4 degrees, 46 minutes, 02 seconds West 239.97 feet (coordinate: N 681,963.06 E 639,233.56).

(E) North 50 degrees, 48 minutes, 26 seconds West 305.48 feet (coordinate: N 682,156.10 E 638,996.80).

(F) North 3 degrees, 33 minutes, 25 seconds East 145.04 feet (coordinate: N 682,300.86 E 639,005.80).

(b) ROCKPORT HARBOR, MASSACHUSETTS.—The project for navigation, Rockport Harbor, Massachusetts, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), is modified—

(1) to redesignate a portion of the 8-foot north outer anchorage as part of the 8-foot approach channel to the north inner basin described as follows: the perimeter of the area starts at a point with coordinates N605,792.110, E838,020.009, thence running south 89 degrees 12 minutes 27.1 seconds east 64.794 feet to a point N605,791.214, E838,084.797, thence running south 47 degrees 18 minutes 54.0 seconds west 40.495 feet to a point N605,763.760, E838,055.030, thence running north 68 degrees 26 minutes 49.0 seconds west 43.533 feet to a point N605,779.750, E838,014.540, thence running north 23 degrees 52 minutes 08.4 seconds east 13.514 feet to the point of origin; and

(2) to realign a portion of the 8-foot north inner basin approach channel by adding an area described as follows: the perimeter of the area starts at a point with coordinates N605,792.637, E837,981.920, thence running south 89 degrees 12 minutes 27.1 seconds east 38.093 feet to a point N605,792.110, E838,020.009, thence running south 23 degrees 52 minutes 08.4 seconds west 13.514 feet to a point N605,779.752, E838,014.541, thence running north 68 degrees 26 minutes 49.0 seconds west 35.074 feet to the point of origin.

SEC. 354. WYOMING VALLEY, PENNSYLVANIA.

(a) IN GENERAL.—The project for flood control, Wyoming Valley, Pennsylvania, authorized by section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124) is modified as provided in this section.

(b) ADDITIONAL PROJECT ELEMENTS.—The Secretary shall construct each of the following additional elements of the project to the extent that the Secretary determines that the element is technically feasible, environmentally acceptable, and economically justified:

(1) The River Commons plan developed by the non-Federal sponsor for both sides of the Susquehanna River beside historic downtown Wilkes-Barre.

(2) Necessary portal modifications to the project to allow at grade access from Wilkes-Barre to the Susquehanna River to facilitate operation, maintenance, replacement, repair, and rehabilitation of the project and to restore access to the Susquehanna River for the public.

(3) A concrete capped sheet pile wall in lieu of raising an earthen embankment to reduce the disturbance to the Historic River Commons area.

(4) All necessary modifications to the Stormwater Pump Stations in Wyoming Valley.

(5) All necessary evaluations and modifications to all elements of the existing flood control projects to include Coal Creek, Toby Creek, Abrahams Creek, and various relief culverts and penetrations through the levee.

(c) CREDIT.—The Secretary shall credit the Luzerne County Flood Protection Authority toward the non-Federal share of the cost of the project for the value of the Forty-Fort ponding basin area purchased after June 1, 1972, by Luzerne County, Pennsylvania, for an estimated cost of $500,000 under section 102(w) of the Water Resources Development Act of 1992 (102 Stat. 508) to the extent that the Secretary determines that the area purchased is integral to the project.

(d) MODIFICATION OF MITIGATION PLAN AND PROJECT COOPERATION AGREEMENT.—

(1) MODIFICATION OF MITIGATION PLAN.—The Secretary shall provide for the deletion, from the Mitigation Plan for the Wyoming Valley Levees, approved by the Secretary on February 15, 1996, the proposal to remove the abandoned Bloomsburg Railroad Bridge.

(2) MODIFICATION OF PROJECT COOPERATION AGREEMENT.—The Secretary shall modify the project cooperation agreement, executed in October 1996, to reflect removal of the railroad bridge and its $1,800,000 total cost from the mitigation plan under paragraph (1).

(e) MAXIMUM PROJECT COST.—The total cost of the project, as modified by this section, shall not exceed the amount authorized in section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4124), with increases authorized by section 902 of the Water Resources Development Act of 1986 (100 Stat. 4183).

SEC. 355. REHOBOTH BEACH AND DEWEY BEACH, DELAWARE.

The project for storm damage reduction and shoreline protection, Rehoboth Beach and Dewey Beach, Delaware, authorized by section 101(b)(6) of the Water Resources development Act of 1996, is modified to authorize the project at a total cost of $13,997,000, with an estimated Federal cost of $9,098,000 and an estimated non-Federal cost of $4,899,000, and an estimated average annual cost of $1,320,000 for periodic nourishment over the 50-year life of the project, with an estimated annual Federal cost of $858,000 and an estimated annual non-Federal cost of $462,000.

TITLE IV—STUDIES

SEC. 401. STUDIES OF COMPLETED PROJECTS.

The Secretary shall conduct a study under section 216 of the Flood Control Act of 1970 (84 Stat. 1830) of each of the following completed projects:

(1) ESCAMBIA BAY AND RIVER, FLORIDA.—Project for navigation, Escambia Bay and River, Florida.

(2) ILLINOIS RIVER, HAVANA, ILLINOIS.—Project for flood control, Illinois River, Havana, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1583).

(3) SPRING LAKE, ILLINOIS.—Project for flood control, Spring Lake, Illinois, authorized by section 5 of the Flood Control Act of June 22, 1936 (49 Stat. 1584).

(4) PORT ORFORD, OREGON.—Project for flood control, Port Orford, Oregon, authorized by section 301 of River and Harbor Act of 1965 (79 Stat. 1092).

SEC. 402. WATERSHED AND RIVER BASIN ASSESSMENTS.

Section 729 of the Water Resources Development Act of 1986 (100 Stat. 4164) is amended to read as follows:

"SEC. 729. WATERSHED AND RIVER BASIN ASSESSMENTS.

"(a) IN GENERAL.—The Secretary may assess the water resources needs of interstate river basins and watersheds of the United States. The assessments shall be undertaken in cooperation and coordination with the Departments of the Interior, Agriculture, and Commerce, the Environmental Protection Agency, and other appropriate agencies, and may include an evaluation of ecosystem protection and restoration, flood damage reduction, navigation and port needs, watershed protection, water supply, and drought preparedness.

"(b) CONSULTATION.—The Secretary shall consult with Federal, tribal, State, interstate, and local governmental entities in carrying out the assessments authorized by this section. In conducting the assessments, the Secretary may accept contributions of services, materials, supplies and cash from Federal, tribal, State, interstate, and local governmental entities where the Secretary determines that such contributions will facilitate completion of the assessments.

"(c) PRIORITY CONSIDERATION.—The Secretary shall give priority consideration to the following interstate river basins and watersheds:

"(1) Delaware River.

"(2) Potomac River.

"(3) Susquehanna River.

"(4) Kentucky River.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.".

SEC. 403. LOWER MISSISSIPPI RIVER RESOURCE ASSESSMENT.

(a) ASSESSMENTS.—The Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall undertake, at Federal expense, for the Lower Mississippi River system—

(1) an assessment of information needed for river-related management;

(2) an assessment of natural resource habitat needs; and

(3) an assessment of the need for river-related recreation and access.

(b) PERIOD.—Each assessment referred to in subsection (a) shall be carried out for 2 years.

(c) REPORTS.—Before the last day of the second year of an assessment under subsection (a), the Secretary, in cooperation with the Secretary of the Interior and the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, shall transmit to Congress a report on the results of the assessment to Congress. The report shall contain recommendations for—

(1) the collection, availability, and use of information needed for river-related management;

(2) the planning, construction, and evaluation of potential restoration, protection, and enhancement measures to meet identified habitat needs; and

(3) potential projects to meet identified river access and recreation needs.

(d) LOWER MISSISSIPPI RIVER SYSTEM DEFINED.—In this section, the term "Lower Mississippi River system" means those river reaches and adjacent floodplains within the Lower Mississippi River alluvial valley having commercial navigation channels on the Mississippi mainstem and tributaries south of Cairo, Illinois, and the Atchafalaya basin floodway system.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,750,000 to carry out this section.

SEC. 404. UPPER MISSISSIPPI RIVER BASIN SEDIMENT AND NUTRIENT STUDY.

(a) IN GENERAL.—The Secretary shall conduct, at Federal expense, a study—

(1) to identify significant sources of sediment and nutrients in the Upper Mississippi River basin; and

(2) to describe and evaluate the processes by which the sediments and nutrients move, on land and in water, from their sources to the Upper Mississippi River and its tributaries.

(b) CONSULTATION.—In conducting the study, the Secretary shall consult the Departments of Agriculture and the Interior.

(c) COMPONENTS OF THE STUDY.—

(1) COMPUTER MODELING.—As part of the study, the Secretary shall develop computer models at the subwatershed and basin level to identify and quantify the sources of sediment and nutrients and to examine the effectiveness of alternative management measures.

(2) RESEARCH.—As part of the study, the Secretary shall conduct research to improve understanding of—

(A) the processes affecting sediment and nutrient (with emphasis on nitrogen and phosphorus) movement;

(B) the influences of soil type, slope, climate, vegetation cover, and modifications to the stream drainage network on sediment and nutrient losses; and

(C) river hydrodynamics in relation to sediment and nutrient transformations, retention, and movement.

(d) USE OF INFORMATION.—Upon request of a Federal agency, the Secretary may provide information to the agency for use in sediment and nutrient reduction programs associated with land use and land management practices.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study, including findings and recommendations.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 405. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

Section 459(e) of the Water Resources Development Act of 1999 (113 Stat. 333) is amended by striking ''date of enactment of this Act'' and inserting ''first date on which funds are appropriated to carry out this section.''.

SEC. 406. OHIO RIVER SYSTEM.

The Secretary may conduct a study of commodity flows on the Ohio River system at Federal expense. The study shall include an analysis of the commodities transported on the Ohio River system, including information on the origins and destinations of these commodities and market trends, both national and international.

SEC. 407. EASTERN ARKANSAS.

(a) IN GENERAL.—The Secretary shall reevaluate the recommendations in the Eastern Arkansas Region Comprehensive Study of the Memphis District Engineer, dated August 1990, to determine whether the plans outlined in the study for agricultural water supply from the Little Red River, Arkansas, are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the reevaluation.

SEC. 408. RUSSELL, ARKANSAS.

(a) IN GENERAL.—The Secretary shall evaluate the preliminary investigation report for agricultural water supply, Russell, Arkansas, entitled ''Preliminary Investigation: Lone Star Management Project'', prepared for the Lone Star Water Irrigation District, to determine whether the plans contained in the report are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 409. ESTUDILLO CANAL, SAN LEANDRO, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction along the Estudillo Canal, San Leandro, California.

SEC. 410. LAGUNA CREEK, FREMONT, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction in the Laguna Creek watershed, Fremont, California.

SEC. 411. LAKE MERRITT, OAKLAND, CALIFORNIA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for ecosystem restoration, flood damage reduction, and recreation at Lake Merritt, Oakland, California.

SEC. 412. LANCASTER, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall evaluate the report of the city of Lancaster, California, entitled ''Master Plan of Drainage'', to determine whether the plans contained in the report are feasible and in the Federal interest, including plans relating to drainage corridors located at 52nd Street West, 35th Street West, North Armargosa, and 20th Street East.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 413. NAPA COUNTY, CALIFORNIA.

(a) STUDY.—The Secretary shall conduct a study to determine the feasibility of carrying out a project to address water supply, water quality, and groundwater problems at Miliken, Sarco, and Tulocay Creeks in Napa County, California.

(b) USE OF EXISTING DATA.—In conducting the study, the Secretary shall use data and information developed by the United States Geological Survey in the report entitled ''Geohydrologic Framework and Hydrologic Budget of the Lower Miliken-Sarco-Tulocay Creeks Area of Napa, California''.

SEC. 414. OCEANSIDE, CALIFORNIA.

The Secretary shall conduct a study, at Federal expense, to determine the feasibility of carrying out a project for shoreline protection at Oceanside, California. In conducting the study, the Secretary shall determine the portion of beach erosion that is the result of a Navy navigation project at Camp Pendleton Harbor, California.

SEC. 415. SUISUN MARSH, CALIFORNIA.

The investigation for Suisun Marsh, California, authorized under the Energy and Water Development Appropriations Act, 2000 (Public Law 106–60), shall be limited to evaluating the feasibility of the levee enhancement and managed wetlands protection program for Suisun Marsh, California.

SEC. 416. LAKE ALLATOONA WATERSHED, GEORGIA.

Section 413 of the Water Resources Development Act of 1999 (113 Stat. 324) is amended to read as follows:

''SEC. 413. LAKE ALLATOONA WATERSHED, GEORGIA.

''(a) IN GENERAL.—The Secretary shall conduct a comprehensive study of the Lake Allatoona watershed, Georgia, to determine the feasibility of undertaking ecosystem restoration and resource protection measures.

''(b) MATTERS TO BE ADDRESSED.—The study shall address streambank and shoreline erosion, sedimentation, water quality, fish and wildlife habitat degradation and other problems relating to ecosystem restoration and resource protection in the Lake Allatoona watershed.''.

SEC. 417. CHICAGO RIVER, CHICAGO, ILLINOIS.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for shoreline protection along the Chicago River, Chicago, Illinois.

(b) CONSULTATION.—In conducting the study, the Secretary shall consult, and incorporate information available from, appropriate Federal, State, and local government agencies.

SEC. 418. CHICAGO SANITARY AND SHIP CANAL SYSTEM, CHICAGO, ILLINOIS.

The Secretary shall conduct a study to determine the advisability of reducing the use of the waters of Lake Michigan to support navigation in the Chicago sanitary and ship canal system, Chicago, Illinois.

SEC. 419. LONG LAKE, INDIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for environmental restoration and protection, Long Lake, Indiana.

SEC. 420. BRUSH AND ROCK CREEKS, MISSION HILLS AND FAIRWAY, KANSAS.

(a) IN GENERAL.—The Secretary shall evaluate the preliminary engineering report for the project for flood control, Mission Hills and Fairway, Kansas, entitled ''Preliminary Engineering Report: Brush Creek/Rock Creek Drainage Improvements, 66th Street to State Line Road'', to determine whether the plans contained in the report are feasible and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 421. COASTAL AREAS OF LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of developing measures to floodproof major hurricane evacuation routes in the coastal areas of Louisiana.

SEC. 422. IBERIA PORT, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation, Iberia Port, Louisiana.

SEC. 423. LAKE PONTCHARTRAIN SEAWALL, LOUISIANA.

Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a post-authorization change report on the project for hurricane-flood protection, Lake Pontchartrain, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077), to incorporate and accomplish structural modifications to the seawall providing protection along the south shore of Lake Pontchartrain from the New Basin Canal on the west to the Inner Harbor Navigation Canal on the east.

SEC. 424. LOWER ATCHAFALAYA BASIN, LOUISIANA.

As part of the Lower Atchafalaya basin reevaluation study, the Secretary shall determine the feasibility of carrying out a project for flood damage reduction, Stephensville, Louisiana.

SEC. 425. ST. JOHN THE BAPTIST PARISH, LOUISIANA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction on the east bank of the Mississippi River in St. John the Baptist Parish, Louisiana.

SEC. 426. LAS VEGAS VALLEY, NEVADA.

Section 432(b) of the Water Resources Development Act of 1999 (113 Stat. 327) is amended by inserting ''recreation,'' after ''runoff),''.

SEC. 427. SOUTHWEST VALLEY, ALBUQUERQUE, NEW MEXICO.

Section 433 of the Water Resources Development Act of 1999 (113 Stat. 327) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The''; and

(2) by adding at the end the following:

''(b) EVALUATION OF FLOOD DAMAGE REDUCTION MEASURES.—In conducting the study, the Secretary shall evaluate flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies of the Corps of Engineers concerning the frequency of flooding, the drainage area, and the amount of runoff.''.

SEC. 428. BUFFALO HARBOR, BUFFALO, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the advisability and potential impacts of declaring as non-navigable a portion of the channel at Control Point Draw, Buffalo Harbor, Buffalo New York.

(b) CONTENTS.—The study conducted under this section shall include an examination of other options to meet intermodal transportation needs in the area.

SEC. 429. HUDSON RIVER, MANHATTAN, NEW YORK.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of establishing a Hudson River Park in Manhattan, New York City, New York. The study shall address the issues of shoreline protection, environmental protection and restoration, recreation, waterfront access, and open space for the area between Battery Place and West 59th Street.

(b) CONSULTATION.—In conducting the study under subsection (a), the Secretary shall consult the Hudson River Park Trust.

(c) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall transmit to Congress a report on the result of the study, including a master plan for the park.

SEC. 430. JAMESVILLE RESERVOIR, ONONDAGA COUNTY, NEW YORK.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration, flood damage reduction, and water quality, Jamesville Reservoir, Onondaga County, New York.

SEC. 431. STEUBENVIILLE, OHIO.

The Secretary shall conduct a study to determine the feasibility of developing a public port along the Ohio River in the vicinity of Steubenville, Ohio.

SEC. 432. GRAND LAKE, OKLAHOMA.

Section 560(a) of the Water Resources Development Act of 1996 (110 Stat. 3783) is amended—

(1) by striking ''date of enactment of this Act'' and inserting ''date of enactment of the Water Resources Development Act of 2000''; and

(2) by inserting ''and Miami'' after ''Pensacola Dam''.

SEC. 433. COLUMBIA SLOUGH, OREGON.

Not later than 180 days after the date of enactment of this Act, the Secretary shall complete under section 1135 of the Water Resource Development Act of 1986 (33 U.S.C. 2309a) a feasiblility study for the ecosystem restoration project at Columbia Slough, Oregon. If the Secretary determines that the project is feasible, the Secretary may carry out the project on an expedited basis under such section.

SEC. 434. REEDY RIVER, GREENVILLE, SOUTH CAROLINA.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for aquatic ecosystem restoration, flood damage reduction, and streambank stabilization on the Reedy River, Cleveland Park West, Greenville, South Carolina.

SEC. 435. GERMANTOWN, TENNESSEE.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood control and related purposes along Miller Farms Ditch, Howard Road Drainage, and Wolf River Lateral D, Germantown, Tennessee.

(b) COST SHARING.—The Secretary—

(1) shall credit toward the non-Federal share of the costs of the feasibility study the value of the in-kind services provided by the non-Federal interests relating to the planning, engineering, and design of the project, whether carried out before or after execution of the feasibility study cost-sharing agreement if the Secretary determines the work is necessary for completion of the study; and

(2) for the purposes of paragraph (1), shall consider the feasibility study to be conducted as part of the Memphis Metro Tennessee and Mississippi study authorized by resolution of the Committee on Transportation and Infrastructure, dated March 7, 1996.

(c) LIMITATION.—The Secretary may not reject the project under the feasibility study based solely on a minimum amount of stream runoff.

SEC. 436. HOUSTON SHIP CHANNEL, GALVESTON, TEXAS.

The Secretary shall conduct a study to determine the feasibility of constructing barge lanes adjacent to the Houston Ship Channel from Redfish Reef to Morgan Point in Galveston, Texas.

SEC. 437. PARK CITY, UTAH.

The Secretary shall conduct a study to determine the feasibility of carrying out a project for water supply, Park City, Utah.

SEC. 438. MILWAUKEE, WISCONSIN.

(a) IN GENERAL.—The Secretary shall evaluate the report for the project for flood damage reduction and environmental restoration, Milwaukee, Wisconsin, entitled ''Interim Executive Summary: Menominee River Flood Management Plan'', dated September 1999, to determine whether the plans contained in the report are cost-effective, technically sound, environmentally acceptable, and in the Federal interest.

(b) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the evaluation.

SEC. 439. UPPER DES PLAINES RIVER AND TRIBUTARIES, ILLINOIS AND WISCONSIN.

Section 419 of the Water Resources Development Act of 1999 (113 Stat. 324–325) is amended by adding at the end the following:

''(d) CREDIT.—The Secretary shall provide the non-Federal interest credit toward the non-Federal share of the cost of the study for work performed by the non-Federal interest before the date of the study's feasibility cost-share agreement if the Secretary determines that the work is integral to the study.''.

SEC. 440. DELAWARE RIVER WATERSHED.

(a) STUDY.—The Secretary shall conduct studies and assessments to analyze the sources and impacts of sediment contamination in the Delaware River watershed.

(b) ACTIVITIES.—Activities authorized under this section shall be conducted by a university with expertise in research in contaminated sediment sciences.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $5,000,000. Such sums shall remain available until expended.

(2) CORPS OF ENGINEERS EXPENSES.—10 percent of the amounts appropriated to carry out this section may be used by the Corps of Engineers district offices to administer and implement studies and assessments under this section.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. BRIDGEPORT, ALABAMA.

(a) DETERMINATION.—The Secretary shall review the construction of a channel performed by the non-Federal interest at the project for navigation, Tennessee River, Bridgeport, Alabama, to determine the Federal navigation interest in such work.

(b) REIMBURSEMENT.—If the Secretary determines under subsection (a) that the work performed by the non-Federal interest is consistent with the Federal navigation interest, the Secretary shall reimburse the non-Federal interest an amount equal to the Federal share of the cost of construction of the channel.

SEC. 502. DUCK RIVER, CULLMAN, ALABAMA.

The Secretary shall provide technical assistance to the city of Cullman, Alabama, in the management of construction contracts for the reservoir project on the Duck River.

SEC. 503. SEWARD, ALASKA.

The Secretary shall carry out, on an emergency one-time basis, necessary repairs of the Lowell Creek Tunnel in Seward, Alaska, at Federal expense and a total cost of $3,000,000.

SEC. 504. AUGUSTA AND DEVALLS BLUFF, ARKANSAS.

(a) IN GENERAL.—The Secretary may operate, maintain, and rehabilitate 37 miles of levees in and around Augusta and Devalls Bluff, Arkansas.

(b) REIMBURSEMENT.—After incurring any cost for operation, maintenance, or rehabilitation under subsection (a), the Secretary may seek reimbursement from the Secretary of the Interior of an amount equal to the portion of such cost that the Secretary determines is a benefit to a Federal wildlife refuge.

SEC. 505. BEAVER LAKE, ARKANSAS.

The contract price for additional storage for the Carroll-Boone Water District beyond that which is provided for in section 521 of the Water Resources Development Act of 1999 (113 Stat. 345) shall be based on the original construction cost of Beaver Lake and adjusted to the 2000 price level net of inflation between the date of initiation of construction and the date of enactment of this Act.

SEC. 506. McCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, ARKANSAS AND OKLAHOMA.

Taking into account the need to realize the total economic potential of the McClellan-Kerr Arkansas River navigation system, the Secretary shall expedite completion of the Arkansas River navigation study, including the feasibility of increasing the authorized channel from 9 feet to 12 feet and, if justified, proceed directly to project preconstruction engineering and design.±

SEC. 507. CALFED BAY DELTA PROGRAM ASSISTANCE, CALIFORNIA.

(a) IN GENERAL.—The Secretary may participate with appropriate Federal and State agencies in planning and management activities associated with the CALFED Bay Delta Program (in this section referred to as the ''Program'') and shall, to the maximum extent practicable and in accordance with all applicable laws, integrate the activities of the Corps of Engineers in the San Joaquin and Sacramento River basins with the long-term goals of the Program.

(b) COOPERATIVE ACTIVITIES.—In carrying out this section, the Secretary—

(1) may accept and expend funds from other Federal agencies and from public, private, and non-profit entities to carry out ecosystem restoration projects and activities associated with the Program; and

(2) may enter into contracts, cooperative research and development agreements, and cooperative agreements, with Federal and public, private, and non-profit entities to carry out such projects and activities.

(c) GEOGRAPHIC SCOPE.—For the purposes of the participation of the Secretary under this section, the geographic scope of the Program shall be the San Francisco Bay and the Sacramento-San Joaquin Delta Estuary and their watershed (also known as the ''Bay-Delta Estuary''), as identified in the agreement entitled the ''Framework Agreement Between the Governor's Water Policy Council of the State of California and the Federal Ecosystem Directorate''.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal years 2002 through 2005.

SEC. 508. CLEAR LAKE BASIN, CALIFORNIA.

Amounts made available to the Secretary by the Energy and Water Appropriations Act, 2000 (113 Stat. 483 et seq.) for the project for aquatic ecosystem restoration, Clear Lake basin, California, to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), may only be used for the wetlands restoration and creation elements of the project.

SEC. 509. CONTRA COSTA CANAL, OAKLEY AND KNIGHTSEN, CALIFORNIA.

The Secretary shall carry out a project for flood damage reduction under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) at the Contra Costa Canal, Oakley and Knightsen, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 510. HUNTINGTON BEACH, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Huntington Beach, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 511. MALLARD SLOUGH, PITTSBURG, CALIFORNIA.

The Secretary shall carry out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) a project for flood damage reduction in Mallard Slough, Pittsburg, California, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified.

SEC. 512. PENN MINE, CALAVERAS COUNTY, CALIFORNIA.

(a) IN GENERAL.—The Secretary shall reimburse the non-Federal interest for the project for aquatic ecosystem restoration, Penn Mine, Calaveras County, California, carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), $4,100,000 for the Federal share of costs incurred by the non-Federal interest for work carried out by the non-Federal interest for the project.

(b) SOURCE OF FUNDING.—Reimbursement under subsection (a) shall be from amounts appropriated before the date of enactment of this Act for the project described in subsection (a).

SEC. 513. PORT OF SAN FRANCISCO, CALIFORNIA.

(a) EMERGENCY MEASURES.—The Secretary shall carry out, on an emergency basis, measures to address health, safety, and environmental risks posed by floatables and floating debris originating from Piers 24 and 64 in the Port of San Francisco, California, by removing such floatables and debris.

(b) STUDY.—The Secretary shall conduct a study to determine the risk to navigation posed by floatables and floating debris originating from Piers 24 and 64 in the Port of San Francisco, California, and the cost of removing such floatables and debris.

(c) FUNDING.—There is authorized to be appropriated $3,000,000 to carry out this section.

SEC. 514. SAN GABRIEL BASIN, CALIFORNIA.

(a) SAN GABRIEL BASIN RESTORATION.—

(1) ESTABLISHMENT OF FUND.—There shall be established within the Treasury of the United States an interest bearing account to be known as the San Gabriel Basin Restoration Fund (in this section referred to as the ''Restoration Fund'').

(2) ADMINISTRATION OF FUND.—The Restoration Fund shall be administered by the Secretary, in cooperation with the San Gabriel Basin Water Quality Authority or its successor agency.

(3) PURPOSES OF FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), the amounts in the Restoration Fund, including interest accrued, shall be utilized by the Secretary—

(i) to design and construct water quality projects to be administered by the San Gabriel Basin Water Quality Authority and the Central Basin Water Quality Project to be administered by the Central Basin Municipal Water District; and

(ii) to operate and maintain any project constructed under this section for such period as the Secretary determines, but not to exceed 10 years, following the initial date of operation of the project.

(B) COST-SHARING LIMITATION.—The Secretary may not obligate any funds appropriated to the Restoration Fund in a fiscal year until the Secretary has deposited in the Fund an amount provided by non-Federal interests sufficient to ensure that at least 35 percent of any funds obligated by the Secretary are from funds provided to the Secretary by the non-Federal interests. The San Gabriel Basin Water Quality Authority shall be responsible for providing the non-Federal amount required by the preceding sentence. The State of California, local government agencies, and private entities may provide all or any portion of such amount.

(b) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the activities described in this section, the Secretary shall comply with any applicable Federal and State laws.

(c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing in this section shall be construed to affect other Federal or State authorities that are being used or may be used to facilitate the cleanup and protection of the San Gabriel and Central groundwater basins. In carrying out the activities described in this section, the Secretary shall integrate such activities with ongoing Federal and State projects and activities. None of the funds made available for such activities pursuant to this section shall be counted against any Federal authorization ceiling established for any previously authorized Federal projects or activities.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Restoration Fund established under subsection (a) $85,000,000. Such funds shall remain available until expended.

(2) SET-ASIDE.—Of the amounts appropriated under paragraph (1), no more than $10,000,000 shall be available to carry out the Central Basin Water Quality Project.

(e) ADJUSTMENT.—Of the $25,000,000 made available for San Gabriel Basin Groundwater Restoration, California, under the heading ''Construction, General'' in title I of the Energy and Water Development Appropriations Act, 2001—

(1) $2,000,000 shall be available only for studies and other investigative activities and planning and design of projects determined by the Secretary to offer a long-term solution to the problem of groundwater contamination caused by perchlorates at sites located in the city of Santa Clarita, California; and

(2) $23,000,000 shall be deposited in the Restoration Fund, of which $4,000,000 shall be used for remediation in the Central Basin, California.

SEC. 515. STOCKTON, CALIFORNIA.

The Secretary shall evaluate the feasibility of the Lower Mosher Slough element and the levee extensions on the Upper Calaveras River element of the project for flood control, Stockton Metropolitan Area, California, carried out under section 211(f)(3) of the Water Resources Development Act of 1996 (110 Stat. 3683), to determine the eligibility of such elements for reimbursement under section 211 of such Act (33 U.S.C. 701b–13). If the Secretary determines that such elements are technically sound, environmentally acceptable, and economically justified, the Secretary shall reimburse under section 211 of such Act the non-Federal interest for the Federal share of the cost of such elements.

SEC. 516. PORT EVERGLADES, FLORIDA.

Notwithstanding the absence of a project cooperation agreement, the Secretary shall reimburse the non-Federal interest for the project for navigation, Port Everglades Harbor, Florida, $15,003,000 for the Federal share of costs incurred by the non-Federal interest in carrying out the project and determined by the Secretary to be eligible for reimbursement under the limited reevaluation report of the Corps of Engineers, dated April 1998.

SEC. 517. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

(a) IN GENERAL.—In coordination with the Florida Keys Aqueduct Authority, appropriate agencies of municipalities of Monroe County, Florida, and other appropriate public agencies of the State of Florida or Monroe County, the Secretary may provide technical and financial assistance to carry out projects for the planning, design, and construction of treatment works to improve water quality in the Florida Keys National Marine Sanctuary.

(b) CRITERIA FOR PROJECTS.—Before entering into a cooperation agreement to provide assistance with respect to a project under this section, the Secretary shall ensure that—

(1) the non-Federal sponsor has completed adequate planning and design activities, as applicable;

(2) the non-Federal sponsor has completed a financial plan identifying sources of non-Federal funding for the project;

(3) the project complies with—

(A) applicable growth management ordinances of Monroe County, Florida;

(B) applicable agreements between Monroe County, Florida, and the State of Florida to manage growth in Monroe County, Florida; and

(C) applicable water quality standards; and

(4) the project is consistent with the master wastewater and stormwater plans for Monroe County, Florida.

(c) CONSIDERATION.—In selecting projects under subsection (a), the Secretary shall consider whether a project will have substantial water quality benefits relative to other projects under consideration.

(d) CONSULTATION.—In carrying out this section, the Secretary shall consult with—

(1) the Water Quality Steering Committee established under section 8(d)(2)(A) of the Florida Keys National Marine Sanctuary and Protection Act (106 Stat. 5054);

(2) the South Florida Ecosystem Restoration Task Force established by section 528(f) of the Water Resources Development Act of 1996 (110 Stat. 3771–3773);

(3) the Commission on the Everglades established by executive order of the Governor of the State of Florida; and

(4) other appropriate State and local government officials.

(e) NON-FEDERAL SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of a project carried out under this section shall be 35 percent.

(2) CREDIT.—

(A) IN GENERAL.—The Secretary may provide the non-Federal interest credit toward cash contributions required—

(i) before and during the construction of the project, for the costs of planning, engineering, and design, and for the construction

management work that is performed by the non-Federal interest and that the Secretary determines is necessary to implement the project; and

(ii) during the construction of the project, for the construction that the non-Federal interest carries out on behalf of the Secretary and that the Secretary determines is necessary to carry out the project.

(B) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over between authorized projects.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000. Such sums shall remain available until expended.

SEC. 518. BALLARD'S ISLAND, LASALLE COUNTY, ILLINOIS.

The Secretary may provide the non-Federal interest for the project for the improvement of the quality of the environment, Ballard's Island, LaSalle County, Illinois, carried out under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C 2309a), credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest after July 1, 1999, if the Secretary determines that the work is integral to the project.

SEC. 519. LAKE MICHIGAN DIVERSION, ILLINOIS.

Section 1142(b) of the Water Resources Development Act of 1986 (110 Stat. 4253; 113 Stat. 339) is amended by inserting after ''2003'' the following: ''and $800,000 for each fiscal year beginning after September 30, 2003,''.

SEC. 520. KOONTZ LAKE, INDIANA.

The Secretary shall provide the non-Federal interest for the project for aquatic ecosystem restoration, Koontz Lake, Indiana, carried out under section 206 of the Water Resources Development Act of 1996 (22 U.S.C. 2330), credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest before the date of execution of the project cooperation agreement if the Secretary determines that the work is integral to the project.

SEC. 521. CAMPBELLSVILLE LAKE, KENTUCKY.

The Secretary shall repair the retaining wall and dam at Campbellsville Lake, Kentucky, to protect the public road on top of the dam at Federal expense and a total cost of $200,000.

SEC. 522. WEST VIEW SHORES, CECIL COUNTY, MARYLAND.

Not later than 1 year after the date of enactment of this Act, the Secretary shall carry out an investigation of the contamination of the well system in West View Shores, Cecil County, Maryland. If the Secretary determines that a disposal site for a Federal navigation project has contributed to the contamination of the well system, the Secretary may provide alternative water supplies, including replacement of wells, at Federal expense.

SEC. 523. CONSERVATION OF FISH AND WILDLIFE, CHESAPEAKE BAY, MARYLAND AND VIRGINIA.

Section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended by adding at the end the following: ''In addition, there is authorized to be appropriated $20,000,000 to carry out paragraph (4).''.

SEC. 524. MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.

The Secretary shall carry out the project for flood damage reduction and environmental restoration, Muddy River, Brookline and Boston, Massachusetts, substantially in accordance with the plans, and subject to the conditions, described in the draft evaluation report of the New England District Engineer entitled ''Phase I Muddy River Master Plan'', dated June 2000.

SEC. 525. SOO LOCKS, SAULT STE. MARIE, MICHIGAN.

The Secretary may not require a cargo vessel equipped with bow thrusters and friction winches that is transiting the Soo Locks in Sault Ste. Marie, Michigan, to provide more than 2 crew members to serve as line handlers on the pier of a lock, except in adverse weather conditions or if there is a mechanical failure on the vessel.

SEC. 526. DULUTH, MINNESOTA, ALTERNATIVE TECHNOLOGY PROJECT.

(a) PROJECT AUTHORIZATION.—Section 541(a) of the Water Resources Development Act of 1996 (110 Stat. 3777) is amended—

(1) by striking ''implement'' and inserting ''conduct full scale demonstrations of''; and

(2) by inserting before the period the following: '', including technologies evaluated for the New York/New Jersey Harbor under section 405 of the Water Resources Development Act of 1992 (33 U.S.C. 2239 note; 106 Stat. 4863)''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 541(b) of such Act is amended by striking ''$1,000,000'' and inserting ''$3,000,000''.

SEC. 527. MINNEAPOLIS, MINNESOTA.

(a) IN GENERAL.—The Secretary, in cooperation with the State of Minnesota, shall design and construct the project for environmental restoration and recreation, Minneapolis, Minnesota, substantially in accordance with the plans described in the report entitled ''Feasibility Study for Mississippi Whitewater Park, Minneapolis, Minnesota'', prepared for the Minnesota department of natural resources, dated June 30, 1999.

(b) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of the project shall be determined in accordance with title I of the Water Resources Development Act of 1986 (33 U.S.C. 2211 et seq.).

(2) LANDS, EASEMENTS, AND RIGHTS-OF-WAY.—The non-Federal interest shall provide all lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for construction of the project and shall receive credit for the cost of providing such lands, easements, rights-of-way, relocations, and dredged material disposal areas toward the non-Federal share of the cost of the project.

(3) OPERATION, MAINTENANCE, REPAIR, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, repair, rehabilitation, and replacement of the project shall be a non-Federal responsibility.

(4) CREDIT FOR NON-FEDERAL WORK.—The non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for work performed by the non-Federal interest before the date of execution of the project cooperation agreement if the Secretary determines that the work is integral to the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 528. ST. LOUIS COUNTY, MINNESOTA.

The Secretary shall carry out under section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) a project in St. Louis County, Minnesota, by making beneficial use of dredged material from a Federal navigation project.

SEC. 529. WILD RICE RIVER, MINNESOTA.

The Secretary shall prepare a general reevaluation report on the project for flood control, Wild Rice River, Minnesota, authorized by section 201 of the Flood Control Act of 1970 (84 Stat. 1825), and, if the Secretary determines that the project is technically sound, environmentally acceptable, and economically justified, shall carry out the project. In carrying out the reevaluation, the Secretary shall include river dredging as a component of the study.

SEC. 530. COASTAL MISSISSIPPI WETLANDS RESTORATION PROJECTS.

(a) IN GENERAL.—In order to further the purposes of section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) and section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), the Secretary shall participate in restoration projects for critical coastal wetlands and coastal barrier islands in the State of Mississippi that will produce, consistent with existing Federal programs, projects, and activities, immediate and substantial restoration, preservation, and ecosystem protection benefits, including the beneficial use of dredged material if such use is a cost-effective means of disposal of such material.

(b) PROJECT SELECTION.—The Secretary, in coordination with other Federal, tribal, State, and local agencies, may identify and implement projects described in subsection (a) after entering into an agreement with an appropriate non-Federal interest in accordance with this section.

(c) COST SHARING.—Before implementing any project under this section, the Secretary shall enter into a binding agreement with the non-Federal interests. The agreement shall provide that the non-Federal responsibility for the project shall be as follows:

(1) To acquire any lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for implementation of the project.

(2) To hold and save harmless the United States free from claims or damages due to implementation of the project, except for the negligence of the Federal Government or its contractors.

(3) To pay 35 percent of project costs.

(d) NONPROFIT ENTITY.—For any project undertaken under this section, a non-Federal interest may include a nonprofit entity with the consent of the affected local government.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.

SEC. 531. MISSOURI RIVER VALLEY IMPROVEMENTS.

(a) MISSOURI RIVER MITIGATION PROJECT.—The project for mitigation of fish and wildlife losses, Missouri River Bank Stabilization and Navigation Project, Missouri, Kansas, Iowa, and Nebraska authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143) and modified by section 334 of the Water Resources Development Act of 1999 (113 Stat. 306), is further modified to authorize $200,000,000 for fiscal years 2001 through 2010 to be appropriated to the Secretary for acquisition of 118,650 acres of land and interests in land for the project.

(b) UPPER MISSOURI RIVER AQUATIC AND RIPARIAN HABITAT MITIGATION PROGRAM.—

(1) IN GENERAL.—

(A) STUDY.—The Secretary shall complete a study that analyzes the need for additional measures for mitigation of losses of aquatic and terrestrial habitat from Fort Peck Dam to Sioux City, Iowa, resulting from the operation of the Missouri River Mainstem Reservoir project in the States of Nebraska, South Dakota, North Dakota, and Montana.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report describing the results of the study.

(2) PILOT PROGRAM.—The Secretary, in consultation with the Director of the United States Fish and Wildlife Service and the affected State fish and wildlife agencies, shall develop and administer a pilot mitigation program that—

(A) involves the experimental releases of warm water from the spillways at Fort Peck

Dam during the appropriate spawning periods for native fish;

(B) involves the monitoring of the response of fish to, and the effectiveness toward the preservation of native fish and wildlife habitat as a result of, such releases; and

(C) requires the Secretary to provide compensation for any loss of hydropower at Fort Peck Dam resulting from implementation of the pilot program; and

(D) does not effect a change in the Missouri River Master Water Control Manual.

(3) RESERVOIR FISH LOSS STUDY.—

(A) IN GENERAL.—The Secretary, in consultation with the North Dakota Game and Fish Department and the South Dakota Department of Game, Fish and Parks, shall complete a study to analyze and recommend measures to avoid or reduce the loss of fish, including rainbow smelt, through Garrison Dam in North Dakota and Oahe Dam in South Dakota.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report describing the results of the study.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated—

(A) to complete the study under paragraph (3) $200,000; and

(B) to carry out the other provisions of this subsection $1,000,000 for each of fiscal years 2001 through 2010.

(c) MISSOURI AND MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJECT.—Section 514(g) of the Water Resources Development Act of 1999 (113 Stat. 342) is amended to read as follows:

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to pay the Federal share of the cost of carrying out activities under this section $5,000,000 for each of fiscal years 2001 through 2010.''.

SEC. 532. NEW MADRID COUNTY, MISSOURI.

For purposes of determining the non-Federal share for the project for navigation, New Madrid County Harbor, Missouri, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), the Secretary shall consider Phases 1 and 2 as described in the report of the District Engineer, dated February 2000, as one project and provide credit to the non-Federal interest toward the non-Federal share of the combined project for work performed by the non-Federal interest on Phase 1 of the project.

SEC. 533. PEMISCOT COUNTY, MISSOURI.

The Secretary shall provide the non-Federal interest for the project for navigation, Caruthersville Harbor, Pemiscot County, Missouri, carried out under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), credit toward the non-Federal share of the cost of the project for in-kind work performed by the non-Federal interest after December 1, 1997, if the Secretary determines that the work is integral to the project.

SEC. 534. LAS VEGAS, NEVADA.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) COMMITTEE.—The term ''Committee'' means the Las Vegas Wash Coordinating Committee.

(2) PLAN.—The term ''Plan'' means the Las Vegas Wash comprehensive adaptive management plan, developed by the Committee and dated January 20, 2000.

(3) PROJECT.—The term ''Project'' means the Las Vegas Wash wetlands restoration and Lake Mead water quality improvement project and includes the programs, features, components, projects, and activities identified in the Plan.

(b) PARTICIPATION IN PROJECT.—

(1) IN GENERAL.—The Secretary, in conjunction with the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the Secretary of the Interior and in partnership with the Committee, shall participate in the implementation of the Project to restore wetlands at Las Vegas Wash and to improve water quality in Lake Mead in accordance with the Plan.

(2) COST SHARING REQUIREMENTS.—

(A) IN GENERAL.—The non-Federal interests shall pay 35 percent of the cost of any project carried out under this section.

(B) OPERATION AND MAINTENANCE.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(C) FEDERAL LANDS.—Notwithstanding any other provision of this subsection, the Federal share of the cost of a project carried out under this section on Federal lands shall be 100 percent, including the costs of operation and maintenance.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. 535. NEWARK, NEW JERSEY.

(a) IN GENERAL.—Using authorities under law in effect on the date of enactment of this Act, the Secretary, the Director of the Federal Emergency Management Agency, the Administrator of the Environmental Protection Agency, and the heads of other appropriate Federal agencies shall assist the State of New Jersey in developing and implementing a comprehensive basinwide strategy in the Passaic, Hackensack, Raritan, and Atlantic Coast floodplain areas for coordinated and integrated management of land and water resources to improve water quality, reduce flood hazards, and ensure sustainable economic activity.

(b) TECHNICAL ASSISTANCE, STAFF, AND FINANCIAL SUPPORT.—The heads of the Federal agencies referred to in subsection (a) may provide technical assistance, staff, and financial support for the development of the floodplain management strategy.

(c) FLEXIBILITY.—The heads of the Federal agencies referred to in subsection (a) shall exercise flexibility to reduce barriers to efficient and effective implementation of the floodplain management strategy.

(d) RESEARCH.—In coordination with academic and research institutions for support, the Secretary may conduct a study to carry out this section.

SEC. 536. URBANIZED PEAK FLOOD MANAGEMENT RESEARCH, NEW JERSEY.

(a) IN GENERAL.—The Secretary shall develop and implement a research program to evaluate opportunities to manage peak flood flows in urbanized watersheds located in the State of New Jersey.

(b) SCOPE OF RESEARCH.—The research program authorized by subsection (a) shall be accomplished through the New York District of Corps of Engineers. The research shall include the following:

(1) Identification of key factors in the development of an urbanized watershed that affect peak flows in the watershed and downstream.

(2) Development of peak flow management models for 4 to 6 watersheds in urbanized areas with widely differing geology, shapes, and soil types that can be used to determine optimal flow reduction factors for individual watersheds.

(c) LOCATION.—The activities authorized by this section shall be carried out at the facility authorized by section 103(d) of the Water Resources Development Act of 1992 106 Stat. 4812–4813, which may be located on the campus of the New Jersey Institute of Technology.

(d) REPORT TO CONGRESS.—The Secretary shall evaluate policy changes in the planning process for flood damage reduction projects based on the results of the research under this section and transmit to Congress a report on such results not later than 3 years after the date of enactment of this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $11,000,000 for fiscal years beginning after September 30, 2000.

SEC. 537. BLACK ROCK CANAL, BUFFALO, NEW YORK.

The Secretary shall provide technical assistance in support of activities of non-Federal interests related to the dredging of Black Rock Canal in the area between the Ferry Street Overpass and the Peace Bridge Overpass in Buffalo, New York.

SEC. 538. HAMBURG, NEW YORK.

The Secretary shall complete the study of a project for shoreline erosion, Old Lake Shore Road, Hamburg, New York, and, if the Secretary determines that the project is feasible, the Secretary shall carry out the project.

SEC. 539. NEPPERHAN RIVER, YONKERS, NEW YORK.

The Secretary shall provide technical assistance to the city of Yonkers, New York, in support of activities relating to the dredging of the Nepperhan River outlet, New York.

SEC. 540. ROCHESTER, NEW YORK.

The Secretary shall complete the study of a project for navigation, Rochester Harbor, Rochester, New York, and, if the Secretary determines that the project is feasible, the Secretary shall carry out the project.

SEC. 541. UPPER MOHAWK RIVER BASIN, NEW YORK.

(a) IN GENERAL.—The Secretary, in cooperation with the Secretary of Agriculture and the State of New York, shall conduct a study, develop a strategy, and implement a project to reduce flood damages, improve water quality, and create wildlife habitat through wetlands restoration, soil and water conservation practices, nonstructural measures, and other appropriate means in the Upper Mohawk River Basin, at an estimated Federal cost of $10,000,000.

(b) IMPLEMENTATION OF STRATEGY.—The Secretary shall implement the strategy under this section in cooperation with local landowners and local government. Projects to implement the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of implementing recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Mohawk River basin ecosystem.

(c) COOPERATION AGREEMENTS.—In carrying out activities under this section, the Secretary shall enter into cooperation agreements to provide financial assistance to appropriate Federal, State, and local government agencies as well as appropriate nonprofit, nongovernmental organizations with expertise in wetlands restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands restoration projects and soil and water conservation measures.

(d) NON-FEDERAL SHARE.—The non-Federal share of the cost of activities carried out under this section shall be 25 percent and may be provided through in-kind services and materials.

(e) UPPER MOHAWK RIVER BASIN DEFINED.—In this section, the term ''Upper Mohawk River basin'' means the Mohawk River, its tributaries, and associated lands upstream of the confluence of the Mohawk River and

Canajoharie Creek, and including Canajoharie Creek, New York.

SEC. 542. EASTERN NORTH CAROLINA FLOOD PROTECTION.

(a) IN GENERAL.—In order to assist the State of North Carolina and local governments in mitigating damages resulting from a major disaster, the Secretary shall carry out flood damage reduction projects in eastern North Carolina by protecting, clearing, and restoring channel dimensions (including removing accumulated snags and other debris) in the following rivers and tributaries:

(1) New River and tributaries.

(2) White Oak River and tributaries.

(3) Neuse River and tributaries.

(4) Pamlico River and tributaries.

(b) COST SHARE.—The non-Federal interest for a project under this section shall—

(1) pay 35 percent of the cost of the project; and

(2) provide any lands, easements, rights-of-way, relocations, and material disposal areas necessary for implementation of the project.

(c) CONDITIONS.—The Secretary may not reject a project based solely on a minimum amount of stream runoff.

(d) MAJOR DISASTER DEFINED.—In this section, the term ''major disaster'' means a major disaster declared under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) and includes any major disaster declared before the date of enactment of this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000 for fiscal years 2001 through 2003.

SEC. 543. CUYAHOGA RIVER, OHIO.

(a) IN GENERAL.—The Secretary shall provide technical assistance to non-Federal interests for an evaluation of the structural integrity of the bulkhead system located along the Cuyahoga River in the vicinity of Cleveland, Ohio, at a total cost of $500,000.

(b) EVALUATION.—The evaluation described in subsection (a) shall include design analysis, plans and specifications, and cost estimates for repair or replacement of the bulkhead system.

SEC. 544. CROWDER POINT, CROWDER, OKLAHOMA.

At the request of the city of Crowder, Oklahoma, the Secretary shall enter into a long-term lease, not to exceed 99 years, with the city under which the city may develop, operate, and maintain as a public park all or a portion of approximately 260 acres of land known as Crowder Point on Lake Eufaula, Oklahoma. The lease shall include such terms and conditions as the Secretary determines are necessary to protect the interest of the United States and project purposes and shall be made without consideration to the United States.

SEC. 545. OKLAHOMA-TRIBAL COMMISSION.

(a) FINDINGS.—The House of Representatives makes the following findings:

(1) The unemployment rate in southeastern Oklahoma is 23 percent greater than the national average.

(2) The per capita income in southeastern Oklahoma is 62 percent of the national average.

(3) Reflecting the inadequate job opportunities and dwindling resources in poor rural communities, southeastern Oklahoma is experiencing an out-migration of people.

(4) Water represents a vitally important resource in southeastern Oklahoma. Its abundance offers an opportunity for the residents to benefit from their natural resources.

(5) Trends as described in paragraphs (1), (2), and (3) are not conducive to local economic development, and efforts to improve the management of water in the region would have a positive outside influence on the local economy, help reverse these trends, and improve the lives of local residents.

(b) SENSE OF HOUSE OF REPRESENTATIVES.—In view of the findings described in subsection (a), and in order to assist communities in southeastern Oklahoma in benefiting from their local resources, it is the sense of the House of Representatives that—

(1) the State of Oklahoma and the Choctaw Nation of Oklahoma and the Chickasaw Nation, Oklahoma, should establish a State-tribal commission composed equally of representatives of such Nations and residents of the water basins within the boundaries of such Nations for the purpose of administering and distributing from the sale of water any benefits and net revenues to the tribes and local entities within the respective basins;

(2) any sale of water to entities outside the basins should be consistent with the procedures and requirements established by the commission; and

(3) if requested, the Secretary should provide technical assistance, as appropriate, to facilitate the efforts of the commission.

SEC. 546. COLUMBIA RIVER, OREGON AND WASHINGTON.

(a) MODELING AND FORECASTING SYSTEM.—The Secretary shall develop and implement a modeling and forecasting system for the Columbia River estuary, Oregon and Washington, to provide real-time information on existing and future wave, current, tide, and wind conditions.

(b) USE OF CONTRACTS AND GRANTS.—In carrying out this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-Federal entities.

SEC. 547. JOHN DAY POOL, OREGON AND WASHINGTON.

(a) EXTINGUISHMENT OF REVERSIONARY INTERESTS AND USE RESTRICTIONS.—With respect to the lands described in each deed listed in subsection (b)—

(1) the reversionary interests and the use restrictions relating to port or industrial purposes are extinguished;

(2) the human habitation or other building structure use restriction is extinguished in each area where the elevation is above the standard project flood elevation; and

(3) the use of fill material to raise areas above the standard project flood elevation, without increasing the risk of flooding in or outside of the floodplain, is authorized, except in any area constituting wetland for which a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) would be required.

(b) AFFECTED DEEDS.—The following deeds are referred to in subsection (a):

(1) The deeds executed by the United States and bearing Morrow County, Oregon, Auditor's Microfilm Numbers 229 and 16226.

(2) The deed executed by the United States and bearing Benton County, Washington, Auditor's File Number 601766, but only as that deed applies to the following portion of lands conveyed by that deed:

A tract of land lying in Section 7, Township 5 north, Range 28 east of the Willamette meridian, Benton County, Washington, said tract being more particularly described as follows:

Commencing at the point of intersection of the centerlines of Plymouth Street and Third Avenue in the First Addition to the Town of Plymouth (according to the duly recorded Plat thereof);

thence westerly along the said centerline of Third Avenue, a distance of 565 feet;

thence south 54° 10′ west, to a point on the west line of Tract 18 of said Addition and the true point of beginning;

thence north, parallel with the west line of said Section 7, to a point on the north line of said Section 7;

thence west along the north line thereof to the northwest corner of said Section 7;

thence south along the west line of said Section 7 to a point on the ordinary high water line of the Columbia River;

thence northeasterly along said high water line to a point on the north and south coordinate line of the Oregon Coordinate System, North Zone, said coordinate line being east 2,291,000 feet;

thence north along said line to a point on the south line of First Avenue of said Addition;

thence westerly along First Avenue to a point on southerly extension of the west line of Tract 18;

thence northerly along said west line of Tract 18 to the point of beginning.

(3) The deed recorded October 17, 1967, in book 291, page 148, Deed of Records of Umatilla County, Oregon, executed by the United States.

(c) NO EFFECT ON OTHER NEEDS.—Nothing in this section affects the remaining rights and interests of the Corps of Engineers for authorized project purposes.

SEC. 548. LOWER COLUMBIA RIVER AND TILLAMOOK BAY ESTUARY PROGRAM, OREGON AND WASHINGTON.

(a) IN GENERAL.—The Secretary shall conduct studies and ecosystem restoration projects for the lower Columbia River and Tillamook Bay estuaries, Oregon and Washington.

(b) USE OF MANAGEMENT PLANS.—

(1) LOWER COLUMBIA RIVER ESTUARY.—

(A) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall use as a guide the Lower Columbia River estuary program's comprehensive conservation and management plan developed under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(B) CONSULTATION.—The Secretary shall carry out ecosystem restoration projects under this section for the lower Columbia River estuary in consultation with the States of Oregon and Washington, the Environmental Protection Agency, the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the Forest Service.

(2) TILLAMOOK BAY ESTUARY.—

(A) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall use as a guide the Tillamook Bay national estuary project's comprehensive conservation and management plan developed under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330).

(B) CONSULTATION.—The Secretary shall carry out ecosystem restoration projects under this section for the Tillamook Bay estuary in consultation with the State of Oregon, the Environmental Protection Agency, the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the Forest Service.

(c) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—In carrying out ecosystem restoration projects under this section, the Secretary shall undertake activities necessary to protect, monitor, and restore fish and wildlife habitat.

(2) LIMITATIONS.—The Secretary may not carry out any activity under this section that adversely affects—

(A) the water-related needs of the lower Columbia River estuary or the Tillamook Bay estuary, including navigation, recreation, and water supply needs; or

(B) private property rights.

(d) PRIORITY.—In determining the priority of projects to be carried out under this section, the Secretary shall consult with the Implementation Committee of the Lower Columbia River Estuary Program and the Performance Partnership Council of the Tillamook Bay National Estuary Project, and shall consider the recommendations of such entities.

(e) COST-SHARING REQUIREMENTS.—

(1) STUDIES.—Studies conducted under this section shall be subject to cost sharing in accordance with section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(2) ECOSYSTEM RESTORATION PROJECTS.—

(A) IN GENERAL.—Non-Federal interests shall pay 35 percent of the cost of any ecosystem restoration project carried out under this section.

(B) ITEMS PROVIDED BY NON-FEDERAL INTERESTS.—Non-Federal interests shall provide all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for ecosystem restoration projects to be carried out under this section. The value of such land, easements, rights-of-way, dredged material disposal areas, and relocations shall be credited toward the payment required under this paragraph.

(C) IN-KIND CONTRIBUTIONS.—Not more than 50 percent of the non-Federal share required under this subsection may be satisfied by the provision of in-kind services.

(3) OPERATION AND MAINTENANCE.—Non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(4) FEDERAL LANDS.—Notwithstanding any other provision of this subsection, the Federal share of the cost of a project carried out under this section on Federal lands shall be 100 percent, including costs of operation and maintenance.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) LOWER COLUMBIA RIVER ESTUARY.—The term ''lower Columbia River estuary'' means those river reaches having navigation channels on the mainstem of the Columbia River in Oregon and Washington west of Bonneville Dam, and the tributaries of such reaches to the extent such tributaries are tidally influenced.

(2) TILLAMOOK BAY ESTUARY.—The term ''Tillamook Bay estuary'' means those waters of Tillamook Bay in Oregon and its tributaries that are tidally influenced.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000.

SEC. 549. SKINNER BUTTE PARK, EUGENE, OREGON.

Section 546(b) of the Water Resources Development Act of 1999 (113 Stat. 351) is amended by adding at the end the following: ''If the Secretary participates in the project, the Secretary shall carry out a monitoring program for 3 years after construction to evaluate the ecological and engineering effectiveness of the project and its applicability to other sites in the Willamette Valley.''

SEC. 550. WILLAMETTE RIVER BASIN, OREGON.

Section 547 of the Water Resources Development Act of 1999 (113 Stat. 351–352) is amended by adding at the end the following:

''(d) RESEARCH.—In coordination with academic and research institutions for support, the Secretary may conduct a study to carry out this section.''.

SEC. 551. LACKAWANNA RIVER, PENNSYLVANIA.

(a) IN GENERAL.—Section 539(a) of the Water Resources Development Act of 1996 (110 Stat. 3776) is amended—

(1) by striking ''and'' at the end of paragraph (1)(A);

(2) by striking the period at the end of paragraph (1)(B) and inserting ''; and''; and

(3) by adding at the end the following:

''(C) the Lackawanna River, Pennsylvania.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 539(d) of such Act (110 Stat. 3776–3777) is amended—

(1) by striking ''(a)(1)(A) and'' and inserting ''(a)(1)(A),''; and

(2) by inserting '', and $5,000,000 for projects undertaken under subsection (a)(1)(C)'' before the period at the end.

SEC. 552. PHILADELPHIA, PENNSYLVANIA.

(a) IN GENERAL.—The Secretary shall provide assistance to the Delaware River Port Authority to deepen the Delaware River at Pier 122 in Philadelphia, Pennsylvania.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000 to carry out this section.

SEC. 553. ACCESS IMPROVEMENTS, RAYSTOWN LAKE, PENNSYLVANIA.

The Commonwealth of Pennsylvania may transfer any unobligated funds made available to the Commonwealth for item number 1278 of the table contained in section 1602 of Public Law 105–178, to the Secretary for access improvements at the Raystown Lake project, Pennsylvania.

SEC. 554. UPPER SUSQUEHANNA RIVER BASIN, PENNSYLVANIA AND NEW YORK.

Section 567 of the Water Resources Development Act of 1996 (110 Stat. 3787–3788) is amended—

(1) by striking subsection (a)(2) and inserting the following:

''(2) The Susquehanna River watershed upstream of the Chemung River, New York, at an estimated Federal cost of $10,000,000.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) COOPERATION AGREEMENTS.—In conducting the study and developing the strategy under this section, the Secretary shall enter into cooperation agreements to provide financial assistance to appropriate Federal, State, and local government agencies as well as appropriate nonprofit, nongovernmental organizations with expertise in wetlands restoration, with the consent of the affected local government. Financial assistance provided may include activities for the implementation of wetlands restoration projects and soil and water conservation measures.

''(d) IMPLEMENTATION OF STRATEGY.—The Secretary shall undertake development and implementation of the strategy under this section in cooperation with local landowners and local government officials. Projects to implement the strategy shall be designed to take advantage of ongoing or planned actions by other agencies, local municipalities, or nonprofit, nongovernmental organizations with expertise in wetlands restoration that would increase the effectiveness or decrease the overall cost of implementing recommended projects and may include the acquisition of wetlands, from willing sellers, that contribute to the Upper Susquehanna River basin ecosystem.''.

SEC. 555. CHICKAMAUGA LOCK, CHATTANOOGA, TENNESSEE.

(a) TRANSFER FROM TVA.—The Tennessee Valley Authority shall transfer $200,000 to the Secretary for the preparation of a report of the Chief of Engineers for a replacement lock at Chickamauga Lock and Dam, Chattanooga, Tennessee.

(b) REPORT.—The Secretary shall accept and use the funds transferred under subsection (a) to prepare the report referred to in subsection (a).

SEC. 556. JOE POOL LAKE, TEXAS.

If the city of Grand Prairie, Texas, enters into a binding agreement with the Secretary under which—

(1) the city agrees to assume all of the responsibilities (other than financial responsibilities) of the Trinity River Authority of Texas under Corps of Engineers contract #DACW63–76–C–0166, including operation and maintenance of the recreation facilities included in the contract; and

(2) to pay the Federal Government a total of $4,290,000 in 2 installments, 1 in the amount of $2,150,000, which shall be due and payable no later than December 1, 2000, and 1 in the amount of $2,140,000, which shall be due and payable no later than December 1, 2003,

the Trinity River Authority shall be relieved of all of its financial responsibilities under the contract as of the date the Secretary enters into the agreement with the city.

SEC. 557. BENSON BEACH, FORT CANBY STATE PARK, WASHINGTON.

The Secretary shall place dredged material at Benson Beach, Fort Canby State Park, Washington, in accordance with section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326).

SEC. 558. PUGET SOUND AND ADJACENT WATERS RESTORATION, WASHINGTON.

(a) IN GENERAL.—The Secretary may participate in critical restoration projects in the area of the Puget Sound and its adjacent waters, including the watersheds that drain directly into Puget Sound, Admiralty Inlet, Hood Canal, Rosario Strait, and the eastern portion of the Strait of Juan de Fuca.

(b) PROJECT SELECTION.—The Secretary, in consultation with appropriate Federal, tribal, State, and local agencies, (including the Salmon Recovery Funding Board, Northwest Straits Commission, Hood Canal Coordinating Council, county watershed planning councils, and salmon enhancement groups) may identify critical restoration projects and may implement those projects after entering into an agreement with an appropriate non-Federal interest in accordance with the requirements of section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and this section.

(c) PROJECT COST LIMITATION.—Of amounts appropriated to carry out this section, not more than $2,500,000 may be allocated to carry out any project.

(d) COST SHARING.—

(1) IN GENERAL.—The non-Federal interest for a critical restoration project under this section shall—

(A) pay 35 percent of the cost of the project;

(B) provide any lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for implementation of the project;

(C) pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the project; and

(D) hold the United States harmless from liability due to implementation of the project, except for the negligence of the Federal Government or its contractors.

(2) CREDIT.—The Secretary shall provide credit to the non-Federal interest for a critical restoration project under this section for the value of any lands, easements, rights-of-way, relocations, and dredged material disposal areas provided by the non-Federal interest for the project.

(3) MEETING NON-FEDERAL COST SHARE.—The non-Federal interest may provide up to 50 percent of the non-Federal share of the cost of a project under this section through the provision of services, materials, supplies, or other in-kind services.

(e) CRITICAL RESTORATION PROJECT DEFINED.—In this section, the term ''critical restoration project'' means a water resource project that will produce, consistent with existing Federal programs, projects, and activities, immediate and substantial environmental protection and restoration benefits.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000.

SEC. 559. SHOALWATER BAY INDIAN TRIBE, WILLAPA BAY, WASHINGTON.

(a) PLACEMENT OF DREDGED MATERIAL ON SHORE.—For the purpose of addressing coastal erosion, the Secretary shall place, on an emergency one-time basis, dredged material from a Federal navigation project on the shore of the tribal reservation of the Shoalwater Bay Indian Tribe, Willapa Bay, Washington, at Federal expense.

(b) PLACEMENT OF DREDGED MATERIAL ON PROTECTIVE DUNES.—The Secretary shall place dredged material from Willapa Bay on the remaining protective dunes on the tribal reservation of the Shoalwater Bay Indian Tribe, at Federal expense.

(c) STUDY OF COASTAL EROSION.—The Secretary shall conduct a study to develop long-term solutions to coastal erosion problems at the tribal reservation of the Shoalwater Bay Indian Tribe at Federal expense.

SEC. 560. WYNOOCHEE LAKE, WYNOOCHEE RIVER, WASHINGTON.

(a) IN GENERAL.—The city of Aberdeen, Washington, may transfer its rights, interests, and title in the land transferred to the city under section 203 of the Water Resources Development Act of 1990 (104 Stat. 4632) to the city of Tacoma, Washington.

(b) CONDITIONS.—The transfer under this section shall be subject to the conditions set forth in section 203(b) of the Water Resources Development Act of 1990 (104 Stat. 4632); except that the condition set forth in paragraph (1) of such section shall apply to the city of Tacoma only for so long as the city of Tacoma has a valid license with the Federal Energy Regulatory Commission relating to operation of the Wynoochee Dam, Washington.

(c) LIMITATION.—The transfer under subsection (a) may be made only after the Secretary determines that the city of Tacoma will be able to operate, maintain, repair, replace, and rehabilitate the project for Wynoochee Lake, Wynoochee River, Washington, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1193), in accordance with such regulations as the Secretary may issue to ensure that such operation, maintenance, repair, replacement, and rehabilitation is consistent with project purposes.

(d) WATER SUPPLY CONTRACT.—The water supply contract designated as DACWD 67–68–C–0024 shall be null and void if the Secretary exercises the reversionary right set forth in section 203(b)(3) of the Water Resources Development Act of 1990 (104 Stat. 4632).

SEC. 561. SNOHOMISH RIVER, WASHINGTON.

In coordination with appropriate Federal, tribal, and State agencies, the Secretary may carry out a project to address data needs regarding the outmigration of juvenile chinook salmon in the Snohomish River, Washington.

SEC. 562. BLUESTONE, WEST VIRGINIA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Tri-Cities Power Authority of West Virginia is authorized to design and construct hydroelectric generating facilities at the Bluestone Lake facility, West Virginia, under the terms and conditions of the agreement referred to in subsection (b).

(b) AGREEMENT.—

(1) AGREEMENT TERMS.—Conditioned upon the parties agreeing to mutually acceptable terms and conditions, the Secretary and the Secretary of Energy, acting through the Southeastern Power Administration, may enter into a binding agreement with the Tri-Cities Power Authority under which the Tri-Cities Power Authority agrees to each of the following:

(A) To design and construct the generating facilities referred to in subsection (a) within 4 years after the date of such agreement.

(B) To reimburse the Secretary for—

(i) the cost of approving such design and inspecting such construction;

(ii) the cost of providing any assistance authorized under subsection (c)(2); and

(iii) the redistributed costs associated with the original construction of the dam and dam safety if all parties agree with the method of the development of the chargeable amounts associated with hydropower at the facility.

(C) To release and indemnify the United States from any claims, causes of action, or liabilities which may arise from such design and construction of the facilities referred to in subsection (a), including any liability that may arise out of the removal of the facility if directed by the Secretary.

(2) ADDITIONAL TERMS.—The agreement shall also specify each of the following:

(A) The procedures and requirements for approval and acceptance of design, construction, and operation and maintenance of the facilities referred in subsection (a).

(B) The rights, responsibilities, and liabilities of each party to the agreement.

(C) The amount of the payments under subsection (f) of this section and the procedures under which such payments are to be made.

(c) OTHER REQUIREMENTS.—

(1) PROHIBITION.—No Federal funds may be expended for the design, construction, and operation and maintenance of the facilities referred to in subsection (a) prior to the date on which such facilities are accepted by the Secretary under subsection (d).

(2) REIMBURSEMENT.—Notwithstanding any other provision of law, if requested by the Tri-Cities Power Authority, the Secretary may provide, on a reimbursable basis, assistance in connection with the design and construction of the generating facilities referred to in subsection (a).

(d) COMPLETION OF CONSTRUCTION.—

(1) TRANSFER OF FACILITIES.—Notwithstanding any other provision of law, upon completion of the construction of the facilities referred to in subsection (a) and final approval of such facility by the Secretary, the Tri-Cities Power Authority shall transfer without consideration title to such facilities to the United States, and the Secretary shall—

(A) accept the transfer of title to such facilities on behalf of the United States; and

(B) operate and maintain the facilities referred to in subsection (a).

(2) CERTIFICATION.—The Secretary is authorized to accept title to the facilities pursuant to paragraph (1) only after certifying that the quality of the construction meets all standards established for similar facilities constructed by the Secretary.

(3) AUTHORIZED PROJECT PURPOSES.—The operation and maintenance of the facilities shall be conducted in a manner that is consistent with other authorized project purposes of the Bluestone Lake facility.

(e) EXCESS POWER.—Pursuant to any agreement under subsection (b), the Southeastern Power Administration shall market the excess power produced by the facilities referred to in subsection (a) in accordance with section 5 of the Rivers and Harbors Act of December 22, 1944 (16 U.S.C. 825s; 58 Stat. 890).

(f) PAYMENTS.—Notwithstanding any other provision of law, the Secretary of Energy, acting through the Southeastern Power Administration, is authorized to pay in accordance with the terms of the agreement entered into under subsection (b) out of the revenues from the sale of power produced by the generating facility of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration—

(1) to the Tri-Cities Power Authority all reasonable costs incurred by the Tri-Cities Power Authority in the design and construction of the facilities referred to in subsection (a), including the capital investment in such facilities and a reasonable rate of return on such capital investment; and

(2) to the Secretary, in accordance with the terms of the agreement entered into under subsection (b) out of the revenues from the sale of power produced by the generating facility of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration, all reasonable costs incurred by the Secretary in the operation and maintenance of facilities referred to in subsection (a).

(g) AUTHORITY OF SECRETARY OF ENERGY.—Notwithstanding any other provision of law, the Secretary of Energy, acting through the Southeastern Power Administration, is authorized—

(1) to construct such transmission facilities as necessary to market the power produced at the facilities referred to in subsection (a) with funds contributed by the Tri-Cities Power Authority; and

(2) to repay those funds, including interest and any administrative expenses, directly from the revenues from the sale of power produced by such facilities of the interconnected systems of reservoirs operated by the Secretary and marketed by the Southeastern Power Administration.

(h) SAVINGS CLAUSE.—Nothing in this section affects any requirement under Federal or State environmental law relating to the licensing or operation of such facilities.

SEC. 563. LESAGE/GREENBOTTOM SWAMP, WEST VIRGINIA.

Section 30 of the Water Resources Development Act of 1988 (102 Stat. 4030) is amended by adding at the end the following:

''(d) HISTORIC STRUCTURE.—The Secretary shall ensure the stabilization and preservation of the structure known as the Jenkins House located within the Lesage/Greenbottom Swamp in accordance with standards for sites listed on the National Register of Historic Places.''.

SEC. 564. TUG FORK RIVER, WEST VIRGINIA.

(a) IN GENERAL.—The Secretary may provide planning, design, and construction assistance to non-Federal interests for projects located along the Tug Fork River in West Virginia and identified by the master plan developed pursuant to section 114(t) of the Water Resources Development Act of 1992 (106 Stat. 4820).

(b) PRIORITIES.—In providing assistance under this section, the Secretary shall give priority to the primary development demonstration sites in West Virginia identified by the master plan referred to in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000.

SEC. 565. VIRGINIA POINT RIVERFRONT PARK, WEST VIRGINIA.

(a) IN GENERAL.—The Secretary may provide planning, design, and construction assistance to non-Federal interests for the project at Virginia Point, located at the confluence of the Ohio and Big Sandy Rivers in West Virginia, identified by the preferred plan set forth in the feasibility study dated September 1999, and carried out under the West Virginia-Ohio River Comprehensive Study authorized by a resolution dated September 8, 1988, by the Committee on Public Works and Transportation of the House of Representatives.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,100,000.

SEC. 566. SOUTHERN WEST VIRGINIA.

Section 340(a) of the Water Resources Development Act of 1992 (106 Stat. 4856) is amended by inserting ''environmental restoration,'' after ''distribution facilities,''.

SEC. 567. FOX RIVER SYSTEM, WISCONSIN.

Section 332(a) of the Water Resources Development Act of 1992 (106 Stat. 4852) is amended by adding at the end the following: ''Such terms and conditions may include a payment or payments to the State of Wisconsin to be used toward the repair and rehabilitation of the locks and appurtenant features to be transferred.''.

SEC. 568. SURFSIDE/SUNSET AND NEWPORT BEACH, CALIFORNIA.

The Secretary shall treat the Surfside/Sunset Newport Beach element of the project for beach erosion, Orange County, California, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1177), as continuing construction.

SEC. 569. ILLINOIS RIVER BASIN RESTORATION.

(a) ILLINOIS RIVER BASIN DEFINED.—In this section, the term ''Illinois River basin'' means the Illinois River, Illinois, its backwaters, side channels, and all tributaries, including their watersheds, draining into the Illinois River.

(b) COMPREHENSIVE PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop, as expeditiously as practicable, a proposed comprehensive plan for the purpose of restoring, preserving, and protecting the Illinois River basin.

(2) TECHNOLOGIES AND INNOVATIVE APPROACHES.—The comprehensive plan shall provide for the development of new technologies and innovative approaches—

(A) to enhance the Illinois River as a vital transportation corridor;

(B) to improve water quality within the entire Illinois River basin;

(C) to restore, enhance, and preserve habitat for plants and wildlife; and

(D) to increase economic opportunity for agriculture and business communities.

(3) SPECIFIC COMPONENTS.—The comprehensive plan shall include such features as are necessary to provide for—

(A) the development and implementation of a program for sediment removal technology, sediment characterization, sediment transport, and beneficial uses of sediment;

(B) the development and implementation of a program for the planning, conservation, evaluation, and construction of measures for fish and wildlife habitat conservation and rehabilitation, and stabilization and enhancement of land and water resources in the basin;

(C) the development and implementation of a long-term resource monitoring program; and

(D) the development and implementation of a computerized inventory and analysis system.

(4) CONSULTATION.—The comprehensive plan shall be developed by the Secretary in consultation with appropriate Federal agencies, the State of Illinois, and the Illinois River Coordinating Council.

(5) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing the comprehensive plan.

(6) ADDITIONAL STUDIES AND ANALYSES.—After transmission of a report under paragraph (5), the Secretary shall continue to conduct such studies and analyses related to the comprehensive plan as are necessary, consistent with this subsection.

(c) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—If the Secretary, in cooperation with appropriate Federal agencies and the State of Illinois, determines that a restoration project for the Illinois River basin will produce independent, immediate, and substantial restoration, preservation, and protection benefits, the Secretary shall proceed expeditiously with the implementation of the project.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out projects under this subsection $100,000,000 for fiscal years 2001 through 2004.

(3) FEDERAL SHARE.—The Federal share of the cost of carrying out any project under this subsection shall not exceed $5,000,000.

(d) GENERAL PROVISIONS.—

(1) WATER QUALITY.—In carrying out projects and activities under this section, the Secretary shall take into account the protection of water quality by considering applicable State water quality standards.

(2) PUBLIC PARTICIPATION.—In developing the comprehensive plan under subsection (b) and carrying out projects under subsection (c), the Secretary shall implement procedures to facilitate public participation, including providing advance notice of meetings, providing adequate opportunity for public input and comment, maintaining appropriate records, and making a record of the proceedings of meetings available for public inspection.

(e) COORDINATION.—The Secretary shall integrate and coordinate projects and activities carried out under this section with ongoing Federal and State programs, projects, and activities, including the following:

(1) Upper Mississippi River System-Environmental Management Program authorized under section 1103 of the Water Resources Development Act of 1986 (33 U.S.C. 652).

(2) Upper Mississippi River Illinois Waterway System Study.

(3) Kankakee River Basin General Investigation.

(4) Peoria Riverfront Development General Investigation.

(5) Illinois River Ecosystem Restoration General Investigation.

(6) Conservation Reserve Program and other farm programs of the Department of Agriculture.

(7) Conservation Reserve Enhancement Program (State) and Conservation 2000, Ecosystem Program of the Illinois Department of Natural Resources.

(8) Conservation 2000 Conservation Practices Program and the Livestock Management Facilities Act administered by the Illinois Department of Agriculture.

(9) National Buffer Initiative of the Natural Resources Conservation Service.

(10) Nonpoint source grant program administered by the Illinois Environmental Protection Agency.

(f) JUSTIFICATION.—

(1) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out activities to restore, preserve, and protect the Illinois River basin under this section, the Secretary may determine that the activities—

(A) are justified by the environmental benefits derived by the Illinois River basin; and

(B) shall not need further economic justification if the Secretary determines that the activities are cost-effective.

(2) APPLICABILITY.—Paragraph (1) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the Illinois River basin.

(g) COST SHARING.—

(1) IN GENERAL.—The non-Federal share of the cost of projects and activities carried out under this section shall be 35 percent.

(2) OPERATION, MAINTENANCE, REHABILITATION, AND REPLACEMENT.—The operation, maintenance, rehabilitation, and replacement of projects carried out under this section shall be a non-Federal responsibility.

(3) IN-KIND SERVICES.—The value of in-kind services provided by the non-Federal interest for a project or activity carried out under this section may be credited toward not more than 80 percent of the non-Federal share of the cost of the project or activity. In-kind services shall include all State funds expended on programs and projects which accomplish the goals of this section, as determined by the Secretary. Such programs and projects may include the Illinois River Conservation Reserve Program, the Illinois Conservation 2000 Program, the Open Lands Trust Fund, and other appropriate programs carried out in the Illinois River basin.

(4) CREDIT.—

(A) VALUE OF LANDS.—If the Secretary determines that lands or interests in land acquired by a non-Federal interest, regardless of the date of acquisition, are integral to a project or activity carried out under this section, the Secretary may credit the value of the lands or interests in land toward the non-Federal share of the cost of the project or activity. Such value shall be determined by the Secretary.

(B) WORK.—If the Secretary determines that any work completed by a non-Federal interest, regardless of the date of completion, is integral to a project or activity carried out under this section, the Secretary may credit the value of the work toward the non-Federal share of the cost of the project or activity. Such value shall be determined by the Secretary.

SEC. 570. GREAT LAKES.

(a) GREAT LAKES TRIBUTARY MODEL.—Section 516 of the Water Resources Development Act of 1996 (33 U.S.C. 2326b) is amended—

(1) by adding at the end of subsection (e) the following:

''(3) REPORT.—Not later than December 31, 2003, the Secretary shall transmit to Congress a report on the Secretary's activities under this subsection.''; and

(2) in subsection (g)—

(A) by striking ''There is authorized'' and inserting the following:

''(1) IN GENERAL.—There is authorized'';

(B) by adding at the end the following:

''(2) GREAT LAKES TRIBUTARY MODEL.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out subsection (e) $5,000,000 for each of fiscal years 2002 through 2006.''; and

(C) by aligning the remainder of the text of paragraph (1) (as designated by subparagraph (A) of this paragraph) with paragraph (2) (as added by subparagraph (B) of this paragraph).

(b) ALTERNATIVE ENGINEERING TECHNOLOGIES.—

(1) DEVELOPMENT OF PLAN.—The Secretary shall develop and transmit to Congress a plan to enhance the application of ecological principles and practices to traditional engineering problems at Great Lakes shores.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $200,000. Activities under this subsection shall be carried out at Federal expense.

(c) FISHERIES AND ECOSYSTEM RESTORATION.—

(1) DEVELOPMENT OF PLAN.—The Secretary shall develop and transmit to Congress a plan for implementing Corps of Engineers activities, including ecosystem restoration, to enhance the management of Great Lakes fisheries.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $300,000. Activities under this subsection shall be carried out at Federal expense.

SEC. 571. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION.

Section 401 of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; 110 Stat. 3763; 113 Stat. 338) is amended—

(1) in subsection (a)(2)(A) by striking ''50 percent'' and inserting ''35 percent'';

(2) in subsection (b)—

(A) by striking paragraph (3);

(B) in the first sentence of paragraph (4) by striking ''50 percent'' and inserting ''35 percent''; and

(C) by redesignating paragraph (4) as paragraph (3); and

(3) in subsection (c) by striking ''$5,000,000 for each of fiscal years 1998 through 2000.'' and inserting ''$10,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 572. GREAT LAKES DREDGING LEVELS ADJUSTMENT.

(a) DEFINITION OF GREAT LAKE.—In this section, the term ''Great Lake'' means Lake Superior, Lake Michigan, Lake Huron (including Lake St. Clair), Lake Erie, and Lake Ontario (including the St. Lawrence River to the 45th parallel of latitude).

(b) DREDGING LEVELS.—In operating and maintaining Federal channels and harbors of, and the connecting channels between, the Great Lakes, the Secretary shall conduct such dredging as is necessary to ensure minimal operation depths consistent with the original authorized depths of the channels and harbors when water levels in the Great Lakes are, or are forecast to be, below the International Great Lakes Datum of 1985.

SEC. 573. DREDGED MATERIAL RECYCLING.

(a) PILOT PROGRAM.—The Secretary shall conduct a pilot program to provide incentives for the removal of dredged material from a confined disposal facility associated with a harbor on the Great Lakes or the Saint Lawrence River and a harbor on the Delaware River in Pennsylvania for the purpose of recycling the dredged material and extending the life of the confined disposal facility.

(b) REPORT.—Not later than 90 days after the date of completion of the pilot program, the Secretary shall transmit to Congress a report on the results of the program.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000.

SEC. 574. WATERSHED MANAGEMENT, RESTORATION, AND DEVELOPMENT.

Section 503(d) of the Water Resources Development Act of 1996 (110 Stat. 3756–3757; 113 Stat. 288) is amended by adding at the end the following:

''(28) Tomales Bay watershed, California.

''(29) Kaskaskia River watershed, Illinois.

''(30) Sangamon River watershed, Illinois.

''(31) Lackawanna River watershed, Pennsylvania.

''(32) Upper Charles River watershed, Massachusetts.

''(33) Brazos River watershed, Texas.''.

SEC. 575. MAINTENANCE OF NAVIGATION CHANNELS.

Section 509(a) of the Water Resources Development Act of 1996 (110 Stat. 3759; 113 Stat. 339) is amended by adding at the end the following:

''(16) Cameron Loop, Louisiana, as part of the Calcasieu River and Pass Ship Channel.

''(17) Morehead City Harbor, North Carolina.''.

SEC. 576. SUPPORT OF ARMY CIVIL WORKS PROGRAM.

The requirements of section 2361 of title 10, United States Code, shall not apply to any contract, cooperative research and development agreement, cooperative agreement, or grant entered into under section 229 of the Water Resources Development Act of 1996 (110 Stat. 3703) between the Secretary and Marshall University or entered into under section 350 of the Water Resources Development Act of 1999 (113 Stat. 310) between the Secretary and Juniata College.

SEC. 577. NATIONAL RECREATION RESERVATION SERVICE.

Notwithstanding section 611 of the Treasury and General Government Appropriations Act, 1999 (112 Stat. 2861–515), the Secretary may participate in the National Recreation Reservation Service on an interagency basis and fund the Department of the Army's share of the cost of activities required for implementing, operating, and maintaining the Service.

SEC. 578. HYDROGRAPHIC SURVEY.

The Secretary shall enter into an agreement with the Administrator of the National Oceanographic and Atmospheric Administration to require the Secretary, not later than 60 days after the Corps of Engineers completes a project involving dredging of a channel, to provide data to the Administration in a standard digital format on the results of a hydrographic survey of the channel conducted by the Corps of Engineers.

SEC. 579. PERCHLORATE.

(a) IN GENERAL.—The Secretary, in cooperation with Federal, State, and local government agencies, may participate in studies and other investigative activities and in the planning and design of projects determined by the Secretary to offer a long-term solution to the problem of groundwater contamination caused by perchlorates.

(b) INVESTIGATIONS AND PROJECTS.—

(1) BOSQUE AND LEON RIVERS.—The Secretary, in coordination with other Federal agencies and the Brazos River Authority, shall participate under subsection (a) in investigations and projects in the Bosque and Leon River watersheds in Texas to assess the impact of the perchlorate associated with the former Naval ''Weapons Industrial Reserve Plant'' at McGregor, Texas.

(2) CADDO LAKE.—The Secretary, in coordination with other Federal agencies and the Northeast Texas Municipal Water District, shall participate under subsection (a) in investigations and projects relating to perchlorate contamination in Caddo Lake, Texas.

(3) EASTERN SANTA CLARA BASIN.—The Secretary, in coordination with other Federal, State, and local government agencies, shall participate under subsection (a) in investigations and projects related to sites that are sources of perchlorates and that are located in the city of Santa Clarita, California.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this section, there is authorized to be appropriated to the Secretary $25,000,000, of which not to exceed $8,000,000 shall be available to carry out subsection (b)(1), not to exceed $3,000,000 shall be available to carry out subsection (b)(2), and not to exceed $7,000,000 shall be available to carry out subsection (b)(3).

SEC. 580. ABANDONED AND INACTIVE NONCOAL MINE RESTORATION.

Section 560 of the Water Resources Development Act of 1999 (33 USC 2336; 113 Stat. 354–355) is amended—

(1) in subsection (a) by striking ''and design'' and inserting ''design, and construction'';

(2) in subsection (c) by striking ''50'' and inserting ''35'';

(3) in subsection (e) by inserting ''and colleges and universities, including the members of the Western Universities Mine-Land Reclamation and Restoration Consortium, for the purposes of assisting in the reclamation of abandoned noncoal mines and'' after ''entities''; and

(4) by striking subsection (f) and inserting the following:

''(f) NON-FEDERAL INTERESTS.—In this section, the term 'non-Federal interests' includes, with the consent of the affected local government, nonprofit entities, notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b).

''(g) OPERATION AND MAINTENANCE.—The non-Federal share of the costs of operation and maintenance for a project carried out under this section shall be 100 percent.

''(h) CREDIT.—A non-Federal interest shall receive credit toward the non-Federal share of the cost of a project under this section for design and construction services and other in-kind consideration provided by the non-Federal interest if the Secretary determines that such design and construction services and other in-kind consideration are integral to the project.

''(i) COST LIMITATION.—Not more than $10,000,000 of the amounts appropriated to carry out this section may be allotted for projects in a single locality, but the Secretary may accept funds voluntarily contributed by a non-Federal or Federal entity for the purpose of expanding the scope of the services requested by the non-Federal or Federal entity.

''(j) NO EFFECT ON LIABILITY.—The provision of assistance under this section shall not relieve from liability any person that would otherwise be liable under Federal or State law for damages, response costs, natural resource damages, restitution, equitable relief, or any other relief.

''(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $45,000,000. Such sums shall remain available until expended.''.

SEC. 581. LAKES PROGRAM.

Section 602 of the Water Resources Development Act of 1986 (100 Stat. 4148–4149) is further amended—

(1) in subsection (b) by inserting ''and activity'' after ''project'';

(2) in subsection (c) by inserting ''and activities under subsection (f)'' before the comma; and

(3) by adding at the end the following:

''(f) CENTER FOR LAKE EDUCATION AND RESEARCH, OTSEGO LAKE, NEW YORK.—

''(1) IN GENERAL.—The Secretary shall construct an environmental education and research facility at Otsego Lake, New York. The purpose of the Center shall be to—

''(A) conduct nationwide research on the impacts of water quality and water quantity on lake hydrology and the hydrologic cycle;

''(B) develop technologies and strategies for monitoring and improving water quality in the Nation's lakes; and

''(C) provide public education regarding the biological, economic, recreational, and aesthetic value of the Nation's lakes.

''(2) USE OF RESEARCH.—The results of research and education activities carried out at the Center shall be applied to the program under subsection (a) and to other Federal programs, projects, and activities that are intended to improve or otherwise affect lakes.

''(3) BIOLOGICAL MONITORING STATION.—A central function of the Center shall be to research, develop, test, and evaluate biological monitoring technologies and techniques for potential use at lakes listed in subsection (a) and throughout the Nation.

''(4) CREDIT.—The non-Federal sponsor shall receive credit for lands, easements, rights-of-way, and relocations toward its share of project costs.

''(5) AUTHORIZATION OF APPROPRIATIONS.—In addition to sums authorized by subsection (d), there is authorized to be appropriated to carry out this subsection $6,000,000. Such sums shall remain available until expended.''.

SEC. 582. RELEASE OF USE RESTRICTION.

(a) RELEASE.—Notwithstanding any other provision of law, the Tennessee Valley Authority shall grant a release or releases, without monetary consideration, from the restriction covenant which requires that property described in subsection (b) shall at all times be used solely for the purpose of erecting docks and buildings for shipbuilding purposes or for the manufacture or storage of products for the purpose of trading or shipping in transportation.

(b) DESCRIPTION OF PROPERTY.—This section shall apply only to those lands situated in the city of Decatur, Morgan County, Alabama, and running along the easterly boundary of a tract of land described in an indenture conveying such lands to the Ingalls Shipbuilding Corporation dated July 29, 1954, and recorded in deed book 535 at page 6 in the office of the Probate Judge of Morgan County, Alabama, which are owned or may hereafter be acquired by the Alabama Farmers Cooperative, Inc.

SEC. 583. COMPREHENSIVE ENVIRONMENTAL RESOURCES PROTECTION.

(a) IN GENERAL.—Under section 219(a) of the Water Resources Development Act of 1992 (106 Stat. 4835), the Secretary may provide technical, planning, and design assistance to non-Federal interests to carry out water-related projects described in this section.

(b) NON-FEDERAL SHARE.—Notwithstanding section 219(b) of the Water Resources Development Act of 1992 (106 Stat. 4835), the non-Federal share of the cost of each project assisted in accordance with this section shall be 25 percent.

(c) PROJECT DESCRIPTIONS.—The Secretary may provide assistance in accordance with subsection (a) to each of the following projects:

(1) MARANA, ARIZONA.—Wastewater treatment and distribution infrastructure, Marana, Arizona.

(2) EASTERN ARKANSAS ENTERPRISE COMMUNITY, ARKANSAS.—Water-related infrastructure, Eastern Arkansas Enterprise Community, Cross, Lee, Monroe, and St. Francis Counties, Arkansas.

(3) CHINO HILLS, CALIFORNIA.—Storm water and sewage collection infrastructure, Chino Hills, California.

(4) CLEAR LAKE BASIN, CALIFORNIA.—Water-related infrastructure and resource protection, Clear Lake Basin, California.

(5) DESERT HOT SPRINGS, CALIFORNIA.—Resource protection and wastewater infrastructure, Desert Hot Springs, California.

(6) EASTERN MUNICIPAL WATER DISTRICT, CALIFORNIA.—Regional water-related infrastructure, Eastern Municipal Water District, California.

(7) HUNTINGTON BEACH, CALIFORNIA.—Water supply and wastewater infrastructure, Huntington Beach, California.

(8) INGLEWOOD, CALIFORNIA.—Water infrastructure, Inglewood, California.

(9) LOS OSOS COMMUNITY SERVICE DISTRICT, CALIFORNIA.—Wastewater infrastructure, Los Osos Community Service District, California.

(10) NORWALK, CALIFORNIA.—Water-related infrastructure, Norwalk, California.

(11) KEY BISCAYNE, FLORIDA.—Sanitary sewer infrastructure, Key Biscayne, Florida.

(12) SOUTH TAMPA, FLORIDA.—Water supply and aquifer storage and recovery infrastructure, South Tampa, Florida.

(13) FORT WAYNE, INDIANA.—Combined sewer overflow infrastructure and wetlands protection, Fort Wayne, Indiana.

(14) INDIANAPOLIS, INDIANA.—Combined sewer overflow infrastructure, Indianapolis, Indiana.

(15) ST. CHARLES, ST. BERNARD, AND PLAQUEMINES PARISHES, LOUISIANA.—Water and wastewater infrastructure, St. Charles, St. Bernard, and Plaquemines Parishes, Louisiana.

(16) ST. JOHN THE BAPTIST AND ST. JAMES PARISHES, LOUISIANA.—Water and sewer improvements, St. John the Baptist and St. James Parishes, Louisiana.

(17) UNION COUNTY, NORTH CAROLINA.—Water infrastructure, Union County, North Carolina.

(18) HOOD RIVER, OREGON.—Water transmission infrastructure, Hood River, Oregon.

(19) MEDFORD, OREGON.—Sewer collection infrastructure, Medford, Oregon.

(20) PORTLAND, OREGON.—Water infrastructure and resource protection, Portland, Oregon.

(21) COUDERSPORT, PENNSYLVANIA.—Sewer system extensions and improvements, Coudersport, Pennsylvania.

(22) PARK CITY, UTAH.—Water supply infrastructure, Park City, Utah.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $25,000,000 for providing assistance in accordance with subsection (a) to the projects described in subsection (c).

(2) AVAILABILITY.—Sums authorized to be appropriated under this subsection shall remain available until expended.

(e) ADDITIONAL ASSISTANCE FOR CRITICAL RESOURCE PROJECTS.—The Secretary may provide assistance in accordance with subsection (a) and assistance for construction for each the following projects:

(1) DUCK RIVER, CULLMAN, ALABAMA.—$5,000,000 for water supply infrastructure, Duck River, Cullman, Alabama.

(2) UNION COUNTY, ARKANSAS.—$52,000,000 for water supply infrastructure, including facilities for withdrawal, treatment, and distribution, Union County, Arkansas.

(3) CAMBRIA, CALIFORNIA.—$10,300,000 for desalination infrastructure, Cambria, California.

(4) LOS ANGELES HARBOR/TERMINAL ISLAND, CALIFORNIA.—$6,500,000 for wastewater recycling infrastructure, Los Angeles Harbor/Terminal Island, California.

(5) NORTH VALLEY REGION, LANCASTER, CALIFORNIA.—$14,500,000 for water infrastructure, North Valley Region, Lancaster, California.

(6) SAN DIEGO COUNTY, CALIFORNIA.—$10,000,000 for water-related infrastructure, San Diego County, California.

(7) SOUTH PERRIS, CALIFORNIA.—$25,000,000 for water supply desalination infrastructure, South Perris, California.

(8) AURORA, ILLINOIS.—$8,000,000 for wastewater infrastructure to reduce or eliminate combined sewer overflows, Aurora, Illinois.

(9) COOK COUNTY, ILLINOIS.—$35,000,000 for water-related infrastructure and resource protection and development, Cook County, Illinois.

(10) MADISON AND ST. CLAIR COUNTIES, ILLINOIS.—$10,000,000 for water and wastewater assistance, Madison and St. Clair Counties, Illinois.

(11) IBERIA PARISH, LOUISIANA.—$5,000,000 for water and wastewater infrastructure, Iberia Parish, Louisiana.

(12) KENNER, LOUISIANA.—$5,000,000 for wastewater infrastructure, Kenner, Louisiana.

(13) GARRISON AND KATHIO TOWNSHIP, MINNESOTA.—$11,000,000 for a wastewater infrastructure project for the city of Garrison and Kathio Township, Minnesota.

(14) NEWTON, NEW JERSEY.—$7,000,000 for water filtration infrastructure, Newton, New Jersey.

(15) LIVERPOOL, NEW YORK.—$2,000,000 for water infrastructure, including a pump station, Liverpool, New York.

(16) STANLY COUNTY, NORTH CAROLINA.—$8,900,000 for wastewater infrastructure, Stanly County, North Carolina.

(17) YUKON, OKLAHOMA.—$5,500,000 for water-related infrastructure, including wells, booster stations, storage tanks, and transmission lines, Yukon, Oklahoma.

(18) ALLEGHENY COUNTY, PENNSYLVANIA.—$20,000,000 for water-related environmental infrastructure, Allegheny County, Pennsylvania.

(19) MOUNT JOY TOWNSHIP AND CONEWAGO TOWNSHIP, PENNSYLVANIA.—$8,300,000 for water and wastewater infrastructure, Mount Joy Township and Conewago Township, Pennsylvania.

(20) PHOENIXVILLE BOROUGH, CHESTER COUNTY, PENNSYLVANIA.—$2,400,000 for water and sewer infrastructure, Phoenixville Borough, Chester County, Pennsylvania.

(21) TITUSVILLE, PENNSYLVANIA.—$7,300,000 for storm water separation and treatment plant upgrades, Titusville, Pennsylvania.

(22) WASHINGTON, GREENE, WESTMORELAND, AND FAYETTE COUNTIES, PENNSYLVANIA.—$8,000,000 for water and wastewater infrastructure, Washington, Greene, Westmoreland, and Fayette Counties, Pennsylvania.

SEC. 584. MODIFICATION OF AUTHORIZATIONS FOR ENVIRONMENTAL PROJECTS.

Section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835, 4836) is amended—

(1) in subsection (e)(6) by striking ''$20,000,000'' and inserting ''$30,000,000'';

(2) in subsection (f)(4) by striking ''$15,000,000'' and inserting ''$35,000,000'';

(3) in subsection (f)(21) by striking ''$10,000,000'' and inserting ''$20,000,000'';

(4) in subsection (f)(25) by striking ''$5,000,000'' and inserting ''$15,000,000'';

(5) in subsection (f)(30) by striking ''$10,000,000'' and inserting ''$20,000,000'';

(6) in subsection (f)(43) by striking ''$15,000,000'' and inserting ''$35,000,000''; and

(7) in subsection (f) by adding at the end the following new paragraph:

''(44) WASHINGTON, D.C., AND MARYLAND.—$15,000,000 for the project described in subsection (c)(1), modified to include measures to eliminate or control combined sewer overflows in the Anacostia River watershed.''.

SEC. 585. LAND CONVEYANCES.

(a) THOMPSON, CONNECTICUT.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the town of Thompson, Connecticut, all right, title, and interest of the United States in and to the approximately 1.36-acre parcel of land described in paragraph (2) for public ownership and use by the town for fire fighting and related emergency services purposes.

(2) LAND DESCRIPTION.—The parcel of land referred to in paragraph (1) is in the town of Thompson, county of Windham, State of Connecticut, on the northerly side of West Thompson Road owned by the United States and shown as Parcel A on a plan by Provost, Rovero, Fitzback entitled ''Property Survey Prepared for West Thompson Independent Firemen Association #1'' dated August 24, 1998, bounded and described as follows:

Beginning at a bound labeled WT–276 on the northerly side line of West Thompson Road, so called, at the most south corner of the Parcel herein described and at land now or formerly of West Thompson Independent Firemen Association No. 1;

Thence in a generally westerly direction by said northerly side line of West Thompson Road, by a curve to the left, having a radius of 640.00 feet a distance of 169.30 feet to a point;

Thence North 13 degrees, 08 minutes, 37 seconds East by the side line of said West Thompson Road a distance of 10.00 feet to a point;

Thence in a generally westerly direction by the northerly side line of said West Thompson Road, by a curve to the left having a radius of 650.00 feet a distance of 109.88

feet to a bound labeled WT–123, at land now or formerly of the United States of America;

Thence North 44 degrees, 43 minutes, 07 seconds East by said land now or formerly of the United States of America a distance of 185.00 feet to a point;

Thence North 67 degrees, 34 minutes, 13 seconds East by said land now or formerly of the United States of America a distance of 200.19 feet to a point in a stonewall;

Thence South 20 degrees, 49 minutes, 17 seconds East by a stonewall and by said land now or formerly of the United States of America a distance of 253.10 feet to a point at land now or formerly of West Thompson Independent Firemen Association No. 1;

Thence North 57 degrees, 45 minutes, 25 seconds West by land now or formerly of said West Thompson Independent Firemen Association No. 1 a distance of 89.04 feet to a bound labeled WT–277;

Thence South 32 degrees, 14 minutes, 35 seconds West by land now or formerly of said West Thompson Independent Firemen Association No. 1 a distance of 123.06 feet to the point of beginning.

(3) REVERSION.—If the Secretary determines that the parcel described in paragraph (2) ceases to be held in public ownership or used for fire fighting and related emergency services, all right, title, and interest in and to the parcel shall revert to the United States.

(b) SIBLEY MEMORIAL HOSPITAL, WASHINGTON, DISTRICT OF COLUMBIA.—

(1) IN GENERAL.—The Secretary shall convey to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries Conducting Sibley Memorial Hospital (in this subsection referred to as the ''Hospital'') by quitclaim deed under the terms of a negotiated sale, all right, title, and interest of the United States in and to the 8.864-acre parcel of land described in paragraph (2) for medical care and parking purposes. The consideration paid under such negotiated sale shall reflect the value of the parcel, taking into consideration the terms and conditions of the conveyance imposed under this subsection.

(2) LAND DESCRIPTION.—The parcel of land referred to in paragraph (1) is the parcel described as follows: Beginning at a point on the westerly right-of-way line of Dalecarlia Parkway, said point also being on the southerly division line of part of Square N1448, A&T Lot 801 as recorded in A&T 2387 and part of the property of the United States Government, thence with said southerly division line now described:

(A) North 35° 05′ 40″ West—436.31 feet to a point, thence

(B) South 89° 59′ 30″ West—550 feet to a point, thence

(C) South 53° 48′ 00″ West—361.08 feet to a point, thence

(D) South 89° 59′ 30″ West—466.76 feet to a point at the southwesterly corner of the aforesaid A&T Lot 801, said point also being on the easterly right-of-way line of MacArthur Boulevard, thence with a portion of the westerly division line of said A&T Lot 801 and the easterly right-of-way line of MacArthur Boulevard, as now described.

(E) 78.62 feet along the arc of a curve to the right having a radius of 650.98 feet, chord bearing and distance of North 06° 17′ 20″ West—78.57 feet to a point, thence crossing to include a portion of aforesaid A&T Lot 801 and a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(F) North 87° 18′ 21″ East—258.85 feet to a point, thence

(G) North 02° 49′ 16″ West—214.18 feet to a point, thence

(H) South 87° 09′ 00″ West—238.95 feet to a point on the aforesaid easterly right-of-way line of MacArthur Boulevard, thence with said easterly right-of-way line, as now described

(I) North 08° 41′ 30″ East—30.62 feet to a point, thence crossing to include a portion of aforesaid A&T Lot 801 and a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(J) North 87° 09′ 00″ East—373.96 feet to a point, thence

(K) North 88° 42′ 48″ East—374.92 feet to a point, thence

(L) North 56° 53′ 40″ East—53.16 feet to a point, thence

(M) North 86° 00′ 15″ East—26.17 feet to a point, thence

(N) South 87° 24′ 50″ East—464.01 feet to a point, thence

(O) North 83° 34′ 31″ East—212.62 feet to a point, thence

(P) South 30° 16′ 12″ East—108.97 feet to a point, thence

(Q) South 38° 30′ 23″ East—287.46 feet to a point, thence

(R) South 09° 03′ 38″ West—92.74 feet to the point on the aforesaid westerly right-of-way line of Dalecarlia Parkway, thence with said westerly right-of-way line, as now described

(S) 197.74 feet along the arc of a curve to the right having a radius of 916.00 feet, chord bearing and distance of South 53° 54′ 43″ West—197.35 feet to the place of beginning.

(3) TERMS AND CONDITIONS.—The conveyance under this subsection shall be subject to the following terms and conditions:

(A) LIMITATION ON THE USE OF CERTAIN PORTIONS OF THE PARCEL.—The Secretary shall include in any deed conveying the parcel under this section a restriction to prevent the Hospital, and its successors and assigns, from constructing any structure, other than a structure used exclusively for the parking of motor vehicles, on the portion of the parcel that lies between the Washington Aqueduct and Little Falls Road.

(B) LIMITATION ON CERTAIN LEGAL CHALLENGES.—The Secretary shall require the Hospital, and its successors and assigns, to refrain from raising any legal challenge to the operations of the Washington Aqueduct arising from any impact such operations may have on the activities conducted by the Hospital on the parcel.

(C) EASEMENT.—The Secretary shall require that the conveyance be subject to the retention of an easement permitting the United States, and its successors and assigns, to use and maintain the portion of the parcel described as follows: Beginning at a point on the easterly or South 35° 05′ 40″ East—436.31 foot plat line of Lot 25 as shown on a subdivision plat recorded in book 175 page 102 among the records of the Office of the Surveyor of the District of Columbia, said point also being on the northerly right-of-way line of Dalecarlia Parkway, thence running with said easterly line of Lot 25 and crossing to include a portion of the aforsaid Dalecarlia Reservoir Grounds as now described:

(i) North 35° 05′ 40″ West—495.13 feet to a point, thence

(ii) North 87° 24′ 50″ West—414.43 feet to a point, thence

(iii) South 81° 08′ 00″ West—69.56 feet to a point, thence

(iv) South 88° 42′ 48″ West—367.50 feet to a point, thence

(v) South 87° 09′ 00″ West—379.68 feet to a point on the easterly right-of-way line of MacArthur Boulevard, thence with said easterly right-of-way line, as now described

(vi) North 08° 41′ 30″ East—30.62 feet to a point, thence crossing to include a portion of the aforesaid Dalecarlia Reservoir Grounds, as now described

(vii) North 87° 09′ 00″ East—373.96 feet to a point, thence

(viii) North 88° 42′ 48″ East—374.92 feet to a point, thence

(ix) North 56° 53′ 40″ East—53.16 feet to a point, thence

(x) North 86° 00′ 15″ East—26.17 feet to a point, thence

(xi) South 87° 24′ 50″ East—464.01 feet to a point, thence

(xii) North 83° 34′ 31″ East—50.62 feet to a point, thence

(xiii) South 02° 35′ 10″ West—46.46 feet to a point, thence

(xiv) South 13° 38′ 12″ East—107.83 feet to a point, thence

(xv) South 35° 05′ 40″ East—347.97 feet to a point on the aforesaid northerly right-of-way line of Dalecarlia Parkway, thence with said right-of-way line, as now described

(xvi) 44.12 feet along the arc of a curve to the right having a radius of 855.00 feet, chord bearing and distance of South 58° 59′ 22″ West—44.11 feet to the place of beginning containing 1.7157 acres of land more or less as now described by Maddox Engineers and Surveyors, Inc., June 2000, Job #00015.

(4) APPRAISAL.—Before conveying any right, title, or interest under this subsection, the Secretary shall obtain an appraisal of the fair market value of the parcel.

(c) ONTONAGON, MICHIGAN.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the Ontonagon County Historical Society all right, title, and interest of the United States in and to the parcel of land underlying and immediately surrounding the lighthouse at Ontonagon, Michigan, consisting of approximately 1.8 acres, together with any improvements thereon, for public ownership and for public purposes.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) REVERSION.—If the Secretary determines that the real property described in paragraph (1) ceases to be held in public ownership or used for public purposes, all right, title, and interest in and to the property shall revert to the United States.

(d) PIKE COUNTY, MISSOURI.—

(1) LAND EXCHANGE.—Subject to paragraphs (3) and (4), at such time as S.S.S., Inc. conveys all right, title, and interest in and to the parcel of land described in paragraph (2)(A) to the United States, the Secretary shall convey by quitclaim deed all right, title, and interest in the parcel of land described in paragraph (2)(B) to S.S.S., Inc.

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are the following:

(A) NON-FEDERAL LAND.—8.99 acres with existing flowage easements situated in Pike County, Missouri, adjacent to land being acquired from Holnam, Inc. by the Corps of Engineers.

(B) FEDERAL LAND.—8.99 acres situated in Pike County, Missouri, known as Government Tract Numbers FM–46 and FM–47, administered by the Corps of Engineers.

(3) CONDITIONS.—The exchange of land under paragraph (1) shall be subject to the following conditions:

(A) DEEDS.—

(i) NON-FEDERAL LAND.—The conveyance of the land described in paragraph (2)(A) to the Secretary shall be by a quitclaim deed acceptable to the Secretary.

(ii) FEDERAL LAND.—The instrument of conveyance used to convey the land described in paragraph (2)(B) to S.S.S., Inc. shall contain such reservations, terms, and conditions as the Secretary considers necessary to allow the United States to operate and maintain the Mississippi River 9-Foot Navigation Project.

(B) REMOVAL OF IMPROVEMENTS.—S.S.S., Inc. may remove any improvements on the land described in paragraph (2)(A). The Secretary may require S.S.S., Inc. to remove any improvements on the land described in paragraph (2)(A). In either case, S.S.S., Inc. shall hold the United States harmless from liability, and the United States shall not incur costs associated with the removal or relocation of any of the improvements.

(C) TIME LIMIT FOR EXCHANGE.—The land exchange under paragraph (1) shall be completed not later than 2 years after the date of enactment of this Act.

(D) LEGAL DESCRIPTION.—The Secretary shall provide the legal description of the lands described in paragraph (2). The legal description shall be used in the instruments of conveyance of the lands.

(4) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the land conveyed to S.S.S., Inc. by the Secretary under paragraph (1) exceeds the appraised fair market value, as determined by the Secretary, of the land conveyed to the United States by S.S.S., Inc. under paragraph (1), S.S.S., Inc. shall make a payment equal to the excess in cash or a cash equivalent to the United States.

(e) CANDY LAKE PROJECT, OSAGE COUNTY, OKLAHOMA.—Section 563(c)(1)(B) of the Water Resources Development Act of 1999 (113 Stat. 357) is amended by striking ''a deceased individual'' and inserting ''an individual''.

(f) MANOR TOWNSHIP, PENNSYLVANIA.—

(1) IN GENERAL.—In accordance with this subsection, the Secretary shall convey by quitclaim deed to the township of Manor, Pennsylvania, all right, title, and interest of the United States in and to the approximately 113 acres of real property located at Crooked Creek Lake, together with any improvements on the land.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) CONSIDERATION.—The Secretary may convey under this subsection without consideration any portion of the real property described in paragraph (1) if the portion is to be retained in public ownership and be used for public park and recreation or other public purposes.

(4) REVERSION.—If the Secretary determines that any portion of the property conveyed under paragraph (3) ceases to be held in public ownership or to be used for public park and recreation or other public purposes, all right, title, and interest in and to such portion of property shall revert to the Secretary.

(5) PAYMENT OF COSTS.—The township of Manor, Pennsylvania shall be responsible for all costs associated with a conveyance under this subsection, including the cost of conducting the survey referred to in paragraph (2).

(g) NEW SAVANNAH BLUFF LOCK AND DAM, SAVANNAH RIVER, SOUTH CAROLINA, BELOW AUGUSTA.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed to the city of North Augusta and Aiken County, South Carolina, the lock, dam, and appurtenant features at New Savannah Bluff, including the adjacent approximately 50-acre park and recreation area with improvements of the navigation project, Savannah River Below Augusta, Georgia, authorized by the first section of the River and Harbor Act of July 3, 1930 (46 Stat. 924), subject to the execution of an agreement by the Secretary and the city of North Augusta and Aiken County, South Carolina, that specifies the terms and conditions for such conveyance.

(2) TREATMENT OF LOCK, DAM, APPURTENANT FEATURES, AND PARK AND RECREATION AREA.—The lock, dam, appurtenant features, adjacent park and recreation area, and other project lands, to be conveyed under paragraph (1) shall not be treated as part of any Federal water resources project after the effective date of the transfer.

(3) OPERATION AND MAINTENANCE.—Operation and maintenance of all features of the navigation project, other than the lock, dam, appurtenant features, adjacent park and recreation area, and other project lands to be conveyed under paragraph (1), shall continue to be a Federal responsibility after the effective date of the transfer under paragraph (1).

(h) TRI-CITIES AREA, WASHINGTON.—Section 501(i) of the Water Resources Development Act of 1996 (110 Stat. 3752–3753) is amended—

(1) by inserting before the period at the end of paragraph (1) the following: ''; except that any of such local governments, with the agreement of the appropriate district engineer, may exempt from the conveyance to the local government all or any part of the lands to be conveyed to the local government''; and

(2) by inserting before the period at the end of paragraph (2)(C) the following: ''; except that approximately 7.4 acres in Columbia Park, Kennewick, Washington, consisting of the historic site located in the Park and known and referred to as the Kennewick Man Site and such adjacent wooded areas as the Secretary determines are necessary to protect the historic site, shall remain in Federal ownership''.

(i) BAYOU TECHE, LOUISIANA.—

(1) IN GENERAL.—After renovations of the Keystone Lock facility have been completed, the Secretary may convey by quitclaim deed without consideration to St. Martin Parish, Louisiana, all rights, interests, and title of the United States in the approximately 12.03 acres of land under the administrative jurisdiction of the Secretary in Bayou Teche, Louisiana, together with improvements thereon. The dam and the authority to retain upstream pool elevations shall remain under the jurisdiction of the Secretary. The Secretary shall relinquish all operations and maintenance of the lock to St. Martin Parish.

(2) CONDITIONS.—The following conditions apply to the transfer under paragraph (1):

(A) St. Martin Parish shall operate, maintain, repair, replace, and rehabilitate the lock in accordance with regulations prescribed by the Secretary which are consistent with the project's authorized purposes.

(B) The Parish shall provide the Secretary access to the dam whenever the Secretary notifies the Parish of a need for access to the dam.

(C) If the Parish fails to comply with subparagraph (A), the Secretary shall notify the Parish of such failure. If the parish does not correct such failure during the 1-year period beginning on the date of such notification, the Secretary shall have a right of reverter to reclaim possession and title to the land and improvements conveyed under this section or, in the case of a failure to make necessary repairs, the Secretary may effect the repairs and require payment from the Parish for the repairs made by the Secretary.

(j) JOLIET, ILLINOIS.—

(1) IN GENERAL.—The Secretary shall convey by quitclaim deed without consideration to the Joliet Park District in Joliet, Illinois, all right, title, and interest of the United States in and to the parcel of real property located at 622 Railroad Street in the city of Joliet, consisting of approximately 2 acres, together with any improvements thereon, for public ownership and use as the site of the headquarters of the park district.

(2) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(3) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership or to be used as headquarters of the park district or for other purposes, all right, title, and interest in and to such property shall revert to the United States.

(k) OTTAWA, ILLINOIS.—

(1) CONVEYANCE OF PROPERTY.—Subject to the terms, conditions, and reservations of paragraph (2), the Secretary shall convey by quitclaim deed to the Young Men's Christian Association of Ottawa, Illinois (in this subsection referred to as the ''YMCA''), all right, title, and interest of the United States in and to a portion of the easements acquired for the improvement of the Illinois Waterway project over a parcel of real property owned by the YMCA, known as the ''Ottawa, Illinois YMCA Site'', and located at 201 E. Jackson Street, Ottawa, La Salle County, Illinois (portion of NE ¼, S11, T33N, R3E 3PM), except that portion lying below the elevation of 461 feet National Geodetic Vertical Datum.

(2) CONDITIONS.—The following conditions apply to the conveyance under paragraph (1):

(A) The exact acreage and the legal description of the real property described in paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(B) The YMCA shall agree to hold and save the United States harmless from liability associated with the operation and maintenance of the Illinois Waterway project on the property desscribed in paragraph (1).

(C) If the Secretary determines that any portion of the property that is the subject of the easement conveyed under paragraph (1) ceases to be used as the YMCA, all right, title, and interest in and to such easement shall revert to the Secretary.

(l) ST. CLAIR AND BENTON COUNTIES, MISSOURI.—

(1) IN GENERAL.—The Secretary shall convey to the Iconium Fire Protection District, St. Clair and Benton counties, Missouri, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the parcel of land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcel of land to be conveyed under paragraph (1) is the tract of land located in the Southeast ¼ of Section 13, Township 39 North, Range 25 West, of the Fifth Principal Meridian, St. Clair County, Missouri, more particularly described as follows: Commencing at the Southwest corner of Section 18, as designated by Corps survey marker AP 18–1, thence northerly 11.22 feet to the southeast corner of Section 13, thence 657.22 feet north along the east line of Section 13 to Corps monument 18 1–C lying within the right-of-way of State Highway C, being the point of beginning of the tract of land herein described; thence westerly approximately 210 feet, thence northerly 150 feet, thence easterly approximately 210 feet to the east line of Section 13, thence southerly along said east line, 150 feet to the point of beginning, containing 0.723 acres, more or less.

(3) REVERSION.—If the Secretary determines that the property conveyed under paragraph (1) ceases to be held in public ownership or to be used as a site for a fire station, all right, title, and interest in and to such property shall revert to the United States.

(m) GENERALLY APPLICABLE PROVISIONS.—

(1) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United

States Code, shall not apply to any conveyance under this section.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers appropriate and necessary to protect the interests of the United States.

(3) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental compliance costs, associated with the conveyance.

(4) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

SEC. 586. BRUCE F. VENTO UNIT OF THE BOUNDARY WATERS CANOE AREA WILDERNESS, MINNESOTA.

(a) DESIGNATION.—The portion of the Boundary Waters Canoe Area Wilderness, Minnesota, situated north and cast of the Gunflint Corridor and that is bounded by the United States border with Canada to the north shall be known and designated as the ''Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness''.

(b) LEGAL REFERENCE.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the area referred to in paragraph (1) shall be deemed to be a reference to the ''Bruce F. Vento Unit of the Boundary Waters Canoe Area Wilderness''.

SEC. 587. WAURIKA LAKE, OKLAHOMA.

The remaining obligation of the Waurika Project Master Conservancy District payable to the United States Government in the amounts, rates of interest, and payment schedules is set at the amounts, rates of interest, and payment schedules that existed, and that both parties agreed to, on June 3, 1986, and may not be adjusted, altered, or changed without a specific, separate, and written agreement between the District and the United States Government.

SEC. 588. COLUMBIA RIVER TREATY FISHING ACCESS.

Section 401(d) of the Act entitled ''An Act to establish procedures for review of tribal constitutions and bylaws or amendments thereto pursuant to the Act of June 18, 1934 (48 Stat. 987)'', approved November 1, 1988 (102 Stat. 2944), is amended by striking ''$2,000,000'' and inserting ''$4,000,000''.

SEC. 589. DEVILS LAKE, NORTH DAKOTA.

No appropriation shall be made to construct an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River if the final plans for the emergency outlet have not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

TITLE VI—COMPREHENSIVE EVERGLADES RESTORATION

SEC. 601. COMPREHENSIVE EVERGLADES RESTORATION PLAN.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CENTRAL AND SOUTHERN FLORIDA PROJECT.—

(A) IN GENERAL.—The term ''Central and Southern Florida Project'' means the project for Central and Southern Florida authorized under the heading ''CENTRAL AND SOUTHERN FLORIDA'' in section 203 of the Flood Control Act of 1948 (62 Stat. 1176).

(B) INCLUSION.—The term ''Central and Southern Florida Project'' includes any modification to the project authorized by this section or any other provision of law.

(2) GOVERNOR.—The term ''Governor'' means the Governor of the State of Florida.

(3) NATURAL SYSTEM.—

(A) IN GENERAL.—The term ''natural system'' means all land and water managed by the Federal Government or the State within the South Florida ecosystem.

(B) INCLUSIONS.—The term ''natural system'' includes—

(i) water conservation areas;

(ii) sovereign submerged land;

(iii) Everglades National Park;

(iv) Biscayne National Park;

(v) Big Cypress National Preserve;

(vi) other Federal or State (including a political subdivision of a State) land that is designated and managed for conservation purposes; and

(vii) any tribal land that is designated and managed for conservation purposes, as approved by the tribe.

(4) PLAN.—The term ''Plan'' means the Comprehensive Everglades Restoration Plan contained in the ''Final Integrated Feasibility Report and Programmatic Environmental Impact Statement'', dated April 1, 1999, as modified by this section.

(5) SOUTH FLORIDA ECOSYSTEM.—

(A) IN GENERAL.—The term ''South Florida ecosystem'' means the area consisting of the land and water within the boundary of the South Florida Water Management District in effect on July 1, 1999.

(B) INCLUSIONS.—The term ''South Florida ecosystem'' includes—

(i) the Everglades;

(ii) the Florida Keys; and

(iii) the contiguous near-shore coastal water of South Florida.

(6) STATE.—The term ''State'' means the State of Florida.

(b) COMPREHENSIVE EVERGLADES RESTORATION PLAN.—

(1) APPROVAL.—

(A) IN GENERAL.—Except as modified by this section, the Plan is approved as a framework for modifications and operational changes to the Central and Southern Florida Project that are needed to restore, preserve, and protect the South Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, and the improvement of the environment of the South Florida ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(B) INTEGRATION.—In carrying out the Plan, the Secretary shall integrate the activities described in subparagraph (A) with ongoing Federal and State projects and activities in accordance with section 528(c) of the Water Resources Development Act of 1996 (110 Stat. 3769). Unless specifically provided herein, nothing in this section shall be construed to modify any existing cost share or responsibility for projects as listed in subsection (c) or (e) of section 528 of the Water Resources Development Act of 1996 (110 Stat. 3769).

(2) SPECIFIC AUTHORIZATIONS.—

(A) IN GENERAL.—

(i) PROJECTS.—The Secretary shall carry out the projects included in the Plan in accordance with subparagraphs (B), (C), (D), and (E).

(ii) CONSIDERATIONS.—In carrying out activities described in the Plan, the Secretary shall—

(I) take into account the protection of water quality by considering applicable State water quality standards; and

(II) include such features as the Secretary determines are necessary to ensure that all ground water and surface water discharges from any project feature authorized by this subsection will meet all applicable water quality standards and applicable water quality permitting requirements.

(iii) REVIEW AND COMMENT.—In developing the projects authorized under subparagraph (B), the Secretary shall provide for public review and comment in accordance with applicable Federal law.

(B) PILOT PROJECTS.—The following pilot projects are authorized for implementation, after review and approval by the Secretary, at a total cost of $69,000,000, with an estimated Federal cost of $34,500,000 and an estimated non-Federal cost of $34,500,000:

(i) Caloosahatchee River (C–43) Basin ASR, at a total cost of $6,000,000, with an estimated Federal cost of $3,000,000 and an estimated non-Federal cost of $3,000,000.

(ii) Lake Belt In-Ground Reservoir Technology, at a total cost of $23,000,000, with an estimated Federal cost of $11,500,000 and an estimated non-Federal cost of $11,500,000.

(iii) L–31N Seepage Management, at a total cost of $10,000,000, with an estimated Federal cost of $5,000,000 and an estimated non-Federal cost of $5,000,000.

(iv) Wastewater Reuse Technology, at a total cost of $30,000,000, with an estimated Federal cost of $15,000,000 and an estimated non-Federal cost of $15,000,000.

(C) INITIAL PROJECTS.—The following projects are authorized for implementation, after review and approval by the Secretary, subject to the conditions stated in subparagraph (D), at a total cost of $1,100,918,000, with an estimated Federal cost of $550,459,000 and an estimated non-Federal cost of $550,459,000:

(i) C–44 Basin Storage Reservoir, at a total cost of $112,562,000, with an estimated Federal cost of $56,281,000 and an estimated non-Federal cost of $56,281,000.

(ii) Everglades Agricultural Area Storage Reservoirs—Phase I, at a total cost of $233,408,000, with an estimated Federal cost of $116,704,000 and an estimated non-Federal cost of $116,704,000.

(iii) Site 1 Impoundment, at a total cost of $38,535,000, with an estimated Federal cost of $19,267,500 and an estimated non-Federal cost of $19,267,500.

(iv) Water Conservation Areas 3A/3B Levee Seepage Management, at a total cost of $100,335,000, with an estimated Federal cost of $50,167,500 and an estimated non-Federal cost of $50,167,500.

(v) C–11 Impoundment and Stormwater Treatment Area, at a total cost of $124,837,000, with an estimated Federal cost of $62,418,500 and an estimated non-Federal cost of $62,418,500.

(vi) C–9 Impoundment and Stormwater Treatment Area, at a total cost of $89,146,000, with an estimated Federal cost of $44,573,000 and an estimated non-Federal cost of $44,573,000.

(vii) Taylor Creek/Nubbin Slough Storage and Treatment Area, at a total cost of $104,027,000, with an estimated Federal cost of $52,013,500 and an estimated non-Federal cost of $52,013,500.

(viii) Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within Water Conservation Area 3, at a total cost of $26,946,000, with an estimated Federal cost of $13,473,000 and an estimated non-Federal cost of $13,473,000.

(ix) North New River Improvements, at a total cost of $77,087,000, with an estimated Federal cost of $38,543,500 and an estimated non-Federal cost of $38,543,500.

(x) C–111 Spreader Canal, at a total cost of $94,035,000, with an estimated Federal cost of $47,017,500 and an estimated non-Federal cost of $47,017,500.

(xi) Adaptive Assessment and Monitoring Program, at a total cost of $100,000,000, with an estimated Federal cost of $50,000,000 and an estimated non-Federal cost of $50,000,000.

(D) CONDITIONS.—

(i) PROJECT IMPLEMENTATION REPORTS.—Before implementation of a project described in any of clauses (i) through (x) of subparagraph (C), the Secretary shall review and approve for the project a project implementation report prepared in accordance with subsections (f) and (h).

(ii) SUBMISSION OF REPORT.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate the project implementation report required by subsections (f) and (h) for each project under this paragraph (including all relevant data and information on all costs).

(iii) FUNDING CONTINGENT ON APPROVAL.—No appropriation shall be made to construct any project under this paragraph if the project implementation report for the project has not been approved by resolutions adopted by the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(iv) MODIFIED WATER DELIVERY.—No appropriation shall be made to construct the Water Conservation Area 3 Decompartmentalization and Sheetflow Enhancement Project (including component AA, Additional S–345 Structures; component QQ Phase 1, Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within WCA 3; component QQ Phase 2, WCA 3 Decompartmentalization and Sheetflow Enhancement; and component SS, North New River Improvements) or the Central Lakebelt Storage Project (including components S and EEE, Central Lake Belt Storage Area) until the completion of the project to improve water deliveries to Everglades National Park authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–8).

(E) MAXIMUM COST OF PROJECTS.—Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall apply to each project feature authorized under this subsection.

(c) ADDITIONAL PROGRAM AUTHORITY.—

(1) IN GENERAL.—To expedite implementation of the Plan, the Secretary may implement modifications to the Central and Southern Florida Project that—

(A) are described in the Plan; and

(B) will produce a substantial benefit to the restoration, preservation and protection of the South Florida ecosystem.

(2) PROJECT IMPLEMENTATION REPORTS.—Before implementation of any project feature authorized under this subsection, the Secretary shall review and approve for the project feature a project implementation report prepared in accordance with subsections (f) and (h).

(3) FUNDING.—

(A) INDIVIDUAL PROJECT FUNDING.—

(i) FEDERAL COST.—The total Federal cost of each project carried out under this subsection shall not exceed $12,500,000.

(ii) OVERALL COST.—The total cost of each project carried out under this subsection shall not exceed $25,000,000.

(B) AGGREGATE COST.—The total cost of all projects carried out under this subsection shall not exceed $206,000,000, with an estimated Federal cost of $103,000,000 and an estimated non-Federal cost of $103,000,000.

(d) AUTHORIZATION OF FUTURE PROJECTS.—

(1) IN GENERAL.—Except for a project authorized by subsection (b) or (c), any project included in the Plan shall require a specific authorization by Congress.

(2) SUBMISSION OF REPORT.—Before seeking congressional authorization for a project under paragraph (1), the Secretary shall submit to Congress—

(A) a description of the project; and

(B) a project implementation report for the project prepared in accordance with subsections (f) and (h).

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of carrying out a project authorized by subsection (b), (c), or (d) shall be 50 percent.

(2) NON-FEDERAL RESPONSIBILITIES.—The non-Federal sponsor with respect to a project described in subsection (b), (c), or (d), shall be—

(A) responsible for all land, easements, rights-of-way, and relocations necessary to implement the Plan; and

(B) afforded credit toward the non-Federal share of the cost of carrying out the project in accordance with paragraph (5)(A).

(3) FEDERAL ASSISTANCE.—

(A) IN GENERAL.—The non-Federal sponsor with respect to a project authorized by subsection (b), (c), or (d) may use Federal funds for the purchase of any land, easement, rights-of-way, or relocation that is necessary to carry out the project if any funds so used are credited toward the Federal share of the cost of the project.

(B) AGRICULTURE FUNDS.—Funds provided to the non-Federal sponsor under the Conservation Restoration and Enhancement Program (CREP) and the Wetlands Reserve Program (WRP) for projects in the Plan shall be credited toward the non-Federal share of the cost of the Plan if the Secretary of Agriculture certifies that the funds provided may be used for that purpose. Funds to be credited do not include funds provided under section 390 of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1022).

(4) OPERATION AND MAINTENANCE.—Notwithstanding section 528(e)(3) of the Water Resources Development Act of 1996 (110 Stat. 3770), the non-Federal sponsor shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities authorized under this section. Furthermore, the Seminole Tribe of Florida shall be responsible for 50 percent of the cost of operation, maintenance, repair, replacement, and rehabilitation activities for the Big Cypress Seminole Reservation Water Conservation Plan Project.

(5) CREDIT.—

(A) IN GENERAL.—Notwithstanding section 528(e)(4) of the Water Resources Development Act of 1996 (110 Stat. 3770) and regardless of the date of acquisition, the value of lands or interests in lands and incidental costs for land acquired by a non-Federal sponsor in accordance with a project implementation report for any project included in the Plan and authorized by Congress shall be—

(i) included in the total cost of the project; and

(ii) credited toward the non-Federal share of the cost of the project.

(B) WORK.—The Secretary may provide credit, including in-kind credit, toward the non-Federal share for the reasonable cost of any work performed in connection with a study, preconstruction engineering and design, or construction that is necessary for the implementation of the Plan if—

(i)(I) the credit is provided for work completed during the period of design, as defined in a design agreement between the Secretary and the non-Federal sponsor; or

(II) the credit is provided for work completed during the period of construction, as defined in a project cooperation agreement for an authorized project between the Secretary and the non-Federal sponsor;

(ii) the design agreement or the project cooperation agreement prescribes the terms and conditions of the credit; and

(iii) the Secretary determines that the work performed by the non-Federal sponsor is integral to the project.

(C) TREATMENT OF CREDIT BETWEEN PROJECTS.—Any credit provided under this paragraph may be carried over between authorized projects in accordance with subparagraph (D).

(D) PERIODIC MONITORING.—

(i) IN GENERAL.—To ensure that the contributions of the non-Federal sponsor equal 50 percent proportionate share for projects in the Plan, during each 5-year period, beginning with commencement of design of the Plan, the Secretary shall, for each project—

(I) monitor the non-Federal provision of cash, in-kind services, and land; and

(II) manage, to the maximum extent practicable, the requirement of the non-Federal sponsor to provide cash, in-kind services, and land.

(ii) OTHER MONITORING.—The Secretary shall conduct monitoring under clause (i) separately for the preconstruction engineering and design phase and the construction phase.

(E) AUDITS.—Credit for land (including land value and incidental costs) or work provided under this subsection shall be subject to audit by the Secretary.

(f) EVALUATION OF PROJECTS.—

(1) IN GENERAL.—Before implementation of a project authorized by subsection (c) or (d) or any of clauses (i) through (x) of subsection (b)(2)(C), the Secretary, in cooperation with the non-Federal sponsor, shall complete, after notice and opportunity for public comment and in accordance with subsection (h), a project implementation report for the project.

(2) PROJECT JUSTIFICATION.—

(A) IN GENERAL.—Notwithstanding section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962–2) or any other provision of law, in carrying out any activity authorized under this section or any other provision of law to restore, preserve, or protect the South Florida ecosystem, the Secretary may determine that—

(i) the activity is justified by the environmental benefits derived by the South Florida ecosystem; and

(ii) no further economic justification for the activity is required, if the Secretary determines that the activity is cost-effective.

(B) APPLICABILITY.—Subparagraph (A) shall not apply to any separable element intended to produce benefits that are predominantly unrelated to the restoration, preservation, and protection of the natural system.

(g) EXCLUSIONS AND LIMITATIONS.—The following Plan components are not approved for implementation:

(1) WATER INCLUDED IN THE PLAN.—

(A) IN GENERAL.—Any project that is designed to implement the capture and use of the approximately 245,000 acre-feet of water described in section 7.7.2 of the Plan shall not be implemented until such time as—

(i) the project-specific feasibility study described in subparagraph (B) on the need for and physical delivery of the approximately 245,000 acre-feet of water, conducted by the Secretary, in cooperation with the non-Federal sponsor, is completed;

(ii) the project is favorably recommended in a final report of the Chief of Engineers; and

(iii) the project is authorized by Act of Congress.

(B) PROJECT-SPECIFIC FEASIBILITY STUDY.—The project-specific feasibility study referred to in subparagraph (A) shall include—

(i) a comprehensive analysis of the structural facilities proposed to deliver the approximately 245,000 acre-feet of water to the natural system;

(ii) an assessment of the requirements to divert and treat the water;

(iii) an assessment of delivery alternatives;

(iv) an assessment of the feasibility of delivering the water downstream while maintaining current levels of flood protection to affected property; and

(v) any other assessments that are determined by the Secretary to be necessary to complete the study.

(2) WASTEWATER REUSE.—

(A) IN GENERAL.—On completion and evaluation of the wastewater reuse pilot project described in subsection (b)(2)(B)(iv), the Secretary, in an appropriately timed 5-year report, shall describe the results of the evaluation of advanced wastewater reuse in meeting, in a cost-effective manner, the requirements of restoration of the natural system.

(B) SUBMISSION.—The Secretary shall submit to Congress the report described in subparagraph (A) before congressional authorization for advanced wastewater reuse is sought.

(3) PROJECTS APPROVED WITH LIMITATIONS.—The following projects in the Plan are approved for implementation with limitations:

(A) LOXAHATCHEE NATIONAL WILDLIFE REFUGE.—The Federal share for land acquisition in the project to enhance existing wetland systems along the Loxahatchee National Wildlife Refuge, including the Stazzulla tract, should be funded through the budget of the Department of the Interior.

(B) SOUTHERN CORKSCREW REGIONAL ECOSYSTEM.—The Southern Corkscrew regional ecosystem watershed addition should be accomplished outside the scope of the Plan.

(h) ASSURANCE OF PROJECT BENEFITS.—

(1) IN GENERAL.—The overarching objective of the Plan is the restoration, preservation, and protection of the South Florida Ecosystem while providing for other water-related needs of the region, including water supply and flood protection. The Plan shall be implemented to ensure the protection of water quality in, the reduction of the loss of fresh water from, the improvement of the environment of the South Florida Ecosystem and to achieve and maintain the benefits to the natural system and human environment described in the Plan, and required pursuant to this section, for as long as the project is authorized.

(2) AGREEMENT.—

(A) IN GENERAL.—In order to ensure that water generated by the Plan will be made available for the restoration of the natural system, no appropriations, except for any pilot project described in subsection (b)(2)(B), shall be made for the construction of a project contained in the Plan until the President and the Governor enter into a binding agreement under which the State shall ensure, by regulation or other appropriate means, that water made available by each project in the Plan shall not be permitted for a consumptive use or otherwise made unavailable by the State until such time as sufficient reservations of water for the restoration of the natural system are made under State law in accordance with the project implementation report for that project and consistent with the Plan.

(B) ENFORCEMENT.—

(i) IN GENERAL.—Any person or entity that is aggrieved by a failure of the United States or any other Federal Government instrumentality or agency, or the Governor or any other officer of a State instrumentality or agency, to comply with any provision of the agreement entered into under subparagraph (A) may bring a civil action in United States district court for an injunction directing the United States or any other Federal Government instrumentality or agency or the Governor or any other officer of a State instrumentality or agency, as the case may be, to comply with the agreement.

(ii) LIMITATIONS ON COMMENCEMENT OF CIVIL ACTION.—No civil action may be commenced under clause (i)—

(I) before the date that is 60 days after the Secretary and the Governor receive written notice of a failure to comply with the agreement; or

(II) if the United States has commenced and is diligently prosecuting an action in a court of the United States or a State to redress a failure to comply with the agreement.

(C) TRUST RESPONSIBILITIES.—In carrying out his responsibilities under this subsection with respect to the restoration of the South Florida ecosystem, the Secretary of the Interior shall fulfill his obligations to the Indian tribes in South Florida under the Indian trust doctrine as well as other applicable legal obligations.

(3) PROGRAMMATIC REGULATIONS.—

(A) ISSUANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, after notice and opportunity for public comment, with the concurrence of the Governor and the Secretary of the Interior, and in consultation with the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and other Federal, State, and local agencies, promulgate programmatic regulations to ensure that the goals and purposes of the Plan are achieved.

(B) CONCURRENCY STATEMENT.—The Secretary of the Interior and the Governor shall, not later than 180 days from the end of the public comment period on proposed programmatic regulations, provide the Secretary with a written statement of concurrence or nonconcurrence. A failure to provide a written statement of concurrence or nonconcurrence within such time frame will be deemed as meeting the concurrency requirements of subparagraph (A)(i). A copy of any concurrency or nonconcurrency statements shall be made a part of the administrative record and referenced in the final programmatic regulations. Any nonconcurrency statement shall specifically detail the reason or reasons for the nonconcurrence.

(C) CONTENT OF REGULATIONS.—

(i) IN GENERAL.—Programmatic regulations promulgated under this paragraph shall establish a process—

(I) for the development of project implementation reports, project cooperation agreements, and operating manuals that ensure that the goals and objectives of the Plan are achieved;

(II) to ensure that new information resulting from changed or unforeseen circumstances, new scientific or technical information or information that is developed through the principles of adaptive management contained in the Plan, or future authorized changes to the Plan are integrated into the implementation of the Plan; and

(III) to ensure the protection of the natural system consistent with the goals and purposes of the Plan, including the establishment of interim goals to provide a means by which the restoration success of the Plan may be evaluated throughout the implementation process.

(ii) LIMITATION ON APPLICABILITY OF PROGRAMMATIC REGULATIONS.—Programmatic regulations promulgated under this paragraph shall expressly prohibit the requirement for concurrence by the Secretary of the Interior or the Governor on project implementation reports, project cooperation agreements, operating manuals for individual projects undertaken in the Plan, and any other documents relating to the development, implementation, and management of individual features of the Plan, unless such concurrence is provided for in other Federal or State laws.

(D) SCHEDULE AND TRANSITION RULE.—

(i) IN GENERAL.—All project implementation reports approved before the date of promulgation of the programmatic regulations shall be consistent with the Plan.

(ii) PREAMBLE.—The preamble of the programmatic regulations shall include a statement concerning the consistency with the programmatic regulations of any project implementation reports that were approved before the date of promulgation of the regulations.

(E) REVIEW OF PROGRAMMATIC REGULATIONS.—Whenever necessary to attain Plan goals and purposes, but not less often than every 5 years, the Secretary, in accordance with subparagraph (A), shall review the programmatic regulations promulgated under this paragraph.

(4) PROJECT-SPECIFIC ASSURANCES.—

(A) PROJECT IMPLEMENTATION REPORTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop project implementation reports in accordance with section 10.3.1 of the Plan.

(ii) COORDINATION.—In developing a project implementation report, the Secretary and the non-Federal sponsor shall coordinate with appropriate Federal, State, tribal, and local governments.

(iii) REQUIREMENTS.—A project implementation report shall—

(I) be consistent with the Plan and the programmatic regulations promulgated under paragraph (3);

(II) describe how each of the requirements stated in paragraph (3)(B) is satisfied;

(III) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(IV) identify the appropriate quantity, timing, and distribution of water dedicated and managed for the natural system;

(V) identify the amount of water to be reserved or allocated for the natural system necessary to implement, under State law, subclauses (IV) and (VI);

(VI) comply with applicable water quality standards and applicable water quality permitting requirements under subsection (b)(2)(A)(ii);

(VII) be based on the best available science; and

(VIII) include an analysis concerning the cost-effectiveness and engineering feasibility of the project.

(B) PROJECT COOPERATION AGREEMENTS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall execute project cooperation agreements in accordance with section 10 of the Plan.

(ii) CONDITION.—The Secretary shall not execute a project cooperation agreement until any reservation or allocation of water for the natural system identified in the project implementation report is executed under State law.

(C) OPERATING MANUALS.—

(i) IN GENERAL.—The Secretary and the non-Federal sponsor shall develop and issue, for each project or group of projects, an operating manual that is consistent with the water reservation or allocation for the natural system described in the project implementation report and the project cooperation agreement for the project or group of projects.

(ii) MODIFICATIONS.—Any significant modification by the Secretary and the non-Federal sponsor to an operating manual after the operating manual is issued shall only be carried out subject to notice and opportunity for public comment.

(5) SAVINGS CLAUSE.—

(A) NO ELIMINATION OR TRANSFER.—Until a new source of water supply of comparable quantity and quality as that available on the date of enactment of this Act is available to replace the water to be lost as a result of implementation of the Plan, the Secretary and the non-Federal sponsor shall not eliminate or transfer existing legal sources of water, including those for—

(i) an agricultural or urban water supply;

(ii) allocation or entitlement to the Seminole Indian Tribe of Florida under section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e);

(iii) the Miccosukee Tribe of Indians of Florida;

(iv) water supply for Everglades National Park; or

(v) water supply for fish and wildlife.

(B) MAINTENANCE OF FLOOD PROTECTION.—Implementation of the Plan shall not reduce levels of service for flood protection that are—

(i) in existence on the date of enactment of this Act; and

(ii) in accordance with applicable law.

(C) NO EFFECT ON TRIBAL COMPACT.—Nothing in this section amends, alters, prevents, or otherwise abrogates rights of the Seminole Indian Tribe of Florida under the compact among the Seminole Tribe of Florida, the State, and the South Florida Water Management District, defining the scope and use of water rights of the Seminole Tribe of Florida, as codified by section 7 of the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e).

(i) DISPUTE RESOLUTION.—

(1) IN GENERAL.—The Secretary and the Governor shall within 180 days from the date of enactment of this Act develop an agreement for resolving disputes between the Corps of Engineers and the State associated with the implementation of the Plan. Such agreement shall establish a mechanism for the timely and efficient resolution of disputes, including—

(A) a preference for the resolution of disputes between the Jacksonville District of the Corps of Engineers and the South Florida Water Management District;

(B) a mechanism for the Jacksonville District of the Corps of Engineers or the South Florida Water Management District to initiate the dispute resolution process for unresolved issues;

(C) the establishment of appropriate timeframes and intermediate steps for the elevation of disputes to the Governor and the Secretary; and

(D) a mechanism for the final resolution of disputes, within 180 days from the date that the dispute resolution process is initiated under subparagraph (B).

(2) CONDITION FOR REPORT APPROVAL.—The Secretary shall not approve a project implementation report under this section until the agreement established under this subsection has been executed.

(3) NO EFFECT ON LAW.—Nothing in the agreement established under this subsection shall alter or amend any existing Federal or State law, or the responsibility of any party to the agreement to comply with any Federal or State law.

(j) INDEPENDENT SCIENTIFIC REVIEW.—

(1) IN GENERAL.—The Secretary, the Secretary of the Interior, and the Governor, in consultation with the South Florida Ecosystem Restoration Task Force, shall establish an independent scientific review panel convened by a body, such as the National Academy of Sciences, to review the Plan's progress toward achieving the natural system restoration goals of the Plan.

(2) REPORT.—The panel described in paragraph (1) shall produce a biennial report to Congress, the Secretary, the Secretary of the Interior, and the Governor that includes an assessment of ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.

(k) OUTREACH AND ASSISTANCE.—

(1) SMALL BUSINESS CONCERNS OWNED AND OPERATED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—In executing the Plan, the Secretary shall ensure that small business concerns owned and controlled by socially and economically disadvantaged individuals are provided opportunities to participate under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(2) COMMUNITY OUTREACH AND EDUCATION.—

(A) IN GENERAL.—The Secretary shall ensure that impacts on socially and economically disadvantaged individuals, including individuals with limited English proficiency, and communities are considered during implementation of the Plan, and that such individuals have opportunities to review and comment on its implementation.

(B) PROVISION OF OPPORTUNITIES.—The Secretary shall ensure, to the maximum extent practicable, that public outreach and educational opportunities are provided, during implementation of the Plan, to the individuals of South Florida, including individuals with limited English proficiency, and in particular for socially and economically disadvantaged communities.

(l) REPORT TO CONGRESS.—Beginning on October 1, 2005, and periodically thereafter until October 1, 2036, the Secretary and the Secretary of the Interior, in consultation with the Environmental Protection Agency, the Department of Commerce, and the State of Florida, shall jointly submit to Congress a report on the implementation of the Plan. Such reports shall be completed not less often than every 5 years. Such reports shall include a description of planning, design, and construction work completed, the amount of funds expended during the period covered by the report (including a detailed analysis of the funds expended for adaptive assessment under subsection (b)(2)(C)(xi)), and the work anticipated over the next 5-year period. In addition, each report shall include—

(1) the determination of each Secretary, and the Administrator of the Environmental Protection Agency, concerning the benefits to the natural system and the human environment achieved as of the date of the report and whether the completed projects of the Plan are being operated in a manner that is consistent with the requirements of subsection (h);

(2) progress toward interim goals established in accordance with subsection (h)(3)(B); and

(3) a review of the activities performed by the Secretary under subsection (k) as they relate to socially and economically disadvantaged individuals and individuals with limited English proficiency.

(m) REPORT ON AQUIFER STORAGE AND RECOVERY PROJECT.—Not later than 180 after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing a determination as to whether the ongoing Biscayne Aquifer Storage and Recovery Program located in Miami-Dade County has a substantial benefit to the restoration, preservation, and protection of the South Florida ecosystem.

(n) FULL DISCLOSURE OF PROPOSED FUNDING.—

(1) FUNDING FROM ALL SOURCES.—The President, as part of the annual budget of the United States Government, shall display under the heading ''Everglades Restoration'' all proposed funding for the Plan for all agency programs.

(2) FUNDING FROM CORPS OF ENGINEERS CIVIL WORKS PROGRAM.—The President, as part of the annual budget of the United States Government, shall display under the accounts ''Construction, General'' and ''Operation and Maintenance, General'' of the title ''Department of Defense—Civil, Department of the Army, Corps of Engineers—Civil'', the total proposed funding level for each account for the Plan and the percentage such level represents of the overall levels in such accounts. The President shall also include an assessment of the impact such funding levels for the Plan would have on the budget year and long-term funding levels for the overall Corps of Engineers civil works program.

(o) SURPLUS FEDERAL LANDS.—Section 390(f)(2)(A)(i) of the Federal Agriculture Improvement and Reform Act of 1996 (110 Stat. 1023) is amended by inserting after ''on or after the date of enactment of this Act'' the following: ''and before the date of enactment of the Water Resource Development Act of 2000''.

(p) SEVERABILITY.—If any provision or remedy provided by this section is found to be unconstitutional or unenforceable by any court of competent jurisdiction, any remaining provisions in this section shall remain valid and enforceable.

SEC. 602. SENSE OF CONGRESS CONCERNING HOMESTEAD AIR FORCE BASE.

(a) FINDINGS.—Congress finds that—

(1) the Everglades is an American treasure and includes uniquely-important and diverse wildlife resources and recreational opportunities;

(2) the preservation of the pristine and natural character of the South Florida ecosystem is critical to the regional economy;

(3) as this legislation demonstrates, Congress believes it to be a vital national mission to restore and preserve this ecosystem and accordingly is authorizing a significant Federal investment to do so;

(4) Congress seeks to have the remaining property at the former Homestead Air Base conveyed and reused as expeditiously as possible, and several options for base reuse are being considered, including as a commercial airport; and

(5) Congress is aware that the Homestead site is located in a sensitive environmental location, and that Biscayne National Park is only approximately 1.5 miles to the east, Everglades National Park approximately 8 miles to the west, and the Florida Keys National Marine Sanctuary approximately 10 miles to the south.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) development at the Homestead site could potentially cause significant air, water, and noise pollution and result in the degradation of adjacent national parks and other protected Federal resources;

(2) in their decisionmaking, the Federal agencies charged with determining the reuse of the remaining property at the Homestead base should carefully consider and weigh all available information concerning potential environmental impacts of various reuse options;

(3) the redevelopment of the former base should be consistent with restoration goals, provide desirable numbers of jobs and economic redevelopment for the community, and be consistent with other applicable laws;

(4) consistent with applicable laws, the Secretary of the Air Force should proceed as quickly as practicable to issue a final SEIS and Record of Decision so that reuse of the former air base can proceed expeditiously;

(5) following conveyance of the remaining surplus property, the Secretary, as part of his oversight for Everglades restoration, should cooperate with the entities to which the various parcels of surplus property were conveyed so that the planned use of those properties is implemented in such a manner as to remain consistent with the goals of the Everglades restoration plan; and

(6) by August 1, 2002, the Secretary should submit a report to the appropriate committees of Congress on actions taken and make any recommendations for consideration by Congress.

TITLE VII—MISSOURI RIVER RESTORATION

SEC. 701. DEFINITIONS.

In this title, the following definitions apply:

(1) PICK-SLOAN PROGRAM.—The term ''Pick-Sloan program'' means the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (58 Stat. 891).

(2) PLAN.—The term ''plan'' means the plan for the use of funds made available by this title that is required to be prepared under section 705(e).

(3) STATE.—The term ''State'' means the State of South Dakota.

(4) TASK FORCE.—The term ''Task Force'' means the Missouri River Task Force established by section 705(a).

(6) TRUST.—The term ''Trust'' means the Missouri River Trust established by section 704(a).

SEC. 702. MISSOURI RIVER TRUST.

(a) ESTABLISHMENT.—There is established a committee to be known as the Missouri River Trust.

(b) MEMBERSHIP.—The Trust shall be composed of 25 members to be appointed by the Secretary, including—

(1) 15 members recommended by the Governor of South Dakota that—

(A) represent equally the various interests of the public; and

(B) include representatives of—

(i) the South Dakota Department of Environment and Natural Resources;

(ii) the South Dakota Department of Game, Fish, and Parks;

(iii) environmental groups;

(iv) the hydroelectric power industry;

(v) local governments;

(vi) recreation user groups;

(vii) agricultural groups; and

(viii) other appropriate interests;

(2) 9 members, 1 of each of whom shall be recommended by each of the 9 Indian tribes in the State of South Dakota; and

(3) 1 member recommended by the organization known as the ''Three Affiliated Tribes of North Dakota'' (composed of the Mandan, Hidatsa, and Arikara tribes).

SEC. 703. MISSOURI RIVER TASK FORCE.

(a) ESTABLISHMENT.—There is established the Missouri River Task Force.

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary (or a designee), who shall serve as Chairperson;

(2) the Secretary of Agriculture (or a designee);

(3) the Secretary of Energy (or a designee);

(4) the Secretary of the Interior (or a designee); and

(5) the Trust.

(c) DUTIES.—The Task Force shall—

(1) meet at least twice each year;

(2) vote on approval of the plan, with approval requiring votes in favor of the plan by a majority of the members;

(3) review projects to meet the goals of the plan; and

(4) recommend to the Secretary critical projects for implementation.

(d) ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date on which funding authorized under this title becomes available, the Secretary shall submit to the other members of the Task Force a report on—

(A) the impact of the siltation of the Missouri River in the State, including the impact on the Federal, State, and regional economies, recreation, hydropower generation, fish and wildlife, and flood control;

(B) the status of Indian and non-Indian historical and cultural sites along the Missouri River;

(C) the extent of erosion along the Missouri River (including tributaries of the Missouri River) in the State; and

(D) other issues, as requested by the Task Force.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Secretary shall consult with the Secretary of Energy, the Secretary of the Interior, the Secretary of Agriculture, the State, and Indian tribes in the State.

(e) PLAN FOR USE OF FUNDS MADE AVAILABLE BY THIS TITLE.—

(1) IN GENERAL.—Not later than 2 years after the date on which funding authorized under this title becomes available, the Task Force shall prepare a plan for the use of funds made available under this title.

(2) CONTENTS OF PLAN.—The plan shall provide for the manner in which the Task Force shall develop and recommend critical restoration projects to promote—

(A) conservation practices in the Missouri River watershed;

(B) the general control and removal of sediment from the Missouri River;

(C) the protection of recreation on the Missouri River from sedimentation;

(D) the protection of Indian and non-Indian historical and cultural sites along the Missouri River from erosion;

(E) erosion control along the Missouri River; or

(F) any combination of the activities described in subparagraphs (A) through (E).

(3) PLAN REVIEW AND REVISION.—

(A) IN GENERAL.—The Task Force shall make a copy of the plan available for public review and comment before the plan becomes final, in accordance with procedures established by the Task Force.

(B) REVISION OF PLAN.—

(i) IN GENERAL.—The Task Force may, on an annual basis, revise the plan.

(ii) PUBLIC REVIEW AND COMMENT.—In revising the plan, the Task Force shall provide the public the opportunity to review and comment on any proposed revision to the plan.

(f) CRITICAL RESTORATION PROJECTS.—

(1) IN GENERAL.—After the plan is approved by the Task Force under subsection (c)(2), the Secretary, in coordination with the Task Force, shall identify critical restoration projects to carry out the plan.

(2) AGREEMENT.—The Secretary may carry out a critical restoration project after entering into an agreement with an appropriate non-Federal interest in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b).

(3) INDIAN PROJECTS.—To the maximum extent practicable, the Secretary shall ensure that not less than 30 percent of the funds made available for critical restoration projects under this title shall be used exclusively for projects that are—

(A) within the boundary of an Indian reservation; or

(B) administered by an Indian tribe.

(g) COST SHARING.—

(1) ASSESSMENT.—

(A) FEDERAL SHARE.—The Federal share of the cost of carrying out the assessment under subsection (d) shall be 50 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out the assessment under subsection (d) may be provided in the form of services, materials, or other in-kind contributions.

(2) PLAN.—

(A) FEDERAL SHARE.—The Federal share of the cost of preparing the plan under subsection (e) shall be 50 percent.

(B) NON-FEDERAL SHARE.—Not more than 50 percent of the non-Federal share of the cost of preparing the plan under subsection (e) may be provided in the form of services, materials, or other in-kind contributions.

(3) CRITICAL RESTORATION PROJECTS.—

(A) IN GENERAL.—A non-Federal cost share shall be required to carry out any critical restoration project under subsection (f) that does not primarily benefit the Federal Government, as determined by the Task Force.

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out a critical restoration project under subsection (f) for which the Task Force requires a non-Federal cost share under subparagraph (A) shall be 65 percent, not to exceed $5,000,000 for any critical restoration project.

(C) NON-FEDERAL SHARE.—

(i) IN GENERAL.—Not more than 50 percent of the non-Federal share of the cost of carrying out a critical restoration project described in subparagraph (B) may be provided in the form of services, materials, or other in-kind contributions.

(ii) REQUIRED NON-FEDERAL CONTRIBUTIONS.—For any critical restoration project described in subparagraph (B), the non-Federal interest shall—

(I) provide all land, easements, rights-of-way, dredged material disposal areas, and relocations;

(II) pay all operation, maintenance, replacement, repair, and rehabilitation costs; and

(III) hold the United States harmless from all claims arising from the construction, operation, and maintenance of the project.

(iii) CREDIT.—The non-Federal interest shall receive credit for all contributions provided under clause (ii)(I).

SEC. 704. ADMINISTRATION.

(a) IN GENERAL.—Nothing in this title diminishes or affects—

(1) any water right of an Indian tribe;

(2) any other right of an Indian tribe, except as specifically provided in another provision of this title;

(3) any treaty right that is in effect on the date of enactment of this Act;

(4) any external boundary of an Indian reservation of an Indian tribe;

(5) any authority of the State that relates to the protection, regulation, or management of fish, terrestrial wildlife, and cultural and archaeological resources, except as specifically provided in this title; or

(6) any authority of the Secretary, the Secretary of the Interior, or the head of any other Federal agency under a law in effect on the date of enactment of this Act, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(D) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(G) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(H) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(I) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(J) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FEDERAL LIABILITY FOR DAMAGE.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) FLOOD CONTROL.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, 33 U.S.C. 701–1 et seq.).

SEC. 705. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out this title $4,000,000 for each of fiscal years 2001 through 2005, $5,000,000 for each of fiscal years 2006 through 2009, and $10,000,000 in fiscal year 2010. Such funds shall remain available until expended.

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Senate

(Legislative day of Friday, September 22, 2000)

The Senate met at 10:01 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Almighty God, Your omniscience confronts and then comforts us. We know that if we acknowledge Your involvement in the work of this Senate, that You are actually present in the Chamber, we will be accountable to You for what we say and how we say it and the methods we use to both block or boost progress. Your x-ray vision penetrates to reveal the human dynamics as we near the conclusion of this 106th Congress. You see our efforts to complete our work, while at the same time You also see the tensions over control, how we will look to the American people, and our desire to win arguments as well as votes. We harbor vague ideas about Your omniscience, but seldom think about the fact that You are as concerned about legislation and political process as You are about running the universe.

Lord, it is difficult to trust You to work out Your best for America in the midst of our divided ideologies. We need a fresh supply of faith to serve You by doing our work cooperatively, speaking the truth as we have come to understand it, blending the finest thinking we can produce with Your help, and then leaving the results to You.

Now in this moment of honest confrontation with You, we ask for Your help to do things Your way. We commit ourselves to excellence in our work and we trust the results to You. We truly believe that You desire to work out Your purposes for America through this Senate. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TIM HUTCHINSON, a Senator from the State of Arkansas, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

ORDER OF PROCEDURE

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that at the hour of 12:30 p.m. the Senate stand in recess until the hour of 2:15 p.m. in order for the weekly party caucuses to meet.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. HUTCHINSON. Mr. President, for the information of all Senators, the Senate will resume debate on the conference report to accompany the Agriculture appropriations bill. Debate on the conference report will be limited to today's session, with final remarks to begin at approximately 3:30 p.m. Those Senators who have statements are encouraged to come to the floor as early as possible today due to the break for the weekly party conference meetings. The vote on the Agriculture appropriations conference report will occur at 5:30 p.m.

I thank my colleagues for their attention.

The PRESIDING OFFICER (Mr. HUTCHINSON). The distinguished Senator from Nevada is recognized.

Mr. REID. Mr. President, I ask unanimous consent that following my brief remarks, the Senator from North Dakota, Mr. DORGAN, be recognized for 20 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CANONIZATION OF MOTHER KATHARINE DREXEL

Mr. REID. Mr. President, I am here today to pay tribute to the legacy of

NOTICE

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

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Mother Katharine Drexel, who on October 1, just a few weeks ago, became the fourth American ever to be canonized by the Vatican.

Katharine Drexel was born in 1859 into a very well-to-do family in Bucks County, PA. Early in life, though, she dedicated herself and her inheritance to work for social justice for African Americans and Native Americans.

Mother Drexel's legacy reflects more than simply her commitment to the Catholic faith, though her faith was the inspiration for her life's work. Her activism expanded into the area of civil rights due to her understanding of the lingering effects of racism towards African American and Native Americans.

Due to her commitment to eradicating the vestiges of racism, she founded the Blessed Sacrament for the Christian education of Native Americans and African Americans.

In addition, throughout her life, she founded over 100 educational institutions for African Americans and Native Americans.

The most famous school she founded is Xavier University in New Orleans. At the time, no Catholic university in the South accepted black students and Mother Drexel established Xavier University to fill this void.

Along with her sisters, Mother Drexel inherited close to $14 million. Mr. President, $14 million in 1860 was a lot of money. Through her support of civil rights organizations such as the NAACP, and her numerous foundation schools, Mother Drexel donated more than $20 million through her charitable work, a figure that in today's value exceeds a quarter of a billion dollars.

The excellent management of her inherited estate also earned her the reputation as an accomplished businesswoman. Thus her social justice work in the late 1800s and early 1900s also made her a woman's rights activist.

Although Mother Drexel passed away in 1955, her legacy continues today through the work of the Catholic order that she founded in 1891, an order that continues to carry out her vision of ending racial injustice.

It is my hope that we will all join in acknowledging the work of those who have dedicated themselves to working for the needs and concerns of all Americans. Nevada is home to both Native Americans and African Americans. I find it, therefore, especially appropriate that I speak today in spreading across the RECORD of this Senate the tremendous contribution and legacy of this great American, Mother Katharine Drexel.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE TWO PRESIDENTIAL CANDIDATES

Mr. DORGAN. Mr. President, last evening I watched the Presidential debate, as I am sure many other Americans did as well. I was thinking, after the debate, that those who claim there is not a difference between these candidates, and not a choice in this election, just have not been listening. There is clearly a choice and a difference between the two Presidential candidates.

I happen to believe both are pretty good people. You don't get to the point where you achieve the nomination from your party for the Presidency of the United States without having some significant experience and talent. But there are vast differences in public policy. I want to talk just a little about this, and especially about one of the significant issues in this campaign: the proposals for tax cuts.

Governor Bush has proposed tax cuts that are somewhere in the vicinity of $1.5 trillion over the coming 10 years.

We have had a wonderful economy in recent years. This country has been blessed with economic opportunity and growth that is unprecedented. We have the strongest economy in the world. Virtually everything in our economy has been headed in the right direction. Unemployment has been down; inflation has been down; home ownership up. Virtually all of the indicators of economic health have been good. This economy has been heading in the right direction.

One factor in that health is that Congress made some choices early on; difficult choices, to be sure, but ones that helped put this economy back on track. I worry very much that, as some economists tell us there will be surpluses for the next 10 years, this rush to enact $1.5 trillion in tax cuts even before the surpluses exist could lead us to a much different economic place. If we take that path, and if we don't get the surpluses we expect, then we will begin to experience, once again, Federal budget deficits. We will be right back in the same dark hole of budget deficits and lower economic growth and more economic trouble.

I will read a couple of quotes.

> There is no cause for worry. The high tide of prosperity is going to continue.

September 1928, by Treasury Secretary Andrew Mellon.

> No Congress of the United States ever assembled on surveying the state of the Union has met a more pleasing prospect than that which appears at the present time.

December 4, 1928, President Calvin Coolidge.

Economic forecasting is a tricky business under the very best of circumstances. But it is particularly suspect in the political arena, when partisan agendas are at stake and when the forecasts purport to show whether someone's agenda can work or not work. We have two classes of forecasters, according to one economist: those who don't know, and those who don't know they don't know. We might want to add a third class of economist: those who don't know but don't care because they have an agenda to justify in the political arena with their forecasts.

The problem with economic forecasting is not just uncertainty around the edges. The problem goes to the very core of the endeavor. Most forecasting is simply linear; that is, it assumes that tomorrow will be pretty much like yesterday with just a little something added on. Of course, life is not linear. There are sudden lurches and jolts which none of us can anticipate. Yet forecasters always have a model they use that anticipates tomorrow will reflect the experience of yesterday.

If we start writing tax refund checks with money we don't yet have and return to the staggering deficits of recent times—a $290 billion deficit the year this administration took office 8 years ago—we will have a much less certain economic future. All of us should understand that.

The reason I want to talk about this is that it is at the core of the debate in the Presidential contest. The question for me is, Are we going to move forward and build on our economic success, or are we going to risk slipping back into big deficits?

How much budget surplus is there? We hear candidates talk about trillions, $3 trillion, $4 trillion, $4.5 trillion. I went to a high school with 40 kids in all four grades. My class was ninth. We didn't have a lot of advanced math. We never studied trillions, I confess. I am not sure I understand what a trillion is. I know how many zeros exist in a trillion, but I am not sure I, nor anyone else in this Chamber, knows exactly what a trillion is.

So we hear the Congressional Budget Office say, you have an estimated $4.6 trillion surplus in the coming 10 years. Then we hear candidates say, if we have all this surplus, let's propose a $1.5 trillion tax cut, most of which will go to the upper income folks, which I will talk about in a moment. The problem here is this: We may never have this surplus.

First of all, $2.4 trillion belongs to the Social Security trust fund. It has to go there and should not be touched by anyone for any other purpose. Another $360 billion goes to the Medicare trust fund. It ought to be put away and not touched for any other purpose. Realistic spending adjustments will be about $600 billion; we are making these right now to exceed the budget caps because the budget that was passed earlier this year was wildly unrealistic in terms of what is needed for education and health care and a range of other issues, just to keep pace with increased population needs. These figures, incidentally, are from the Center on Budget and Policy Priorities. This organization says that, if you also include amounts necessary for Social Security

and Medicare solvency, which you are going to have to do, you have probably a $700 billion estimated surplus. That is if everything goes right—$700 billion, not $4.6 trillion.

Now, with this prospect, if you add a $1.5 trillion tax cut, what do you have left? Almost a $1 trillion deficit.

Should we be a bit cautious? Should we be concerned about talk of giving back taxes on a permanent basis based on surpluses that don't yet exist? The answer is yes. We would be, in my judgment, far better off if we decided to establish some basic principles for the use of any estimated surplus.

The priorities I think are these: First, we ought to pay down the Federal debt. Second, we ought to ensure the long-term solvency of Social Security and Medicare. Then we ought to address the urgent needs of this Nation, such as repairing our schools and making sure our kids are walking through classroom doors in the best schools in the world; and dealing with the prescription drug prices that are too high for many of our senior citizens to afford. Then we should provide targeted tax relief for working families.

There is a very big difference in the agenda of the candidates for President. Governor Bush says his priority is to provide a very large tax cut. The risk is that we won't have the money for a $1.5 trillion tax cut. The risk is that we may well go into a $1 trillion deficit because of that proposed tax cut. I hope that will not be the case, but it is certainly possible.

The problem with the tax cut itself is, even if you decided we should cut some taxes, the question is for whom and which taxes. Here is the proposed tax cut by Governor Bush. You can see the lowest 20 percent get $42 apiece a year, and the top 1 percent get $46,000 each.

In the debate last night, Governor Bush said: Well, of course, the wealthy, the upper income people get most of the tax cuts; they pay most of the taxes.

You can say that only if you are using a magnifying glass to suggest that the only taxes people pay are income taxes. I have a chart that shows something interesting. People pay $612 billion in payroll taxes in this country. Go to a convenience store somewhere. Maybe you will run into a person working in that convenience store for the minimum wage, working 40 hours a week, trying to raise two or three kids. They pay more in payroll taxes than they pay in income taxes. Yet that doesn't count, according to Governor Bush. All that counts is this: Let's give money back based on income taxes.

How about proposing a tax cut to the American people based on their real tax burden? Let me show you that burden. The fact is, 99 percent of the people in the bottom fifth income bracket in this country pay more in payroll taxes than they do in income taxes. As to the second fifth, 92 percent pay more in payroll taxes than they do in income taxes. Those folks work hard every day. They get a check that is less than their salary because money is taken out. Why is money taken out? For taxes. Which taxes? Payroll taxes as well as income taxes. Then they are told that when it comes to tax cuts, they don't count because we are going to give tax cuts based solely on who pays income taxes.

So the wealthiest get the biggest tax cuts. Is that fair to the people at the bottom of the economic ladder who work hard every day and who pay heavier payroll taxes than they do income taxes? The answer is absolutely not. That is another difference in philosophy.

There are people in this Chamber and people who are advisers to Governor Bush and others who believe that the proper approach to taxation is to tax work and exempt investment. That is their philosophy. Why? It is a typical political debate that has gone on for decades. Do you believe this economy works best by pouring something in at the top—that is called trickle down—or by nurturing something at the bottom, called percolate up? Do you believe America's economic engine works best if you just get some cans and pour it in the top? Or do you believe that if you give everybody at the bottom a little something to work with, that this economic engine works because things percolate up? It is a difference in philosophy.

Governor Bush believes, as do those who control the Congress, in the trickle-down approach.

I received a note from a North Dakotan one day, a farmer. He said: I have been living under this trickle-down stuff for 15 years, and I ain't even got damp yet.

Of course, Hubert Humphrey used to describe the trickle-down approach in his famous quote: That is where you give the horse some hay to eat, hoping that later the birds will have something to nibble on.

So we have this debate in the country. Who is right? It seems to me that if we are going to do this in a conservative, thoughtful way, we ought to decide the following: We don't know what the future holds. Let us hope the future is as wonderful as the last 6 or 8 years have been in terms of economic performance. Things are better in the country; everyone understands things are better.

You can stand on this floor and say, like the rooster taking credit for the sunup, that this person or that person should get the credit for the success of the economy. The fact is, we were headed in the wrong direction. This economy was in deep trouble. We had run up a $5.7 trillion in debt, and we had a $290 billion annual deficit in 1992. We were moving in the wrong direction very rapidly.

We in this Chamber, and over in the House—by one vote in each Chamber—passed a new economic plan. It was controversial as the dickens. It was not easy to vote for. In fact, let me read a couple of statements that were made at the time on the floor of the Senate. I will not read the authors, but we had people stand up on the floor of the Senate, and they had their own predictions regarding what this economic plan would be for our country.

On August 6, 1993, one of my colleagues stood up and said:

> So we are still going to pile up some more debt, but most of all, we are going to cost jobs in this country [with this plan].

Another Senator, another colleague, said:

> Make no mistake, these higher rates will cost jobs [in this plan of yours].

Another one said:

> When all is said and done, people will pay more taxes, the economy will create fewer jobs, government will spend more money, and the American people will be worse off.

Another said:

> It will flatten the economy.

That was at a time when we had an anemic economy, with slow growth, huge deficits, and moving in the wrong direction. And where are we in the year 1999 and the year 2000, after 8 years of that experience? We have an economy that is the envy of the world, growing faster than any other industrial economy in the world. Unemployment is down. More people are working. Welfare rolls are down. Inflation is down. Home ownership is up. Almost every indicator of economic health describes a country that is doing better. What should we do at this point? Some say give huge tax cuts, right now. Let's put them in law right now, lock them down.

If during good economic times you don't use the opportunity to pay down the Federal debt, you are never going to be able to pay down the debt. When you run up debt during tougher times, you ought to pay it down during better times. That is as conservative an ethic as you can have, it seems to me.

Why this Congress would not embrace that is beyond me. Why we would not agree together that it is our responsibility to pay down the debt during better times—what greater gift could there be to America's children than to unsaddle them from the debt, the $4.7 trillion that was added between 1980 and the late 1990s? What better gift could we give to them than to say our first job is to pay down this Federal debt? But, no, there is some political attractiveness, I guess, to say we want to give tax cuts. Gee, that is an easy thing to say, but it is not at this point a very responsible fiscal policy—especially when the largest portion of those cuts would go to the wealthiest Americans who have done the best in this economy.

It seems to me that tax cuts ought to come after the paydown of the debt and a number of other obligations. But second, when we do them—and we should if we have surpluses—we ought to do them based upon the burden the American families have in the workplace,

which includes not just the income tax but also the payroll tax. Those are the things I think we ought to consider.

Now, the other issue in the debate last night was, whose side are you on? I know there is a difference between the two candidates. Let me say I am not here to say one candidate is bad and the other is good. That is not my role. My role is to say there is a very significant difference in what they believe and how they approach public policy. I think on the key issues the American people ought to evaluate these matters that were before this Congress.

A Patients' Bill of Rights: Who is on whose side on the Patients' Bill of Rights? Does anybody really believe that with the growth of the HMOs and managed care organizations that patients are just fine; let them fend for themselves? Or do people really understand it is time to do something to pass a Patients' Bill of Rights? And if they believe we ought to, why has this Congress not been willing to do it? I will tell you why: because too many in this Congress stand with the insurance companies and the managed care organizations, and too few have been willing to stand on the side of patients.

We have heard story after story of people who have had to fight cancer and fight their HMOs at the same time. These stories have been told on the floor of this Senate. I will state again that at one hearing I held on this issue with my colleague from Nevada, a woman stood up and held a picture of her son. She began crying as she described her son's death on his 16th birthday. Her son suffered from leukemia and desperately needed a special kind of treatment in order to have a chance to live. But he had to fight his cancer and fight his managed care organization at the same time because the managed care organization withheld that treatment. She said her son looked up at him from his bedside and said: Mom, how can they do this to a kid like me?

It is not fair to have a child or have parents fight cancer and the insurance company at the same time. That is not a fair fight. Should we pass a Patients' Bill of Rights? Yes, we should. It is what Vice President GORE said last evening. It is what we said in this Congress. Why don't we do it? Because too many stand on the side of the bigger economic interests and are unwilling to stand on the side of patients.

They say the Senate passed a Patients' Bill of Rights. No, the Senate passed a ''patients' bill of goods.'' It was like playing charades, pulling on your ear and saying: It sounds like. Those who wrote it knew what they were doing. Republicans in the House of Representatives say it not only is not worth anything, it is a giant step backwards. The Republicans in the House who support the bipartisan Dingell-Norwood bill know what we ought to do, and this Senate has been unwilling to do it.

Minimum wage: We have people every day who are working their hearts out trying to take care of their families at the bottom of the economic ladder. Somehow, while this Congress is in a rush to help those at the top of the income ladder with tax cuts, these folks who are working at the bottom of the economic ladder, trying to get ahead, are left behind. They deserve an increase in the minimum wage. They deserve to keep pace. It ought to be a priority in this Congress to say work matters and we value you. If you are struggling to work and take care of your families—good for you. We want to do something to make sure you keep pace with that minimum wage.

Other issues include prescription drugs and Medicare. Of course we ought to add a prescription drug benefit to Medicare, but this Congress does not seem to want to get there.

Helping family farmers: You can't say you are pro family and not stand for family farmers.

Education: We have not even passed the Elementary and Secondary Education Act.

We have a lot to do. There are big differences between the political parties. That doesn't mean one is good and one is bad. It simply means there are significant policy choices the American people have an opportunity to make. We have been struggling mightily on these issues. We are a minority on my side of the aisle. The debate last night highlighted some of the differences. And America needs to make a choice. Which path do they want to choose? One with more risk that might upset this economy of ours and throw us back into the same deficit ditch we were in before, or one that is more cautious, that says one of our priorities is to pay down the debt? Or will we choose a course that says we want to stand with the American people against the larger economic interests?

It is not a myth that the economic interests are getting bigger and bigger. Open the paper today and see who merged today. Yesterday it was two big oil companies. Tomorrow it will be two big banks. Every day the economic enterprises are getting bigger. And what is happening is every day the American people are finding they have less power in dealing with them, they have less power in confronting the prescription drug prices because the pharmaceutical manufacturers decide what the prices are, and they tell the American people: Pay up. If you don't like it, don't buy it. And they will charge ten times more for a cancer drug in the United States than the same drug they sell in Canada.

The American people need some help in confronting these concentrations of economic power. That is what we have been fighting for. My hope is that the next time someone says there is no difference in these campaigns, there is no difference between the two candidates for President, no difference between the Republican and Democrats, I hope they look at the record. There is a big difference. I hope they make a choice that says that difference matters in their lives, as well.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCY PROGRAMS APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the conference report accompanying H.R. 4461, which the clerk will report.

The assistant legislative clerk read as follows:

A conference report to accompany H.R. 4461, an act making appropriations for Agriculture, Rural Development, the Food and Drug Administration, and related agency programs for fiscal year ending September 30th, 2001, and for other purposes.

The PRESIDING OFFICER. The Senator from New Jersey.

CAPITAL PUNISHMENT

Mr. TORRICELLI. Mr. President, for nearly 200 years from the founding of our Republic, capital punishment has loomed as the ultimate punishment for the violation of our laws. This reflected a belief that such a severe penalty would serve as a deterrent to those who might think they can take an innocent life or bring injury to our people.

While this Nation has always believed that capital punishment is an appropriate penalty for those who commit the most heinous of crimes, our criminal justice system has also been based on the premise that it is better—and it has been part of American lore to suggest that it is better that ten guilty men go free than an innocent man ever be put behind bars or lose his life.

This is all the more true when what is at stake is not just putting a person in prison—an act that could be rectified or proven wrong—but the irretrievable taking of a human life. As long as there has been the American Republic, this has been a founding belief: Taking of a life, if it can deter a crime, but protecting a mistake of justice.

Throughout our history, concerns have been raised about the fair application of the death penalty for exactly this concern.

Almost 30 years ago, the Supreme Court, in Furham v. Georgia, effectively abolished the death penalty when it decided that death penalty statutes at the time did too little to ensure the equal application of the law. In doing so, the Court held that the death penalty, while itself not necessarily unconstitutional, was often

being applied in a manner that was both arbitrary and too severe for the crime committed. As such, it constituted, as the death penalty was then applied, that it was a ''cruel and unusual'' punishment under the Constitution.

Just 4 years later, in 1976, the Court, in its Gregg decision, reinstated the death penalty when it ruled that the newly enacted statutes in Florida, Texas, and Georgia were constitutional. By providing guidelines to assist the judge and the jury in deciding whether to impose death, those statutes addressed the arbitrariness that had previously colored capital sentencing.

It was at this point in my life that I reached my own decision. I agreed with the Court in what had become the tenets of American history that the death penalty was fair and appropriate as a deterrent to crime; it was just when the application of the American Constitution, as the Court had held, where it was arbitrary, where there were not guidelines, where there was not a safety to protect the innocent or arbitrariness of penalty, it was unconstitutional.

As the Court had found by 1976, I believed that with the right guidelines, a second jury, oversight, appeal, fair representation, the death penalty was right and it was appropriate.

In the nearly 25 years since I reached my own judgment, and indeed as our country reached its decision, 666 people have been executed across the Nation.

I rise today to bring attention to the point that in those 25 years, more than 80 people on death row have been found to be innocent and released. Some were hours, minutes, weeks away from their own execution.

These were not reversals on technical grounds. For the people whose convictions were overturned, after years of confinement, years on death row, it was discovered they simply were not guilty of a crime for which they had been convicted.

The Death Penalty Information Center reports that between 1973 and October 1993 there were an average of 2.5 convicted persons released per year. Since the advent of DNA testing, the number has increased to 4.8 people per year. For any American, particularly someone such as myself who supports the death penalty, believes in the fairness of the death penalty, one can only imagine the responsibility individually and collectively we must feel.

The question is begged; If this has happened since DNA testing, 4.8 people released from jail on death row, my God, what has happened in recent decades? How many people were strapped to gurneys, had their wrists attached to leather strips in electric chairs, knowing in their own minds that they were innocent but executed? My God, what must they have thought of our society, justice, and our people?

There are now 3,600 people on State and Federal death rows.

Despite my own support of the death penalty and our society's general belief in it, we must face the reality that those 3,600 people some may be innocent. The events of recent months give little comfort to any of us who support the death penalty.

Two weeks ago, the Governor of Virginia was forced to pardon a mentally retarded man who spent 9½ years on death row for rape and murder after DNA tests proved he was innocent—9½ years awaiting death.

An inmate in Texas served 12 years on death row for the killing of a police officer before a film maker stumbled across his case and discovered evidence that established his innocence. An Illinois inmate was released just 50 hours before his scheduled execution because a student's journalism class at Northwestern University accepted his case as a class project and established with certainty his innocence—50 hours before his death.

The evidence, both academic and anecdotal, shows that the death penalty is not functioning as it must to ensure that innocent people not be put to death.

What has happened to the conviction of the Founding Fathers and Jefferson's admonition that it is better 10 guilty men go free than an innocent man go to jail? It has not been ''an innocent man go to jail,'' but the evidence is overwhelming that some innocent men are going to death.

It is not an easy issue. I am not here to ascribe the responsibility to others. I bear it, too. Through all my public life I have supported the death penalty, and I do not abandon it today. I believe it can be fair; I believe it can be just; and I believe it deters crime. I believe it is appropriate that society take the lives of those who would take the lives of others. But something is wrong.

The fact is that sometimes these people committed other crimes, and most of the people who commit these crimes who are put to death are guilty. None of those things matter. It doesn't matter if it is only 1 in 100. It doesn't matter if it is 1 in 1,000. As a just and fair society, no one can feel right about the fact that obviously without question some innocent people may be put to death or, if not put to death, are spending years of their lives on death row for crimes they did not commit.

Nowhere is this problem more evident than the State of Texas. I do not say that because its Governor is a Presidential candidate or because of the other party. I don't care. It has no relevance to me. I ascribe nothing to George W. Bush. I am simply discussing the facts in the State for which this problem appears to be most prevalent.

Since 1982, Texas has executed 231 people—and, in fairness, under both Republican and Democrat Governors, to take away any partisan motive.

This year alone, 33 people have been put to death in Texas. Another 446 are on death row.

Because of the frequency of executions in Texas, that State offers us the best window through which to examine some of these concerns because in doing so, it quickly becomes clear that if the death penalty in Texas is representative of the rest of the Nation, we have a real problem.

In a massive study of 131 executions in the State of Texas, it is documented that there were widespread and systematic flaws in trials and in the appeals process.

In a third of the Texas death penalty cases, the defendant was represented by an attorney who had already been disbarred.

How in God's name is it possible in a just and fair society to take a man's life or a woman's life in an American court of justice if that poor person, who is probably inevitably indigent, is represented by an attorney who has been proven to be incapable and is disbarred before the courts of the United States?

My God, what kind of people have we become? Are we so interested in revenge, execution, and punishment of a man or woman that we would not give them a competent attorney? Several of these attorneys have themselves been convicted of felonies. Others have been jailed on contempt charges for sheer incompetence in the performance of their duties.

The Supreme Court has held—and the Founding Fathers must have believed—that any man or woman who shares our citizenship has a right to counsel before the courts and a defense before the Government with their own attorney.

Is this the standard they held? Is this the standard that every American would have for themselves—the right to an attorney who was disbarred, jailed, held in contempt, or found incompetent? Is this the barrier between an accusation against an American citizen and their execution?

In one-third of the death penalty cases in the State of Texas, defense counsel presented no evidence or presented only one witness during the sentencing phase.

When I made my decision in my life as our country made its judgment to support the death penalty, it was based on the Supreme Court requirement that there be a sentencing phase in the death penalty and a separate jury dealing just with the penalty of death.

I think that is right. I think that is fair. That is why I support the death penalty.

But now we find in the State of Texas that when that separate jury heard the case, these attorneys for these indigent men and women facing death presented no witnesses—or just one.

This cannot possibly be what the Supreme Court envisioned for the protection of our citizens from execution.

At least 23 cases featured notoriously unreliable ''hair comparisons''—visual matching of the defendant's hair to that found at the crime scene.

This is unbelievable, but I am giving you the facts about this study of Texas cases.

One hair ''expert'' in a capital case with a man facing death was temporarily released from a psychiatric ward to testify. Another ''expert'' in a hair identification case pleaded no contest to multiple charges of falsifying and manufacturing evidence. There is the lone witness in a case that decides whether or not a man would be executed.

Since 1995, the highest criminal appeals court of the State of Texas has affirmed 270 capital convictions, including some where the defendants' lawyers were asleep during trial. But in those 270 cases, new trials were granted on only 8 occasions.

I do not think that I am suggesting to the Senate today an unreasonably high standard. But is it not appropriate at a minimum that in any case where a man or a woman is facing execution and the State is taking their lives, regardless of the evidence, that defense counsel should be awake during the trial? Where the evidence clearly establishes that the trial attorney is asleep, as a matter of simple justice, without contradiction, a new trial should be granted—at least on the penalty of death, if not of guilt or innocence.

This same court of appeals upheld the conviction and sentencing of a Hispanic man who was sentenced to death after a psychiatrist testified that he was more likely to commit future acts of violence because of his ethnicity. A psychiatrist argues before a court in the United States of America that a man is more likely to commit a crime because of his ethnic origin, and a court in the United States of America hears this evidence without reversal. It is unimaginable.

The U.S. Supreme Court recently ordered a new sentencing hearing in that case because of the evidence.

How many cases get to the U.S. Supreme Court? How many others would have filed? How many others are silent? How many others never got attorneys?

As a result of such injustices, it is not unreasonable to conclude, as Bob Herbert did in a recent New York Times op-ed piece, that the death penalty in the State of Texas is nothing more than ''legal lynching.''

This is not the death penalty that I have supported most of my life. This is not what the Supreme Court had in mind when it issued its standards. My God, this is not what the Founding Fathers had in mind when they talked about equal justice before the law.

There is a place in the American judicial system for capital punishment. I have not changed my mind. Certain crimes are so offensive, so outrageous, they so violate the public consciousness that capital punishment is the only appropriate response. It is, however, a remedy so severe that it must be administered with the greatest care, the greatest reserve, with the highest possible standards of justice, in representation and review, against arbitrariness, against discrimination, ensuring guilt, fairness, and uniformity.

These cases in Texas—and while Texas may be the most egregious, it does not stand alone—simply do not make that standard.

Supporters of the death penalty, like myself and a majority of Americans, are concerned that innocent people have been, are, or will be executed. And it is not a theoretical problem, it is real. In fact, in a recent survey by CNN/USA Today, 80 percent of Americans surveyed now believe innocent people in the United States have been executed in the last 5 years. That is quite a statement for us to make about our own country, our own system of justice. It is imperative that we take the necessary steps to ensure that it never happens again.

Already we are seeing several States take the lead against just such a threat. The Governor of Illinois, a Republican, to whom I give great credit, troubled by the fact that a number of people on the State's death row had been found innocent, announced earlier this year that he would block all executions until it had been determined that the death penalty was being administered fairly and justly, and I applaud him.

Maryland's Governor recently ordered a 2-year study of racial bias and death penalty procedures in his State, and I applaud him.

The Governor of California recently signed into law a bill that would guarantee every convicted felon the right to have DNA evidence tested if it was related to the charges that led to his conviction. Good for California. But it should be good for every State in the Nation and for the United States of America.

Although the Federal Government is not the arbiter of most death row cases, as with most issues, it has a responsibility to set an example. While the Federal Government has not executed someone since 1963, it cannot be said that the Federal system is the best it can be.

This Government has an obligation to reform the death penalty to ensure that innocent people are protected and to ask the States to do the same. This, in my judgment, requires, at a minimum:

First, ensure that defendants in capital cases have competent legal representation at every stage of the case. At every stage, there should be a lawyer who is trained, experienced, and has the ability to ensure, not just for the protection of the defendant but of the society, that we are not taking the life of an innocent person. I do not want just that defense for the defendant; I want that defense for me as an American, to know I am not responsible for the taking of the life of an innocent person.

Second, provide defendants with access to DNA testing. If science has given us the ability to know with certainty whether a person is innocent or guilty, I want that evidence known before a person is executed, no matter what stage, no matter how many trials, no matter how many appeals. I want to know before execution whether that DNA evidence has been made available. States are doing it, and this Government should do it, too.

I am a cosponsor of the Innocence Protection Act that was introduced by my distinguished colleague, Senator LEAHY of Vermont, to ensure that DNA evidence is provided, and I urge the Senate to consider it.

I recognize that all of my colleagues may not support the death penalty as I have supported it and continue to support it, but as a matter of conscience, in fidelity with our founding principles, in a belief in all of our sense of fairness and equal protection before the law, for the reputation of our country, for confidence in our system of justice no matter how we may divide on the question of the death penalty, surely on this we can be of one voice and clearly we can demand no less.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

ENDING THE 106TH CONGRESS

Mr. GRAMM. Mr. President, today I want to talk about a series of issues that are related to the final things with which we have to deal in ending this Congress. It is not a long list, but it is a list of things that are important. I hope my colleagues will indulge me while I talk about these issues.

I read this morning in the New York Times, under the headline ''Leaders in Congress Agree to Debt Relief for Poor Nations,'' that an agreement has been worked out on debt relief. I want to make it clear that I am not part of any such agreement. I hope an agreement will be worked out, and I would like to be part of an agreement. But I am not part of any agreement today.

It is important, since so much has been said and written on this issue, that someone on the other side stand up and explain what this issue is about, why it is important, and why people all over America ought to be concerned about it and be concerned that it be done right.

I remind my colleagues and those who might be listening to this discussion that routinely in America people borrow money and are required to repay it. Where I am from, College Station, TX, it is a pretty hard sell to talk about forgiving billions of dollars of debt to countries that borrowed money from us and, in too many cases, simply squandered or stole it, and now they do not want to repay it. They riot, they protest, they demand, but those things do not work in College Station, TX. In College Station, TX, when you borrow money from the bank or finance company or from your brother-in-law, you are expected to pay it back.

Let me make it clear that I am not here to make the most negative case that can be made about debt forgiveness. The flip side of the coin is that

many of these countries are desperately poor, and much of this debt can never be repaid. So the debate I want to engage in today is not against debt relief, as hard a sell as that is back home—and I am willing to make that sale or try to—but I am not willing to support debt relief unless we are going to have some reforms to assure that the money is not wasted.

I remind my colleagues, while we talk about debt relief, we are actually appropriating over $450 million because we are paying off this debt. Our money was lent and was largely squandered, and now it is going to be used to pay off this debt.

So, I am concerned because of the lack of accountability in how the money is being spent. Any Member of Congress knows this is an issue in which a great deal of interest has been taken.

I had a group of holy people come to my office the other day to lobby for this debt forgiveness. I do not think since Constantine the Great called his ecumenical council in Nicaea has there been a larger gathering of holy people in one place than the people who came to see me about supporting debt forgiveness.

And let me quickly add that everybody who came was well intentioned. Their hearts were in the right place. But the problem is not with our hearts; the problem is with our heads. Obviously, in this 2000th year of Christianity—this 2000th year of the birth of Christ—there is a movement all over the world to try to help the poor. But the question is, In forgiving this debt, are we really assuring that the money that we are giving is getting through to the people we are trying to help? And I think that is basically where the problem lies.

Let me now talk about a couple of examples that illustrates this problem. I want to read from four newspaper articles that outline a story, in my opinion, of how this debt forgiveness is abused and how our taxpayer ends up holding the bag.

The first story is from Africa News, July 23, 2000, and is from Kampala, Uganda—one of the initial countries targeted for debt relief.

> In March Parliament there approved the direct procurement of a new 12-seat presidential Gulf Stream GIV Special Performance SP jet at a cost of $31.5 million. Aviation experts said that the final cost of the plane could well be $47 million.
>
> The current presidential jet is a 9-seater Gulf Stream III acquired just a few years ago.

Now, from the August 2, 2000, issue of the Financial Times in London, I quote:

> The Group of Seven leading industrialized countries is pressing the Organization for Economic Cooperation and Development to stop export credits being used to help poor countries buy arms and other ''nonproductive'' items.
>
> Although the OECD cannot impose binding rules, the U.S. and Britain, leaders of the G7 initiative, believe ''naming and shaming'' dubious policies could create pressure to get them changed and prevent poor countries from squandering debt relief.

This article is from August 2, and on July 23 we learned that the Ugandan President has bought a new $47 million plane for his use. And we are naming and shaming, along with the British in the Financial Times.

And now on September 13, 2000, in Africa News, Kampala:

> The Paris Club of creditor countries yesterday cancelled $145 million of Uganda's debt under the Highly Indebted Poor Countries (HIPC) initiative.
>
> Tuesday's Paris Club announcement brings Uganda's total debt relief from the lending countries so far to $656 million. Uganda has also received $1.3 billion debt relief pledges from the IMF and World Bank in debt relief over the next 25 years.

So on July 23, which turns out to be the day that debt forgiveness was announced for Uganda, the President of Uganda buys himself a new $47 million luxury jet. And on August 2 we are naming and shaming people who are abusing debt forgiveness dollars that come from American taxpayers. And then on September 13 it is announced that we have forgiven this debt, raising the total to $656 million for Uganda, the same country whose President on the day the debt forgiveness package was announced ordered a $47 million jet.

Now, the final quote on this point is from the Wall Street Journal, dated October 12, 2000:

> On the day that Uganda qualified for debt forgiveness under the Clinton initiative, the president of that struggling African nation signed a $32 million lease-purchase agreement for a brand-new Gulf Stream jet.

It goes on to say that we have been assured by the administration that he got a pretty good buy on the jet.

Now, I ask my colleagues, when we are talking about this debt forgiveness, should we be forgiving debt with the idea that it is going to help poor people in Uganda when the President of Uganda, on the day the debt relief is announced, buys a $47 million jet? Maybe you can go to College Station and sell that, but I cannot. And I am not going to.

Let me go to the next point. All of the people who have written or called me, launched letters and sent calls and prayers and e-mails on this issue, say: We are trying to help people in these poor countries; don't stand in the way; forgive this debt, which I remind my colleagues means appropriating money to pay off the debt on their behalf.

The next country I want to talk about is Chad. This is a country that is next on the list to receive debt forgiveness. The argument is that by forgiving Chad's debt, we are going to help poor people who live there. But let me read from this year's U.S. State Department ''Report on Human Rights Violations'' in Chad, a country that the administration is pressuring us to appropriate tax money for so he can forgive their debt. This is from the State Department issued under the name of the Secretary of State, who was appointed by President Clinton, not by me. This is what she says about Chad, a country on the list of countries that would receive debt forgiveness if we provide this $450 million. I quote:

> The security forces—-

This is in Chad—-

> continue to commit serious human rights abuses. State security forces continue to commit extrajudicial killings. They torture, beat, abuse and rape.

Now, I ask my colleagues—and I ask public opinion—does it make sense for us to appropriate $450 million to forgive debt to a country when our own State Department, headed by the Secretary appointed by the same President who champions this debt forgiveness, tells us, ''State security forces continue to commit extrajudicial killings; they torture, beat, abuse, and rape''?

Maybe you can go to College Station or Little Rock or Jackson Hole, WY, and sell that. I cannot.

What we are facing is this: Based on good intentions, we want to forgive this debt, but what happens when there is clear and convincing evidence that the proceeds of the debt forgiveness are going to buy luxury jets for Government officials? And in Chad, remember that the ordinary citizens there did not borrow this money, this was a loan to the Government. So are we going to forgive debts to a government that, according to our very own State Department, continues to murder, brutalize, and rape its own people? I don't think so.

Having said all of that, what is the solution to this problem? It seems to me that if this administration is serious about doing something other than what it believes will be good politics in this election, or something that will make us all feel good—forgiving all of this debt—what we have to do is try to replicate what happens in every American family when people have financial problems.

So, what happens in Arkansas, Texas or anywhere in America, when the bill collector comes knocking at the door? What happens is that families get together around the kitchen table, they get out a pencil and try to figure out on the back of an envelope how much they are making and how much they are spending. They get out their credit cards, they get out the butcher knife, and they cut up their credit cards, and they try to reorganize. They change their habits and their behavior.

It seems to me, when we are talking about forgiving billions of dollars of debt to governments—these loans were made to governments, not to people—when we are forgiving that debt, we have a right—in fact, I would say an obligation—to see that that debt forgiveness benefits the people who live in that country. These countries are not poor because of this debt. They are poor because they have oppressive governments, because they have economic policies that do not work, because they are denied freedom. The sad story is

that if we forgive this debt, and we do not demand real reforms, nothing will change. This great opportunity to do something good for poor people in the world will be lost.

In trying to work with the administration—and I would have to say that, in theory, there is a lot of agreement with the administration—but when it comes time to put the requirements into place, that is where we cannot seem to work this issue out. The administration does not contradict its own State Department report on rampant human rights abuses. But when we're trying to set requirements for getting this debt forgiveness, that is where the administration says no.

I have tried to reduce the requirements that I think the conscience of the Senate should require to some very simple things. And I just ask people who might be listening to what I am saying to ask yourself: Are these unreasonable requirements in return for billions of dollars of taxpayer money?

Let me remind my colleagues, I know there is a drunkenness that has come from this big surplus. Never in my political career have I seen money squandered as it is in our Government this very minute, even as I am speaking right now. It is frightening to me. But even in this moment of a huge surplus, surely everybody realizes and remembers that, for every dollar we get, every dollar we spend, somebody worked hard to earn that money.

I believe that money ought to be respected. So in return for billions of dollars of the American taxpayers' money, here are the conditions to which I have asked the administration to agree.

No. 1, we cannot forgive debt for a country that we find in our most recent human rights evaluation engages in a gross violation of human rights against its own people. In other words, what we would say to the government of Chad is: If you want this debt forgiven, then you have to quit killing, abusing, and raping your people. And if you do not do that, we are not going to forgive the debt. That is condition No. 1.

I do not view that as unreasonable. Quite frankly, I would be ashamed to have my name affixed on a voting list to the forgiveness of this debt if we gave it to murderers, thugs, and rapists.

The second condition has to do with the fact that these countries are poor because they are basically practicing socialism. They deny property rights and economic freedom, and, as a result, they are poor.

We sometimes get the idea that because socialism does not work economically, that it is dying. But socialism works politically, which is why it is alive all over the world and why it is debated in Washington, DC.

Now, here are three economic conditions that, at a minimum, I believe we need. First of all, if countries are going to take our money, they should be required to open their markets to meet the requirements of the World Trade Organization so that we have an opportunity to sell American goods in their economy, and so that their workers have a right to buy goods competitively, instead of being forced to buy expensive, inferior goods from a government-run monopoly.

We have one of the most open economies in the world. We are the richest, freest, happiest people in this world. Asking those who are getting debt relief to do something that will help them is, I think, something that is required. It is something that must be done.

Secondly, they would be required to set up a series of benchmarks, not just on opening up their economy, but also in those countries where government dominates the market, where huge numbers of people work for the government, and, in essence, the government runs everything, we would require, in return for the loan forgiveness, that they set up benchmarks for phasing out subsidies to these government-run enterprises.

The third requirement is simply that in printing their financial and government records on how much money they are spending, how much they are taking in in taxes, how much they are borrowing, that we have transparency so that we and investors can know what is going on in the country and so that we can see whether they are taking actions that will actually improve the life of their people. And that would include transparency in their financial institutions and their banks.

What this would say is, we do not forgive money until these conditions are in place. And if at any point along the way countries do not live up to these commitments, then we stop the debt forgiveness.

Some people think these are outrageous conditions. But I just simply go back to College Station. When you have a line of credit with a bank, and you have told them you are using this line of credit to invest in your restaurant, and it turns out you bought a car for private use, they cut off your line of credit. When you do not tell the truth, you end up losing your line of credit.

So I just want to urge, publicly, the administration to help Congress put together a program that will take this debt forgiveness and put it to work to help ordinary working people. If we do not do something like this, we are going to end up seeing this money spent on jet planes for government leaders; we are going to see the benefits of debt forgiveness go to the leadership elite; and 10 or 15 years from now, when these same countries have the same debt crisis, we will have someone like President Clinton who will be arguing that we could just fix all this if we just forgive this debt.

I am willing to go along with the debt forgiveness. I am willing to go home and try to explain to people why these governments are treated better than citizens here are treated if I know the money is not going to be squandered or stolen or used to abuse the very people we are trying to help. But I intend to fight—and fight hard—to see that we do not take billions of dollars from American taxpayers to give to buy fancy airplanes for government officials, and that we do not use it to basically subsidize corruption and the abuse of the very people we are trying to help.

AMNESTY

Mr. GRAMM. Mr. President, a second topic I rise to talk briefly about is the issue of amnesty. The White House sent a letter dated October 12, 2000 to Congress which in many ways is one of the most extraordinary letters I have ever seen a President send to Congress. This letter, basically says the President will veto the Commerce-Justice-State appropriations bill unless we grant amnesty to people who have violated our laws by coming to this country illegally. In other words, the President is threatening that he will veto a bill that funds DEA—the Drug Enforcement Administration—the FBI, the Federal prison system, our system of criminal and civil justice, he will veto that bill unless we in Congress grant amnesty to people who have broken the law by coming to the United States of America illegally.

It is one thing for the President, functioning under the Constitution, to say: You have your idea about how much money should be spent. I have my idea. I don't think you are spending enough. That is what the President is saying every day. The President is threatening to veto appropriation after appropriation because he doesn't think we are spending enough. We are spending faster than we have ever spent since Lyndon Johnson was President of the United States, yet we are not spending enough money to suit President Clinton.

You can argue that he is wrong, that it is dangerous, that one of the reasons the stock market is in shock today is this runaway Federal spending that endangers our economy and our prosperity, but it is a legitimate issue to be debating on an appropriations bill, how much money we spend.

The President just happens to be wrong—dangerously wrong, in my opinion—and I am not going to support him. But that is one thing.

But to say that unless we pass a law that has nothing to do with spending money, that forgives lawbreakers who came into this country illegally, he is going to veto a bill that funds the FBI, the DEA, and the criminal justice system is an outrageous assertion of Presidential power. Our President has been so successful in manipulating the Congress, he has forgotten that we have a separation of powers in America. He is going to get reminded in this debate.

I don't want to get too deeply into the amnesty issue, but I will say a couple things about it. First of all, as the Presiding Officer knows, as anyone in

the Senate knows, if there has been one Member who has been a champion of legal immigration, it is I. I have stood on the floor many times arguing for letting people with a desire to work hard, with talent, genius, creativity, and big dreams into America and to let them come legally. I am proud of the fact that my wife's grandfather came to America as an indentured laborer to work in the sugarcane fields in Hawaii.

I have spoken previously on this issue at great length. One of the most successful employees I ever had was a young man named Rohit Kumar. The Senate was debating an increase in the quota for legal immigration, if I remember correctly. I talked about the Kumars. His daddy is a research doctor. His mama is a physician. His uncle is an engineer, an architect. The point I made was, America needs more Kumars.

I am sure when you are talking about amnesty, there are going to be those who will say this has something to do with being against foreigners. Well, I don't believe America is full. I was the cosponsor of the H–1B program that will let 200,000 highly skilled technical people—most of them in graduate school in America right now, being funded by our taxpayers—stay temporarily to help us keep the economy strong. But I draw the line on illegal immigration. I draw the line when it comes to breaking the laws of this country.

I believe if we keep granting amnesty to people who came to the country illegally, we are in essence putting up a neon sign on all of our borders saying: Violate our law; come into the country illegally. Then we will later pass laws making it all right and you will be able to stay.

I am not for that. I am adamantly opposed to it. Millions of people today are on waiting lists to come to America legally. They are often the wives or husbands of people who have come here and become permanent resident aliens. I am in favor of family unification where someone has come here, they are self-sustaining, they haven't received public assistance within a year, and they show the financial ability to take care of their spouse and children. I say let them come to America. But I draw the line on illegal immigration.

We have somewhere between 5 and 7 million people who have come to America illegally. When we passed the immigration bill in 1986, we granted amnesty to people who were here illegally. That was supposed to be it. Yet now the Clinton administration says they are going to shut down the DEA and FBI and the criminal justice system unless we grant amnesty to more people. We are getting this sort of bait and switch, for which the administration is famous.

I am sure you have heard the argument. There is a claim that there were some aliens here in 1986 who claim they were unfairly denied amnesty and we should now go back and let them qualify. These are the facts: Most didn't qualify for amnesty because the original law, which was going to be the first and last amnesty ever granted to lawbreakers in American history—that was the commitment made here on the floor of the Senate—was for people who could document that they resided here prior to 1982. Now the Clinton administration is saying there were people here when we passed amnesty, who did not get amnesty, and that is unfair, and let's do it for everyone here prior to 1986. I suppose then we can do it up to 1996. We can do this rolling amnesty which, again, simply puts a neon sign along our border which says: Violate America's law; come here illegally.

I don't know what the President is going to do. Maybe he is going to veto Commerce-Justice-State. Maybe he is going to try to shut down the DEA and the FBI, and maybe he is going to try to find somebody to blame. Let me give him a name: PHIL GRAMM.

It may well be that the President can pass this amnesty provision. It may very well be that he has the political power to force us to grant amnesty to lawbreakers in return for funding Commerce-State-Justice. I want to go on record here and say, I will not make it easy. Any conference report that comes up that has amnesty in it, I am going to offer motions to postpone, to delay, and attempt to force cloture. That is going to take 3 days. Then we are going to have 30 hours of debate, which is going to take another day and a half. Then you are going to do cloture on the conference report itself, and that is going to take another 3 days. Then we are going to have 30 hours of debate on that conference report which is going to take another day.

Bill Clinton is the one moving to New York or Arkansas—I guess the location to be determined by the outcome of the election. I am not going anywhere. I am going to be here next year. Amnesty may pass. We may basically say: Forget about American laws. You come here, violate them; we will just forget it. But it is not going to pass without determined resistance.

I want my colleagues to know that when we are sitting here on election day and there is an effort to pass amnesty, it is not as if people hadn't been told that this was going to be resisted. This is profoundly wrong. This is dangerous for the future of our country. It needs to be stopped.

MEDICARE GIVE-BACK

Mr. GRAMM. Mr. President, I had the responsibility in working with the distinguished chairman of the Finance Committee to try to work out our differences with the House on the Medicare give-back.

We passed a bill in 1997 that was aimed at trying to balance the budget and trying to save Medicare. We succeeded in balancing the budget. We have been in the process since that day of trying to undo everything we did. We have put together a package that costs over $27 billion in Medicare give-backs. About half the package is totally deserved and desperately needed. About half the package in my opinion—I am speaking just for myself—represents things that are bad public policy, and it is being done for one simple reason: We have the money. Why not spend it?

I am not going to go down a long list. But let me give you one example—bad debt forgiveness.

Believe it or not, this bill has a provision that says to hospitals, if you don't collect your bad debt—remember, Medicaid pays for health care for poor people. We have two provisions of Medicare that provide taxpayer assistance above Medicaid for very marginal income people who are not poor but they have difficulty paying their bills.

When we are talking about bad debt, we are talking about bad-debt incurred by people who didn't qualify for Medicaid.

We have a provision in this bill where the taxpayer will simply come in and pick up 70 percent-plus of bad debt costs for hospitals. Collecting debt is difficult. Ask any retail merchant, or ask anybody who is in business in America. They will tell you it is hard to collect debt.

What do you think is going to happen when the taxpayer pays 70 percent of the debt that hospitals don't want to collect and that people do not want to pay? They are going to stop collecting. People are going to stop paying, and the taxpayer is going to pay.

To get to the bottom line on this issue, the President says: Look, you didn't spend enough money on the things I wanted it spent on, and I am going to veto this $27 billion give-back.

I hope the President does veto it. I think about half of it is justified. I think we could have done it for $15 billion, and could have done a reasonably good job.

But my own view is that if the President vetoes it—we are just moments now from an election. We are going to have a new President. My suggestion is, if the President vetoes this bill, that we simply wait until January for a new President—hopefully, someone who will be more responsible than this President—and we will take a very serious look at Medicare.

In this bill, with spending of $27 billion, we could not find one penny of savings to put in the bill. There is not one thing currently being done in America in health care, including a new scam by States where they simply overcharge the Federal Government and pocket part of the difference—we could not find one thing on which we could save money. I find that difficult to sell.

Finally, there was an article in today's Washington Post by David Broder. I don't always agree with David Broder, but I always think about what he has to say. I guess if you want to define a serious commentator and set it out in a column, you would have to put David Broder's name at the top

of that list. You may not like what he says about you. You may not like what he says about your view. But he doesn't say anything that he doesn't think about. I admire that.

He points out today in an article that says ''So Long, Surplus'' that we are currently—this year—on the verge of spending $100 billion more than we said we would spend this year when we adopted the much touted Balanced Budget Act in 1997, which Bill Clinton signed. This wasn't just Congress, this was Congress and the President. We are on the verge of spending $100 billion this year more than we said we were going to spend.

I just want to say that someday people are going to ask: What happened to this surplus? They are going to ask: Why didn't we rebuild Medicare? Why didn't we rebuild Social Security by putting real assets into Social Security—not taking anything out of Social Security but putting real assets into Social Security—by taking this money and investing it in stocks, bonds, and real assets so we have something to pay benefits with in the future?

Someday someone is going to ask: What happened to that surplus? Why couldn't we, when tax rates were at the highest level in American history, have some tax relief for working families? Why did we have to keep forcing people to sell the farm or business in order to pay the Government a death tax? Why did we have to tax marriage and love in the marriage tax penalty?

Someday somebody is going to ask those questions. I just want to be on record saying I think it is outrageous that we are doing this. I think we need to stop doing this.

I read in the paper where the President said he is like the Buddha. He is like Buddha. He just sits and waits and waits, and Congress wants to go home, and the only way they are going to go home is to spend all of this money.

I repeat that I am not going anywhere. President Clinton's number of days as President is now short.

My point is that we have a right to say no. We have a right to say in education when we have spent every penny the President said he wanted but we want to let States decide how to spend the money—we want to give them the same money, but we want them to decide how to spend it, and President Clinton says: No. I am going to veto your bill because I want to tell States how to spend it.

I think we have an obligation to say no. If people need schools, they can take the money and build schools. If they need more teachers, they can take the money and hire more teachers. But if they need other things, they can take the money and do that, because they know their needs better than Bill Clinton.

But that is not what the President wants. We spent every penny he asked for—too much money, in my opinion. But he said he is going to veto that bill because we give the States the ability to decide what they need to spend the money on.

My answer to that is, let him veto it, and then we can pass a continuing resolution. Let's have an election. If people want to spend this surplus, if they want to spend it on program after program after program, if they want more government and less freedom, they know how to vote in this election. If you want the Government to spend more, and if you want this surplus to be spent on government programs, you know how to vote.

But we ought not to let Bill Clinton spend the money before the American people vote for more spending. First, I don't think they are going to do it; but, second, that is what elections are about.

I think we have to quit kowtowing to the President. If he wants to force us to stay here and pass these bills day after day after day, if I were running for reelection and were in a close race, I would go home and campaign. But for the 60-some-plus of us who are not up for reelection, let's just stay here in town. And if the President suddenly becomes reasonable, we will reach an agreement. But if he is going to play Budhha, to quote him, and sit there and see if it will work one more time—that is, if by threatening to hold us in session he can get us to spend more money than our budget and more money than his budget—he wants to see if it will work one more time, I want to say no. I think the American people would rejoice in it.

I am hopeful my fellow colleagues will come to the conclusion that the President is asking too high a price to see this session of Congress end. Too much money. Too much change in permanent law that does not represent the will of the American people. I think we need to say no. The sooner we say no, the sooner the President will come to his senses. And he will for a simple reason: He is not holding a strong hand here. He is the one moving off. We are not moving anywhere.

I think we can come to a compromise with the President, but I think we ought to be tired of being run over. I say we should not spend more money simply to get out of town. To do that would basically betray everything we claim to believe in and betrays the people who are going to pay our salary, whether we are in town or not.

I thank my colleagues for their indulgence, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. I ask unanimous consent to speak in morning business.

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

CLEAR CHOICES

Mr. THOMAS. Mr. President, I certainly join my friend from Texas. He spells out some things that are quite clear but obviously are not talked about very much.

I was listening earlier to my friend from North Dakota, who talked about the differences between the parties, between the Presidential candidates. Certainly there are differences. They talk about them being the same; they are not the same. I think there are some very clear philosophical choices to make.

Of course, that is why we are here. There is nothing unusual about having different points of view. Those points of view are very clear. Often we get involved in details and get bogged down in the choices in terms of direction and where we want to go, in terms of where we want the country to be in 10, 20, 50 years. That gets lost. They are the most important issues that we have.

One of them, in general terms is, what is the role of the Federal Government? How extensively does the Federal Government get involved in all the activities in our lives? What is the role of local government? Of course, most important is the role you and I, as individuals, have experienced over the past decade.

For nearly a decade, the idea was that whatever the problem was, it was up to the Federal Government to resolve it. Of course, much of that comes from politics. That is a great way to get votes. There is a saying: You can teach a person to fish and they always have a fish; give them a fish and you will always have his vote. That is the political aspect.

There are some great differences: whether we have higher taxes; whether we have less taxes; what we do with the surplus that exists now. I think one of the real key issues is the division of authority, the division of responsibility between local governments and the Federal Government, State governments, county governments. These are the issues I believe are extremely important. This is, after all, a ''United'' States, a union of States, that each constitutionally has some very clear responsibilities.

One of the issues that has been most interesting, and as the Senator from Texas pointed out, has caused us to have a slower resolve in this Congress than usual, is the idea that there will be a surplus, a $5 trillion surplus over the next 10 years, $1.8 of that being non-Social Security.

There are several plans. One is to clearly put the Social Security money in the Social Security lockbox so it is used for Social Security, so that people who look forward to benefits, particularly young people, will have some feeling that there will be benefits; they are entitled to those benefits. Of course, as the demographics change—and they do change very much. I think originally there were 20 people working for every one drawing benefits, and now it is three working for every one drawing benefits—there will have to be changes in Social Security.

There are proposals for raising taxes. That is unpopular and not a good idea, in my view. There is some talk about reducing benefits. Again, I don't think that is the solution. One view is to give

an opportunity, a choice, particularly for young people, to have an opportunity to put a portion of the money they pay into their own account, to have it invested for the private sector and increase their return. Over a period of time, an increase in return from 2½ percent to 5½ percent is very significant. That is one view.

The opposite view is, no, we don't want to touch that. We are not going to touch Social Security. We don't want to change it. At the same time, we have had seven votes here about a lockbox and we have had resistance each time. There is a great deal of discussion and debate about philosophical differences in the approach.

We heard the candidates talk last night for the third time. Clearly, one point of view is to have a government health care program for everyone. I don't happen to agree with that. I think we talked about that. We tried to do that early on. We have seen the difficulties. So we ought to find an alternative solution. The alternative is to give people two choices to ensure health care, those particularly who cannot afford it. Those who want to have some choices are going to pay for them.

Similarly, with pharmaceuticals, an issue is to put it on every Medicare program, whether people really want it, whether people can afford it, as opposed to choices. There are real differences.

Taxes: Of course, we talked a great deal and will continue to talk about the idea of tax reduction, whether spending ought to be what we do with the surplus, which is basically the point of view of AL GORE—the largest spending since Lyndon Johnson and his proposals—or, on the other hand, we ought to take a look at being sure we fund and finance those things that are there. We do education; we do Medicare; we do pharmaceuticals. When we are through with that, there will still be substantial amounts of money. It ought to go back to the people; it belongs to them; they paid in the money. We hear talk about it going to 1 percent of the population. The fact is, the 1 percent would be paying a higher percentage of the total taxes than they are now. I don't think there is much of an argument that people are entitled to some return.

The marriage penalty tax: Why should two married people pay more taxes, earning the same amount of money as when they were single, collectively? That is wrong. It was vetoed.

Estate tax: People spend their lives putting together estates, farms, ranches, businesses. It is not a question of not paying taxes. Capital gains taxes are paid on the increased value of those estates. But the idea that death should trigger a 52-percent tax on an estate that is already being taxed is a choice.

Those are different directions we take. I certainly agree with the idea that there are choices and there will be choices in this election, whether it be the Presidential election, whether it be the congressional election. And I hope each of us, as we exercise our responsibility as citizens in a government of the people and for the people and by the people, will take a look at those choices. Often it is difficult when we get off on a very specific issue and overlook the general direction and philosophy we want to take. That, it seems to me, is one of the most important things we have before the Senate.

I hope we can move forward and do our work. We have an obligation to do that and do it as quickly as we can. Certainly we want to stay here until we have completed the work in the manner in which we think it should be completed. The idea that we continue to stall, will continue to hold up appropriations bills so they can be joined with things that are unrelated, seems wrong to me.

I hope we move forward. More than anything as we move through this very important election cycle, I hope each of us takes a look at the direction we believe we should move toward. Should we have more Federal Government, more spending, more taxes? Should we have a Federal Government that deals with those essential items and funds them properly, reduces taxes so we don't have excess amounts of money here, returns to local and State governments the kinds of responsibilities they have and, more importantly than that, returns to individuals the choices they can make in their lives and avoid having the Federal Government become the decisionmaker for each of them.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 20 minutes.

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

NUCLEAR ARMS REDUCTION

Mr. DORGAN. Mr. President, as we near the end of this Congress, one of the profound disappointments for me and for a number of others serving in the Senate is the inattention paid to the issue of arms control, especially the issue of nuclear arms reduction.

As we debate a range of public policy issues in this country during the campaigns for the House and the Senate and the Presidency, we will hear a lot about health care, education, taxes, and economic growth, but we hear almost nothing about the issue of nuclear arms reduction.

It is important to understand what kind of nuclear weapons exist in our world and why nuclear arms reductions are important for us, our children, and our future.

The nuclear arsenal in this world totals about 32,000 nuclear weapons—32,000 nuclear weapons. The Russians have about 20,000 of them, many of them tactical nuclear weapons, some strategic. The United States has about 10,500 nuclear weapons. France, China, Israel, the United Kingdom, India, Pakistan also have nuclear weapons. We know India and Pakistan have a few nuclear weapons because they have exploded those nuclear weapons right under each other's chin by their borders. These are countries that do not like each other, and they have tested nuclear weapons recently, much to the consternation of the rest of the world.

We have a nuclear arsenal in this world that is frightening. What does this mean, 32,000 nuclear weapons? Let me put it in some perspective. The bomb that was dropped on Hiroshima killed 100,000 people. The bomb was named ''Little Boy.'' It was 15 kilotons. It was 6,500 times more effective and more efficient, as they say—only people who are involved in this could use that word, I suppose—than ordinary high-explosive bombs.

The amount of nuclear weapons that exist today in this world is equivalent to 1 million Hiroshima bombs. Think of that. The bomb that was dropped on Hiroshima killed 100,000 people. We have the equivalent of 1 million of those bombs among the countries that possess nuclear weapons.

It is hard for anyone to understand fully what this means. The world's nuclear arsenal today has a total yield of about 15 billion tons of TNT. That is equivalent to the power of 1 million Hiroshima-type bombs.

This Congress has done very little on the issue of arms control and arms reduction. It took a giant step backward, in my judgment, in the debate over the Comprehensive Nuclear Test-Ban Treaty. A little over one year ago, on October 13, 1999, this Senate rejected ratification of the Comprehensive Nuclear Test-Ban Treaty. The Senate did not hold hearings for 2 years on that issue. Then there were 2 days of hearings cobbled together quickly, and then the Comprehensive Nuclear Test-Ban Treaty was brought before the Senate. There were 2½ days of floor debate, and then it was defeated.

I guess it was defeated by those who say they do not want us involved in the Comprehensive Nuclear Test-Ban Treaty. However, 160 other countries have already signed the treaty. It was interesting. Just before the vote a year ago, Mr. Blair, Mr. Chirac, and Mr. Schroeder from England, France, and Germany, wrote the following in an op-ed piece that was rather unprecedented, published in the Washington Post:

> Failure to ratify the CTBT will be a failure in our struggle against proliferation. The stabilizing effect of the Non-Proliferation Treaty . . . would be undermined. Disarmament negotiations would suffer.

This is from three of our closest allies. Their point was we have this

struggle to stop the proliferation of nuclear weapons. Who else will gain possession of nuclear weapons? Many want them. Can we stop the spread of nuclear weapons and stop the spread of delivery vehicles for those nuclear weapons? It is a question this Congress needs to answer. Regrettably, when it voted on the Comprehensive Nuclear Test-Ban Treaty, it answered no; that is not the priority.

I wonder how many of our colleagues are aware of an incident that occurred December 3, 1997, in the dark hours of the early morning in the Barents Sea off the coast of Norway. That morning of December 3, 1997, several Russian ballistic missile submarines surfaced in the cold water and prepared to fire SS–20 missiles. SS–20 missiles have the capability of carrying 10 nuclear warheads. They travel 5,000 miles—far enough to reach the United States from the Barents Sea.

On that morning, those Russian submarines surfaced and launched 20 ballistic missiles. Roaring skyward, they rose to 30,000 feet. They were tracked by our space command in NORAD, and at 30,000 feet, all of those Russian missiles exploded.

Why did those Russian missiles explode? Those missiles did not have nuclear warheads on them. Those missiles were not part of a Russian missile attack on the United States. In fact, seven American weapons inspectors were there, watching from a ship a few miles away as the Russian missiles were launched. These self-destruct launches were a quick and a cheap way for the Russians to destroy submarine-launched missiles that they were required to destroy under the START I arms control treaty they have with the United States.

What an interesting thing to see, the firing of missiles to destroy them—no, not to terrorize or attack an enemy, but to destroy the missiles because arms control agreements require that the missiles be destroyed.

With consent, I hold up a piece of metal that comes from a Backfire bomber. This is from a wing strut on an old Soviet Union—now Russian—bomber called the Backfire bomber. This bomber would fly in this world carrying nuclear weapons from the cold war with the United States, threatening our country. How would I have the piece of a wing strut of a Russian Backfire bomber? Did we shoot it down? No, we did not shoot this bomber down. I would like to show a picture of what we did with this bomber. This is the Backfire bomber. As you can see, we cut it in half. Why are we cutting up Russian bombers? Because our arms control agreements require a reduction in nuclear arms and vehicles to deliver nuclear weapons.

I have here ground up copper wire from a Typhoon Russian submarine. This used to be wiring on a Russian submarine that would stealthily move under the waters of this world with missiles and multiple warheads, nuclear warheads aimed at the United States of America. How is it that I hold in my hand copper wire from a Typhoon-class Russian submarine? Did we sink that submarine? Did we attack it and sink it and destroy it? No. What happened to the Typhoon submarine was it was brought to a shipyard, under the arms control agreement, and it was chopped up. I do not have a picture of what was left of it when this was brought to drydock and destroyed, but the fact is we cut these weapons systems up as part of our arms control agreements.

This is what the submarine looks like in drydock as it is being destroyed.

In the Ukraine, there is a little spot where you can travel and see some sunflowers growing. Do you know what used to be where the sunflowers now exist? A Russian missile with multiple nuclear warheads aimed at the United States of America. The missile is now gone. Under arms control agreements, it was pulled out and destroyed because our agreements with the Russians require that to happen. Where there was once a missile aimed at the United States of America, there is now a field of sunflowers. What a wonderful metaphor for progress.

I raise all these issues simply to say we have made significant progress in arms control and arms reduction, but not nearly as much as we must. Here is a chart of some of the examples of what we have done: 5,314 nuclear warheads have been removed, 507 ICBMs, 65 silos, 15 ballistic missile submarines, and 62 heavy long range bombers are gone—because we, through what is called the Nunn-Lugar program, have provided taxpayer funding to destroy the weapons that existed in the old Soviet Union, and now in Russia, to say, in concert with our agreements, we will reduce nuclear weapons. We have reduced nuclear weapons and they have reduced nuclear weapons. It makes a lot more sense to destroy these airplanes, missiles and warheads before they are used in hostile actions. It makes a lot more sense to destroy them by arms control agreements and arms reduction agreements. That is exactly what has been happening.

Going back to the chart I put up, despite all the progress and all the reductions in nuclear arms, here is what is left. It is troublesome because there are a lot of countries that want to get into these arsenals, especially this one. There are a lot of countries, a lot of people, a lot of terrorist groups that want to grab hold of a nuclear weapon here or there, and have nuclear capability for themselves. That is very dangerous. That makes for a very dangerous world and a very dangerous future.

Some days ago we witnessed a cowardly terrorist act of a couple of people in a boat, pulling up by the side of an American Navy ship, the U.S.S. *Cole*, creating an explosion that took the life of many of our young sailors who were serving their country. I indicated before, I send my thoughts and prayers to all of those families who are now grieving the loss of their loved ones. They should know the service and dedication of their loved ones in serving this country is something a grateful nation will never forget.

But it is a dangerous world. The attack on the Cole reminds us again that there are those who want to commit acts of terrorism. It is a dangerous world. What if that small boat had contained a nuclear weapon? Don't you think those terrorists would love to get their hands on a nuclear weapon? Of course they would.

There are many countries that do not yet have the capability of building nuclear weapons that desperately want it. They are struggling, even now, to try to get their hands on the arsenal, and on the mechanics and capabilities of making a nuclear weapon. We must understand how dangerous it will be for our future and for our children if we do not make arms reduction, and the development of new agreements and new treaties to stop the proliferation of nuclear weapons job No. 1; we must understand how dangerous that is for our future.

This Congress, as I indicated, decided it would not support the Comprehensive Nuclear Test-Ban Treaty. Lord only knows why they would make that decision. It is beyond me. The test ban treaty has formally been ratified by 66 states, signed by 160 states. The major holdouts, incidentally, are the U.S., China, India, Pakistan, and North Korea. Six countries have signed the Comprehensive Nuclear Test-Ban Treaty and 14 have ratified it since our vote to turn it down last October. All of the NATO states, all of our NATO allies, have ratified the Comprehensive Nuclear Test-Ban Treaty except the United States.

We are told by the critics that we not only should threaten our arms reduction agreements, including START I and START II, and the prospect of a Start III, we should also threaten all our arms control agreements—including the anti-ballistic missile agreement, which is so important, the center pole of the tent on arms reduction—we should threaten all of those for the sake of building a national missile defense program. We should threaten all of those for the sake of defeating the Comprehensive Nuclear Test-Ban Treaty.

It is interesting that this country has already decided of its own volition we will not test nuclear weapons. We decided 7 years ago we would not test nuclear weapons. So we have unilaterally said we will not test nuclear weapons, but we are then the country that says we will refuse to ratify the Comprehensive Nuclear Test-Ban Treaty. That is not a step forward; that is a huge step backwards.

I cannot describe my disappointment at a Congress that turns down the Comprehensive Nuclear Test-Ban Treaty and the responsibility that should

come with this country considering the nuclear weapons it has. I cannot describe how profound my disappointment is. We have a responsibility to provide leadership. It is our responsibility. We are the world's leader in this area. We must say that we and our allies and all other countries must work every day, all day, to make sure the spread of nuclear weapons stops; to make sure those who want to achieve the capability of making nuclear weapons will not be able to achieve that capability. We must do that. That is our responsibility. It is on our watch.

We have a Senate that turns down a Comprehensive Nuclear Test-Ban Treaty but says: Let us build a national missile defense no matter what it costs; let's build a national missile defense system no matter what its consequences to our relationship with others in the nuclear club; let's build a national missile defense system no matter what it does to our arms control agreements. Build it, just build it; all the other things are irrelevant, they say.

I disagree with that. We have a lot of threats to which this country must respond. Some of them are nuclear threats. Some of them are nuclear threats that result from a rogue state acquiring a ballistic missile, and attaching to that missile a nuclear warhead, and aiming it at the United States. That truly is a threat. However, it is one of the least likely threats, I might suggest, and all experts have suggested that as well.

The most likely threat, by far, is not to have a rogue nation acquire an intercontinental ballistic missile and fire it at the United States with a nuclear warhead; the most likely threat, by far, is for a rogue nation or a terrorist group to achieve some sort of suitcase nuclear bomb and plant it in the trunk of a rusty Yugo car, set that car on a dock in New York City, and hold the city hostage. That has nothing to do with an intercontinental ballistic missile.

Far more likely is a small glass vial of deadly biological or chemical agents that can kill 100 million people. Or far more likely, in my judgment—if the threat is a missile threat—is from a cruise missile, not an intercontinental ballistic missile. A cruise missile, which would be more readily available, is a missile which travels at 500 feet above the ground at 500 miles an hour, roughly, and is not detectable or defensible from a national missile defense system once it is built.

So we have our colleagues who turn down the Comprehensive Nuclear Test-Ban Treaty and then say, by the way, we want to build a national missile defense system, and it will protect against one small sliver of the threat, and almost all the rest of the threat will be unresolved because we have spent all the money on this one small sliver, which is the least likely threat.

If the attack on the U.S.S. *Cole* teaches us—and it should —it ought to teach us that the more likely threat to this country is a terrorist threat by two people on a boat or by someone driving a rental truck that is filled with a fertilizer bomb, as happened in Oklahoma City, or dozens of other approaches in which terrorists, or others, use their skill to try to wreak havoc through terrorist acts.

My hope is that while this Congress seems oblivious to the value of arms control and arms reductions, we will at least have some kind of a discussion in this campaign going on in this country about how we feel, as Members of Congress and as Presidential candidates, about our responsibility to provide leadership to reduce the stockpile of nuclear arms and reduce the threat of nuclear war, and especially to stop the spread of nuclear weapons to those who want them but do not yet have them.

What is our leadership responsibility? Some say: It is not our job. Not now. Not us. It is not time. I do not agree with that. We are kind of waltzing along as a country. Everything seems pretty good. The economy is doing pretty well.

We have a great deal of uncertainty in the world. We have a country such as Russia with 20,000 nuclear weapons. We have a lot of others that aspire to get access to the delivery vehicles and to nuclear weapons. We have terrorist groups who are in terrorist training camps, as I speak, who would love to acquire small, low-yield nuclear weapons. We have command and control issues in Russia on both strategic and tactical nuclear weapons. Yet there is almost no discussion here in this Chamber—almost no discussion in the Senate—about these issues.

To the extent there is discussion, it is discussion with a set of very special blinders, saying: Let's do the following. Let's build a national missile defense system. And let's build it now. And notwithstanding the consequences, we don't care what it costs, and we don't care what its consequences might be with respect to arms control agreements that now exist.

That is not, in my judgment, the best of what we ought to be doing for future generations. It is our responsibility to lead on the issue of arms reduction and arms control. It is our responsibility to say to the world that 20,000 nuclear weapons in the Russian stockpile is too much, and 10,500 nuclear weapons in our stockpile is too much, and we need to begin systematic reduction.

We know what does not work, and we know what does work. What does work is the Nunn-Lugar program, in which this country engages in treaties and, with the verification of those treaties, helps pay for the systematic destruction of nuclear weapons and delivery systems for those nuclear weapons. We know that works. We have been doing it now for several years.

I held in my hand, as I said earlier, a part of a Russian bomber wing. We did not shoot it down, we sawed it up. I held something from a nuclear submarine. We did not sink it, we dismantled it. One day, on the floor of the Senate, I held a hinge from an ICBM silo that was located in the Ukraine. I had that metal hinge not because we destroyed that silo with a nuclear weapon but because we sent bulldozers and heavy equipment over there and took the silo out. What a remarkable success. Nunn-Lugar, that is what the program is called; Republican-Democrat; LUGAR a Republican, Nunn a Democrat. Nunn-Lugar: These two people provided leadership in the Senate saying, this is the program we ought to have to try to steer an area of arms reductions compliance with treaties that actually reduce the nuclear threat.

But it is just a step. It is just a step in what ought to be a journey for us, a long journey, but one we must stick to and must reflect as a priority for our country.

So I just wanted to come, as we finish this session of Congress, to say I have been profoundly disappointed that in this Congress we have made no progress on the issue of stopping the spread of nuclear weapons. We have a requirement to provide the leadership in this world on that issue. We have made no progress on the two major issues: The Comprehensive Nuclear Test-Ban Treaty, we took a huge step backward in terms of our world leadership responsibilities; and, second, on the issue of national missile defense, we have sent a signal to others that our arms control agreements really do not matter very much. That is, in my judgment, exactly the wrong signal to be sending.

I heard the Senator from Texas, my colleague, Mr. GRAMM, talk about another issue. I can't do his Texas twang, but he said: I am going to be here next year. Well, he is. I am going to be here next year as well. We have terms in the Senate. I was elected by my State to come and serve my State's interests here in the Senate and serve the interests of this country. I am going to be here.

It is my intention, with whatever strength I have, to try to provide some constructive leadership, with my colleagues, to say: This country has a significant responsibility to address the issue of stopping the spread of nuclear weapons. To the extent that we don't care much about it, don't do much about it, don't discuss it, don't talk about it, don't debate it, in my judgment, our country's future is severely injured.

I hope that as we turn the corner and come to January and swear in the 107th Congress, the issue of arms control and arms reductions—dealing with the stopping of the spread of nuclear weapons and the proliferation of both nuclear weapons and delivery vehicles for them—can become part of a significant debate in Congress because all Members of Congress will understand our responsibility and its importance.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:17 p.m., whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GREGG).

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR—UNANIMOUS CONSENT AGREEMENT

Mr. THOMAS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties on today's Executive Calendar. They will consist of Nos. 20 through 53.

I further ask unanimous consent that the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification; all committee provisos, reservations, understandings, declarations be considered and agreed to; that any statements be printed in the CONGRESSIONAL RECORD as if read; further, that when the resolutions of ratification are voted upon, the motion to reconsider be laid upon the table, the President be notified of the Senate's action, and that following the disposition of the treaties, the Senate return to legislative session.

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

Mr. THOMAS. Mr. President, I ask unanimous consent that the clerk report each treaty by title prior to the vote on each treaty, and further I ask for a division vote on each resolution of ratification.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The treaties will be considered to have passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification, which the clerk will report.

TREATY WITH MEXICO ON DELIMITATION OF CONTINENTAL SHELF

The resolution of ratification was read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the United Mexican States on the Delimitation of the Continental Shelf in the Western Gulf of Mexico Beyond 200 Nautical Miles, signed at Washington on June 9, 2000 (Treaty Doc. 106–39), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please rise. (After a pause.) Those opposed will rise and stand until counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

PROTOCOL AMENDING THE 1950 CONSULAR CONVENTION WITH IRELAND

The resolution of ratification was read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol Amending the 1950 Consular Convention Between the United States of America and Ireland, signed at Washington on June 16, 1998 (Treaty Doc. 106–43), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please rise. (After a pause.) Those opposed will rise and stand until counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INTER-AMERICAN CONVENTION ON SERVING CRIMINAL SENTENCES ABROAD

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Inter-American Convention on Serving Criminal Sentences Abroad, done in Managua, Nicaragua, on June 9, 1993, signed on behalf of the United States at the Organization of American States Headquarters in Washington on January 10, 1995 (Treaty Doc. 104–35), subject to the conditions of subsections (a) and (b).

(a) The advice and consent of the Senate is subject to the following conditions, which shall be included in the instrument of ratification of the Convention:

(1) RESERVATION.—With respect to Article V, paragraph 7, the United States of America will require that whenever one of its nationals is to be returned to the United States, the sentencing state provide the United States with the documents specified in that paragraph in the English language, as well as the language of the sentencing state. The United States undertakes to furnish a translation of those documents into the language of the requesting state in like circumstances.

(2) UNDERSTANDING.—The United States of America understands that the consent requirements in Articles III, IV, V and VI are cumulative; that is, that each transfer of a sentenced person under this Convention shall require the concurrence of the sentencing state, the receiving state, and the prisoner, and that in the circumstances specified in Article V, paragraph 3, the approval of the state or province concerned shall also be required.

(b) The advice and consent of the Senate is subject to the following conditions, which are binding upon the President but not required to be included in the instrument of ratification of the Convention:

(1) DECLARATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(2) PROVISO.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty, please rise. (After a pause.) Those opposed will rise and stand until counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH BELIZE FOR RETURN OF STOLEN VEHICLES

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of Belize for the Return of Stolen Vehicles, with Annexes and Protocol, signed at Belmopan on October 3, 1996 (Treaty Doc. 105–54), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

Mr. BYRD. Mr. President, I ask unanimous consent that the division be shown by raising of hands rather than standing.

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

A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH COSTA RICA ON RETURN OF VEHICLES AND AIRCRAFT

The resolution of ratification was read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Costa Rica for the Return of Stolen, Robbed, Embezzled or Appropriated Vehicles and Aircraft, with Annexes and a related exchange of notes, signed at San Jose on July 2, 1999 (Treaty Doc. 106–40), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH DOMINICAN REPUBLIC FOR THE RETURN OF STOLEN OR EMBEZZLED VEHICLES

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United states of America and the Government of the Dominican Republic for the Return of Stolen or Embezzled Vehicles, with Annexes, signed at Santo Domingo on April 30, 1996 (Treaty Doc. 106–7), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH GUATEMALA FOR RETURN OF STOLEN, ROBBED, EMBEZZLED OR APPROPRIATED VEHICLES AND AIRCRAFT

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Guatemala for the Return of Stolen, Robbed, Embezzled or Appropriated Vehicles and Aircraft, with Annexes and a Related Exchange of Notes, signed at Guatemala City on October 6, 1997 (Treaty Doc. 105–58), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH PANAMA ON RETURN OF VEHICLES AND AIRCRAFT

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Panama for the Return of Stolen, Robbed, or Converted Vehicles and Aircraft, with Annexes, signed at Panama on June 6, 2000, and a related exchange of notes of July 25, 2000 (Treaty Doc. 106–44), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH AZERBAIJAN

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Azerbaijan Concerning the Encouragement and Reciprocal Protection of Investment, with Annex, signed at Washington on August 1, 1997, together with an Amendment to the Treaty set Forth in an Exchange of Diplomatic Notes Dated August 8, 2000, and August 25, 2000, (Treaty Doc. 106–47), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH BAHRAIN

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein, That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the State of Bahrain Concerning the Encouragement and Reciprocal Protection of Investment, with Annex, signed at Washington on September 29, 1999 (Treaty Doc. 106–25), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. THOMAS. Mr. President, may I ask the Senator if it would be agreeable to having them read and voted on en bloc.

Mr. BYRD. I would object.

Mr. THOMAS. Very well.

INVESTMENT TREATY WITH BOLIVIA

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Bolivia Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Santiago, Chile, on April 17, 1998 (Treaty Doc. 106–26), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETAITON.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH CROATIA

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Croatic Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Zagreb on July 13, 1996 (Treaty Doc. 106–29), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) Proviso.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH EL SALVADOR

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of El Salvador Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at San Salvador on March 10, 1999 (Treaty Doc. 106–28), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH HONDURAS

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Denver on July 1, 1995 (Treaty Doc. 106–27), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH JORDAN

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Hashemite Kingdom of Jordan Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, signed at Amman on July 2, 1997 (Treaty Doc. 106–30), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH LITHUANIA

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Lithuania for the Encouragement and Reciprocal Protection of Investment, with Annex and protocol, signed at Washington on January 14, 1998 (Treaty Doc. 106–42), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of the treaty will please raise their hand. (After a pause.) Those opposed will raise their hands and be counted.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH MOZAMBIQUE

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of Mozambique Concerning the Encouragement and Reciprocal Protection of Investment, with Annex and Protocol, and a related exchange of letters, signed at Washington on December 1, 1998 (Treaty Doc. 106–31) subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INVESTMENT TREATY WITH UZBEKISTAN

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Uzbekistan Concerning the Encouragement and Reciprocal Protection of Investment, with Annex, signed at Washington on December 16, 1994 (Treaty Doc. 104–

25), subject to the declaration of subsection (a) and the proviso of subsection (b).

(a) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(b) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

PROTOCOL AMENDING INVESTMENT TREATY WITH PANAMA

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein, That the Senate advise and consent to the ratification of the Protocol Between the Government of the United States of America and the Government of the Republic of Panama Amending the Treaty Concerning the Treatment and Protection of Investments of October 27, 1982, signed at Panama City on June 1, 2000, (Treaty Doc. 106–46).

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH CYPRUS ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of Cyprus on Mutual Legal Assistance in Criminal Matters, signed at Nicosia on December 20, 1999 (Treaty Doc. 106–35), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing the Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH EGYPT ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consider to the ratification of the Treaty Between the Government of the United States of America and the Government of the Arab Republic of Egypt on Mutual Legal Assistance in Criminal Matters, signed at Cairo on May 3, 1998 (Treaty Doc. 106–19), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability of all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production of distribution of illegal drugs.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH FRANCE ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of France on Mutual Legal Assistance in Criminal Matters, with an Explanatory Note, signed at Paris on December 10, 1998 (Treaty Doc. 106–17), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH GREECE ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Hellenic Republic on Mutual Legal Assistance in Criminal Matters, signed at Washington on May 25, 1999 (Treaty Doc. 106–18), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on may 14, 1997.

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United Stated of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH NIGERIA ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Federal Republic of Nigeria on Mutual Legal Assistance in Criminal Matters, signed at Washington on September 13, 1989 (Treaty Doc. 102–26), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senator's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH ROMANIA ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The resolution of ratification was read as follows:

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of Romania on Mutual Legal Assistance in Criminal Matters, signed at Washington on May 26, 1999 (Treaty Doc. 106–20), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty will please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH SOUTH AFRICA ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and the Government of the Republic of South Africa on Mutual Legal Assistance in Criminal Matters, signed at Washington on September 16, 1999 (Treaty Doc. 106–36), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authority, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH UKRAINE ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty Between the Government of the United States of America and Ukraine on Mutual Legal Assistance in Criminal Matters, signed at Kiev on July 22, 1998 (Treaty Doc. 106–16), subject to the understanding of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOS.—The resolution of ratification is subject to the following provisos, which shall not be included in the instrument of ratification to be signed by the President:

(1) LIMITATION ON ASSISTANCE.—Pursuant to the rights of the United States under this Treaty to deny requests which prejudice its essential public policy or interests, the United States shall deny a request for assistance when the Central Authorities, after consultation with all appropriate intelligence, anti-narcotic, and foreign policy agencies, has specific information that a senior government official who will have access to information to be provided under this Treaty is engaged in a felony, including the facilitation of the production or distribution of illegal drugs.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS WITH RELATED OPTIONAL PROTOCOL

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Inter-American Convention on Mutual Assistance in Criminal Matters (''the Convention''), adopted at the Twenty-Second Regular Session of the Organization of American States (''OAS'') General Assembly meeting in Nassau, The Bahamas, on May 23, 1992, and the Optional Protocol Related to the Inter-American Convention on Mutual Assistance in Criminal Matters (''the Optional Protocol''), adopted at the Twenty-Third Regular Session of the OAS General Assembly

meeting in Managua, Nicaragua, on June 11, 1993, both instruments signed on behalf of the United States at OAS Headquarters in Washington on January 10, 1995 (Treaty Doc. 105–25), subject to the understandings of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDINGS.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

(1) IN GENERAL.—The United States understands that the Convention and Optional Protocol are not intended to replace, supersede, obviate or otherwise interfere with any other existing bilateral or multilateral treaties or conventions, including those that relate to mutual assistance in criminal matters.

(2) ARTICLE 25.—The United States understands that Article 25 of the Convention, which limits disclosure or use of information or evidence obtained under the Convention, shall no longer apply if such information or evidence is made public, in a manner consistent with Article 25, in the course of proceedings in the Requesting State.

(3) PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance it may provide under the Convention and/or Optional Protocol so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding upon the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Convention or the Optional Protocol requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION IN COUNTRIES EXPERIENCING DROUGHT, PARTICULARLY IN AFRICA, WITH ANNEXES

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the United States Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, With Annexes, adopted at Paris, June 17, 1994, and signed by the United States on October 14, 1994, (Treaty Doc. 104–29) (hereinafter, ''The Convention''), subject to the understandings of subsection (a), the declarations of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDINGS.—The advice and consent of the Senate is subject to the following understandings, which shall be included in the instrument of ratification of the Convention and shall be binding on the President:

(1) FOREIGN ASSISTANCE.—The United States understands that, as a ''developed country,'' pursuant to Article 6 of the Convention and its Annexes, it is not obligated to satisfy specific funding requirements or other specific requirements regarding the provision of any resource, including technology, to any ''affected country,'' as defined in Article 1 of the Convention. The United States understands that ratification of the Convention does not alter its domestic legal processes to determine foreign assistance funding or programs.

(2) FINANCIAL RESOURCES AND MECHANISM.—The United States understands that neither Article 20 nor Article 21 of the Convention impose obligations to provide specific levels of funding for the Global Environmental Facility, or the Global Mechanism, to carry out the objectives of the Convention, or for any other purpose.

(3) UNITED STATES LAND MANAGEMENT.—The United States understands that it is a ''developed country party'' as defined in Article 1 of the Convention, and that it is not required to prepare a national action program pursuant to Part III, Section 1, of the Convention. The United States also understands that no changes to its existing land management practices and programs will be required to meet its obligations under Articles 4 or 5 of the Convention.

(4) LEGAL PROCESS FOR AMENDING THE CONVENTION.—In accordance with Article 34(4), any additional regional implementation annex to the Convention or any amendment to any regional implementation annex to the Convention shall enter into force for the United States only upon the deposit of a corresponding instrument of ratification, acceptance, approval or accession.

(5) DISPUTE SETTLEMENT.—The United States declines to accept as compulsory either of the dispute settlement means set out in Article 28(2), and understands that it will not be bound by the outcome, findings, conclusions or recommendations of a conciliation process initiated under Article 28(6). For any dispute arising from this Convention, the United States does not recognize or accept the jurisdiction of the International Court of Justice.

(b) DECLARATIONS.—The Senate's advice and consent is subject to the following declarations, which shall be binding on the President:

(1) CONSULTATIONS.—It is the sense of the Senate that the Executive Branch should consult with the Committee on Foreign Relations of the Senate about the possibility of United States participation in future negotiations concerning this Convention, and in particular, negotiation of any Protocols to this Convention.

(2) TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the State Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(3) ADOPTION OF NO RESERVATION PROVISION.—It is the sense of the Senate that the ''no reservations'' provision contained in Article 37 of the Convention has the effect of inhibiting the Senate in its exercise of its constitutional duty to give advice and consent to ratification of a treaty, and that the Senate's approval of the Convention should not be construed as a precedent for acquiescence to future treaties containing such provisions.

(c) PROVISOS.—The advice and consent of the Senate is subject to the following provisos:

(1) REPORT TO CONGRESS.—Two years after the date the Convention enters into force for the United States, and biennially thereafter, the Secretary of State shall provide a report to the Committee on Foreign Relations of the Senate setting forth the following:

(i) a description of the programs in each affected country party designed to implement the Convention, including a list of community-based non-governmental organizations involved, a list of amounts of funding provided by the national government and each international donor country, and the projected date for full implementation of the national action program;

(ii) an assessment of the adequacy of each national action program (including the timeliness of program submittal), the degree to which the plan attempts to fully implement the Convention, the degree of involvements by all levels of government in implementation of the Convention, and the percentage of government revenues expended on implementation of the Convention;

(iii) a list of United States persons designated as independent experts pursuant to Article 24 of the Convention, and a description of the process for mailing such designations;

(iv) an identification of the specific benefits to the United States, as well as United States persons, (including United States exporters and other commercial enterprises), resulting from United States participation in the Convention;

(v) a detailed description of the staffing levels and budget of the Permanent Secretariat established pursuant to Article 23;

(vi) a breakdown of all direct and indirect United States contributions to the Permanent Secretariat, and a statement of the number of United States citizens who are staff members or contract employees of the Permanent Secretariat;

(vii) a list of affected party countries that have become developed countries, within the meaning of the Convention; and

(viii) for each affected party country, a discussion of results (including discussion of specific successes and failures) flowing from national action plans generated under the Convention.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in the Convention requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

EXTRADITION TREATY WITH BELIZE

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Extradition Treaty between the Government of the United States of America and the Government of Belize, signed at Belize on March 30, 2000 (Treaty Doc. 106–38), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION OF EXTRADITION TO THE INTERNATIONAL CRIMINAL COURT.—The United States understands that the protections contained in Article 14 concerning the Rule of Specialty would preclude the resurrender of any person extradited to Belize from the United States to the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the United States consents to such resurrender; and the United States shall not consent to the transfer of any person extradited to Belize by the United States to said International Criminal Court unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

EXTRADITION TREATY WITH PARAGUAY

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Extradition Treaty between the Government of the United States of America and the Government of the Republic of Paraguay, signed at Washington on November 9, 1998 (Treaty Doc. 106–4), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION OF EXTRADITION TO THE INTERNATIONAL CRIMINAL COURT.—The United States understands that the protections contained in Article XV concerning the Rule of Specialty would preclude the resurrender of any person extradited to the Republic of Paraguay from the United States to the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the United States consents to such surrender; and the United States shall not consent to the transfer of any person extradited to the Republic of Paraguay by the United States to said International Criminal Court unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

EXTRADITION TREATY WITH SOUTH AFRICA

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Extradition Treaty between the Government of the United States of America and the Government of the Republic of South Africa, signed at Washington on September 16, 1999 (Treaty Doc. 106–24), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION OF EXTRADITION TO THE INTERNATIONAL CRIMINAL COURT.—The United States understands that the protections contained in Article 18 concerning the Rule of Specialty would preclude the resurrender of any person extradited to the Republic of South Africa from the United States to the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the United States consents to such resurrender; and the United States shall not consent to the transfer of any person extradited to the Republic of South Africa by the United States to said International Criminal Court unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

EXTRADITION TREATY WITH SRI LANKA

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Extradition Treaty between the Government of the United States of America and the Government of the Democratic Socialist Republic of Sri Lanka, signed at Washington on September 30, 1999 (Treaty Doc. 106–34), subject to the understanding of subsection (a), the declaration of subsection (b) and the proviso of subsection (c).

(a) UNDERSTANDING.—The Senate's advice and consent is subject to the following understanding, which shall be included in the instrument of ratification:

PROHIBITION OF EXTRADITION TO THE INTERNATIONAL CRIMINAL COURT.—The United States understands that the protections contained in Article 16 concerning the Rule of Specialty would preclude the resurrender of any person extradited to the Democratic Socialist Republic of Sri Lanka from the United States to the International Criminal Court contemplated in the Statute adopted in Rome, Italy, on July 17, 1998, unless the United States consents to such resurrender;

and the United States shall not consent to the transfer of any person extradited to the Democratic Socialist Republic of Sri Lanka by the United States to said International Criminal Court unless the Statute establishing that Court has entered into force for the United States by and with the advice and consent of the Senate, as required by Article II, section 2 of the United States Constitution.

(b) DECLARATION.—The Senate's advice and consent is subject to the following declaration, which shall be binding on the President:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISO.—The resolution of ratification is subject to the following proviso, which shall not be included in the instrument of ratification to be signed by the President:

SUPREMACY OF THE CONSTITUTION.—Nothing in this Treaty requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

INTERNATIONAL PLANT PROTECTION CONVENTION

The resolution of ratification was read as follows:

Resolved, (two thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the International Plant Protection Convention (IPPC), Adopted at the Conference of the Food and Agriculture Organization (FAO) of the United Nations at Rome on November 17, 1997 (Treaty Doc. 106–23), referred to in this resolution of ratification as ''the amended Convention,'' subject to the understandings of subsection (a), the declaration of subsection (b) and the provisos of subsection (c).

(a) UNDERSTANDINGS.—The advice and consent of the Senate is subject to the following understandings, which shall be included in the instrument of ratification of the amended Convention and shall be binding on the President:

(1) RELATIONSHIP TO OTHER INTERNATIONAL AGREEMENTS.—The United States understands that nothing in the amended Convention is to be interpreted in a manner inconsistent with, or alters the terms or effect of, the World Trade Organization Agreement on the Application of Sanitary or Phytosanitary Measures (SPS Agreement) or other relevant international agreements.

(2) AUTHORITY TO TAKE MEASURES AGAINST PESTS.—The United States understands that nothing in the amended Convention limits the authority of the United States, consistent with the SPS Agreement, to take sanitary or phytosanitary measures against any pest to protect the environment or human, animal, or plant life or health.

(3) ARTICLE XX (''TECHNICAL ASSISTANCE'').—The United States understands that the provisions of Article XX entail no binding obligation to appropriate funds for technical assistance.

(b) DECLARATION.—The advice and consent of the Senate is subject to the following declaration:

TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, and Condition (8) of the resolution of ratification of the Document Agreed Among the State Parties to the Treaty on Conventional Armed Forces in Europe, approved by the Senate on May 14, 1997.

(c) PROVISOS.—The advice and consent of the Senate is subject to the following provisos:

(1) REPORT TO CONGRESS.—One year after the date the amended Convention enters into force for the United States, and annually thereafter for five years, the Secretary of Agriculture, in consultation with the Secretary of State, shall provide a report on Convention implementation to the Committee on Foreign Relations of the Senate setting forth at least the following:

(A) a discussion of the sanitary or phytosanitary standard-setting activities of the IPPC during the previous year;

(B) a discussion of the sanitary or phytosanitary standards under consideration or planned for consideration by the IPPC in the coming year;

(C) information about the budget of the IPPC in the previous fiscal year; and

(D) a list of countries which have ratified or accepted the amended Convention, including dates and related particulars.

(2) SUPREMACY OF THE CONSTITUTION.—Nothing in the amended Convention requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States as interpreted by the United States.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the ratification of this treaty, please raise their hand. (After a pause.) Those opposed will raise their hands.

With two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. THOMAS. I thank the Presiding Officer, the Senator from West Virginia, and the clerk.

By the way, just for information, these treaties were all approved by the Foreign Relations Committee on October 4 and 5.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ALLARD. Mr. President, I ask unanimous consent to speak in morning business for 15 minutes for the purpose of introducing legislation.

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

Mr. ALLARD. I thank the Chair.

(The remarks of Mr. ALLARD pertaining to the introduction of S. 3213 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. ALLARD. Mr. President, I yield back the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRAPO). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BRYAN. Mr. President, may I inquire as to whether it would be appropriate at this point to request to speak as in morning business for a period of time not to exceed 8 minutes.

The PRESIDING OFFICER. That would be appropriate.

Mr. BRYAN. I make that request.

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

REFORM OF MEDICARE

Mr. BRYAN. Mr. President, I am now in my last days of serving the people of the State of Nevada as a U.S. Senator. It is a role in which I am proud and privileged to have had an opportunity to serve. I am also very proud of the opportunity I have had to serve as a member of the Finance Committee, the committee with jurisdiction over the Medicare program.

Having said that, I am greatly troubled by this body's failure to take action on several fronts as it relates to Medicare. I am disappointed that we failed to act on Medicare coverage for prescription drugs as well as the proposed payment changes in the so-called BBA relief bill, a piece of legislation that deals with provider payment enhancements to those services and companies that provide service to Medicare patients.

The impact of Medicare over the past 35 years cannot be overemphasized. Prior to enactment of Medicare in 1965, fewer than half the seniors in America had any kind of health care coverage at all. Today, as a result of Medicare's enactment, 99 percent do. As a result, health care for the Nation's seniors has been improved and the burden of health care costs for them has been greatly ameliorated. But a Medicare program without prescription drug coverage does not meet the promise we made to seniors in 1965.

In 1965, the Medicare program roughly paralleled what was available in the private sector. Today, as all of us know, prescription drugs play such a vital role, a greatly enhanced role in

terms of our own Medicare treatment. We had a historic opportunity this year to fulfill the promise of Medicare and to guarantee access to comprehensive prescription drug coverage for Medicare beneficiaries. Yet we have squandered it.

There is no legitimate reason for the Republican leadership to have pushed meaningful prescription drug reform off for another year. The Finance Committee has spent the last 2 years considering prescription drugs. We have heard from experts on all sides of the issue. We have talked to our constituents. Many of us have worked diligently to put together legislation to provide a meaningful, comprehensive, affordable benefit for all Medicare beneficiaries. Yet the Finance Committee did not even hold a markup of a prescription drug benefit bill. By that I mean, for those who are not familiar with legislative language, we did not have the opportunity to vote on a Medicare bill in the Finance Committee, move it from the committee, and debate it on the floor.

I consider it a great tragedy that could have made a difference in the lives of our seniors. Our inaction will consign some 227,000 Medicare beneficiaries in my own State of Nevada and 39 million beneficiaries nationally to yet another year of spending an ever-increasing share of their fixed incomes on medically necessary drugs or trying to stretch their prescriptions by taking them every other day instead of every day or sharing them with spouses and friends or, worse, even going without.

We will be voting on the conference report to accompany the Agriculture appropriations bill this afternoon. The prescription drug importation provision is included in the conference report. I was pleased to join Senators DORGAN and JEFFORDS in their amendment in July. I believe this amendment is an important measure that can be helpful. There is no credible reason, no defensible basis that only drug manufacturers should be allowed to reimport prescription drugs.

A well defined reimportation program could help to make drugs more affordable for American consumers. The majority of our seniors are often faced with the difficult choice of paying extremely high prices at retail outlets or forgoing medically necessary prescription drugs because they simply do not have the financial resources to pay for them. However, the best designed reimportation provision is not a sufficient answer to the millions of Medicare beneficiaries who lack prescription drug coverage.

I hope my colleagues will not hide behind this provision when they are asked by their constituents why the Senate didn't approve a Medicare prescription drug benefit this year.

Moreover, the important provision has been altered by the Republican leadership such that it is extremely questionable whether it will actually meet the goal Senators DORGAN and JEFFORDS and others desired—that of lowered prices.

One very basic problem with the provision is that a ''sunset'' date was added so that the importation system would end 5 years after it goes into effect. In order to assure the safety of the drugs being imported, laboratory testing facilities would be required. Distribution systems would also clearly be needed. I have serious doubts that the private sector investment to carry out this program will materialize if it is known that the program will only be in operation for 5 years. Why spend the money to develop the infrastructure for such a short-lived program? There is also a serious labeling problem that gives manufacturers the ability to shut down the program.

It is unquestionably and undeniably wrong that American citizens pay the highest prices for prescription drugs—particularly when many of these drugs are developed on American soil, by American companies who are receiving enormous tax breaks, patent protections and the benefit of billions of NIH research dollars.

I have been hoping to offer a germane amendment to the Foreign Sales Corporation (FSC) legislation that would deny the export tax benefit to pharmaceutical manufacturers charging Americans at least 100 percent more than they charge foreign consumers for the same drug. This amendment, if I get the chance to offer it, and if approved, would have one of two positive effects for the American consumer and taxpayer: either, the price of prescription drugs would decrease, or if the manufacturer chooses to continue to exploit American consumers, at least the taxpayer would not be providing a tax benefit for doing so.

The prices of prescription drugs could also be lowered through the simple measure of providing more information to purchasers of prescription drugs. I introduced the Consumer Awareness of Market-Based Drug Prices Act of 2000 because purchasers today do not have any meaningful price information—and there is no way competition can work without information on prices. I believe in the free market, but we have to let it work. The availability of real market-based price information is critical to the ability of employers and insurers to negotiate lower prices for their employees and enrollees.

Under the current law, that information is denied to those who purchase prescription drugs on behalf of either their insureds or those who are part of their employee group.

Not only does the lack of price information keep prices artificially high, but it affects the Federal budget. Drug manufacturers have been able to manipulate the average wholesale price, which is a meaningless statistic, but it results in billions of dollars of Medicare overpayments.

My legislation would simply require the Secretary of HHS to make available to the public the market-based information on drug prices that she currently collects: the average manufacturer price for each drug, and the best price available in the market. These prices are already collected to implement the Medicaid prescription drug rebate system—so no new bureaucracy or administrative structures would be necessary. Legislation is necessary, however, because the Secretary is statutorily prohibited from disclosing this information.

Our legislation would simply lift that prohibition and make that information available.

A reimportation provision without the loopholes and the sunset provision could help to lower prices. There are also other ways to lower prices—by requiring manufacturers to treat American patients fairly if they want to receive generous tax benefits, and by disclosing prices—but we also must add an affordable, voluntary prescription drug benefit to the Medicare program. Anything less is an empty promise to our seniors who often go without much-needed drugs, or pay astronomical prices for them.

Earlier this year, I introduced the Medicare Outpatient Drug Act. Like the Vice President's proposal, this bill would provide prescription drugs as a defined, comprehensive and integral component of the Medicare program to ensure it is available and affordable for all beneficiaries.

The drug benefit must be a part of the Medicare program—if it is not, there is no guarantee to our seniors and those Medicare beneficiaries with disabilities that it will be available, no guarantee that is will be affordable, no guarantee that it will provide catastrophic protection, and no guarantee that it will be around the following year.

Only Medicare can ensure that it is guaranteed to be there, that it is affordable, that there is catastrophic protection, and that it will be there year after year.

The Democrats offer Medicare beneficiaries choices: the Medicare benefit is a voluntary one. If a person has drug coverage through an employer or some other source, he or she can keep that coverage. The beneficiary can choose to receive the drug benefit as a part of the traditional fee-for-service program, or through a managed care plan.

So there are three choices that are available here: either not to accept it, or to have either a fee-for-service program, or a managed care program.

The GOP proposal, in Congress, and as promoted by Governor Bush, gives the choices to the insurers. The insurer can choose whether or not to offer prescription drug coverage—there is no requirement. The insurer can choose the level of the deductible, and the amount of the coinsurance the beneficiary must pay for each prescription. The insurer can choose whether or not to offer catastrophic coverage. The insurer can choose to limit those drugs

that are covered to a select few—either by limiting the diseases that qualify for treatment, or by limiting the number of prescriptions that may be filled each month. The insurer can choose to keep the benefit the same from year to year, or the insurer can choose to change the benefit each year or to discontinue coverage.

The Democrats have tried to pass a bill this year that would provide choices for beneficiaries, while our colleagues on the other side of the aisle have advocated a bill that would provide choices for insurers.

Given the cost of a prescription drug benefit, it is critical that we spend those federal dollars in a way that will ensure that the benefit and the choices are going to the Medicare beneficiaries—not to the insurers.

I am also deeply troubled by the way the majority leadership is allocating federal dollars in the ''BBA-relief'' bill. While members of the Finance Committee have not been allowed to participate in the development of this package, I understand that about $10 billion out of a total of $28 billion is to go to Medicare HMOs over the first 5 years. That is over one-third of the money in this package, when only 16 percent of Medicare beneficiaries are enrolled in Medicare HMOs.

The HMOs tell us that they need this level of funding to ''stabilize'' the market, and that without it they will have to withdraw from the program, or reduce benefits. But we know from the General Accounting Office that we are already overpaying the HMOs—by nearly $1,000 per enrollee.

And yet, our colleagues on the other side of the aisle are not requiring any accountability on the part of the managed care plans in exchange for this huge influx of funding. They don't require them to stay in the market, and they don't require them to commit to a benefit package.

Managed care plans should be provided a reasonable portion of the funds in this package. But the majority has provided funds for HMOs at the expense of reducing beneficiary cost-sharing for preventive benefits and outpatient visits, at the expense of expanding health options for legal immigrants, at the expense of patients with Lou Gehrig's disease, at the expense of uninsured children, and at the expense of persons with Alzheimer's disease.

This is too great an expense.

I have a letter signed by 23 senior groups opposing this large payment of funds to Medicare+Choice HMOs.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LEADERSHIP COUNCIL
OF AGING ORGANIZATIONS,
Washington, DC, October 18, 2000.

Hon. RICHARD H. BRYAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR BRYAN: The undersigned organizations oppose the large payment of funds to Medicare+Choice HMOs rather than using these dollars to help Medicare beneficiaries in the proposed Medicare Balanced Budget Act (BBA). The pending leadership proposal reportedly spends about $10 billion on HMOs and only a small fraction on America's seniors.

The proposed restoration of funds to HMOs is out of balance with the rest of the bill. Currently less than 16 percent of beneficiaries are enrolled in HMOs, yet one-third of the funds go to these entities. The increase in funds is of particular concern since HMOs are not being held accountable for their participation in Medicare. The plans have not committed to maintaining their benefits or to staying in the program for any length of time. Additionally, the proposed increase flies in the face of the fact that independent experts, such as the General Accounting Office, have found that these plans currently are paid too much.

Earlier in the year, Congress's budget resolution committed to spending $40 billion on a new Medicare prescription drug benefit. This has not been done. And now rather than spend this $40 billion on direct beneficiary improvements, Republican leaders are proposing only a small fraction of the original amount promised for beneficiaries.

There are many other senior concerns that are being shortchanged by this legislation including those that relate to quality of care. The bill would not provide sufficient funding to address a number of serious problems Medicare beneficiaries and their families currently face. The priorities related to the balance of payments in this bill must be changed to assure that the group that Medicare is supposed to serve—America's seniors—receive their fair share of the funds.

Sincerely,

AFSCME Retirees.
American Association for International Aging.
American Federation of Teachers Program on Retirement and Retirees.
Association for Gerontology and Human Development in Historically Black Colleges and Universities.
Association of Jewish Aging Services.
Eldercare America.
Families USA.
Meals on Wheels Association of America.
National Academy of Elder Law Attorneys.
National Association of Area Agencies on Aging.
National Association of Foster Grandparent Program Directors.
National Association of Nutrition and Aging Services Programs.
National Association of Retired and Senior Volunteer Program Directors.
National Association of Retired Federal Employees.
National Association of Senior Companion Project Directors.
National Association of State Units on Aging.
National Caucus and Center on Black Aged.
National Committee to Preserve Social Security and Medicare.
National Council of Senior Citizens.
National Council on the Aging.
National Senior Citizens Law Center.
National Senior Service Corps Directors Associations.
OWL.

Mr. BRYAN. Mr. President, finally, let me conclude by saying that the administration has indicated the President may veto this legislation because of the heavy tilt toward managed care plans, the lack of accountability, and the lack of provisions that would directly help Medicare beneficiaries—our intended audience. I would support that veto.

I thank the Presiding Officer. I yield the floor.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCY PROGRAMS APPROPRIATIONS ACT, 2001—CONFERENCE REPORT—Continued

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I ask the Senator from Mississippi for 10 minutes or less on the bill.

Mr. COCHRAN. Mr. President, I am happy to yield to the distinguished Senator the time he requested.

Mr. LEAHY. Mr. President, I ask unanimous consent that following the comments of the distinguished Senator from Washington, I might be recognized under the normal division of time for about 6 minutes.

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

The Senator from Washington is recognized.

Mr. GORTON. Mr. President, it has taken a considerable period of time to reach the happy conclusion of the debate over the appropriations bill for the Department of Agriculture. None of that delay is due to the distinguished chairman or to his ranking member, the Senator from Wisconsin, who have worked with extraordinary diligence and I think immense success in bringing this bill before us.

I can't even begin the major portion of my remarks without thanking him for his thoughtfulness to the particular concerns of my own State—first, of course, the field of agricultural research. There is research money in this bill for wheat, apples, asparagus, animal diseases, small fruit, barley, and potatoes, to name a few. In each and every case, that money will help our farmers meet the demands of the market in the future—both here in the United States and overseas.

In addition, without precedent, there is a considerable and most indispensable relief for the tree fruit industry in my State and others—formerly a highly profitable occupation that has fallen on bad times. A bridge is provided in this bill until more successful times in the future. The cranberry industry falls into exactly the same situation. And, of course, with respect to low farm prices in many other commodities nationwide in scope, relief is included in this bill, again with the hope that we will soon have better times in the future for our agricultural products.

There are, however, two subject matter areas of this bill that are of particular importance. The first has to do with sanctions—the unilateral sanctions that the United States has imposed on itself barring the export of our agricultural commodities and for that matter medicines to a number of

countries around the world for some form of foreign policy reasons.

Those sanctions by and large are canceled by this bill, and the President is deprived of the power in the future to impose them unilaterally without dealing with us in Congress. This may be very important in the immediate future with the threat that sanctions will be taken against even our good friend Japan with our agricultural products by reason of its whaling practices. I disagree vehemently with its whaling practices. But I don't think we should deal with them by punishing our farmers, ranchers, and agricultural producers. Personally, I would have preferred the more sweeping language of the original Senate bill in this respect. There was vehement opposition to some of its provisions in the House of Representatives.

My colleague from the State of Washington, Congressman NETHERCUTT, worked diligently, and often in opposition to his own party's leadership, in crafting this compromise. This compromise, I guess, I would describe as being 80 percent of what we need. It includes what I think are some unwise provisions related to travel to Cuba. But, in my view, we should take this three-quarters, or 80 percent, of what we need, and we should begin to restore the opportunity to secure these markets to our farmers. And we should take care of the rest of the controversy next year.

Will we immediately begin to see huge sales of our wheat, for example, to Iran and to other former major customers? I am not at all sure we will. It may take years to repair the damage we have created by these unilateral sanctions. But this is a start. This gives our farm community, at a time of very low prices, once again the ability to compete in the world markets, and not just in some of those markets.

Finally, and most importantly, are the provisions of this bill dealing with the price of prescription drugs. My colleague from Nevada, who just concluded his remarks, had a number of points, with which I don't entirely agree, but I certainly do agree with him on that one. He was one of the cosponsors of the Jeffords-Dorgan proposal on the reimportation of drugs.

Simply stated, we face a situation in which American pharmaceutical manufacturers that are benefiting from huge tax subsidies through research and development tax cuts, and benefiting from the immense research that we do in the National Institutes of Health, nevertheless, sell their products outside of the United States in Canada, in Europe, and in Latin America for prices half or less the price they charge for those drugs in the United States. That is outrageous. It is a form of discrimination without any justification whatsoever.

Six months or so ago, I introduced a bill to directly ban price discrimination in prescription drugs in the same way it has been banned in almost every other commodity in the United States in interstate commerce for some 65 years.

A Congressman from New York, Congressman HINCHEY, made a similar proposal in the conference committee. Personally, I would prefer a more direct approach.

Once again, the perfect was the enemy of the good. We have the ability not only for individuals to go into Canada or Mexico and buy drugs that are manufactured in the United States, but under the same circumstances they are manufactured in the United States, and then they are reimported to the United States for individuals to use. It is something that I think is very important for people who need to use drugs and find them far too expensive here; but also for our pharmacists to do the same thing to the extent that their wholesale prices are the result of discrimination against them and in favor of Canadians and Europeans and others.

Some of those costs will be passed back to the purchasers of prescription drugs here in the United States who can't travel to Canada or to Mexico or to someplace else to make their own purchases.

Is this a perfect solution? No. It is not. First, it is indirect rather than direct.

Second, there are opportunities, I am convinced, in the way their bill was written, in spite of all of the efforts of its proponents, through which the pharmaceutical manufacturers may find loopholes and may be able to frustrate the proper desire of Americans to lower drug prices.

If that happens, we will certainly be back next year at the same time and at the same place to see to it that a discrimination which is entirely unjustifiable is ended. American companies benefiting from American society, from American tax credits from American research should not discriminate against Americans. We have taken a major step forward in this bill to at least reducing and I hope eliminating that kind of discrimination.

I want to express my enthusiastic support for the passage of this bill.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will vote for the Agriculture appropriations conference report. I want to support our farmers. They deserve our support. But I will do so with a great deal of reluctance because of what the House of Representatives did. They inserted a provision which goes directly counter to the views that were expressed in rollcall votes of a bipartisan majority of both the House and the Senate.

I probably shouldn't be that surprised that the House of Representatives, under the Republican leadership, has, once again, abused the legislative process. It has occurred too often. We had very strong votes in both the House and the Senate to lift sanctions on the sale of food and medicine to Cuba. After we had those votes, the House Republican leadership included a provision which prohibits any kind of public financing. What they have said is: Sure, you can have these sales. But we are going to make sure there is no way to pay for them.

We go back home and say how generous we are and how we are helping our farmers, at the same time chuckling all the way out, saying it will never happen.

That is bad for America's farmers. It is very bad for the Cuban people. It is certainly bad foreign policy.

In fact, they even went so far as to codify the restrictions on travel to Cuba. This strikes at the fundamental right of every American to travel freely. Some of the same people who jingoistically say we are Americans; we can go wherever we want, will say, but not to Cuba.

Senator DODD and I introduced legislation to lift this ban. He spoke eloquently about this. It is ironic, actually outrageous, that Americans can travel to North Korea or Syria or Vietnam but not to Cuba. What a hypocritical, self-defeating, and anachronistic policy. What a policy so beneath a great, good nation as ours, a nation of a quarter billion people, the most powerful, wealthiest nation on Earth. How small-minded. How petty. How beneath this great Nation.

It is a terrible decision, a blatantly partisan decision, a decision driven by politics, and one of the many reasons why the elections on November 7 are so important. It is time we inject intelligence and bipartisanship into our foreign policy. Congress has had its chance, but it has fallen short in too many ways to count. The decision on Cuba is another example of the failure of the 106th Congress to do what is right for America, what is right for America's farmers, what is right for the majority of the American people.

As one who opposes the dictatorial policies of Fidel Castro, I also oppose anybody telling me as an American, or my family, or the people of my State, that we cannot travel anywhere in the world where we might be accepted. It is so beneath a great and good nation. I hope this is something we will correct next year. The majority of Senators and House Members, Republicans and Democrats, have already voted. A small band of the Republican leadership should not be able to thwart that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to yield 15 minutes to the distinguished Senator from Arizona, Mr. MCCAIN.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I regret that I have to come forward once again to oppose another of the annual appropriations bills, particularly one that is vitally important to our nation's farmers and to support social service programs for women and children.

However, this bill once again fails to responsibly appropriate funding to the highest agricultural and resource management priorities, and instead doles out $300 million in pork-barrel spending. This amount is close to $70 million more than was included in the Senate-passed bill, and the total overall spending for this bill exceeds the Senate and House passed bills by close to $2.8 billion.

Mr. President, there are several problems with this final conference agreement.

First, the inclusion of $300 million in special interest earmarks that either have not been properly reviewed or authorized through the legislative process. Much of this spending is earmarked for towns, universities, research institutes and a myriad of other entities that appear only vaguely related, at best, to addressing the dire situation of farmers, women and children.

A number of policy riders are also tacked on, without any consideration by either body, that reverse a number of 1996 farm bill reforms and violate trade policies.

Let's first take a look at the ''Top Ten Porkbusters'' in this year's agriculture bill:

No. 10, An add-on of $300,000 is provided to a laboratory in East Lansing, Michigan to map and identify genes in chickens;

No. 9, An amount of $680,000 will be provided to test the ''competitiveness'' of agricultural products solely from the state of Washington;

No. 8, Despite millions provided for salmon restoration through other appropriations bills this year, $645,000 is earmarked for research on alternative salmon products in guess where—Alaska; you will find Alaska pops up quite frequently in these pork barrel bills.

No. 7, An add-on of $1.05 million will pay for sunflower research in Fargo, North Dakota.

Sunflower research, obviously, is unable to be carried out in any other part of America, so we have to add $1 million to pay for sunflower research in Fargo, ND.

No. 6, $300,000 is earmarked for the Pineapple Growers Association in Hawaii, whose three members of the Pineapple Growers Association are the impoverished organizations, Dole Food, Del Monte Fresh Produce, and Maui Pineapple Company. These impoverished three corporations are badly in need of $300,000 of the taxpayers' money so they can deliberate as the Pineapple Growers Association of Hawaii.

A whopping $5 million is earmarked for an insect rearing facility in Stoneville, MS. That must be an interesting place.

No. 4, an add-on of $300,000 will pay for manure management systems in Florence, SC. I have spent a lot of time in South Carolina. I hope this $300,000 will pay for the manure management systems in Florence, SC.

No. 3, a $250,000 earmark is included for potato research in Prosser, WA, to develop improved varieties of potatoes. Only in Prosser, WA, do we need to do this kind of research.

No. 2, the popular National Center for Peanut Competitiveness in Georgia will receive a healthy endowment of $400,000. That ever popular National Center for Peanut Competitiveness, in Georgia, will receive this $400,000.

And No. 1, an earmark of $100,000 is provided for the Trees Forever Program in Illinois, the vitally important purpose of which is to encourage and provide information on the use of trees. Trees Forever in Illinois is to encourage and provide information on the use of trees.

In my State of Arizona, except in the northern part of my State, we don't have a lot of trees, but we certainly have a lot of cactus. Perhaps we could have next year an earmark for the ''Cactus Forever Program.'' That might be an enjoyable exercise. I urge my pork barreling friends to consider, next time they have Trees Forever, perhaps ''Cactus Forever.''

Mr. President, this is just a small sample from the 32-page list of earmarks I compiled from this agriculture appropriations conference report. Many are recurring earmarks, year after year, for projects that appear to be either duplicative or, as GAO had found when reviewing agricultural spending, pay for projects not related to basic research or high-priority areas, or which already receive substantial private sector investments.

Mr. President, I am sure that many of these objects may be meritorious and helpful to the designated communities. What I object to is the way these projects have been selectively identified and prioritized for earmarks, mostly for purely political interest, rather than for the national interest.

This agriculture appropriations measure is intended to provide assistance to farmers, women, children and rural communities with the greatest need. Yet, by diverting millions for parochial spending, we fail in this responsibility, forcing Congress to once again attach ad-hoc emergency spending, adding up so far to $23 billion over the past three years, for farm relief and other disaster assistance. This time around, about $3.6 billion is designated as emergency spending for farmers and communities who have suffered critical losses due to severe drought and difficult market conditions.

I realize that many of America's family farms are in crisis, and some form of assistance is needed to responsibly address real economic hardship faced by many of our nation's farmers and their families. However, it is quite interesting to note that among those that the budget negotiators consider the most in need are the tobacco, sugar and honey industries.

For example, a last minute provision was added to reverse the limited reforms to the federal sugar program. Behind closed doors, powerful sugar interests have been able to chip away at the few reforms required by them by the 1996 Freedom to Farm bill.

First, through last year's omnibus appropriations bill, a provision was tacked on in conference to remove the responsibility of sugar producers to pay small marketing assessments on sugar to help pay down the federal debt.

By the way, a large family of sugar growers is one of the major reasons why we are having to pay billions of dollars to clean up the Everglades.

Earlier this year, sugar interests pressured the Agriculture Secretary to spend more than $60 million to purchase more than 150,000 tons of surplus sugar to prevent mass forfeitures, paid for by the taxpayers once again. An additional 934,000 short tons of sugar was forfeited once again this month, thereby eliminating the responsibility for sugar growers to pay back $352 million in loans. Many of these sugar growers are capable of making enormous political contributions in soft money to both parties.

And, now, sugar interests have adeptly worked behind the scenes to add another never-before-seen provision, not previously included in the Senate or House bill, to overturn federal sugar policy. This change will reverse the recourse loan provision in the 1996 farm bill that obligates full repayment of the loan in cash. Despite loopholes already existing in current law to allow sugar producers to sidestep loan repayments, this new conference provision directs that all federal price support loans be made permanently ''non-recourse'' loans, which is a fancy way of saying the loans will not have to be repaid.

Another provision added in conference allows burley tobacco producers to forfeit their crops, much in the same manner that sugar producers are allowed to do. Not only are we letting sugar and tobacco growers off the hook for repayment of Federal loans, the Federal Government will be responsible for selling off tobacco crops that are forfeited to the Federal Government. Such a movement may encourage the overproduction of tobacco, at a time when, thank God, the tobacco demand is lessening and the American people are urging more responsible federal policies toward tobacco because of its impacts on our children and public health. However, once again, special interests win, and the taxpayers will foot the bill, at a cost of $50 million.

Other egregious last-minute provisions added in conference include:

A new provision that reinstates the federal subsidy for honey producers, previously repealed by the 1996 farm bill. The cost? $20 million.

The controversial dairy price support program will be extended, while also delaying implementation of the dairy recourse loan program that requires full repayment of federal loans.

$500,000 is earmarked solely for the State of California for crop insurance,

despite the $8 billion crop insurance reform bill passed earlier this year.

$2.5 million is directed to capitalize the South Carolina Grain Dealers Guaranty Fund, under the guise of emergency spending; and,

$7.2 million in emergency funds will pay for sugar transportation costs for the State of Hawaii.

Other provisions are tacked onto this report that clearly do not belong in this particular bill and, therefore, could be subject to budget points-of-order.

A provision, which the Wall Street Journal called a ''unique steel-friendly provision,'' was inserted into this conference report that diverts anti-dumping and countervailing duties from the Treasury to affected domestic industries. This provision is an almost one-half billion dollar giveaway to U.S. corporations that had not been considered previously by the Senate. As our nation begins to pay down our $5 trillion debt, we should consider the effect of this provision very carefully. Instead, we will not consider it at all. No member, except those among the negotiators, will have any say about the effects of this policy.

Another equally troubling provision in this report once again concerns legislation that has not been considered by the House or Senate. This provision sets up a Hass Avocado Board for avocado research and promotion. While on its face, it may not sound objectionable, such a provision may unfairly give domestic producers more representation than U.S. importers, thereby violating our WTO obligations by not granting national treatment to avocado imports and acting as an export subsidy.

In addition, this provision currently forces an assessment of avocados at a rate of $.025 per pound. This rate must be paid by exporters at the time of entry into the United States. However, U.S. domestic producers will not have to pay these taxes until 60 days after the last day of the month that the sale is made. In addition, no tax is collected on Hass avocados that are exported.

Again, these two provisions clearly violate our WTO obligations, and I believe we should study this issue more before passing it into law. I am concerned that this provision will give 85 percent of the fees collected from a state back to the state avocado board. This seems like unnecessary pork for state avocado boards. However, once again, we will not be able to vote up or down on this provision.

The Congress has certain rules that apply to its budget process. One of those rules states that, once a Senate-House conference convenes, negotiations are limited to only the funding and provisions that exist in either bill. Adding funding that is outside the scope of the conference is not in order, nor is the inclusion of legislative provisions that were not in the preexisting bills.

The final agreement clearly violates our established rules over and over again. Yet, no one pays attention to these violations because Congress appears to favor spending that benefits the special interests of a few, rather than spend the taxpayers' dollars responsibly and enact laws and policies that reflect the best interests of all Americans.

It is all taxpayers who have to shoulder the burden to pay for the pork-barrel spending in this appropriations conference report and the others that will follow, and I will not vote to place that burden on American families.

Mr. President, in conclusion I want to refer to a column by David Broder in this morning's Washington Post. The title of it is, ''So Long, Surplus.'' That is what I have to say this morning and what I have been saying for several weeks now: So long, surplus.

I notice a lot of the Presidential debate is devoted to what we will do with the surplus, whether we cut taxes; whether we pay down the debt; whether we save Social Security; whether we save Medicare. It is not going to be there. We are spending it at an incredibly huge rate.

As a result, said Congressional Quarterly, the nonpartisan, private news service, spending for fiscal 2001, which began on Oct. 1, is likely to be $100 billion more than allowed by the supposedly ironclad budget agreement of 1997.

More important, the accelerated pace of spending is such that the Concord Coalition, a bipartisan budget-watchdog group, estimates that the $2.2 trillion non-Social Security surplus projected for the next decade is likely to shrink by two-thirds to about $712 billion.

Let me repeat. The Concord Coalition, which is a bipartisan organization, predicts that the surplus is not going to be $2.2 trillion in the next decade; it is going to be about $712 billion. And that is with the rosiest of scenarios.

What are we doing here? What are we doing here? We are spending the surplus; we are earmarking, pork barrel spending; we are calling things emergencies that are not. We are frivolously and irresponsibly spending this surplus which is so vital to our ability to meet our entitlement obligations in this century, obligations to Social Security and to Medicare and other entitlement programs.

I quote from David Broder again, from this morning.

To grasp what is happening—those now in office grabbing the goodies before those seeking office have a chance—you have to examine the last-minute rush of bills moving through Congress as it tries to wrap up its work and get out of town.

I ask unanimous consent the article by David Broder of this morning be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 18, 2000]

SO LONG, SURPLUS

(By David S. Broder)

Between the turbulent world scene and the close presidential contest, few people are paying attention to the final gasps of the 106th Congress—a lucky break for the lawmakers, who are busy spending away the promised budget surplus.

President Clinton is wielding his veto pen to force the funding of some of his favorite projects, and the response from legislators of both parties is that if he's going to get his, we're damn sure going to get ours.

As a result, said Congressional Quarterly, the nonpartisan, private news service, spending for fiscal 2001, which began on Oct. 1, is likely to be $100 billion more than allowed by the supposedly ironclad budget agreement of 1997.

More important, the accelerated pace of spending is such that the Concord Coalition, a bipartisan budget-watchdog group, estimates that the $2.2 trillion non-social Security surplus projected for the next decade is likely to shrink by two-thirds to about $712 billion.

As those of you who have been listening to Vice President Al Gore and Texas Gov. George W. Bush know, they have all kinds of plans on how to use that theoretical $2.2 trillion to finance better schools, improved health care benefits and generous tax breaks. They haven't acknowledged that, even if good times continue to roll, the money they are counting on may already be gone.

To grasp what is happening—those now in office grabbing the goodies before those seeking office have a chance—you have to examine the last-minute rush of bills moving through Congress as it tries to wrap up its work and get out of town.

A few conscientious people are trying to blow the whistle, but they are being overwhelmed by the combination of Clinton's desire to secure his own legacy in his final 100 days, the artful lobbying of various interest groups and the skill of individual incumbents in taking what they want.

Here's one example. The defense bill included a provision allowing military retirees to remain in the Pentagon's own health care program past the age of 65, instead of being transferred to the same Medicare program in which most other older Americans are enrolled. The military program is a great one; it has no deductibles or copayments and it includes a prescription drug benefit.

Retiring Democratic Sen. Bob Kerrey of Nebraska, himself a wounded Congressional Medal of Honor winner, wondered why—in the midst of a raging national debate on prescription drugs and Medicare reform—these particular Americans should be given preferential treatment. Especially when the measure will bust the supposed budget ceiling by $60 billion over the next 10 years.

''We are going to commit ourselves to dramatic increases in discretionary and mandatory spending without any unifying motivation beyond the desire to satisfy short-term political considerations,'' Kerrey declared on the Senate floor. ''I do not believe most of these considerations are bad or unseemly. Most can be justified. But we need a larger purpose than just trying to get out of town.''

The Republican chairman of the Senate Budget Committee, Pete Domenici of New Mexico, joined Kerrey in objecting to the folly of deciding, late in the session, without ''any detailed hearings . . . [on] a little item that over a decade will cost $60 billion.'' Guess how many of the 100 senators heeded these arguments? Nine.

Sen. Phil Gramm, a Texas Republican, may have been right in calling this the worst example of fiscal irresponsibility, but there were many others. Sen. John McCain of Arizona, who made his condemnation of pork-barrel projects part of his campaign for the Republican presidential nomination, complained that spending bill after spending bill is being railroaded through Congress by questionable procedures.

''The budget process,'' McCain said, ''can be summed up simply: no debate, no deliberation and very few votes.'' When the transportation money bill came to the Senate, he said, ''the appropriators did not even provide a copy of the [conference] report for others to read and examine before voting on the nearly $60 billion bill. The transportation bill itself was only two pages long, with the barest of detail, with actual text of the report to come later.''

Hidden in these unexamined measures are dozens of local-interest projects that cannot stand the light of day. Among the hundreds of projects uncovered by McCain and others are subsidies for a money-losing waterfront exposition in Alaska, a failing college in New Mexico and a park in West Virginia that has never been authorized by Congress. And going out the window is the ''surplus'' that is supposed to pay for all the promises Gore and Bush are making.

Mr. MCCAIN. Mr. President, the Congress has not always acted this way. As a matter of fact, in fiscal years 1997 and 1998, when we still had deficits, the Congress spent less money than the actual budget caps allowed. But since the era of surpluses began in 1999, the Congress and the president have taken this to mean they now have a license to spend freely and irresponsibly without any adherence to limits. We have gradually spent in excess of the discretionary spending limits.

But now, for the fiscal year 2001, the spending has exploded to at least $33 billion above the spending cap, consuming nearly one-third of fiscal year 2001's projected on-budget surplus, and we still have several appropriations bills yet to go. Our continuing fiscal irresponsibility in threatening to consume a substantial portion of the projected on-budget surpluses before they are actually realized—and, according to a recently released CBO report, even if we are to save all of today's projected surpluses, we still face the possibility of an uncertain long-term fiscal future as adverse demographics and lengthening lifespans lead to surging entitlement costs.

CBO projects that the three main entitlement programs—Social Security, Medicare, and Medicaid—will rise from roughly 7.5 percent of GDP today to 17 percent by 2040 absent programmatic reforms. The CBO also warns that ''Projections of future economic growth and fiscal imbalances are quite sensitive to assumptions about what policymakers will do with the budget surpluses that are projected to arise over the next decade.''

Therefore, it is imperative that not only do we avoid squandering the projected surpluses, but the meaningful reforms of entitlement programs be undertaken not to avoid budget deficits and unsustainable levels of debt in the future.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HARKIN. Mr. President, is it correct that I am allotted 45 minutes?

The PRESIDING OFFICER. The Senator is correct.

Mr. HARKIN. Mr. President, before getting into my main comments on the Agriculture Appropriations conference report, I want to make a few comments in response to the Senator from Arizona, who spoke about various items that are in this bill and criticized them.

I am very proud of my service on the agriculture appropriations subcommittee, and I am very proud of our chairman and ranking member for the bill they put together. It is a good bill. I am going to vote for it because it provides needed funding for a range of programs and activities important not only to farm families and rural communities but to consumers and our Nation generally.

I thank our agriculture appropriations chairman, Senator COCHRAN, and the ranking Democratic member, Senator KOHL, for their hard work on this bill. I appreciate the opportunity to have worked with them, and I thank them for their cooperation in responding to my views on various items in this legislation. I commend them for their work in putting this bill together. Overall, it is a good bill.

The Senator from Arizona cited a number of items in the bill. I did not hear him mention some research grants for the fruit and vegetable market analysis for Arizona. There was a produce pricing item in there for Arizona. There was a Federal administration research grant for shrimp aquaculture for several States, including Arizona. Also in the conference report, there is a $5 million item for Water Conservation and Western Cotton Laboratory in Maricopa, AZ.

I do not know a lot about those facilities. I know our colleague, Senator KYL, is on the committee. I am sure he has looked at these items and may have had something to do with them being in there. I do not know. But I believe the Senator from Arizona, who just spoke, is off the mark because most of the items in this bill are there because Senators pay attention to the needs of their constituents and they pay attention to the needs of our country.

I am not cognizant of this Water Conservation and Western Cotton Laboratory in Maricopa for $5 million, but it probably has something to do with cotton production, which is important to our country. It probably has something to do with cotton production in Arizona, which is obviously important to the people of Arizona and Western States.

I don't know. Maybe this has something also to do with the large amounts of Federal subsidies that our Government provides for water and for irrigation for cotton in Arizona. I listened in vain to hear my colleague from Arizona decry the use of subsidized water in his State of Arizona. Well, I'm not here today going after it. It is probably necessary for the people of Arizona, probably necessary for western cotton production, and could be important for western animal production.

So I think my friend from Arizona, in taking after a lot of the items in the Agriculture appropriations bill, is just simply off the mark. Oh, I know it probably makes good press. You can probably get a good column written once in a while about pork barrel spending and all that kind of stuff, but when you go down these items, these are items that are important to the people of those constituencies in those States, important to agriculture in those States and, as such, it is important to agriculture for the entire country.

So that is why I commend the chairman and the ranking member for putting this bill together. It is a good bill.

In fact, if you want to talk about items that are in the bill that pertain to States, let me talk about one in my own State. One of my highest priorities was to obtain funding for the planning and design of new facilities at the Department of Agriculture's National Animal Disease Laboratory in Ames, IA. I am pleased that the bill has the full $9 million that was requested for this purpose in the President's budget.

These new facilities are absolutely critical for biocontainment and work with animals with highly contagious diseases. The National Animal Disease Laboratory is one of—of course, in my opinion, it is the preeminent animal disease research facility in the United States. But the conditions of this facility are very poor. The main facility there was constructed beginning in the 1950s. Now we face threats from new animal diseases; some that are highly contagious, some that can be used by terrorists for bioterrorism. Yet the facilities, some that were built some 40 years ago, are not built to contain them adequately, safely, and securely. We need to move forward to improve the National Animal Disease Laboratory facilities as quickly as possible, to protect against emerging, highly contagious, highly infectious animal diseases, many of which, if not contained, if let loose in the environment, could cause tremendous numbers of illnesses and deaths. So the NADL funding is not just about protecting animal life and health; it is also for protecting human life and health as well. Sure, this facility is located in Iowa—I am very proud of it; it predates my service in Congress—but it is a national laboratory. This is another example where money has gone to a State, but it has gone for a national purpose. It is just like any of the other national laboratories that we have. This is the preeminent one for animal disease.

I also want to point out some other priority items of particular interest in Iowa that are in the bill. They are particular to Iowa, but they are broader than the State, including funding for research that will help block the use of anhydrous ammonia to make methamphetamine. That is one that is in this bill. It helps us in Iowa, but it helps us in many other States.

There is an item in the bill for addressing serious erosion problems in Iowa's Loess Hills. The Loess Hills in Iowa make up the only geologic formation of its kind anywhere in the world outside the nation of China. These are a national treasure. There is some money in here to address some of the serious erosion problems in this very unique geologic formation.

There is money in here for research into industrial lubricants made from soybeans and other commodities, for farm safety education, and for dairy research and education.

I see my friend from Minnesota is here. I just joined him in Minnesota yesterday. We traveled around the State. I was reading an article—I think it happened in Minnesota, but if it didn't happen in Minnesota, it happened in Iowa—where a little 3-year-old boy got one arm and his other hand caught in a farm auger. I was reading the tragic story of how the doctors tried to reattach his arm and were unsuccessful in doing so. So this young 3-year-old boy has lost his right arm and, I believe, his left hand because of an accident on a farm.

Do we need funds for better research and education so that farmers and their families can be more safe in their occupations? You bet we do. And that is very worthwhile funding.

This bill also includes major increases in funding for food safety activities at USDA and FDA. This has been a priority of mine for a number of years. For USDA, food safety funding will increase by $28.3 million; and for FDA, the funding will increase by $30 million. That means that for USDA and FDA we are fully funding the President's food safety initiative. That is good, but there is a lot more we have to do in the way of food safety.

Last month, we had a hearing in the Agriculture Committee on food safety. Chairman LUGAR and I worked together to help set it up. In that hearing we gathered some very telling information about the resources that we are putting into food safety. The General Accounting Office testified that in fiscal year 1999, about $1 billion was spent on USDA and FDA food safety activities combined. Of that amount, USDA received $712 million to inspect some 6,000 meat, poultry, and egg establishments.

FDA, however, received only $260 million with which it had to inspect over 57,000 food establishments and 9,000 animal drug and feed establishments. So USDA gets $712 million. They have 6,000 establishments to inspect. FDA got only $260 million. They had to inspect over 66,000 establishments.

Here is the twist. About 85 percent of the instances of foodborne illness are linked to foods that fall under FDA's jurisdiction, and only 15 percent of them fall under USDA's jurisdiction. So clearly, we have our work cut out for us in the area of food safety.

We need more resources for the Food and Drug Administration. But, in reality, we really need a more unified and coordinated structure for federal food safety. Next year, this Congress should work to that end. I know my colleague, Senator DURBIN from Illinois, has a bill on that. Obviously, all the bills will die at the end of this session of this Congress, but we need to join forces in a bipartisan fashion next year. I believe there will be broad support among food producers and consumers to have a unified coordinated structure for food safety here at the Federal level.

I was also pleased to be able to work with Congressman WALSH of New York to include in this conference report important hunger relief measures. The provisions in this bill will significantly help in making sure Americans who have high rent and utility costs, or who just happen to have a modest, reliable automobile, can still receive food stamp benefits they need to feed their families. The vehicle provision is especially important in rural areas where people need to have a decent car to get to town or to get to work. They should not be disqualified from food stamps just because they own a modest, dependable vehicle.

I am also pleased that there were significant increases in rural housing, sewer, and water assistance, and economic development support important for rural America. I am, however, concerned about an increase in the fee for rural housing. For the rural housing loan assistance program, the fee was increased from 1 percent to 2 percent. That was included in the final measure. I believe this hurts the ability of modest-income families to become homeowners in rural areas. I will be working to reverse that.

This legislation also includes a substantial amount of additional emergency spending to respond to the needs arising from various types of economic and natural disaster losses. Overall, there is approximately $3.6 billion in emergency assistance, including compensation for crop production and crop quality losses, livestock and dairy assistance, and funding for the important emergency conservation and emergency watershed programs. This emergency assistance will be very important to farmers who have suffered from drought and severe weather in Iowa and many other States.

Over the past several years, Congress has provided a good deal of emergency assistance to farmers. In the past 3 years, the emergency assistance has amounted to over $22 billion. As I said, in this bill there is an additional $3.6 billion. For the most part, that assistance was clearly needed—in fact, critically needed. It helped keep many farm families on the land who otherwise would have been forced out of business. Keep in mind, these emergency payments were on top of the spending under provisions of the existing farm bill.

For fiscal year 2000, USDA made some $28 billion in direct payments of one kind or another to U.S. farmers. That is a record. And the overall cost of farm programs was $32.3 billion, another record. Looking at it another way, in calendar year 2000, U.S. farmers will receive $23.3 billion in direct payments from the Federal Government, but they will have a net farm income of only $45.6 billion. Over 50 percent—over half—of U.S. net farm income this year will come from direct Government payments. In fact, last year in Iowa, USDA payments exceeded our net farm income.

I can't help but ask, whatever happened to the promises made by the backers of the so-called Freedom to Farm bill? They were going to ''get the Government out of agriculture and let the free market work.'' What do we have? Commodity prices have crashed. Farm program spending by the Government is at record levels, and farmers are still being driven off the land by the thousands. Get the Government out? Farmers today are every bit, if not more, reliant on the Government than they have ever been before. Freedom to Farm did not get the Government out of agriculture, but it sure has been successful in getting family farmers out of agriculture.

Today our farmers plant for the Government program. They market for the Government program. They rely on the Government program for over half their net farm income. Already, Freedom to Farm has cost $29 billion more than its backers promised when it was passed in 1996. The emergency assistance we have passed went to help a lot of farmers. But it is a serious indictment of the current Freedom to Farm bill that Congress has had to provide emergency farm income assistance 4 years in a row. And the way things are going, we are going to have to add more in this fiscal year beyond what is in this bill.

We cannot any longer tolerate a farm policy that lurches from one emergency spending measure to the next. It is time for Congress to recognize that Freedom to Farm has become ''freedom to fail.'' It has failed. We need to write a new farm bill, one that maintains the planning flexibility and the environmental programs we all support—but that restores the income protection, the farm safety net, the countercyclical programs that farmers need.

I listened to the debate last night. What I heard was Vice President GORE say we need to change our farm program, we need a better safety net, we need better conservation programs that are voluntary, that we can put

more money into conservation, but to provide a better income protection and a countercyclical program for farmers. To the best of my knowledge and information, Governor Bush has said he wants to stick with Freedom to Farm.

I think those who live in rural America and on our farms should know that, should know the data, the facts I have just laid out. Farm program spending is at an all-time high, yet thousands of farmer are still going out of business. We need a new direction and a new farm bill. We need it soon.

Here is another aspect of the failure of the Freedom to Farm bill. Because farmers are so heavily reliant on direct payments, Congress has stepped in this year and last year to raise the payment limitation for loan deficiency payments, what are known as LDPs, and marketing loan gains. We have raised the payment limitation for loan deficiency payments and marketing loan gains to $150,000 instead of $75,000 which was in the farm bill. It was done last year, and it is done again this year in this bill.

But there is a wrinkle that deserves more attention. If an individual sets up partnerships or corporations, that individual can actually double the effective payment limitation. That means that, in reality, the payment limitation for the largest farms is now $300,000 for an individual.

I have to ask: How can we justify paying out such large amounts of money to the largest farms while family farms are struggling to survive and going out of business? We are told that this payment limitation relief was absolutely necessary, even to help family-size farms. But in reality, only a very small share of farms actually receive any benefit from this increase in the payment limit.

The Environmental Working Group analyzed the USDA data and determined that fewer than five-tenths of 1 percent of farms and farm businesses that are receiving USDA payments actually benefited from the payment limitation increase Congress approved in 1999. These 3,400 individuals and farm businesses received an average of $148,000 under this program last year, 14 times higher than the $7,200 received by the average farmer.

We have similar numbers from the Office of the Chief Economist at USDA. Based on data collected in the 1997 census of agriculture, they found that the number of farmers who might benefit for that year with the change included in this conference report is about 13,000, which is perhaps about 1.5 percent of the total participants in the Federal commodity programs.

So again, this doubling of farm payment limitations went to help just a very small percentage of farms of the largest size. It seems to me, if we are going to provide these amounts of money, we should put it in to help the family size farms that are struggling, the kind of farms Senator WELLSTONE and I visited yesterday in southern Minnesota. These are not huge farms, these are family farms, yet they are the ones being squeezed. The big ones that are perhaps farming thousands of acres of land are getting huge payments of up to $300,000. That doesn't make sense. These large farms can protect themselves, take care of themselves. If we are going to put the money in for farmers, let's help the struggling family farms first.

I also want to talk about the Cuba provisions. I believe what is in this conference report on Cuba was really a step backward. There is a superficial sham opening of the embargo on agricultural shipments to Cuba from the United States, but the restrictions are so great that I do not believe it will amount to anything. Keep in mind that no direct financing can be provided by any U.S. financial institution to anyone who wants to sell products to Cuba. Well, financing is a critical part of agricultural exports. Anyone knows that. Yet no direct financing can be provided. You have to go to some third country to get it. Also, the bill locks into statute the travel restrictions that have been in place regarding Cuba, which are administrative. This locks them into law. It will make it just that much harder to bring down the barriers to change in Cuba.

We have had a failed policy on Cuba for 40 years now—a failed policy. This bill keeps us on the same path. Actually, what we are doing in this bill is the best thing we could ever do to keep Fidel Castro in power. If you want to change things in Cuba, open it up and let people travel there. Open it up for exports. Let our farmers travel there and sell our goods and products in Cuba without the restrictions this bill writes into law. That would be the single best thing we could do. But, no, we are doing the same thing we have done for 40 years. Someone once described insanity as doing the same thing over and over again and expecting a different result. We keep doing the same thing year after year after year with Cuba, and we expect some different results. It is time we change our Cuba policy.

Lastly, I want to talk about the issue of drug reimportation. There was a provision in this bill that would have allowed pharmacists and wholesalers to reimport prescription drugs.

The cost of prescription drugs is a critical issue. I have had meetings with seniors across Iowa to talk about the rising prices of medicines and their prescription drugs. First of all, I must add that the most urgent and important thing I believe we can do here is to enact a meaningful Medicare drug benefit for all seniors. We have it pending, but the Republican leadership will not bring it up and let us vote on it. I think it is a disgrace that we have not acted on this issue before leaving this year.

The drug reimportation amendment, offered by Senators DORGAN and JEFFORDS, which would allow pharmacies and wholesalers to import FDA-approved prescription drugs, was well intentioned and began as a creative way to try to get lower cost drugs to seniors with important safety precautions. If done correctly, this proposal would have been a real help to seniors, many of whom already travel to Canada and Mexico to buy medications at a fraction of their U.S. price. But not every senior in Iowa or in other States is able to travel to Canada or to Mexico to get those drugs.

Unfortunately, the provision in the bill now is the product of a closed-door discussion. We were kept out. At the last minute, we got some paper handed to us and we voted on it. I believe the authors have rendered it unworkable with language that will prevent any importation of affordable FDA-approved drugs.

In spite of months of bipartisan work to craft this language, the Republican leadership decided abruptly to take a partisan approach that is riddled with loopholes to minimize the impact of the new system. In fact, I think it may be completely unworkable.

The language includes a provision that reads as follows:

> The provisions of this section only become effective if the Secretary demonstrates to the Congress that the implementation of this section will: (1) pose no additional risk to the public health and safety; and (2) result in a significant reduction in the cost of covered products to the American consumers.

What does all that language mean? I asked in the conference: What does this mean? How is this to be done? I could get no answer. Unfortunately, the way the language was finally crafted, it may not be possible to ''demonstrate'' that the public will be adequately protected or to ''demonstrate'' that prices will be substantially reduced.

The language has other weaknesses in labeling and marketing that I believe undermine its ability both to protect the public from unsafe drugs and to lower costs.

In addition, the language crafted by the Republican leadership requires the program to be terminated after 5 years. This is going to have a chilling effect on any private investment necessary to set up the distribution systems and the lab testing facilities necessary to carry out the program and to make sure they are safe.

In short, the drug reimportation system in this bill is a charade. I hope the American public will see right through this and recognize it for what it is: a figleaf for the Republican leadership, desperate to disguise the fact that they have done nothing this year to enact a meaningful Medicare prescription drug benefit, which really is the only way we can effectively provide access to affordable prescription drugs for our senior citizens.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 10 minutes 45 seconds.

Mr. HARKIN. I yield whatever time he needs of that remaining to the Senator from Minnesota.

Mr. WELLSTONE. I say to my colleague, I will only take 5 minutes if that is all right with him.

Mr. HARKIN. How much time is the Senator going to use?

Mr. WELLSTONE. I would rather the Senator keep some time, so 5 minutes will be fine.

Mr. HARKIN. I have a couple of other things I need to say.

Mr. WELLSTONE. Mr. President, I rise to speak in support of this agriculture appropriations bill. While it is clear there are some significant shortfalls with regard to the prescription drug re-importation issue, which I will speak about later, on balance this legislation will provide much needed help to family farmers, rural communities, and low income families.

I am pleased this legislation includes substantial emergency assistance, $3.6 billion, directed to family farmers in Minnesota, and across the nation, who are suffering from natural disasters, historically low prices and increasingly concentrated markets which have largely been brought on by the failed 1996 Freedom to Farm Bill, or as I call it the Freedom to Fail Act.

Specifically this legislation will provide $1.6 billion to producers who have been devastated by lost crops due to natural or weather related disasters. In my state of Minnesota, 7 to 10 inches of rain fell in early June in the Red River Valley, which destroyed what promised to be a bumper crop, and has forced hundreds of family farmers to clean up flood damages for the eighth consecutive year. The Minnesota Farm Service agency tell us that almost 400,000 acres of crops have been destroyed in Minnesota. While crop insurance will cover some of the losses, this additional emergency assistance will be necessary for many family farmers in the region.

This part of Minnesota, largely dependent on a poor farm economy, has been devastated by successive years of floods that have forced many off the farm. And this rain storm affected other areas of my state including localized portions of Southeast Minnesota. Overall twelve counties in Minnesota have been affected by major disasters and experienced major crop losses.

It is vitally important that this disaster aid get out to producers quickly. However, it is also vitally important that we take some action to deal with the root problems in agriculture policy.

As many of my colleagues know, the 1996 farm bill has proven to be a total failure. By destroying any safety net for family farmers and capping loan rates at artificially low levels, the 1996 bill has left farmers vulnerable to the sever economic and weather related events of the past three years, resulting in devastating income losses. And while the premise of the Freedom to Farm bill was to ''get the government out of agriculture'' the Federal government has been forced to spend more on disaster packages—over $25 billion—over the last four years than was supposed to be spend through the seven year life of the law.

Again this year, Congress has failed to address the impact of plummeting farm incomes and the ripple effect it is having throughout rural communities and their economic base. I can assure my colleagues that if we do not write a new farm bill early next year, if the only help family farmers get from Washington is unreliable, long delayed emergency aid bills that are distributed unfairly, family farmers are not going to survive.

Family farmers deserve a targeted, counter-cyclical loan rate that provides a meaningful level of income support when the market price falls below the loan rate. Lifting the loan rate would provide relief to farmers who need it and increase stability over the long term. We also need to institute farmer-owned reserve systems to give farmers the leverage they need in the marketplace, and conservation incentives to reward farmers who carry out conservation measures on their land. We need a new farm bill.

In addition to the failed farm bill, I have found that family farmers rank the lack of competitive markets as a major factor to explain the price crisis that is devastating rural America. While there can be no argument that the majority in Congress has failed to pass, or even consider, legislation, such a I and others have proposed, to deal with the rash of agribusiness megamergers, this appropriations bill has taken some positive steps.

Included in this legislation is an increase in the Grain Inspection, Packers and Stockyard Administration's, GIPSA, budget to fund essential programs that ensure competitive markets and fair prices for our independent livestock producers. I am pleased to say that this increase, which I had proposed during Senate consideration of the Agriculture appropriations bill, will result in an increase of $4.151 million over the Senate approved bill.

As many of my colleagues know, this is essential funding that will help bolster GIPSA's market concentration activities. For several years, livestock producers have expressed their concern over evermore concentrated markets, as well as extreme frustration over what they perceive as inadequate governmental action to ensure fair and competitive markets. Consequently, GIPSA has been asked to assume a more prominent role in ensuring competitiveness and fairness in the livestock industry. GIPSA is conducting a growing number of investigations on market concentration in agriculture, within shorter time frames, using increasingly sophisticated economic and legal analysis.

Examples of what this money will be used for include: anti-competitive behavior investigations; rapid response teams that are utilized for time sensitive issues that require expeditious investigations to protect small family producers; and a contract library that will be used to catalogue each type of contract offered by packers to producers.

This appropriations bill also contains vital emergency assistance for small independent dairy producers. H.R. 4461 will provide $473 million in direct income relief payments to family dairy farmers throughout the nation. The money is targeted to small- and medium-scale farms who are in the midst of a price crisis as a result of the wild price fluctuations we have been seeing for the past few years.

Mr. President, in my state of Minnesota, dairy production is truly one of the cornerstones of our economy. We have 8,700 dairy farms in Minnesota, ranking us fifth in the nation in dairy production. The average herd size of a Minnesota dairy farm is about 60 cows. Family agriculture is not just an important element of our states heritage, it is vital to our future. But right now, dairy farmers in Minnesota and throughout the country need relief. Therefore, I am pleased this legislation includes a provision, which I joined the Senators from Wisconsin in proposing, to provide $473 million in targeted emergency payments to dairy farmers nationwide.

I continue to see the urgency of this is aid, especially as we in Minnesota lose dairy farms at a rate of three per day. This will put money in the pockets of dairy farmers soon, when they need it, not a year from now when many of them will have already sold their cows. However, it is, like last year's funding, merely a bandage to stop the bleeding. Dairy farmers everywhere need meaningful policy reform. In order to achieve a fair, sustainable and stable long term price, we need a dairy price support program that is set at a level sufficient to curb the current market volatility.

In addition, H.R. 4461 contains significant increases in rural development programs to help rural communities make it through these difficult economic times. Furthermore, I am pleased the bill contains a provision I added to provide $3 million in grants to promote employment of rural residents through teleworking. Telework is a new method of doing work that will allow information technology jobs to be a part of diverse, sustainable rural economies while helping IT employers find skilled workers. Specifically, telework is the use of telecommunications technology, like the Internet, to perform work functions over a distance instead of at the traditional workplace of the employer. This provision will allow rural communities to access federal resources to implement locally designed proposals to use telework as a tool for rural development. This represents a critical opportunity for diversification and revitalization of rural economies.

This bill also takes some important first steps to ensure that all low-income families receive the food stamps they need to prevent hunger and ensure

adequate nutrition. The bill incorporates an amendment I offered to require a study in the next 180 days so we can learn what obstacles families face when they try to get food stamps, as well as why the rolls have declines so dramatically in recent years. There is a growing sense that the Food Stamp Program is not functioning adequately in assisting working poor families and helping to ''make work pay.'' Although eligibility for food stamps is no longer tied to welfare receipt, the dramatic declines in the cash assistance rolls appear to have resulted in large numbers of eligible low-income families failing to receive the food stamp assistance for which they qualify, including many families who have moved from welfare to work. This study will help us understand the kinds of policy and program implementation decisions we need to make in order to better ensure that working poor families in this country are not going hungry.

The bill also includes two provisions from the Hunger Relief Act—one which will raise the vehicle allowance, and one which will raise the shelter cap deduction, for families receiving food stamps. This provision means that working parents who are dependent on a car to get to and from work will still be able to get the food stamps that they need, and parents who spend more than 50 percent of their income on rent because they live in communities that lack available affordable housing will also now be better able to get the food stamps that provide critical nutritional supports for themselves and their children. This is a very important first step, and I now hope that we will see the remaining provisions in the Hunger Relief Act enacted before the end of this session. In particular, it is critical that we restore food stamp benefits to post-96 legal immigrants as soon as possible.

Mr. President, now let me turn to the prescription drug import provision which is included in this conference report. This is legislation designed to correct the injustice that finds American consumers the least likely of any in the industrialized world to be able to afford drugs manufactured by the American pharmaceutical industry because of the unconscionable prices the industry charges only here in the United States.

Mr. President, I meet with many constituents, but none with more compelling stories than senior citizens struggling to make ends meet because of the high cost of prescription drugs—lifesaving drugs that are not covered under the Medicare program. Indeed, it is shameful that this Congress has failed to enact a prescription drug benefit under Medicare available to all beneficiaries.

But the issue is not just Medicare's lack of coverage. The unfairness which Minnesotans feel is exacerbated by the high cost of prescription drugs here in the United States—the same drugs that can be purchased for frequently half the price in Canada or Mexico or Europe. These are the exact same drugs, manufactured in the exact same facilities with the exact same safety precautions. Minnesotans know this because they can drive to Canada and see the price differentials for themselves.

Driving to Canada every few months to buy prescription drugs at affordable prices isn't the solution, nor is it an option for most Americans.

That is why I introduced with Senator DORGAN the International Prescription Drug Parity Act, and with Senator JEFFORDS the Medicine Equity and Drug Safety Act, two bills designed to amend the Food, Drug, and Cosmetic Act to allow American pharmacists and distributors to import prescription drugs into the United States as long as the drugs meet the Food and Drug Administration's (FDA) strict safety standards. Under these proposals, pharmacists and distributors would be able to purchase these drugs—often manufactured right here in the U.S.—at lower prices overseas and then pass the huge savings along to American consumers.

This legislation has evolved quite a bit through the legislative process. Early in that process there had been two constants: bipartisanship in seeking lower prices for American consumers and opposition every step of the way by a pharmaceutical industry bent on preserving profits.

We were on the verge of producing a strong bipartisan final result until the process was hijacked by the Republican leadership. Rather than a bipartisan bill that would guarantee Americans the opportunity to share in lower drug prices which are available everywhere else in the world, Republicans fell in line with the pharmaceutical industry and shut the door on closing loopholes which would protect the rights of American consumers to affordable, safe prescription drugs.

Following after their leadership, Republican members of the Agriculture appropriations conference committee ditched the bipartisan process, jettisoned legislative language that would have assured American consumers access to affordable drugs, and left open for the pharmaceutical industry loopholes that could defeat the purpose of this legislation.

What language was unilaterally rejected by the Republicans? First, was a provision that would have required manufacturers to provide access to their FDA-approved U.S. labels. Currently, when drugs are reimported to the United States by drug companies, they must be relabeled with the FDA approved label. This new provision would have assured other importers access to those required labels. Without that requirement, manufacturers could stonewall importation by not providing the labels. Second, was a provision that prevents manufacturers from entering into agreements with their foreign distributors that interfere with the resale of prescription drugs back into the United States.

Either of these loopholes could prevent the reimportation of prescription drugs, which is why they should never have been allowed to remain in the final bill. The Secretary of Health and Human Services is given broad authority to draft regulations to facilitate importation of FDA-approved prescription drugs, which gives me some hope. But the Secretary's authority does not lessen my outrage or that of my Democratic colleagues about the process which resulted in those major loopholes going unaddressed. It is unfortunate that the productive bipartisanship which had prevailed during the past year to pass this bill was discarded in the last, critical hours.

This needn't have happened. There was an effort when the conference met to close the loopholes, ensuring that the pharmaceutical industry could not make en end run around the effective implementation of this bill. But, given the choice of standing with American consumers, especially America's senior citizens, or the most profitable industry in America, Republicans chose the industry that has sought to undermine this bill from the start.

While I am saddened about the missed opportunity to produce a stronger, water-tight legislative product, I do believe the present bill is an improvement over the status quo, and continues to have the potential for lowering prescription drug prices here in the United States. If however, the pharmaceutical industry takes advantage of the Republican-tolerated loopholes, then I will be back next year with legislation to close those loopholes and make this law work.

Mr. President, again, I intend to support this agriculture appropriations bill. I thank my colleagues on the floor, Senator COCHRAN, Senator KOHL, Senator HARKIN, and others for their very good work.

I speak as a Senator from an agricultural State. I want mention the emergency assistance. It is much appreciated. We have gone through some difficult times. We have had flooding and we have had scab disease, and that on top of record-low prices and record-low farm income, which has led to a lot of economic pain. I thank my colleagues for their very good work.

Second of all, let me especially thank Senator KOHL and Senator HARKIN for their work. I had an amendment on the floor to get some additional money for GIPSA. They helped me in conference committee. I thank Senator COCHRAN as well. I really want GIPSA to be about the work of looking at the problem of concentration of power. So many of our livestock producers are not getting a fair shake. The IBPs and ConAgras of this world are muscling their way to the dinner table and muscling family farmers off the farm. I think it is important that GIPSA be able to look at this whole problem of an increasing concentration of economic and, I argue as well, political power.

Third of all, let me thank Senator KOHL, in particular, for his fine work on some direct income relief payments for dairy farmers. I think we have about 473 million nationwide. We have 8,700 dairy farmers in the State of Minnesota. Again, record-low prices have been a nightmare for these farmers. I thank Senator KOHL for his good work. I am proud to be a part of this.

There is also in this bill a provision that I think is historically significant. It only starts out with $3 million, and this is going to be done within USDA, obviously. This is going to be a telework program where we will try to set up some models, centers of distance learning, whereby farmers and other rural people with strong ethics and who want to work are going to be able to get training and be connected with information technology companies and find employment at good wages but do it out of farm, out of home, or satellite office—do the telework.

I think this is one of the most important things we have in this bill. I am very excited about it. Many people in Minnesota who transcend all political boundaries helped on this.

Let me also thank in particular Senator HARKIN. He fought it out in conference committee, getting us back to the Food and Nutrition Service—going out there and after 180 days in the field came back with a report telling us why there has been such a steep decline in food stamp participation. The Food Stamp Program is a major safety net program to make sure children do not go hungry. We want to know why there has been such a severe decline in participation. I wish there had been a 30-percent decline in poverty in this country. There has been no such decline. There has been a dramatic rise in food shelters and pantries. We know a lot of people are not getting the help they need.

I thank my colleagues for supporting this issue. I thank Senator KENNEDY for his fine work on the Hunger Relief Act.

Senator COCHRAN has a longstanding commitment to these issues as well.

I think it is important that we do some revisions when it comes to shelters, as well as dependency on car and transportation in allowing more people to be eligible for food stamp assistance.

Finally, on the International Prescription Drug Parity Act, I don't know that I am in complete agreement with Senator HARKIN, but I know what he is saying.

I did this amendment with Senator JEFFORDS and Senator DORGAN, originally. I think when it went to the conference committee there was some effort to make sure we would tighten it up. In particular, I think there is a concern that the pharmaceutical companies will make it difficult, for example, for the Canadians to be involved in a reimportation of those drugs back to this country. I think we could have done better on the language. I think there are too many loopholes.

I am disappointed the way this conference was done. I think this is a step forward. But I would like to have seen much more.

I certainly think you have to have prescription drug benefits added onto Medicare if you are going to really provide the help people need. I think we should have done more.

I thank Senator JEFFORDS for the work he has done on this amendment. I was proud to be a part of it.

We have to write a new farm bill. We have to focus on getting farmers a decent price in the marketplace.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank my colleague from Minnesota. We always run out of time around here when we get into a good debate.

THE BONNIE CAMPBELL NOMINATION

Mr. HARKIN. Mr. President, as I have done repeatedly every day we have been here for the past few weeks, I want to talk about the stalled nomination of Bonnie Campbell for the Eighth Circuit Court of Appeals.

I understand the Judiciary Committee of the Senate has again scheduled an executive meeting for tomorrow morning at 9:30 a.m.—I guess to talk about subpoenas for the Department of Energy, and something else.

I had my staff do an inquiry, and I found out that Bonnie Campbell's name is not on the agenda.

We are in session. We are in session tomorrow. We are going to be in Friday. We are going to be here next week, yet the Judiciary Committee again refuses to allow Bonnie Campbell's name to come out for a vote. It is bottled up.

All we want is a vote.

Bonnie Campbell has strong bipartisan support. Both Senators from Iowa support her. Senator GRASSLEY, a Republican; I, a Democrat.

She has great support from law enforcement and service groups. We just had a big debate and an overwhelming vote last week to reauthorize the Violence Against Women Act. Senator after senator got up to speak about how great it was. It has been a good law. It has done a lot of good. The one person who has been primarily responsible for the implementation of that act since its inception has been the head of the Office of Violence Against Women in the Justice Department. Who has that been? Bonnie Campbell. She has done a great job. She is the former attorney general of the State of Iowa, now standing in glory in her own right. Yet her nomination is bottled up in the Judiciary Committee.

I ask again: Why is she being bottled up?

Look. In 1992, when we had a Republican President and a Democratic Senate, we had 14 nominations for circuit court judges in 1992 during an election year. Nine of them had hearings. Nine of them were referred, and nine were confirmed, including one in October right before the election. Yet we are told no; Bonnie Campbell's nomination came too late. It is too late when we have a Democratic President and a Republican Senate. But it wasn't too late when we had a Republican President and a Democratic Senate.

Nine hearings; nine referred; nine confirmed in 1992. Here we are in the year 2000: Seven nominated; two had hearings; one referred; and one confirmed.

Who is the one who had the hearing that has not been referred? Bonnie Campbell. What a disgrace. What a shame. What a slap in the face to an outstanding individual who has done well in the field of law. I haven't heard anyone—Republican or Democrat—say that she hasn't performed superbly in running the Office of Violence Against Women. Her performance is reflected in the House's 415 to 3 vote to reauthorize the act and the Senate's 95 to 0 vote on that legislation.

I will, as I do every day, ask unanimous consent to discharge the Judiciary Committee on further consideration of the nomination of Bonnie Campbell, the nominee for the Eighth Circuit Court, that her nomination be considered by the Senate immediately following the conclusion of action on the pending matter, that the debate on the nomination be limited to 2 hours equally divided, and that a vote on her nomination occur immediately following the use or yielding back of that time.

Mr. COCHRAN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HARKIN. Mr. President, I knew it would be objected to. But I am going to do it every day to make the point that her name is unfairly being bottled up in the Judiciary Committee. No one has said she is unqualified, or anything such as that.

I can only assume it's that the Republicans figure maybe their nominee will win the Presidency, and all of these will fall by the wayside, and, rather than Bonnie Campbell, we will have somebody else. Maybe that is the way they feel. But that is not the way to run this place.

Once you go far down that road, it may be pretty hard to turn back. Times change. There will be a time when there will be a Republican in the White House and the Senate will be Democratic. Do we want to repeat the same thing this year? Do we want to go down that road? Is that what this place has become? If you start it on that side, that is what is going to happen, because when the Democrats take charge, they'll look back at what happened in the year 2000. We shouldn't go down that road.

ALTERNATIVE DISPUTE RESOLUTION

Mr. LEVIN. Mr. President, we have before the Senate the fiscal year 2001 Agriculture Appropriations conference report (H.R. 4461). Included in this bill is funding which will, among other things, assist our Nation's farmers, aid

rural development, preserve delicate ecosystems and provide food assistance to our Nation's most needy individuals. However, I am concerned about several recent reports conducted by the USDA's Office of Inspector General, and a report by the General Accounting Office (GAO) that criticizes the ability of USDA's Office of Civil Rights to process and resolve civil rights cases in a timely fashion. I recognize that Secretary Glickman has done much to remedy the civil rights problems he inherited when he became Secretary, and I encourage him to continue these efforts.

Mr. TORRICELLI. I share the concerns held by the Senator from Michigan about USDA's ability to address civil right cases in a timely fashion. Failure to resolve civil rights cases involving access to USDA farm programs delays justice and threatens the affected farmer's well-being. The Secretary of Agriculture needs to use his authority to provide independent and neutral alternative dispute resolution (ADR).

Mr. KOHL. Both Senators make important points. The Senate has acknowledged the important role that alternative dispute resolution plays in addressing civil rights matters.

Mr. LEVIN. Both the distinguished Senator from New Jersey and myself have constituents who have encountered significant delays from USDA in addressing their civil rights cases. We want to do all we can to be certain that, when applicable, the Secretary of Agriculture will ensure the Department's participation in an independent and neutral ADR process as expeditiously as possible.

Mr. TORRICELLI. I agree with my good friend from Michigan that the Secretary of Agriculture has the authority to resolve these matters.

Mr. KOHL. I appreciate these comments and agree that this is a serious matter that ought to be addressed by USDA.

TELEWORK

Mr. WELLSTONE. Mr. President, will my friend form Wisconsin yield for the purpose of a colloquy regarding the telework provision of the conference report.

Mr. KOHL. I yield to my colleague from Minnesota for that purpose.

Mr. WELLSTONE. The Senate adopted an amendment to the Agriculture appropriations bill that directed $3 million to be spent for employer outreach, education, and job placement under the USDA/Rural Utilities Service Distance Learning and Telemedicine Program (DLT). The conferees have changed this provision to report language.

We have a tremendous need in our rural communities to take advantage of today's technology and information revolution. I believe, because it essentially allows distance to be erased, telework is a promising tool for rural development and for making rural and reservation economies sustainable. I would ask my colleague if it is his understanding that the Senate's intent can be carried out by USDA Rural Development under existing authority.

Mr. KOHL. I am happy to clarify this for my colleague. He is correct. The Distance Learning and Telemedicine Loan and Grant Program was designed by Congress to enable rural communities to improve the quality of educational opportunities and medical service. I believe strongly that educational opportunities include worker retraining and transitional education. Applicants can partner with local businesses or businesses considering moving into a rural area. Schools, community colleges, and other teaching institutions partner with the private sector today. Within that mandate, this is a program that is truly limited only by the innovation of the rural communities it serves.

Mr. WELLSTONE. I appreciate this clarification, and I ask my colleagues' indulgence for one further question. Would it also be correct that USDA Rural Development should promote employment of rural residents through teleworking not only through the use of the DLT Program, but also through other programs such as the rural business and the Community Facilities Program? These programs might allow funds to be used to provide employment-related services or high speed communications services which may be necessary to make telework a reality in rural communities.

Mr. KOHL. My colleague is correct. Again, USDA Rural Development should be encouraged to be innovative, within their statutory authority, in making grants for the purpose of promoting telework. In addition, USDA should use rural development programs in a manner that will allow rural communities to best take advantage of the potential of new technology and new methods of doing work, such as telework, in building sustainable, diverse rural economies.

WATERMELON SUDDEN WILT DISEASE

Mr. LUGAR. Mr. President, section 804 of H.R. 4461, the conference report on the fiscal year 2001 agriculture appropriations bill, provides the Secretary of Agriculture with emergency authority to compensate growers for crop losses due to new and emergent pests and diseases, including watermelon sudden wilt disease.

Senator COCHRAN, I want to thank you for including watermelon sudden wilt disease in the list of problems addressed by section 804. This disease, which is characterized by wilting leaves and collapsing vines, often results in the death of mature watermelon plants. The disease became a problem in southwestern Indiana last year and has become a much more serious problem in the region this year. Last year, Indiana farmers grew $11 million worth of watermelons, ranking sixth in the nation. This year production will likely be significantly less. On September 19, 2000 USDA's Farm Service Agency office in Indianapolis estimated that the disease may be responsible for Indiana watermelon losses of up to $4.7 million.

Despite ongoing study, scientists at Purdue University have not yet determined what causes the disease, including whether or not adverse weather is a contributing factor. As a result, it appears unlikely that Hoosier watermelon growers affected by this problem will be eligible for assistance under USDA's existing disaster programs or for assistance provided by other sections of the agriculture appropriations conference report. Assistance in these cases is generally limited to weather-related crop losses. As a result, full implementation by the Secretary of Agriculture of the emergency compensation authority provided by section 804 is important.

I must note, however, that section 804 permits, but does not require, the Secretary of Agriculture to provide compensation to growers due to watermelon sudden wilt disease and other new and emergent pests and diseases. Is it the intent of the bill's managers that the Secretary of Agriculture fully implement the authority provided by section 804?

Mr. COCHRAN. Yes, the managers intend that the Secretary of Agriculture fully implement section 804 which provides authority to compensate growers for crop losses due to new and emergent pests and diseases: including Mexican fruit flies, plum pox virus, Pierce's disease, grasshoppers and Mormon crickets, and watermelon sudden wilt disease. Senator LUGAR, as you noted, section 804 is designed to provide compensation to growers for crop losses due to several new and emergent pests and diseases, none of which may necessarily be a weather-related problem. Full implementation of section 804 is necessary for growers to receive compensation for these various problems.

FRUIT FLY EXCLUSION AND DETECTION PROGRAM

● Mrs. FEINSTEIN. Mr. President, I rise today with the chairman and ranking member of the Agriculture Appropriations Subcommittee to discuss one of the greatest threats facing California growers and farmers across the nation—infestations of disease-carrying pests which can potentially destroy entire crops. Just this past year, California has been victimized by a number of pest infestations that have resulted in significant quarantine and eradication programs. California's $1 billion nursery industry is being threatened by red imported fire ants. The $2.8 billion grape industry faces complete destruction due to an infestation of the glassy winged sharpshooter which spreads Pierce's disease, and there is no known cure.

Mr. KOHL. I am aware of concerns expressed by the senior Senator from California that several months ago a 72 square mile quarantine affecting 1,470 growers of at least 20 specialty crops

was finally removed. I am told that no pre or post harvest treatment for many of these crops was provided by the USDA and that two fruit flies caused almost 150 growers to loss virtually their entire harvest, costing almost $3 million. The Fiscal Year 2001 Agriculture Appropriations Bill contains language directing the Secretary of Agriculture to use funds from the Commodity Credit Corporation to compensate these growers. I expected that this assistance will be provided in a timely and efficient manner.

Mrs. FEINSTEIN. I appreciate both the chairman and ranking member's willingness to work with me on this issue. Due to this loss of income, a number of growers are currently unable to pay their bills or prepare for next year's crop.

This assistance is desperately needed, but I believe that more emphasis must be placed on preventing future infestations. I am heartened to see that in Fiscal Year 2001, the USDA will hire 17 new agriculture inspectors for the San Diego ports of entry. This is a badly needed first step. We also need to increase the federal investment in California's Medfly Preventive Release Program. If California's fruits were quarantined from all foreign markets because of Medfly infestations, the State estimates that 35,000 jobs would be lost and economic output would be reduced by $3.6 billion.

Mr. COCHRAN. I understand the challenges facing California's growers. The Administration's budget request of $31.91 million for the Program earmarks only $300,000 for equipment and maintenance of the State's Preventive Release Program. The fiscal year 2001 Agriculture appropriations bill provides $32.61 million for the Fruit Fly Exclusion and Detection Program. The $700,000 above the Administration's request is to be used to enhance the release program and detection trapping in California.

Mrs. FEINSTEIN. Again, I thank the chairman and ranking member for their courtesy and understanding. On behalf of California's growers, I want to express my appreciation for your efforts to help shield the State from future fruit fly infestations.●

AMERICAN HERITAGE RIVERS

Mr. KERRY. Mr. President, I would like to clarify for the record the intent of language included under funding for the National Resources Conservation Service (NRCS) of the Agriculture Appropriation fiscal year 2001 bill. I want to point out that interagency coordination of federal resources is desirable and certainly something many of us have been supporting as a way to eliminate unnecessary activities and spending. We don't want to spend money in Washington duplicating positions and processes. We want money in the field helping local communities. The NRCS ''Conservation Operations'' and ''Watershed Surveys and Planning'' funding sections contain specific language that refers to the American Heritage Rivers Initiative, which is coordinated by an interagency committee to assist communities seeking technical assistance and opportunities for Federal grants. I would like to point out that this initiative has proven to work well for participating communities in my state and others.

Mr. L. CHAFEE. While the language in this conference report places a limitation on assistance by NRCS for activities related to the American Heritage Rivers, it should not be intended to penalize or disadvantage communities that seek or apply for grants and technical assistance. There is no specific limitation in this conference report that would preclude the NRCS from undertaking other authorized activities that are similar to those provided under the American Heritage Rivers Initiative. Would the Chairman and the Ranking Member agree with this interpretation?

Mr. COCHRAN. Yes.

Mr. KOHL. Yes, that is correct.

AMERICAN HERITAGE RIVERS

Mr. COCHRAN. Mr. President, the conference report includes funding for American Heritage Rivers program under the Conservation Operations and Watershed Surveys and Planning accounts of the Natural Resources Conservation Service, NRCS. Funding for this program is limited to that requested in the President's budget. It is my understanding that there are communities which are in the final stages of being included in the American Heritage Rivers program, including Vicksburg and Natchez, Mississippi.

It is not our intention to limit these funds to those communities that were included in the program when the budget was submitted. Further, if additional communities are added during fiscal year 2001, they should be eligible for all funds available for the American Heritage Rivers program. Also, technical assistance can be provided, without limitation, by the NRCS to farmers or communities in an American Heritage River designated area.

NATIONAL RURAL DEVELOPMENT PARTNERSHIP

Mr. CRAIG. Mr. President, first I would like to thank Chairman COCHRAN and Senator KOHL for the hard work they have put into the Fiscal Year 2001 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill. It is a challenging process, and they have done an excellent job balancing competing interests within the confines of a balanced budget.

I wish to engage in a colloquy with the distinguished Chairman of the Subcommittee regarding the funding for the National Rural Development Partnership (NRDP) and state rural development councils (SRDCs). As you may be aware, NRDP and SRDCs have always depended on allocations of discretionary funds from USDA and four other federal agencies. They have never had a stable and predictable source of funds.

Earlier this year, the Committee on Agriculture's Subcommittee on Forestry, Conservation, and Rural Revitalization, which I chair, held an oversight hearing on the operations and accomplishments of the NRDP and SRDCs. The Subcommittee heard from a number of witnesses, including officials of the U.S. Departments of Agriculture, Transportation, and Health & Human Services, state agencies, and private sector representatives. The hearing established the need for some legislative foundation and consistent funding. I was recently joined by 27 Senators in introducing legislation to accomplish this.

The legislation formally recognizes the existence and operations of the Partnership, the National Rural Development Council (NRDP) and SRDCs. In addition, the legislation gives specific responsibilities to each component of the Partnership and authorizes it to receive Federal appropriations.

This legislation was not passed in time for the FY2001 appropriations process, so funding is necessary to keep the program viable until the legislation can be passed. Mr. Chairman, it is my understanding that there is no funding earmarked or specified within the Agriculture Appropriations conference report for this program. However, the Secretary has made discretionary funds available for this program in the past and it is my hope he would continue to do so, and that we can encourage him in this regard, until freestanding legislation can be passed.

Mr. BURNS. I would like to join Senator CRAIG in support of the National Rural Development Partnership. This program is extremely important to states like Montana, where we have a large rural population and long distances between our towns. I would hope that the Secretary of Agriculture will continue to fund the NRDP and provide additional funds for the future expansion of this very important program.

Mr. GORTON. Washington state's rural communities have also benefited by the National Rural Development Partnership, particularly those regions that have been forced from their natural resource-based economies. For the sake of those who have come to rely on the NRDP, I would sincerely hope the Secretary of Agriculture would take into consideration the few remaining resources available to these communities when allocating discretionary funds in the future.

Mr. JEFFORDS. I would like to echo my colleagues' support of the National Rural Development Partnership and its affiliates, state rural development councils. These councils, in Vermont and over 35 other states, are playing an important role bringing together the many governmental and non-governmental entities that work to improve conditions in rural areas. I sincerely hope that Secretary of Agriculture will continue to support this program while authorization legislation is finalized by the Congress.

Mr. COCHRAN. I commend the Senators for their interest in this program.

I want to assure the gentlemen that it is the Committee's belief that the Secretary of Agriculture should continue to provide funding from discretionary amounts for this program.

THE INITIATIVE FOR FUTURE AGRICULTURE AND FOOD SYSTEMS

Mr. HARKIN. Mr. Chairman, I note the language in the bill specifying certain institutions that may receive grants under the Initiative for Future Agriculture and Food Systems. I would ask the distinguished chairman if it is his understanding that the program may continue to be carried out in the same manner as during fiscal year 2000 as authorized by law.

Mr. COCHRAN. This language does not intend to create any additional restrictions beyond the restriction on which institutions are eligible to receive grants.

SOLID WASTE MANAGEMENT GRANT PROGRAM

Mr. WELLSTONE. Mr. President, I ask consent to engage in a colloquy with my colleague, Senator KOHL, the ranking member of the Appropriations Subcommittee on Agriculture, Rural Development and Related Agencies. In particular, I would like to discuss the Department of Agriculture's solid waste management grant program, funded as a line item within the utilities section of the Rural Community Advancement Program. Authorized in section 310B(b) of the Consolidated Farm and Rural Development Act, these grants allow public agencies and nonprofit organizations to provide technical assistance to local communities for reducing water pollution and improving solid waste management.

I ask the Senator, whose State is a neighbor of mine, whether he agrees with, and whether it is his understanding that the subcommittee would support, my urging USDA to direct up to $1 million of the solid waste management grants to the regional, nonprofit, technical assistance organizations known as Rural Community Assistance Programs. These organizations have done an outstanding job serving the smallest, poorest and hardest to serve rural communities in the Midwest and across the country. The Rural Community Assistance Programs are key partners within USDA's Rural Community Advancement Program. Their nationwide network of technical assistance providers—serving water and wastewater system needs for thousands of rural communities—is highly qualified and well placed to improve the effectiveness of rural solid waste management.

For example, the regional Rural Community Assistance Program which serves my State of Minnesota is the Midwest Assistance Program (MAP). Based in New Prague, MN, MAP serves nine midwestern States. The organization has carried out solid waste projects in collaboration with USDA, the Indian Health Service, and with individual tribes in communities throughout the region. MAP is now beginning to target assistance to Minnesota communities for the development of small transfer stations, to improve recycling and better manage solid waste.

Mr. KOHL. Mr. President, I appreciate the Senator's attention to this issue. He is correct to point out the positive role of the Rural Community Assistance Programs in helping carry out this and other important activities in rural areas. The Senator is aware that the President requested $5 million for these solid waste grants for fiscal year 2001. But whereas there is a general acknowledgment of the effectiveness of the program, we are abe to fund the program only to a level of $2.7 million in this bill, due to broader fiscal constraints. In view of that limitation, I think the Senator is correct to urge the Department to give special consideration to those very small, often poor, rural communities which can be the hardest to serve. For that reason, I agree, and I believe the subcommittee would agree, that the Department should be urged to consider directing up to $1 million of the solid waste grants to the regional Rural Community Assistance Programs, which have an excellent record of serving such communities.

Mr. DODD. Mr. President, I rise today to speak once again about the Agriculture appropriations conference report, and specifically to comment on two major provisions that cause me grave concern. One relates to several aspects of U.S.-Cuba policy, and the other to the reimportation of prescription drugs from abroad. I spoke on October 6, when the language first became public, at some length about my opposition to the Cuba provisions in the conference report. At that time, I also expressed support for other provisions of this legislation that dramatically loosen the licensing and financing restrictions on sales of food and medicine to other countries that have been designated as terrorist states—North Korea, Iran, Sudan, and Libya.

I continue to find it appalling that Cuba has been singled out for more restrictive treatment than the other countries I have just mentioned, who are far more of a potential threat to U.S. foreign policy and national security interests than Cuba has ever been.

I would call my colleagues' attention to a remarkable photo that appeared on the cover of the the New York Times on October 11. This photo showed President Clinton meeting with high ranking North Korean General Jo Myong-Nok—the first official meeting of its kind in more than 50 years. The purpose of the general's visit to Washington was to begin a dialogue on ways to enhance relations between our two countries. Secretary Albright has announced she will visit North Korea in the next several weeks. And I won't be surprised if President Clinton also decided to go there before leaving office. How the world has changed.

Let me be clear. I am not opposed to diplomatic efforts to ease tensions on the Korean Peninsula. But I think it is fair to say that North Korea, with its missile programs and hostile government, represents a much greater threat to the United States than Cuba. Cuba no longer seeks to export revolution to its neighbors and is no longer financed by the Soviet Union. Yet there have been no high level meetings of Cuban and American officials held to explore the possibility of improving relations between two close neighbors. In fact, it has been quite the opposite—no one above the rank of Deputy Assistant Secretary in our government can visit Havana or conduct discussions with Cuban officials about such matters. To say that our policy is incredibly skewed when it comes to matters related to Cuba is an understatement.

Emotions and raw domestic politics prevent us from having normal discourse with a small island 90 miles off our coast while, at the same time, we are trying to normalize relations with communist North Korea. A contradiction? I think so.

We cannot have our cake and eat it too. By singling out Cuba for highly restrictive treatment, while throwing the door wide open for countries like Iran and Sudan, we are casting ourselves as hypocrites in the realm of foreign policy, and we are arbitrarily rewarding one oppressive regime while castigating another.

American farmers will not be deceived for very long by supporters of this language who are assuring them that they will indeed be able to sell their crops in Cuban markets. It will quickly become apparent the first time they try to put together a deal that the complexity of the law makes it virtually impossible to complete a sale to that country.

Furthermore, the codification of existing travel restrictions on Americans wishing to travel to Cuba is shameful and irresponsible. By passing this bill, we take away the administration's discretion to grant licenses on a case-by-case basis in circumstances that do not fall into the now codified categories of permissible travel, significantly harming our ability to work to change Cuban society. These restrictions are unfair, hypocritical, and inexplicable to average Americans who believe that their right to travel is a fundamental freedom enshrined in the Constitution.

I also take issue with another major provision that was jammed into this legislation by the Republican leadership—I am speaking of a provision which will allow the reimportation of pharmaceuticals from foreign countries back into the United States. This provision is of concern for several reasons, not the least of which is that it ignores the larger question of whether Congress is going to give all seniors an affordable, reliable drug benefit through Medicare. This provision is far from a comprehensive solution to the very real problem millions of seniors face all over the country in affording their medicines. It is my hope that the

enactment of this legislation does not distract us from working toward the goal of providing all seniors with real Medicare drug coverage.

Having laid out my objections, I must state that I am prepared to vote for this bill because it contains funding for many programs that are beneficial to American families and American farmers. These provisions include financial relief for hard hit farmers who have suffered economic and natural disasters, funding for the Women, Infants, and Children Program for school lunches, and food stamps for our less fortunate. These are all vital programs and deserve the support of this body.

The situation we find ourselves in today speaks volumes about those who would slip objectionable language into a bill as important as this one and put in jeopardy its passage. Fortunately, the legislative process does not end with the passage of a single bill. Next year I will be back in this Chamber seeking to put our relations with the Cuban people on the same footing as those of other peoples around the world, and to restore every American's right to travel freely—even to Cuba if they so choose. I will also be working to enact truly meaningful legislation that will ensure that prescription drugs are available and affordable for every American family. These issues are not going to go away with the adjournment of this Congress and in time, reason will prevail on these matters. The American people will demand it.

Mr. CRAIG. Mr. President, I rise in support of the FY2001 Agriculture Appropriations bill. First I would like to thank Chairman COCHRAN and Senator KOHL for the hard work they have put into the Fiscal Year 2001 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill. It is a challenging process, and they have done an excellent job balancing competing interests. While I don't agree with everything in this bill, I believe this bill provides vital funding for several programs in my state and across the nation.

This conference report includes much needed emergency spending to deal with the fires and drought in the West. As you all know, the West was hit hard this year by wild fires. In Idaho alone over 1.2 million acres were burned. I visited a ranch where, within a couple of hours time period, a fire had destroyed the rancher's business. Of this rancher's 800 head of cattle, close to 600 were killed or had to be destroyed because they were so badly burned. I think this is an emergency, and it is only right that Congress provide funding to assist producers who have been impacted by such a natural disaster. That is why I support the livestock indemnity payments included in this conference report. Ranchers that were lucky enough to get their cattle out of the fires path are now searching for feed for their cattle and are working to rehabilitate the pastures that were destroyed. This conference report helps them by providing livestock feed assistance, as well as Emergency Conservation, Watershed and Flood Prevention Operations and Pasture Recovery Program funding to help defray the costs of rehabilitating the pasture lands. I also support this.

However, I do not believe that all of the spending called emergency in the conference report is really emergency. I am disappointed to see the size of the emergency spending as well as some of the authorizing contained in this conference report. This and some of the other bills represent a bad omen for the future. We need to have a realistic budget resolution every year and we need to enforce it. We need fiscal discipline to maintain an adequate surplus. We will need that surplus to protect and modernize Social Security, to save and reform Medicare, to meet high priorities we know will be there in defense and other areas, and to provide some relief to the most heavily taxed generation in American history.

The bills we are considering at the end of session do not represent a disaster but they are a bad start in terms of planning for our future. I am not pointing fingers. I think our current process is not responding well to the new idea of surpluses. But we need to start now to do a better job.

I am also concerned with some of the legislative provisions contained in this bill. I do not support a rollback of welfare reform, and I am concerned that some of the provisions contained in this conference report are a start at doing just that. While I am strongly opposed to these provisions, this bill contains many things that benefit my state as well as help that is sorely needed. On balance, I have been forced to conclude that I cannot, in good conscious vote against this bill even though I do not agree with each and every item included in this conference report.

I hope the Senate passes this bill today and the President signs it into law. However, I hope that we will reform the process so next year we are not in the same situation we find ourselves in today.

Mr. HARKIN. Mr. President, I would like to make a few more points on the hunger relief provisions.

The centerpiece of this package would allow states to reform their treatment of cars and trucks when determining whether a household meets the food stamp resource eligibility limits. Rural families need to look for and travel to employment, to get groceries, and for a host of other purposes. Rural roads and seasonal driving hazards make a dependable vehicle a real necessity. Particularly in an era of welfare reform, we should not be forcing households to choose between reliable transportation and needed food assistance, as current rules effectively do.

States have recognized this, and a great many of them have greatly reformed their treatment of cars in their TANF-funded programs. This is particularly true of the first car that a household has. Under this provision, states would be free to apply a more realistic TANF policy to a household's primary vehicle even if its policy is to exclude that vehicle completely from evaluations of the family's resources. If the household had an additional car or truck and its TANF policy was stricter than food stamp rules for second vehicles, that additional car or truck should then be evaluated under the usual food stamp procedures.

This change in the law gives a state the broadest flexibility to adopt a policy that effects vehicles from any assistance program it operates under the TANF statute. The Secretary has appropriately interpreted similar language already contained within the Food Stamp Act as applying to any program that receives support either from federal TANF block grant funds or from the funds that the TANF statute requires states to spend as ''maintenance of effort'' in order to draw down the TANF block grant. A similar construction is appropriate here. All that would be required is that the program get TANF block grant or maintenance of effort funds that it provide a benefit that can meet the definition of assistance, not necessarily cash assistance. For example, a state could apply the policy it uses in a child care program because HHS's regulations define child care as assistance when provided to non-working families.

Once a state decided to apply the policies from a state program to evaluating cars for food stamp purposes, those policies would apply to all food stamp households in the state, whether or not they receive or even are eligible to receive TANF benefits of any kind.

The other Hunger Relief Act provision would raise the cap on the food stamp excess shelter cost this March and then adjust it for inflation beginning October 1, 2001. The shelter deduction reflects the commons sense principle that the same money cannot be spent on both housing costs and food. It provides that when a household is spending more than half of its income on food or mortgage, utilities, and similar costs, the amount of those costs that exceed half of its income will be deducted when calculating how much the household can be expected to be able to spend on food. The shelter deduction is also important in rural America, in part because fewer people in rural communities receive housing subsidies and in part because housing costs can easily exceed half of the relatively modest wages that some low-income families receive in rural areas.

Unfortunately, the shelter deduction is arbitrarily capped at $300 for households that do not contain an elderly or disabled member. This means that low-income families that are not getting housing subsidies and that are struggling under the burden of extremely high shelter costs are getting unrealistically low food stamp allotments.

This provision should help, in particular by making sure that the cap does not lose ground to inflation. I hope that in reauthorization, we can revisit this issue and fully provide fair and equitable treatment to these hard-pressed households the vast majority of which have children.

Mr. DORGAN. Mr. President, I want to take a few moments to share my thoughts on the prescription drug reimportation provision included in the Agriculture appropriations conference report before the Senate. As my colleagues know, I have been concerned for a long while that American consumers are charged two to three times more for prescription drugs than consumers in other countries pay. In fact, in June of 1999, I introduced bipartisan legislation, the International Prescription Drug Parity Act, to address this unfair pricing situation by allowing U.S. pharmacists and drug wholesalers to reimport FDA-approved prescription drugs from other countries at a fraction of the cost.

Ten months ago on a cold, snowy day, I accompanied a group of North Dakota senior citizens and pharmacists on a trip to Emerson in Manitoba, Canada. Emerson, Canada, is a tiny one-horse town just 5 miles from the North Dakota-Canadian border. In Emerson, I watched as my North Dakota constituents saved hundreds of dollars each on the exact same prescription drugs available to them in the United States.

One of the folks who went with me was a 70-year-old Medicare beneficiary from Fargo, ND, named Sylvia Miller. Sylvia has diabetes, heart problems, and emphysema, and she takes at least seven different medications each day for her various ailments. Sylvia told me that last year she received $4,700 in Social Security benefits and paid $4,900 for her prescription drugs. ''Things don't add up, do they?'' she asked.

By making the short trip across the border to Canada, Sylvia was able to cut her monthly prescription drug bill in half. As Sylvia said in a Fargo Forum article about this trip, ''It sure would be nice if I could just go over to my own drug store and get those prices.''

Sylvia couldn't be more right. No American should be forced to travel to Canada or Mexico just to get more affordable prices for his or her prescription drugs. Yet a prescription drug that costs $1 in the United States costs only 64 cents in Canada, 65 cents in Great Britain, 57 cents in France, and 51 cents in Italy. Those price differences compel many senior citizens who are struggling to pay for their medications and make ends meet to leave the United States to get lower prices elsewhere.

Time and again over the last several years I have been asked by North Dakota consumers why the global economy doesn't work when it comes to prescription drugs. Why can't local pharmacists travel to Canada to buy these same medications at the lower prices and pass along the savings to their customers? Good question.

The answer is that, under current Federal law, only the pharmaceutical manufacturers can reimport prescription drugs into the United States from another country—even though these drugs were originally made in America and approved by the Food and Drug Administration. The lack of competition in the U.S. marketplace has created a situation in which the big drug companies can charge American consumers the maximum the market can bear. And if their 18 percent profit margins are any indication, that is exactly what the drugmakers are doing.

During the Senate's debate on the Agriculture appropriations bill, Senator JEFFORDS and I, along with Senators WELLSTONE, GORTON, and others, offered an amendment to allow U.S. pharmacists and wholesalers to reimport FDA-approved prescription drugs from Canada, Mexico, and other countries where these medications are sold at a fraction of the price. Our amendment included appropriate safeguards to ensure that only safe and effective FDA-approved medications, made in FDA-approved manufacturing facilities and for which safe handling could be assured, would be imported. This amendment was passed overwhelmingly by the Senate by a 74–21 vote.

The House also overwhelmingly passed amendments to the Agriculture bill back in July that would have allowed for prescription drug importation, although without the safety measures adopted in the Senate. Normally at this point, a House-Senate conference committee would have begun meeting to iron out the differences between the House and Senate bills. This year, however, most of the details were worked out behind closed doors and without the involvement of most of the members of the conference committee. As a result, many of us who have been working on prescription drug importation legislation for nearly 2 years were shut out of the negotiations.

I am very disappointed with the route that the House and Senate leadership took to develop the final reimportation language. When the Agriculture Appropriations Conference Committee, on which I served, met, the conferees were presented with final language that had been negotiated largely among only the House and Senate majority leadership. While this language is similar to the Jeffords-Dorgan amendment passed in July, there are some changes in the language. Some of these changes represent improvement, but some changes were not made that should have been.

I share in my colleagues' disappointment that some of the changes that I and others proposed, which would have improved this provision, were not included in the final language. After the Senate passed the Jeffords-Dorgan amendment, a few changes were brought to our attention that would help to ensure that our amendment meets the goal of achieving lower prices for American consumers. Therefore, during the conference, I tried to strengthen the final language in a few key areas.

The changes I proposed would have provided greater certainty that this approach would meet my goal of lowering drug prices for American consumers, but unfortunately they were rejected. First, the FDA suggested, and I agreed, that we should require the drug companies to provide importers with the FDA-approved labeling. I think it is pretty indisputable that I, as well as the other authors of the various prescription drug importation bills, intended all along for imported products to be FDA-approved, including having the appropriate labeling. I would prefer that the final provision make this explicit. However, I believe the final language, which gives the Secretary of Health and Human Services new authority to do whatever she believes is necessary to facilitate importation, provides the needed authorization to accomplish this end through the regulations implementing importation. It is my hope that the Secretary who implements this provision will write strong rules to ensure that reimportation will succeed in giving Americans access to safe, cost-effective medicines.

Second, Congressman WAXMAN and others pointed out that drug companies could prevent reimportation from occurring by requiring their foreign distributors to sign contracts promising not to re-sell their products to U.S. importers. To address this concern, the final provision includes language not in the original Jeffords-Dorgan amendment to prevent the drugmakers from entering into agreements with their distributors that would have the effect of preventing reimportation. Here, too, I wish that this language were stronger and broader, and I unsuccessfully proposed strengthening it.

I have no doubt that the drug companies are already searching for ways to thwart this legislation. If the drug manufacturers do take steps to clearly and purposefully circumvent this legislation, I personally am committed to closing any loopholes or taking another tact altogether to achieve fairer drug prices for American consumers.

Let me make one final point. I think this legislation sends an important message to the big drug companies that Congress will no longer tolerate unfair prescription drug prices. But this legislation is just one step, and it is no substitute for adding a prescription drug benefit to the Medicare program.

I have been saying all along that we have a two-prong problem with prescription drugs in this country. First, prescription drugs cost too much, and I have been fighting for a strong reimportation provision so that we can put pressure on the drug companies to lower their prices. Second, there are

too many Medicare beneficiaries who have no prescription drug coverage, and they need it. When the Medicare program was created in 1965, prescription drugs weren't the significant part of the practice of medicine that they are today. Congress must modernize the Medicare program by creating a prescription drug benefit in Medicare, and we should do it this year.

Mr. BROWNBACK. Mr. President, I rise today to put on the record my concerns about numerous provisions contained in this year's conference report of the Ag appropriations bill. Specifically, I am greatly concerned that this year's bill single-handedly turns back a number of reforms made by the 1996 farm bill and moves us further away from an agriculture policy that looks to the markets rather than government for survival. The danger of following such a philosophy is that government is not likely to have the will to sustain the ag industry indefinitely, so that when the political will to support agriculture dries up, there will be massive calamity.

There are legitimate ag emergencies occurring in the country right now. My family is still on the farm, Kansas is the 4th largest agricultural-producing state in the Nation—and I myself served as Secretary of Agriculture for the State of Kansas before coming to the U.S. Senate. I am not here to find fault with providing additional aid to farmers. Indeed, it is in our national interest to do so. My problem is not with the concept of government assistance to farmers—but rather in the shape this assistance is beginning to take—especially this year.

Specifically, I am referring to the treatment of pet commodities like sugar and tobacco—which have been exempt from the market-oriented reforms faced by most other commodities—including the wheat growers of my state, for example. These reforms were set forth in 1996 to move farmers closer to the market. Some of my Democratic colleagues have accused us of abandoning a financial safety net for farmers—I don't see how they can honestly make that claim since farm spending has gone up dramatically since the '96 law was enacted. The Congressional Research Service notes that program payments combined with emergency spending for calendar year 1999 reached $22.7 billion—the highest ever and we have continued to provide substantial support to our farmers in 2000—well above that which would have been allowed under previous farm bills. If this conference report merely continued this tradition of backing up the market-reforms of the 1996 farm bill, I would have no problem—but this conference report takes serious steps to undermine those reforms—and that is wrong.

This conference report contains a provision to change the 1996 farm bill language on marketing loans for sugar—now, instead of having to meet a certain threshold, non-recourse loans will be guaranteed for the next two years. This clears the way for additional payments to sugar producers on top of an already complex quota system which allows them to control the amount of imported competition. We don't do this for wheat, corn or soybeans—we should not do it for sugar.

One of the most egregious parts of this bill is language which will promote increased tobacco production from the same government which is trying to decrease domestic demand for tobacco products.

Currently, co-ops can and do purchase low quality or remaining tobacco not bid on by cigarette companies in order to artificially keep the price high. This bill will now allow the co-ops to then sell, this inferior tobacco to the government (through Commodity Credit Corporation funds). This measure is estimated to cost the government $510 million and cuts out flute-cured tobacco grown in North Carolina—which means there will likely be a similar fix that doubles the cost to the taxpayer.

After obtaining this left-over tobacco, the U.S. is not allowed to market this tobacco domestically for fear of displacing the controlled market and we will not be able to unload it on the world market due to restrictions about exporting tobacco and the already high amounts of world production that are much cheaper than this U.S. price-inflated tobacco—especially since this is the inferior ''left-over'' tobacco.

To make matters worse, this language prevents this government action from affecting the quota limits for tobacco growing. This means that once the oversupply is wiped out by selling excess tobacco to the government, tobacco quotas will increase and allow for the growing of more tobacco—which will lead to the need for another bailout next year.

For no other commodity do we have a situation like this: the U.S. government actively encourages a reduction in the use of tobacco, particularly by children—and now the same government is going to subsidize and encourage expanded tobacco production. This is one of the worst market-distorting abuses I've ever seen—at a time when we have repeatedly told farmers of most other commodities to turn toward the market and adjust to the new world economy.

Unfortunately, the Senate does not have the opportunity to vote on these measures—we are forced to vote for these offensive programs because they are tied to an agriculture appropriations bill which is so important to our Nation—which provides a measure of unilateral sanctions reform many of us in this body have fought for—for years. This is no mistake—the numerous faulty measures contained in this bill were added at the last minute in conference—precisely because they would never pass on their own, nor should they.

It is truly a disappointment that the conference report to such an important bill contains the very means to undermine the market reforms this Congress has pushed for, because of the interests of a few.

This bill is a very important one—and just as the conference predicted, it is too important for me to vote against—but I fell compelled to express my frustration, and my disappointment in this process—and the hypocrisy it creates.

Mr. MCCONNELL. Mr. President, I want to express my support for the FY 2001 Agriculture Appropriations bill and offer my support for the prescription drug reimportation provisions included in this conference report. While I do not believe the provisions are perfect and I continue to have grave concerns about the so-called ''non-discrimination'' language, I believe this final product represents a good faith compromise which will meet the needs of the American people.

However, I would like to emphasize that my support for reimportation was and remains contingent upon the legislation specifically ensuring that any prescription drug reimported from another country meets all of the United States' safety standards. In other words, our citizens must remain confident that their prescriptions will be filled with products that are safe and effective. In particular, I am pleased that under these provisions, FDA must issue regulations requiring that reimported products be FDA-approved drugs that meet all of the conditions of the New Drug Application, or NDA. It is especially important to maintain our gold standard of drug quality, that all such products comply fully with what FDA calls the ''chemistry, manufacturing, and controls'' portions of the NDA. Compliance with these requirements assures that the drugs not only have the necessary ingredients but also have been manufactured according to the same specifications as the domestic drug product, and the same high-quality process.

I respectfully ask unanimous consent that several letters outlining concerns similar to mine be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, September 28, 2000.

Dr. DAVID A. KESSLER,
Dean, Yale University School of Medicine,
New Haven, CT.

DEAR DR. KESSLER: On June 29, 1999, you were kind enough to write me regarding the dangers of weakening provisions of the Prescription Drug Marketing Act (PDMA). I am now in receipt of your recent letter to Senator Dorgan, which is supportive of significant changes to PDMA. I continue to see real risk in making those changes, so I would appreciate your insight as to how safety can be assured.

Your June letter cited my multi-year subcommittee investigation of re-imported prescription drugs which demonstrated that

adulterated, misbranded, and counterfeit drugs were entering the U.S. market, posing as American-made. You noted that the problems found in our investigation were addressed by PDMA provisions designed to prevent the ''introduction into U.S. Commerce of prescription drugs that were improperly stored, handled, and shipped'' and to reduce ''opportunities for importation of counterfeit and unapproved prescription drugs.'' Your letter went on to state, ''In my view, the dangers of allowing re-importation of prescription drugs may be even greater today than they were in 1986. . . . I know of no changed circumstances that require either a shift in FDA policy or the passage of legislation to repeal PDMA's prohibition on re-importing drugs. Furthermore, I believe that such a repeal of change in policy would re-create the substantial public health risks PDMA was designed to eliminate.''

Your September letter now says, ''if FDA is given the resources necessary to ensure that imported, FDA-approved prescription drugs are the authentic product, made in an FDA-approved manufacturing facility, [you] believe the importation of these products could be done without causing a greater health risk to American consumers that currently [exists].'' Unfortunately, much of your confidence seems to not only be dependent on whether FDA will in fact receive those additional resources, but also whether FDA can in reality undertake the very tasks that were not being done before the PDMA was signed into law.

While FDA has indeed argued that it will need substantial additional resources to undertake this monumental new task, I am not convinced it has done a thorough analysis of what this undertaking will actually cost. For example, while FDA has provided the Committee with a cursory three-page document on expected budgetary needs (approximately $23 million for the initial ramp-up years, and approximately $90 million for succeeding years), I remain concerned at the lack of specificity in FDA's effort. When asked by Committee staff for the actual work papers supporting the assumptions made in this document, staff was told that no such supporting documents even exist.

Moreover, certain FDA assumptions reveal other concerns. For example, on page two of its document, FDA mentions that, ''[g]iven the expectation that criminal activity will increase with implementation [of the proposed plan], it is expected that investigations and other supporting laboratory work would increase.'' FDA clearly recognizes that additional criminal elements will attempt to undermine the very ''medical armamentarium'' you refer to in your letter.

In short, Dr. Kessler, the caveats in your letter raise several questions on which I would appreciate your help:

(1) A June 8, 2000, hearing by the Subcommittee on Oversight and Investigations of the Committee on Commerce revealed that FDA is now substantially behind in their inspections of foreign firms that ship drug products into the U.S., and that much of this lag can be attributed to the same resource constraints that plagued your tenure at FDA. You point out that the success of the proposed legislation hinges directly on whether FDA is properly funded. Did the FDA adequately fund foreign inspections during your tenure as Commissioner? Do you believe FDA will actually receive the full amount necessary to competently address the burdensome new tasks imposed by this legislation, particularly given that FDA is already not afforded enough resources to presently oversee the production, movement, and final delivery of drug products now sent to the U.S. from foreign sources? What might happen if sufficient resources are not available?

(2) On a recent trip to China to investigate issues relating to both FDA foreign inspections and pharmaceutical counterfeiting, committee staff were told by several security officials that counterfeit material is often mixed into shipments of legitimate products, as an additional tactic to elude regulators. Thus, rather than entire shipments being counterfeit, in some cases, only a part of a total shipment may be illegitimate. Would batch testing which is what the proposed legislation envisions as the primary test to determine authenticity, be a reliable method for protecting the U.S. consumers from potentially rogue and dangerous counterfeit drugs? If a batch test were only to test the legitimate product, how, under this legislation, will a portion of counterfeit material be detected? Is there a methodology for doing this? Finally, FDA has long argued that quality assurance cannot be ''tested'' into a system (hence, the purpose behind the current foreign inspection program), which is why they have rejected batch testing as a final test for finished product and bulk materials sent to the U.S. Do you believe that batch testing will suitably meet the same stringent safety requirements long relied upon by the agency?

(3) As you are aware, the PDMA, and the implementing regulations established standards for storage and handling of medicines as they move from a manufacturer to a retail pharmacy. These provisions were enacted because pharmaceuticals are very sensitive to various environmental factors, and drugs are thus packaged under controlled conditions. Storage of pharmaceuticals under extreme environments, as you know, can lead to premature deterioration of the drug. As the testing requirements for product degradation called for in the Jeffords amendment will provide information on drug potency at the point a test is conducted (and not across the shelf life of the drug), there is no guarantee that a product imported from another country will arrive with roughly the same shelf life as envisioned by the manufacturer. If drug products have been subjected to temperature extremes while being shipped or stored, or are improperly repackaged, the medicines could not be guaranteed to meet its specifications up to the expiration date. On the recent trip to China, committee staff was told by a security official that he has seen one batch of drug product literally circle the globe several times, over the course of more than a year, including being stored in temperatures in excess of 40 degrees centigrade, before ultimately being bought by an importer. Imported drugs will require repackaging and relabeling (so that the imported product conforms with an FDA-approved and required dosage form, packaging, and product labeling for the American market), so there is a very real chance that an American patient will unknowingly receive pharmaceuticals that are not fully efficacious because of premature loss of potency. Do you agree with this assessment? Specifically, how can these very real and potentially dangerous possibilities be dealt with in this legislation or its implementation, so that we can ensure that the health and well-being of American patients is not compromised?

(4) As you know, in the United States, pharmaceutical recalls are initiated by manufacturers because a manufacturer can quickly and efficiently, through its wholesale distribution system, located products. In the case of imported drug products under the proposed amendments, a manufacturer may not have a systematic way of knowing where a drug originated, or even if a product has been transshipped to multiple countries before entering the United States. The Jeffords amendment allows not only for a drug to be shipped through multiple foreign locations, but also for a drug to be transferred among any number of intermediaries. Because of the likelihood of repackaging, it is not even certain that the product will be labeled with the original manufacturers lot number. How can a manufacturer's recall be administered efficiently and effectively under these new conditions?

I appreciate your attention to this matter. In light of the major public health implications associated with loosening reimportation restrictions, I daresay that we will be corresponding well into the future on these issues.

Sincerely,

JOHN D. DINGELL,
Ranking Member.

SEPTEMBER 20, 2000.

Hon. JOE SKEEN,
Chairman, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, Committee on Appropriations, Washington, DC.

DEAR JOE: As you know, the House adopted two amendments to the Agriculture Appropriations bill relating to the reimportation and importation of pharmaceutical products from abroad. I voted against both these amendments and remain concerned about the potential impact of these proposals on the health and safety of American consumers and the future integrity of the U.S. drug supply.

While the House amendments were characterized as simply providing for the personal importation of pharmaceuticals for personal use, they actually go beyond this to reverse longstanding policy in this regard. In my view, such an important change with implications for American consumers should not be implemented through the appropriations process. Such changes warrant careful thought and deliberation through the regular legislative process.

I recall the congressional investigation in the mid-1980's that led to the enactment of the Prescription Drug Marketing Act and current ban on pharmaceutical reimportation. At the time, there was considerable evidence of both the counterfeiting and diversion of pharmaceutical products outside the United States. I do not believe that the situation has changed. In fact, it may have become worse with the advent of Internet purchases. I agree that seniors need help paying for their prescription drugs, and voted for our plan to do that. But now is not the time to weaken the rules that have protected American patients for more than a decade.

I urge you to address these concerns by dropping these provisions from the Agriculture Appropriations bill in conference.

With best personal regards,

Sincerely,

BILL ARCHER.

Mr. HATCH. Mr. President, I appreciate the many long hours of work by my colleagues on the Agriculture Appropriations Subcommittee to develop this legislation. I admire the efforts of my friend and colleague, Senator COCHRAN. I believe we all owe him our gratitude for his leadership on behalf of our nation's agriculture industry, including its small family farmers and ranchers. I am well aware that putting these bills together is never easy and seems recently to be an almost thankless task.

There is much in this bill worthy of enthusiastic support. I am particularly pleased that the conferees have included a number of provisions that will

benefit farmers and ranchers in the West.

For example, the entire West will benefit from pasture and forage research that is funded by this bill. The information we obtain from this Utah State University program not only makes our livestock producers more efficient, but also contributes significantly to the health of our pasture lands in the West.

Another important contribution to research in the conference report is the funding for Utah State's Poisonous Plant Laboratory. The effort to fight noxious weeds in the U.S. will receive a significant boost as this important facility is finally upgraded. Some people chuckle when they see a program to fight noxious weeds. But, I can assure my colleagues that this is no joke. If you have ever seen a crop overrun with these weeds, you would know that we need to continue our research efforts to come up with safe and effective means to fight them.

The environment also benefits by this bill's continued funding for the Colorado River Basin Salinity Control Program. This is particularly important to farmers within the vast Colorado River Basin, who must shoulder much of the burden for minimizing agricultural runoff into the Colorado River. The Salinity Control program is good for farmers, good for the environment, and good for the fish species in the river.

Also important to Utah agriculture, Mr. President, is the funding this bill provides to compensate farmers for losses due to the infestation of grasshoppers and Mormon crickets. For the last couple of years, farmers in Utah and other Western states have faced one of the largest infestations on record. I am very pleased that Congress has seen fit to provide these farmers with relief. You wouldn't think that these little insects could do so much damage, but they do. This funding is important to those in my state who have suffered terrible losses.

Finally, Mr. President, I have often reminded my colleagues that Utah is the second driest state in the Union. Utah's farmers understand better than most that water equals life. For that reason, I am pleased that this bill will help to protect the Long Park Reservoir by providing technical and financial assistance to shoring up this important source of water.

Mr. President, these are just a few of the programs funded by the conference report that will benefit Utah's farmers.

I am also proud to say that I worked with Senator COCHRAN and Senator DURBIN to increase the amount of funds available in FDA's Office of Generic Drugs. When generic drug applications languish at FDA, it is the public that loses, and these additional resources will be a needed shot in the arm. They will enable the FDA to process these applications more quickly and get generic drugs to consumers faster.

This is a momentous piece of legislation, which is why I think it is unfortunate that it is being made a vehicle for an unrelated proposal that is poor policy and that would undoubtedly have been the subject of considerable debate should it have come to the floor as a free-standing bill.

Mr. President, I must register my severe reservations about the drug importation provisions that have been inserted in the Agriculture appropriations conference report.

I commend Senator COCHRAN for his attempts to improve some of the more egregious features of the controversial pharmaceutical importation provisions that have been slipped into this appropriations bill. But, these mitigation measures do not go far enough to correct what I consider the proposal's principal flaw.

My first and foremost concern about this proposal is patient safety.

I have been around here long enough to gauge momentum and count the votes. I know that the reimportation provisions have been wedged in a must-pass, year-end appropriations bill—one that forces me to choose between supporting a bill that does much to help Utahans and opposing a bill that contains one bad, albeit popular, idea.

But before we adopt this reimportation measure, which has not been the subject of a committee mark-up in either the Senate or House, let's at least stop for a moment and think about the type of risk we are placing upon the American people.

Although I do not see eye-to-eye with Congressman JOHN DINGELL on every, maybe even most, issues, I always respect his views. And, I recognize his many impressive efforts when he chaired the Oversight and Investigations Subcommittee of the House Commerce Committee. In fact, it was the Dingell Oversight and Investigation Subcommittee's investigation into the foreign drug market that led to the enactment of the 1988 Prescription Drug Marketing Act. I was proud to help shepherd this legislation through the Senate.

The good news is that the PDMA law helps prevent pharmaceuticals that are mislabeled, misbranded, improperly stored or shipped, beyond their shelf life, or even bald counterfeits from entering the United States from abroad.

The bad news is that the legislation we are being asked to adopt today will unravel essential elements of the PDMA, which currently controls importation of pharmaceutical products into the United States.

As the committee report accompanying the PDMA stated:

> (R)imported pharmaceuticals threaten the public health in two ways. First, foreign counterfeits, falsely described as reimported U.S. produced drugs, have entered the distribution system. Second, proper storage and handling of legitimate pharmaceuticals cannot be guaranteed by the U.S. law once the drugs have left the boundaries of the United States.

Congressman DINGELL has also commented on the pending legislation. I am sad to say that this assessment may turn out to be prophetic. As my Democratic friend, Representative DINGELL, succinctly summarized the situation: ''Make no mistake. This reckless legislation never went through the committees with expertise or experience in these matters. It is going to lead to needless injuries and death.''

As chairman of the Judiciary Committee which has jurisdiction over counterfeiting, I am concerned that our members have not had an opportunity to make a careful study, in collaboration with the Drug Enforcement Administration, of the potential for this language to increase the flow of counterfeit drugs. The World Health Organization has issued several reports that have detailed the international scope of the counterfeit pharmaceuticals problem.

Some might question how Congress could enact legislation that could endanger the health and safety of the American people. As I have argued previously on the floor of the Senate, even the best of intentions in trying to lower drug prices surely can't be adequate justification for sacrificing patient safety.

I recommend a critical reading of the transcript the October 3, 2000, House Commerce Committee Oversight and Investigations Subcommittee hearing on the important issue. I think a fair appraisal of this transcript warrants a conclusion that FDA already has its hands full in the policing the relatively limited area of PDMA-permissible imports.

Based on what we learned at the October 3 hearing, if Congress adopts, and the President signs into law, these new, greatly liberalized reimportation rules, it is difficult to see how the Secretary of Health and Human Services or the Commissioner of Food and Drugs will be able to handle the tremendous responsibilities imposed upon them in this provision.

One of the points that came out of the hearing during the testimony of the Commissioner of Food and Drugs, Dr. Jane Henney, is that there are at least 242 manufacturers spread across some 36 countries that appeared to have exported drug products to the United States but that did not have a current FDA inspection. This is like playing Russian roulette with the public health.

At this same hearing, the Commissioner of Customs, Mr. Raymond Kelly, testified that there are some 301 ports of entry that must be watched by the Customs Service. And keep in mind that this is the situation under the current statutory framework where it is difficult to import drugs into the U.S. Imagine the catastrophic possibilities if we adopt a law that loosens the reigns on importation of drug products into the United States.

The House hearing brought out the fact that it is not only manufacturing plants we need to worry about, but also repackaging facilities and bulk drug facilities as well as the various

warehousers and transporters of drug products. We must be concerned about how we can guarantee strict adherence with the general good manufacturing practices in overseas facilities that we have come to expect in the United States. These guidelines provide assurance as to the purity of pharmaceutical products.

Basically the bill says, in effect, don't worry, the FDA will issue regulations that will solve all these problems.

Maybe so. But if it was so easy for FDA to regulate these problems right out of existence then why are 10 former FDA Commissioners against this bill? I fear that in practice the drafting of these regulations will prove to be an extremely time-consuming and complex endeavor.

And even if the regulations are promptly drafted, what assurance and expectation do we have that all of these foreign establishments will be respectful of the regulations of the United States Food and Drug Administration?

If you don't believe me, get a copy of the transcript of the October 3 hearing and read about what House Commerce Committee and FDA staff found in a recent trip to Chinese and Indian drug manufacturing facilities. Not only did this investigation help uncover that some 46 Chinese firms and 11 Indian firms were exporting apparently misbranded drugs to the United States, there also appeared to be wholesale theft of U.S. intellectual property related to drug products.

Yet instead of tightening the controls we have in place, we are unwisely, in the name of attempting to cut high drug costs, loosening them. Let me say it once again, it is no wonder why ten former FDA Commissioners have come out against these drug importation measures. In enacting this reimportation measure, we will have put in place a ticking time bomb on the public health front as well as creating a regulatory climate that can only encourage an assault on American intellectual property.

While the public health shortcomings of the bill are chief among my concerns, as chairman of the Senate Judiciary Committee, I do want to raise some troubling aspects of the reimportation provisions as they relate to intellectual property.

In my view, it would have been preferable for the Judiciary Committees of both the House and Senate to have had an opportunity to carefully study the rapidly evolving language that was inserted into this appropriations bill.

I share the legitimate concerns of all Members of Congress about the difficulties the many Americans, particularly our senior citizens, have in gaining access to affordable drugs.

In fact, one of my chief concerns about the reimportation measure—public safety, intellectual property, and trade policy concerns aside—is whether consumers will get any substantial benefit when a new phalanx of middlemen get their piece of the action for bringing these drugs into the United States. I am not convinced that consumers will get much in the way of savings. And, what little benefit they get will come at what cost?

I believe that the industry must give the American public and the Congress a better explanation to account for the discrepancies in some drug prices in the United States and in other countries. And, I call upon the industry to ensure that Americans are paying fair prices for pharmaceuticals and that citizens in other nations are also paying their fair share and not merely free riding on the substantial U.S. investment in biomedical research.

We must be especially wary of price control regimes in other countries that may set prices at levels inadequate to reflect their citizens' fair share of the R&D costs. We must recognize, however, that what is a fair and affordable price in the United States may not be affordable in many developing nations. The differences in GDP of the developed and developing world have many dimensions, mostly negative.

We must be mindful of the important fact that virtually every nation in the world has made a commitment, helped along by the leadership of the U.S., to attempt to create that rising tide that lifts all boats by adopting the GATT Treaty, which specifies the rules of international trade. The GATT TRIPS provisions consist of critical new legal protections for the intellectual property. It is intellectual property that undergirds the creation of so many new products, including pharmaceuticals.

In our understandable short-term desire to help the developing world fight back against such infectious disease menaces as HIV, TB, and malaria, we must avoid acting, however unintentionally, to undermine the long-term interest in protecting the intellectual property rights of American inventors.

That goes for our goals to develop new drug therapies benefiting Americans as well. For our own national interest, as well as the interests of our trading partners, particularly developing nations, we must use our influence to build respect for and protect the inventive energies citizens worldwide.

I do not believe the reimportation provisions in this conference report advance the cause of intellectual property protection and, in fact, may have an unintended but unmistakable effect of retarding future drug development.

Mr. President, I ask unanimous consent to include in the RECORD at this point two letters that I wrote, one to Senator LOTT and Speaker HASTERT and one to Senators COCHRAN and KOHL, to object to both the process and substance of these provisions. In addition, House Judiciary Chairman HENRY HYDE expressed similar concerns. I ask consent that his letter also be printed in the RECORD.

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

(See Exhibit 1.)

Mr. HATCH. As this correspondence indicates, I am particularly concerned by the so-called non-discrimination clause that suddenly materialized, almost out of the vapors, and was added to the conference report at the last moment.

I would also note for the record that, prior to learning that such language was under development, I contacted Chairman COCHRAN and the majority leadership with a request that a rule of construction be added to these ill-advised importation provisions to the effect that the language be neutral with respect to intellectual property rights.

Imagine my surprise and disappointment to find that not only was my modest proposal, which was consistent with every version of the bill that passed both the House and the Senate up to that point, not adopted, but, instead, all too discriminatory ''non-discrimination clause'' incorporated in its place.

This provision states: ''No manufacturer of covered products may enter into a contract or agreement that includes a provision to prevent the sale or distribution of covered products imported pursuant to subsection (a).'' Make no mistake that this clause appears to take direct aim on some of the most traditional of American commercial rights such as freedom to contract and the freedom to license patent rights.

In the United States, manufacturers have great leeway in selling their goods. For example, in its 1919 decision, United States v. Colgate & Co., the Supreme Court noted it is a ''long recognized right of [a] trader or manufacturer to exercise his own independent discretion as to parties with whom he will deal.'' Moreover, this right is particularly strong when the seller holds patent rights which are derived directly from Article I of the Constitution.

As the language is scrutinized, I hear more and more questions being raised about the potential conflict of these provisions with current law.

Mr. President, in some respects, this non-discrimination clause is a major assault on intellectual property rights. It hardly sends a strong signal to our knowledge-based industries that form the backbone of the new high-technology economy.

I serve on the Finance Committee where we had jurisdiction over trade matters. While at the point I have reached no final answers or conclusions about how the non-discrimination clause comports with the TRIPS provisions, I can tell you that I have a lot of questions. And I can tell you that we would be better off if, before we adopt this language, we took the time to work through some of the tough questions that this highly controversial clause raises with, for example, Article

28 of TRIPS. Neither the Finance Committee nor the Ways and Means Committee will have a meaningful opportunity to examine the trade implication of this language.

I can only hope that this language does not result in the importation of sub-standard and unsafe drugs along with a back door system of price controls. Wisely, this body has always resisted direct government price controls on high-technology products like pharmaceuticals. We stand today as the world's leader in pharmaceutical innovation. Let's hope that this bill does not undermine this achievement.

Let me emphasize, Mr. President, that we need to work together to make drugs more affordable for the American public—all of those in Congress with expertise in the policy areas that contribute to addressing this issue should be collaborating on a solution to high drug prices. This is not a simple matter, and a solution that looks simple and obvious could easily prove disastrous to both consumers and the research enterprise.

We must tackle this issue in a manner that doesn't threaten public safety, undermine the incentives for developing new intellectual property, and otherwise adversely affects U.S. trade interests. Frankly, I am concerned that these reimportation provisions, however well-intentioned, will not be able to met these tests.

I will support this conference report, even though I have very serious concerns about the provisions on pharmaceutical reimportation. I hope to work with my colleagues on all the relevant committees in the House and Senate on these many issues concerning pharmaceuticals and their importation into our country.

EXHIBIT 1

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 4, 2000.

Hon. TRENT LOTT,
Majority Leader of the Senate,
Washington, DC.
Hon. THAD COCHRAN,
Chairman, Subcommittee on Agriculture,
Committee on Appropriations, Washington, DC.
Hon. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.
Hon. JOE SKEEN,
Chairman, Subcommittee on Agriculture,
Committee on Appropriations, Washington, DC.

DEAR TRENT, DENNY, THAD, and JOE: This is to register my strong objection to the so-called ''non-discrimination'' amendment that Representative Henry Waxman and others are trying to insert into the pharmaceutical importation provisions in the Agriculture Appropriations Conference Report. This language would affect both intellectual property and contract rights and raises constitutional questions. As Chairman of the Senate Judiciary Committee, I believe it is imperative that you reject these ill-advised, eleventh hour provisions that relate to critical intellectual property rights that have not been considered by either the House or the Senate Judiciary Committees.

Although styled as a ''non-discrimination'' provision, this language is a thinly disguised attack on intellectual property protection in the United States that conflicts with long-standing U.S. policy, would set a dangerous precedent for all U.S. businesses, and would undermine bipartisan U.S. trade and intellectual property negotiating objectives abroad. Proponents of this language would deny pharmaceutical manufacturers their freedom in private contracting, and appears to compel them to sell unlimited quantities of their prescription medicines to foreign buyers, including unknown foreign entities lacking any interest in the safety and health of American patients who rely on the safety and effectiveness of prescription medicines. This proposal has not been the subject of a single hearing, let alone a committee mark-up, and is unquestionably within the jurisdiction of the House or Senate Judiciary Committees, neither of which has been consulted on this controversial measure. I urge you to reject it.

My responsibilities as Chairman of the Senate Judiciary Committee require me to oppose this sneak attack on intellectual property protection and U.S. leadership in innovation benefiting consumers. My responsibilities to my Utah constituents and the American people generally impel me further to object to the adoption of the prescription drug import proposal on safety grounds. I am greatly disturbed to learn that Conferees are apparently considering lowering the traditional gold-standard of ''safety and efficacy'' to a new, untested, and disturbingly ambiguous standard of ''reasonable assurance'' of safety and efficacy. The Senate passed the Cochran-Kohl amendment 96-0 precisely to seek to ensure that risks to American patients are not increased through re-importation of prescription medicines.

In direct contradiction to these efforts, the ''non-discrimination'' measure clearly and unacceptably increases such risks. This measure would place domestic medicine supplies in jeopardy by forcing our manufacturers to sell unlimited quantities abroad. It also would prevent them from exercising sound business judgment about to whom to sell, forcing them to sell drug products to anyone—even unscrupulous shady dealers. In conjunction with a price control system of a foreign nation, this ''non-discrimination'' regime is tantamount to a compulsory licensing system that can only undermine the incentives required for the private sector to make the necessary substantial investment to invent new medicines. In order to protect the safety and health of American patients, advance our Nation's trade policy, and promote the development of the next generation of medicines, this proposal must be rejected.

Sincerely,

ORRIN G. HATCH,
Chairman.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 4, 2000.

Hon. TRENT LOTT,
Majority Leader of the Senate,
Washington, DC.

DEAR MR. LEADER: I understand that the situation on the drug import provisions in the Agriculture Appropriations bill is fluid and that now there is language being proposed that modifies the House proposed text that I have previously criticized. Unfortunately, I must register my objection to this new language as well.

It is my understanding that the new language states: ''No manufacturer of a covered product may enter into a contract or agreement that includes a provision to prevent the sale or distribution of covered products.'' How can this restrictive provision square with such basic American concepts of private property and freedom to contract? It seems to me that Congress, like the courts, should not get into the business of rewriting contracts.

In my view this new ''compromise'' provision does not escape the fundamental problems presented by the earlier House language because a flat prohibition on the ability of a manufacturer to limit the future sale or distribution of pharmaceutical products flies in the face of current law and policy. I must report to you that as this language circulates among the bar, reputable attorneys are concluding that it presents serious constitutional issues. As Chairman of the Judiciary Committee, I believe it wise for our committee to consider this issue before such language is enacted. Given the fact that the import provisions will not go into effect until the FDA issues a complex set of safety testing regulations, I see no need why the Congress must rush in the last few days of the session to include this new provision. I know that my House counterpart, Chairman Henry Hyde, has raised similar objections with Speaker Hastert.

So I must once again add to my concerns about the potential negative public health aspects of the pharmaceutical import amendments, a separate objection concerning the erosion of intellectual property and contract rights. I urge you to oppose these measures until these issues can be carefully reviewed and debated.

Sincerely,

ORRIN G. HATCH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 4, 2000.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As Chairman of the House Judiciary Committee, I urge you to reject intellectual property provisions, disguised as a ''non-discrimination'' requirement, advocated by Mr. Waxman for inclusion in the drug re-importation measures in the Agriculture appropriations bill or in other legislation. The Waxman gambit is an anti-business, anti-intellectual property effort to force pharmaceutical patent owners to give up their patent rights with respect to re-importation into the U.S. of their patented product, by denying their freedom in contracting. Mr. Waxman further wants to compel drug manufacturers to sell unlimited quantities of their prescription medicines to foreign buyers, including unknown, fly-by-night operations that are unlikely to be held accountable for patient health and safety. This proposal has not been the subject of a single hearing and falls squarely within the jurisdiction of the House Judiciary Committee, whose members have not been consulted on this.

Beyond the serious jurisdictional issue and erosion of intellectual property rights, I further object to the Waxman proposal because it clearly increases risks to the health and safety of American patients. This measure would place domestic medicine supplies in jeopardy by forcing manufacturers to sell unlimited quantities abroad. It also would prevent them from exercising sound business judgment about to whom to sell, forcing them to sell to unscrupulous shady dealers and fast-buck artists abroad. For these reasons, I urge you to reject these measures.

Sincerely,

HENRY J. HYDE,
Chairman.

Mr. ASHCROFT. Mr. President, I rise to express my strong support for the Agriculture Appropriations Conference Report, which we will vote on today. This bill contains over $78 billion in

funding (and more than $3.5 billion in emergency assistance for farmers). And it contains important initiatives I have been pushing—doubling the payment limit for LDPs (from $75,000 to $150,000) and lifting embargoes on food and medicine.

I extend my sincere gratitude to the Chairman of the Agriculture Appropriations Committee, my friend from Mississippi, who has crafted a bill that gives America's farmers the assistance they need in the short term—and keeps a promise we made to open more markets in which to sell their products overseas.

This bill culminates an almost 2-year effort on my part to open overseas markets to American farmers by ending U.S. food and medicine embargoes. We talk a lot about foreign trade barriers, and rightly so. We must continue to be vigilant to remove those barriers, such as the EU ban on U.S. beef. However, it is hypocritical of the U.S. government to target foreign barriers without removing our own barriers. That's exactly what food embargoes are—U.S. barriers against U.S. farmers. A policy shift in this area is long overdue, and I am pleased that this Conference Report reflects that shift. While the final product before us is not perfect, it does change substantially U.S. policy on embargoes of agriculture and medicine.

We know that sanctions hurt farmers. The currently-embargoed market for our food products is estimated by some at about $6 billion. Cuba alone could purchase about $1.6 billion worth of food and medicine each year. Jim Guest, the President of the Missouri Pork Producers said: ''With 11 million people who enjoy pork, Cuba will become an important U.S. pork export market. In 1998, the last year for which statistics are available, Cuba imported about 10,000 metric tons of pork from Canada, Mexico and the European Union.''

This sanctions reform proposal covers more countries than just Cuba. There are four other countries affected by this legislation that could present substantial opportunities for U.S. producers of wheat, soybeans, beef, corn, etc.

Furthermore, this provision reforms sanctions policy for the future. The President will not be able to impose new sanctions without Congressional involvement.

Food embargo reform can be summed up as a big ''win'': a win to the U.S. economy, a win for U.S. jobs, a win in foreign policy, and a win for those hungry and hurting in foreign countries.

My goal that I set out to reach years ago—giving the U.S. the opportunity to export more food and medicine—has been achieved in the bill we are voting on today. The Food and Medicine for the World Act, which I introduced in 1999, and which is the basis for the agreement in this Ag. Approps. Conference Report, separates out food and medicine from all other products when it comes to sanctions policy.

Current embargos against agriculture and medicine will be lifted, and there will be no embargoes in the future unless the President first receives Congressional approval. This proposal of mine has remained in place throughout the Senate and House negotiations. It is the underlying basis for real sanctions reform because it does not focus on any one country. Instead, it is a new framework for U.S. policy in general. The differences between my original proposal and this final agreement are merely details on HOW the exports of food and medicine will be facilitated. We made progress in some areas, and in others, we must monitor the effectiveness toward reaching our goal.

Let me explain briefly those differences. On the issue of how the exports will be allowed, there are two things I would like to cover—licensing and financing.

On licensing—we have gone much further than the Administration plan put in place last year, which has two substantial limitations. First, the Administration plan requires case-by-case licensing, whereas, the language before us in the Conference Report ensures that a least restrictive licensing system is set up—to cover a 2 year span instead of being case-by-case. Second, current U.S. policy requires tight restrictions on the end recipient of the food (those to whom we could sell our farm products). However, the bill we are voting on today allows exporters to sell to countries broadly, whoever wants to buy their products.

On financing—all sales to these countries can be freely financed by U.S. banks, but the House added a restriction that will prohibit U.S. banks from being the primary financial institution in any sales to Cuba. U.S. banks will be able to facilitate transactions, but they won't be allowed to assume the risk of the Cuban buyers. While this policy is not my preference, I will point out that it is not a step backward. It simply keeps in place the current restrictions that exist in U.S. law.

One final note on financing, particularly U.S. government financing—under the bill before us, U.S. government credits will be available to help finance exports of agricultural products if the President determines that it is in the humanitarian or national security interest to extend the credits.

All along, I have been committed to real sanctions reform in a final bill—and that is what we have accomplished. As with any major reform of U.S. policy, our proposal may not be perfect, but we can address any roadblocks that arise when they are brought to our attention by the farming community and humanitarian organizations.

I welcome the recognition by a sizable majority of Congress that the time has come to reform this nation's obsolete and hurtful policy that allows using food and medicine in embargoes. And I look forward to sending this embargo reform bill to the President's desk so America's farmers are given increased freedom to market.

Mr. President, I would like to insert in the RECORD a letter addressed to me from Charlie Kruse, the President of the Missouri Farm Bureau. Also, I would like to insert a statement from the Missouri Pork Producers. Finally, I would like to insert a letter signed by 15 agriculture organizations supporting this sanctions reform proposal and the Conference Report. Let me just say that this effort—reforming our nation's policy on food embargoes—has been a cooperative effort. The farm organizations that have signed these letters have shown tremendous leadership in getting us where we are today. I extend my sincere appreciation for their support throughout this entire process.

I would like to address one final point, Mr. President, with regard to the intent of those that have drafted this sanctions reform proposal. Senator HAGEL and I, as the drafters of the underlying sanctions reform bill, are submitting a statement of intent on how this proposal should be implemented by the Administration. I ask for unanimous consent that it be printed in the RECORD following my statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT—INTENT OF SENATE SPONSORS

BRIEF PROCEDURAL HISTORY

A reduction in the amount of agricultural exports and a decline in commodity prices have led to renewed efforts by farm groups and agribusiness firms to win a change in U.S. sanctions policy. While there has been some easing of these sanctions through executive order, agricultural exporters have sought legislation to exempt their products from embargoes to ensure that any positive changes in policies are not reversed based on changing events or a change of Administration.

Title IX of the Fiscal Year 2001 Agriculture Appropriations Conference Report, the ''Trade Sanctions Reform and Export Enhancement Act,'' contains sanctions reform for agricultural products, medicine, and medical devices.

The language in this act can be traced back to the ''Food and Medicine for the World Act,'' (originally, S. 425 and S. 1771, both introduced in 1999). The text of the ''Food and Medicine for the World Act'' was offered as an amendment to the FY2000 Agriculture Appropriations Bill (S. 1233), on August 4, 1999, by Senator Ashcroft and Senators Hagel, Baucus, Kerrey, Dodd, Brownback and 15 other cosponsors. The Senate defeated a motion to table, 70 to 28, and the amendment, after modifications, was accepted by voice vote. There was not a comparable provision in the House appropriations bill, and ultimately the embargo provisions were deleted from the conference agreement, at the request of House leadership.

In March 2000, the Senate Foreign Relations Committee held a marked up of S. 1771, the ''Food and Medicine for the World Act.'' During the mark up, the title was changed to the current title, ''Trade Sanctions Reform and Export Enhancement Act.''

The provision, as marked up by the Senate Foreign Relations Committee, was then offered as an amendment to the FY2001 Agriculture Appropriations Bills (H.R. 4461; S. 2536) in both the Senate and House during

Appropriations Committee markups. When the Senate passed S. 2536, the FY01 Agriculture Appropriations bill on July 20, 2000, it contained the sanctions exemption language that had been inserted during committee consideration. The House language was accepted in the House Agriculture Appropriations Subcommittee, but later deleted on the House floor on July 11, 2000, as a result of a point of order that the amendment was an instance of legislating on a spending bill.

A compromise reached between amendment supporters and opponents regarding the application of the exemption to Cuba served as the House leadership's position in conference, and was eventually accepted by House and Senate Republicans. The language of S. 1771 that lifts sanctions and restricts the future use of sanctions was maintained. However, the language on licensing and credits was altered (see explanation below). Furthermore, the House leadership added language regarding travel to Cuba that has the effect of codifying the current regulations that restrict travel.

PURPOSE

The overall purpose of this title is clear: to eliminate unilateral food and medicine sanctions and to establish new procedures for the future consideration of such sanctions. In drafting this provision, the intent of the authors is to expand export opportunities for United States agricultural and medical products beyond that currently provided for in law and regulations. As the original sponsors of this provision, we would like to outline briefly what we believe the intent of this provision to be, in order to ensure that agencies that will implement this legislation fully appreciate the expectations of the sponsors. We expect that regulations to implement this provision will promptly liberalize the current administrative procedures for the export of agriculture and medicine. A section by section explanation follows:

SECTION 901—TITLE

This section contains the title of the Act, the ''Trade Sanctions Reform and Export Enhancement Act.''

SECTION 902—DEFINITIONS

Definitions in the section are broadly drawn to allow maximum benefit to exporters of agricultural commodities and medicine and medical products.

Agriculture Commodities: The drafters used the definition of ''agricultural commodities'' in the Agricultural Trade Act (7 U.S.C. §5602) because of its inclusiveness. It includes all food commodities, feed, fish, and livestock, as well as fiber. Also, for all of these items, the definition includes ''the products thereof.'' Therefore, it is the drafters intent to cover all value-added products and processed products that include food, feed, fish, livestock, and fiber. In addition, value added products and processed products are covered even if they contain some inputs that are not of U.S. origin. Note: The drafters specifically chose not to use another definition in U.S. law that requires all of the inputs to these processed foods be of U.S. origin, 7 U.S.C. §1732. For purposes of administering Title IX of this Act, Section 775 of the Conference Report clarifies that the term ''agricultural commodity'' shall also include fertilizer and organic fertilizer.

Agricultural Program: The intent of the bill is to lift sanctions on commercial sales, as well as sanctions on the use of federal programs that are used to facilitate the export of agricultural products.

Medical Device and Medicine: These terms should be interpreted broadly to mean all products commonly understood to be within these categories, as explicitly recognized by the Federal Food, Drug and Cosmetic Act, and including supplies, such as but not limited to, crutches, bandages, wheelchairs, etc.

SECTION 903—RESTRICTION

This section requires the President to terminate all unilateral agricultural and medical sanctions that are in effect as of the date of enactment (though Section 911 provides a 120 day waiting period to allow the implementation of appropriate regulations). Therefore, 120 days after the enactment of the bill, U.S. exporters should be allowed to sell any agricultural commodity, medicine, or medical device without restrictions to all countries, as well as to participate in any activities related to the sale of those products (subject only to the exceptions in Sec. 904, the licensing requirements of Sec. 906, and the applicable credit limitations of Sec. 908).

This section also prohibits the President from imposing any new unilateral agricultural or medical sanctions without the concurrence of Congress in the form of a joint resolution. If the President imposes broad unilateral sanctions in the future that may or may not be a complete embargo, the President must exempt agriculture and medicine from the broad sanctions and treat these products differently. While his powers to declare national emergencies and impose sanctions are maintained as they relate to other U.S. products, that power will no longer apply in relation to the export of agriculture and medical products. The correct procedure under this Act will require Congressional approval unless Sec. 904 is applicable.

SECTION 904—EXCEPTIONS

This section provides a number of exceptions to Section 903 to ensure that the Administration, in certain limited instances, has the ability to impose sanctions in certain instances. While seven particular exceptions are provided, they are narrowly drawn in recognition of the conferees' expectation that food and medicine sanctions should only be used in extraordinary circumstances. Further, these exceptions should not be used to impose sanctions permanently as Section 905 makes clear. It is the intent of the drafters that these exceptions be narrow. Therefore, if a question exists as to whether the proposed sanctions might fall under one of the exceptions (for instance whether there are ''hostilities''), it is the desire of the drafters that the President comply with Sec. 903 and seek Congressional approval. It is the intent of the drafters that the President not to use these exceptions liberally for to do so would frustrate the purpose of the bill—to ensure that sanctions on agriculture and medicine are used only when it is in the national security interest of the Untied States to do so.

Specifically with regard to paragraph (2), it is the intent of the drafters that this provision cover only dual-use items. This provision should be narrowly interpreted so as to allow as many exports as possible—keeping in mind that the products being considered for export are humanitarian products that can feed, clothe, and heal people.

SECTION 905—TERMINATION OF SANCTIONS

This section provides for a sunset of any food or medicine sanctions imposed under Section 903, not later than 2 years after the date the sanction becomes effective. Sanctions may be maintained only if the President recommends to Congress a continuation for not more than 2 years, and a joint resolution is enacted in support of this recommendation.

SECTION 906—STATE SPONSORS OF INTERNATIONAL TERRORISM

This section requires licenses for the export of agricultural commodities, medicine or medical devices to Cuba and to countries that are state sponsors of international terrorism.

These licenses shall be provided for a period of not less that 12 months. However, the sales of products under the license can span 24 months so that the exporter is able to ship products for 12 months after the license has expired as long as the contract was entered into during the initial 12 month period. This provision gives exporters flexibility to ship for 24 months as long as the contracts are entered into during the first 12 months.

The intent of the bill is for the Administration to develop a licensing system that is, to the extent possible, the least restrictive, least burdensome for the exporter. This section does not give the Administration the authority to put in place a case-by-case licensing system. The Administration must put in place a system for agricultural commodities, medicine, and medical devices that is no more restrictive than license exceptions administered by the Department of Commerce or general licenses administered by the Department of Treasury. It is the expectation of the sponsors that a presumption in favor of sales will to exporters, consistent with the purpose of the act—to support enhanced exports.

Consistent with this expectation, it is the understanding of the authors that the Department of Commerce would be the lead agency for all exports under this title.

Furthermore, any licensing of activities related to the sale or export of products covered by this Act should be under a licensing system that is the least restrictive possible. In the case of exports to Cuba, it is the understanding of the drafters that current restrictions on shipping to Cuba will continue to be waived for licensed exports.

Exports to the Government of Syria and the Government of North Korea are excepted from the licensing requirements of this section. While the provision mentions an exception only for sales to the ''governments'' of these countries, the Senate recognizes this as a drafting error and would encourage the Administration to except sales to the private sector in those countries as well. It would be inconsistent policy to lift licensing requirements to the governments while not lifting them for the private sector buyers in these countries.

This section also requires that procedures be in place to deny exports to any entity within such country that engages in the promotion of international terrorism. This language is intended to give the Administration very narrow discretion in the granting of licenses for exports to specific sub-entities that are directly involved in the promotion of terrorism.

Finally, this section requires quarterly and biennial reports on these licensing activities to determine the effectiveness of licensing arrangements. The drafters encourage the Administration to work closely with the U.S. private sector to establish licensing procedures and to determine the effectiveness of the procedures.

SECTION 907—CONGRESSIONAL PROCEDURES

This section requires that a report submitted by the President under Section 903 or Section 905 shall be submitted to the appropriate committee or committees of the House of Representatives and the Senate. A joint resolution in support of this report may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

SECTION 908—PROHIBITION ON UNITED STATES ASSISTANCE AND FINANCING

Section 908(a)(1) prohibits the use of United States government assistance and financing for exports to Cuba. However, consistent with the overall intent of the measure, this prohibition is not intended to modify any provision of law allowing assistance to Cuba.

The provision also restricts the use of government assistance for commercial exports to Iran, Libya, North Korea, and Sudan, unless the President waives the restrictions for national security or humanitarian reasons. In recent months, the Administration has taken several steps to liberalize these and other restrictions on agricultural trade with Iran, Libya, North Korea, and Sudan. As such, we believe it will be in the best interest of U.S. agricultural producers, as well as for the United States' balance of trade, for the President to use the waiver authority in subsection (a)(3) to promptly waive these restrictions before the current sanctions are lifted (120 days after enactment of this bill). If the President's waiver authority is not promptly exercised, the restrictions in subsection (a)(1) could act to restrict exports of agricultural commodities, medicines, and medical devices to these countries to a greater extent than current law. This is certainly not the intent of this legislation.

Specifically with regard to Cuba, subsection (b) of section 908 prohibits any United States person from financing U.S. agricultural exports to Cuba. However, in order to accommodate sales of agricultural commodities to Cuba, subsection (b) specifically authorizes Cuban buyers to pay U.S. sellers with cash in advance, or to utilize financing through third country financial institutions.

While they cannot extend financing to Cuban buyers, U.S. financial institutions are specifically authorized to confirm or advise letters of credit related to the sale that are issued by third country financial institutions. Under this procedure, third country financial institutions can manage the Cuban risk associated with these transactions. In turn, the third country financial institution issues a letter of credit free to be confirmed by a U.S. bank, which assumes no Cuban risk. This provision, which creates a ''firewall'' against ''sanctioned-country risk,'' is consistent with the role played by third country banks in transactions with some other countries subject to U.S. sanctions.

U.S. financial institutions may act as exporters' collection and payment agents, confirm third country letters of credit, and guarantee payments to the U.S. exporters. The provision of such export-related financial services by U.S. financial institutions (commercial banks, cooperatives, and others) will allow U.S. farmers, their cooperatives, and exporters to be assured that they will be paid for exported commodities.

Subsection (b)(3) of section 908 requires the President to issue regulations that are necessary to carry out this section. In addition to waiving the restrictions on assistance as appropriate under subsection (a)(3), these regulations need to facilitate the export of agricultural commodities, medicine, and medical devices. In particular, the regulations need to accommodate these specifically authorized exports by waiving the restrictions with respect to vessels engaged in trade with Cuba found at 31 C.F.R. §515.207.

SECTION 909—PROHIBITION ON ADDITIONAL IMPORTS FROM CUBA

Section 909 reiterates that this Act does not change current regulations that prohibit entry into the United States of any merchandise that is of Cuban origin, has been transported through Cuba, or is derived from any article produced in Cuba. Despite the title of Sec. 909, the actual language of Sec. 909 does not codify the currently regulatory restrictions. Instead, the language simply states that Sec. 909 does not affect regulations found at 31 C.F.R. §515.204.

SECTION 910—REQUIREMENTS RELATING TO CERTAIN TRAVEL-RELATED TRANSACTIONS WITH CUBA

This section requires the Secretary of Treasury to promulgate regulations to authorize travel to, from, or within Cuba for the ''authorized'' commercial sale of agricultural commodities. The sponsors of this measure believe that this section should be interpreted in a manner that expands travel currently allowed under the regulations in keeping with the overall Act's purpose of expanding ''authorized'' exports.

SECTION 911—EFFECTIVE DATE

This title shall take effect on the date of enactment and apply thereafter in any fiscal year. The bill does not expire with the expiration of the FY01 Appropriations bill. Unilateral agricultural or medical sanctions in effect as of the date of enactment shall be lifted 120 days after enactment.

MISSOURI FARM BUREAU FEDERATION,
Jefferson City, MO, October 18, 2000.

Hon. JOHN ASHCROFT,
U.S. Senate,
Washington, DC.

DEAR SENATOR ASHCROFT: We are very pleased the U.S. Senate will soon vote on the Conference Report for the fiscal year 2001 Agriculture Appropriations Bill. Missouri Farm Bureau, the state's largest general farm organization, strongly support this legislation. In fact, we have been hoping for this day ever since you introduced the Food and Medicine for the World Act in 1999.

We are grateful for the leadership shown by you and your staff regarding the lifting of unilateral trade sanctions for food and medicine. This measure will result in access to markets that have long been closed to our nation's farmers and ranchers. Frankly, it couldn't come at a better time; the combination of continued low commodity prices and increased fuel and interest expenses are having a devastating effect on both producers and rural communities.

As you know, we recently hosted Fernando Remirez De Estenoz, the First Deputy Minister and Chief of the Cuban Interests Section in Washington, DC, on a series of farm visits in southeast Missouri. During the visit, Ambassador Remirez made it clear that Cuba could provide a significant new market for U.S. agricultural products. The high quality of our production, coupled with favorable transportation rates, makes the U.S. extremely competitive in the Cuban market.

It has become clear that food must not be used as a weapon. Unilaterally denying U.S. agricultural producers access to foreign markets simply does not work in a global economy.

Again, we applaud your on-going leadership on this issue and believe it to be something that will provide long-term benefits to our nation's agricultural producers.

Sincerely,

CHARLES E. KRUSE,
President.

PORK PRODUCERS THANK SENATOR ASHCROFT

Missouri Pork Producers President Jim Guest today commended Senator John Ashcroft for his work in drafting language that opens the door to potential U.S. pork exports to Cuba.

''Senator Ashcroft has been a leader in the effort to reform outdated sanctions policies that harm American farm families,'' Guest said. Senator Ashcroft's determination has helped create an environment where Missouri pork producers will have the opportunity to compete for business in Cuba for the first time in 40 years.''

Senator Ashcroft authored a sanctions reform provision that was far reaching in its scope and which passed the Senate. The Agriculture Appropriations Conference Agreement includes compromise language to allow the sale of food and medicine to Cuba and four other previously sanctioned nations. On October 11, the bill was overwhelmingly approved in the House and the bill is pending in the Senate. President Clinton has said he will sign the bill.

''Senator Ashcroft's vision has brought us to the point where we can begin to think of Cuba as a potential customer and that is a tremendous achievement,'' Guest said. ''With 11 million people who enjoy pork, Cuba will become an important U.S. pork export market.''

The Missouri Pork Producers has supported easing the trade embargo with Cuba, and ending the practice of using food and medicine as foreign policy tools. In 1998, the last year for which statistics are available, Cuba imported about 10,000 metric tons of pork from Canada, Mexico and the European Union.

OCTOBER 10, 2000.

Hon. JOHN ASHCROFT,
U.S. Senate,
Washington, DC.

DEAR SENATOR ASHCROFT: The undersigned organizations urge you to support passage of H.R. 4461, the FY01 agriculture spending bill.

In addition to funding important USDA food safety, agricultural research and trade enhancing programs, the legislation is critically important to farmers and ranchers because it includes:

$3.5 billion of critically needed emergency assistance for agricultural producers hurt by this year's poor weather conditions;

Sanctions reform to lift the embargo on food and medicine to Cuba, Iran, Libya, North Korea and Sudan. In addition, the language makes it much more difficult for future presidents to impose unilateral sanctions;

Doubling of the Loan Deficiency Payment/Marketing Loan Gain payment cap from $75,000 to $150,000 for one year; and

This bill is critically important to the ability of our producers to prosper in the future. We urge your support.

Sincerely,

American Farm Bureau Federation
American Soybean Association
National Association of Wheat Growers
National Barley Growers Association
National Cattlemen's Beef Association
National Corn Growers Association
National Cotton Council
National Milk Producers Federation
National Sunflower Association
Rice Millers' Association
U.S. Canola Association
U.S. Durum Growers Association
U.S. Rice Producers Association
U.S. Rice Producers' Group
Wheat Export Trade Education Committee

Mr. DURBIN. Mr. President, I rise today to briefly discuss the Fiscal Year 2001 Agriculture Appropriations conference report, H.R. 4461.

First, I would like to commend Senators COCHRAN and KOHL, the Senate Subcommittee chairman and ranking member. They have put together a very good underlying bill and have done so with bipartisan support and cooperation. From the very first hearing of the

year, through conference, Chairman COCHRAN has endeavored to deliver a bill that is helpful to our farmers and ranchers and fair to the Food and Drug Administration. Again, I congratulate him on this important accomplishment.

I was a conferee on this bill, as I am a member of the Senate Agriculture Appropriations Subcommittee. However, I regret to say that I was unable to sign the conference report because of specific provisions on Cuba sanctions and prescription drug re-importation.

Specifically, I am distressed that the conferees did not support the Senate position on lifting food and medicine sanctions against Cuba. The House language limiting U.S. sales to a cash only or third-country financing basis will unnecessarily restrict the sales of food and medicine to Cuba.

I am further troubled by the language restricting travel by Americans to Cuba. During the Cold War, Americans were able to travel to the Soviet bloc countries, and if they were kept out, it was by the Communists, not by our own government. I believe Castro has more to fear from an invasion force of American tourists than from our sanctions policy. I cannot imagine how restricting the ability of Americans to go to Cuba could possibly advance our shared goal of peaceful change toward democracy and a free market economy in Cuba.

With regard to prescription drug re-importation, too many Americans struggle to afford prescription drugs that their doctors believe are necessary to alleviate or prevent illness. Unfortunately, those who can least afford these drugs because they do not have insurance coverage for prescription drugs generally pay far more than the ''most favored'' purchasers such as Health Maintenance Organizations, HMOs, and other big insurers.

Instead of dealing with the real issue of providing comprehensive, affordable drug coverage to all America's seniors and the disabled, this conference report takes a much more limited step. It is billed as a means to provide our constituents with access to better priced medicines by allowing for the re-importation of drugs sold at lower prices in other countries. This provision includes measures to ensure the safety of these re-imported products by requiring testing after re-importation. However, the language attached to this conference report still includes several pharmaceutical industry-backed loopholes that will undermine consumer ability to access cheaper drugs. These loopholes were added late in the process and have the potential to nullify the entire provision.

Drug companies will be able to limit supplies in foreign countries to thwart re-importation efforts. Nothing in the language of this conference report addresses this issue. In fact, the limitation on the countries from which wholesalers and pharmacists may re-import drugs will clearly aggravate this loophole. The language also omits provisions that would prevent the pharmaceutical industry from forcing foreign wholesalers to sell products at the inflated American price. Without such a provision, the drug industry will be able to prevent U.S. consumers from obtaining more affordable medicines. There is no effort to focus re-importation so as to benefit the most severely disadvantaged Americans: the elderly and the disabled.

I am convinced that Congress needs to address prescription drug coverage and the cost of pharmaceutical products here at home. Tortuous transport through other countries to re-import products that were originally manufactured here in the U.S. is not the most effective remedy for the high prices that American consumers pay today.

Mr. President, I would like to note with appreciation that this conference report includes important assistance for our nation's farmers who are facing another year of low prices.

The assistance farmers received last year helped many Illinois farmers. An October 1999 study by the University of Illinois projected that average net farm income for Illinois farmers would have been just $11,000 in 1999 without federal assistance. But with federal assistance, their income rose to $25,000.

Although the U.S. economy continues to thrive, farmers and those who live in rural America do not appear to be reaping the benefits. This measure provides $3.6 billion for weather-related crop losses and livestock assistance, and it increases funding for the Farm Service Agency to carry out vital farm programs and emergency measures. The conference report also doubles the loan deficiency limits to ensure farmers are able to receive the income support they need.

The conference report also contains $1 billion for P.L. 480—Food for Peace, $697 million for the Food Safety and Inspection Service, $2.5 billion for USDA Rural Development programs, $9.5 billion for child nutrition programs—including a School Breakfast pilot program, and $1.2 billion for the Food and Drug Administration.

Mr. President, although I have some serious reservations with regard to Cuba sanctions and prescription drug re-importation, I am voting for this conference report because of its other valuable provisions that are simply too important to Illinois agriculture to delay.

Ms. SNOWE. Mr. President, I rise today in support of the prescription drug reimportation provisions included in the conference report for the FY 2001 agriculture appropriations bill. I also want to thank my colleagues, especially Senators JEFFORDS and DORGAN for their hard work and dedication to this important issue.

The United States is in the midst of a time of amazing prosperity. Nearly every week it seems that we hear of astounding new breakthroughs in biomedical research and in new prescription medications. And there is no question in anyone's mind that we have the best—the very best—health care in the world.

But our health care system is not without its flaws. Prescription drugs are revolutionizing health treatments, but their high cost is causing concern throughout the country. Everywhere we turn—from ''60 Minutes'' to Newsweek—we hear of the struggles that our nation's patients, especially the elderly, face, and the dramatic difference in costs of prescription medication between the U.S. and our neighbors to the North.

The high cost of prescription medications in the United States is forcing many of our nation's seniors to make unthinkable decisions that are harmful to their health and well-being. It is simply unacceptable that the elderly have to chose between filling a prescription or buying groceries.

A solution to the pressing problem of prescription drug coverage can't come soon enough. In 1998, drug costs grew more than any other category of health care—skyrocketing by 15.4 percent in a single year. And that's a special burden for seniors, who pay half the cost associated with their prescriptions as opposed to those under 65 who pay just a third.

Seniors are reeling from the burden of their prescription drug expenses—one of the latest studies shows that the average senior now spends $1,100 every year on medications. And with the latest HCFA estimates putting the number of seniors without drug coverage at around 31 percent of all Medicare beneficiaries—or about 12 out of nearly 40 million Americans—it's not hard to see why we can no longer wait to provide a solution. In fact, nearly 86 percent of Medicare beneficiaries must use at least one prescription drug every day.

Who are these seniors who don't have prescription drug coverage? Who are the ones traveling by the busload to Canada to buy their prescription drugs? These are people caught in the middle—most of whom are neither wealthy enough to afford their own coverage, nor poor enough to qualify for Medicaid. We know that seniors between 100 percent and 200 percent of the federal poverty level have the lowest levels of prescription drug coverage.

In my eyes, it is absolutely unconscionable that any senior would be arrested after purchasing their otherwise legal prescription medication in Canada. That is why I teamed up with Senators JEFFORDS and DORGAN to introduce the ''Medicine Equity and Drug Safety Act'' as an amendment to the FY 2001 agriculture appropriations bill. The amendment was accepted overwhelmingly by a vote of 74 to 21.

I am pleased that the conference report includes a compromise on this amendment. The conference provision allows pharmacists and wholesalers to import prescription drugs for sale to American customers that were made in

the U.S. or in FDA-approved facilities. The provisions require stringent safety and efficacy regulations. Drugs may only be reimported from Europe, Canada, Japan, Australia, Israel, New Zealand, and South Africa. Controlled substances, such as morphine, cannot be imported.

Drugs that are going to be reimported must meet U.S. labeling requirements and there will be stringent reporting requirements on any reimportation. The new provisions prohibit manufacturers from entering into a contract to prevent reimportation. Drug reimportation will not be allowed unless the Secretary of HHS can certify that the reimported drugs are safe and effective. The FDA will not be allowed to send letters to individuals about their personal reimportation unless the FDA believes that the drugs the person is bringing back are not safe, not effective, or not labeled correctly. Finally, the Secretary of HHS must certify that reimported drugs will save consumers money.

Opponents of the reimportation of prescription medications have well-founded concerns about the safety of these medications. There is no doubt that the U.S. Food and Drug Administration is the world's premier agency in ensuring not only that drugs are safe and effective for their intended use, but that the actual manufacture of these drugs is done cleanly and safely.

So when Congress considers changing the law to allow the importation of either retail or personal use prescription medication, we must also consider the safety implications that are involved: Are other countries insisting on the same standards we are? Are other countries guaranteeing the effectiveness of the medication—medication that is purportedly identical in strength? Are other countries using the same ingredients and ensuring that there are no impurities in these ingredients?

The conference provision focuses on these safety considerations and includes substantial safeguards against the reimportation of lesser-quality prescription medication and stringent regulation to ensure that Americans have access to only the safest of products.

Clearly, seniors are traveling to Canada because the price of prescription medications is generally less expensive than in the United States. The difference in the prices between the Canadian and the American market for pharmaceutical products does not come because we are purchasing different drugs or different quantities of drugs. It is this point that I hear the most about from my constituents: why can a person buy the same exact drug, in the same exact dosage, and the same quantity, for so much less in Canada than they can in Maine?

The disparity in costs between U.S. and Canadian drug costs reflects our different markets, but also the government-run health care system that limits choices and proscribes doctors and care for Canadian consumers. The Canadian health care system is a government-run monopoly, an approach soundly rejected by the American public in 1994. In the U.S., costs are constrained through the market—not by the government—as health insurers, pharmacy benefit managers, and preferred customers like the U.S. Department of Veterans Affairs negotiate heavy discounts based on the size of their insurance pool.

Seniors in the U.S. have limited bargaining power to negotiate down drug costs because they are not part of a single pool. Yet if seniors were united in a single group, they could exercise substantial clout in the marketplace to negotiate lower drug costs.

There are 39 million Medicare beneficiaries—and these 39 million customers purchase a third of our nation's prescription medications. This represents a very large section of the market. Enacting prescription drug coverage for Medicare beneficiaries will make seniors a part of buyer groups with greater marketplace clout. This market force will allow seniors as a group to negotiate discounted pharmaceutical costs that will not only be the most economically sound solution, but will also guarantee seniors coverage of their prescription drugs.

When American seniors find they have no market power, they often determine that their only recourse is to buy their much-needed drugs in a completely different market. It is fundamentally unfair when seniors in Maine feel they must drive across the Canadian border to obtain affordable prescription medications.

Allowing the reimportation of prescription medications is, at best, an interim approach. It can be implemented while Congress debates the larger issue of Medicare reform, and enacting meaningful prescription drug coverage for Medicare beneficiaries.

Again, Mr. President, I rise in support of these provisions and I thank the conferees for their willingness to address this vital issue and their dedication to hammering out a workable compromise.

Mr. ROTH. Mr. President, I rise today to express my grave concerns regarding a provision relating to our trade remedy laws that is a part of the agriculture appropriations conference report that is before us today. My concerns regarding this measure relate both to the way this provision found its way into this conference report, as well as to its substance.

With regard to procedure, I am troubled, to say the least, that a significant modification of our trade laws is being made with no consideration or deliberation by the committees of jurisdiction. I would have hoped that the Agriculture Subcommittee of the Appropriations Committee would have considered the importance of allowing the committee of jurisdiction—the Committee on Finance—to review this provision before deciding to adopt this measure in conference. After all, this amendment represents a dramatic change in the function and purpose of our trade laws.

Currently, our trade laws are designed to address any dumping or subsidized sales into our market by imposing an offsetting duty on imports. With the enactment of this procedure, however, not only will the domestic producer enjoy the benefit of having a surcharge applied to the sales of its foreign competitor, but they will also get a significant cash payment courtesy of the U.S. treasury. This is not an insignificant amount. According to the U.S. Customs Service, over $200 million of dumping and countervailing duties were assessed on imports last year.

What this will likely do is to encourage the filing of cases in circumstances that would not otherwise merit it. After all, the cash payment will not be made to the whole domestic industry. Instead, only those who supported the filing of the antidumping petition will be paid. Differentiating between different parts of a domestic industry in this way is unprecedented in our trade policy and completely unwarranted.

Now I understand that the money under this proposal is supposed to be funneled to research and development, and other legitimate purposes. But money is fungible, and I fear that we will only be encouraging litigiousness.

Who will benefit from this proposal? It is certainly not our consumers, who will pay significantly higher prices as a result, and who will likely have to suffer from an even greater number of cases being filed.

Our farmers and our other export industries will not benefit. After all, what will now happen with the enactment of this measure is that we will likely be obliged to pay in some future negotiation, such as market access on agriculture, to preserve what will undoubtedly be described as a private right of action to garner industry-specific government subsidies.

Ironically, the industries that traditionally rely on the dumping and countervailing duty laws will also likely get little benefit from this proposal. While I understand the frustration of some of those who have suffered from foreign dumping and subsidization, this measure, ironically, will do nothing to eliminate unfair trade practices or to ameliorate the conditions that allow these unfair trade practices to persist. We will only have undercut our own efforts to impose greater disciplines on European agricultural subsidies, Japanese support for its steel industry, or Korean support for their automobile industry. This is manifestly bad trade policy wholly apart from the serious technical deficiencies of the proposal.

And what will we say once our trading partners decide to follow our lead and adopt this same scheme in their trade remedy laws? Will we complain? Or will we sit quietly as our farmers and manufacturers begin to face yet another hurdle in their efforts to sell in foreign markets.

Mr. President, this is an ill-considered proposal that not only damages our broader trade policy interests, but it also up-ends the committee structure. I am a strong supporter of our trade remedy laws, but this proposal distorts our laws in a way that serves no constructive purpose. This is unfortunate and unnecessary, and I regret that the Agriculture Subcommittee chose to take this action.

Mr. COCHRAN. Mr. President, the conference report includes a provision that is designed to eliminate an inequity that has arisen regarding a special grade designation of rice known as sweet rice. This rice had been ineligible for price support for some time, but the Department of Agriculture changed the rules in December 1999 to make the 1999 crop eligible for marketing loans and loan deficiency payments for the first time. Unfortunately, producers of this rice had not been notified by the county offices of the crop's eligibility until after the period for obtaining loans and loan deficiency payments had expired.

The provision in the conference report is designed to correct this inequity. The provision would extend the eligibility date for such loans and loan deficiency payments and allow producers of such rice who lost beneficial interest in the crop on or before May 31, 2000, the final date for obtaining loans or loan deficiency payment, to obtain a loan deficiency payment based on the payment rate in effect on the date they lost the beneficial interest. Producers who lost the beneficial interest in their production after May 31, 2000 would be eligible to receive a loan deficiency payment based on the payment rate in effect on May 31. The conferees had agreed that this provision was necessary to make whole those producers of the crop who had lost the opportunity to obtain price support through no fault of their own.

Mr. COCHRAN. Mr. President, with sections 745 and 746 of this bill, the Congress intends to facilitate access for Americans to reimport U.S.-made prescription medicines, as long as it does not lower the safety standards that previous Congresses and Administrations have carefully developed in consumer, health and safety protection legislation over the years. Under these provisions, Americans are allowed access to U.S. products sold overseas at lower prices provided that those medicines, when reimported, are demonstrated to be safe and effective.

At the time the Senate considered this appropriations bill, the Senate adopted an additional safeguard to protect consumer health and safety. By a vote of 96 to 0, the Senate agreed to an amendment which Senator KOHL and I offered to the amendment of Senator JEFFORDS to include the Medicine Equity and Drug Safety Act of 2000 on this bill. That amendment is retained in this conference report, and requires the Secretary of Health and Human Services to make two determinations before the changes to the Federal Food, Drug and Cosmetic Act, FFDCA, in section 745(c) can be implemented. The Secretary is required to demonstrate to the Congress that implementation will: (1) pose no additional risk to the public's health and safety, and (2) result in a significant reduction in the cost of covered products to the American consumer.

As contained in section 745(c), section 804(l) enlists the expertise and conscience of the Secretary of Health and Human Services to make a specific and clear demonstration to assure these changes to the law will produce their intended result and do no unintended harm. In a written report to the Congress, the Secretary is to demonstrate the factual basis for his or her decision. That report should include relevant analysis and information that implementation of these changes in law will pose no additional risks to the American public's health and safety and will significantly reduce retail prices.

After all, the motivation for these changes in law is to let U.S. drugs be brought back from Canada and other countries where they cost less, allowing these drugs to be available to individual American consumers at lower prices. If reimportation results primarily in profits for importers and does not result in a reduction in the price of drugs to American consumers, then the intent of these provisions is not achieved.

I believe that with the additional safeguard provided by the original amendment adopted by the Senate, we can be more assured that this new drug reimportation system, if implemented, will not have adverse unintended effects on public health and safety and will achieve its intended result of making drugs more affordable for individual American consumers.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I yield 5 minutes to the distinguished Senator from Vermont, Mr. JEFFORDS.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I have come to the floor to urge my colleagues to support this Agriculture appropriations conference report. I want to thank Senator COCHRAN, the chairman of the Senate Agriculture Appropriations Committee, for his work on this important legislation. In particular, I want to thank him on behalf of the dairy farmers across the nation, New England and Vermont. Included in this agriculture spending bill is badly needed support for dairy farms. These dairy assistance payments will bring approximately six thousand, four hundred dollars for the average 80-cow dairy farm. At a time when the nation's dairy farmers are facing low milk prices, these payments will help make ends meet.

In Vermont, these payments will give our dairy farmers a much needed boost heading into the long winter. I also want to make a few brief remarks to reiterate my support for the prescription drug provision included in this bill, and to address some of the unfortunate rhetoric that I have heard during this debate.

We all know why this provision is in this bill. The American people are fed up with the situation that exists today, where Americans pay far more for FDA-approved, American-made prescription drugs than patients in any other country in the world. I am not here to demonize the drug industry. It's true that these companies are making some miraculous breakthroughs and improving the lives of many Americans. But why must Americans have to shoulder seemingly the entire burden of paying for research, development and a healthy return to shareholders? I believe it is time we put an end to this unfair burden. I don't think it is fair to expect Americans, especially our senior citizens living on fixed incomes, to pay the highest costs in the world for prescription medicines, many of which are manufactured within our borders. That's why more than a year ago I started working with the Food and Drug Administration, the agency responsible for overseeing the safety of the drug supply in this country to see if there were a way we could safely reimport prescription medicines into our country.

In July, on an overwhelming vote of 74–21, the United States Senate agreed to an amendment I offered with Senators WELLSTONE, DORGAN, GORTON, SNOWE, and others to do just that. Just three weeks ago, President Clinton endorsed the Jeffords language, saying ''I support the Medicine Equity and Drug Safety Act of 2000 which the Senate passed'' and ''I urge you to send me the Senate legislation.'' The negotiators for the House and Senate on the agriculture appropriations bill have now completed their work. Unfortunately, the process used in reaching this agreement was marred by partisanship. That is regrettable. But the product is as strong as the one endorsed by the Clinton administration, and even stronger in some respects.

Some of my Republican colleagues have criticized this proposal for going too far. My Democratic friends have criticized this for not going far enough. The legions of lobbyists for pharmaceutical industry vigorously oppose this proposal, and tried their best to get it stripped from this legislation. I continue to believe that the proposal before the Senate today, while slightly different from my plan, is a strong and workable proposal. Critics have argued that the proposal has been weakened because it allows drug companies to frustrate the intent through manipulations of sales contracts. The fact is, this bill is stronger than either the House-passed or Senate-passed versions because it includes a clear prohibition of such agreements—something that was missing in the House and Senate bills. In fact, let me quote from that

section of the bill: ''No manufacturer of a covered product may enter into a contract or agreement that includes a provision to prevent the sale or distribution of covered products imported pursuant to subsection (a).''

I don't know how to be more clear and simple than that. But just in case my colleagues think that stronger language is needed, the bill grants to the Secretary the ability to react to unanticipated challenges through language in another section which requires that the Secretary issue regulations containing any additional provisions necessary ''as a means to facilitate the importation of such products.'' Such broad authority will ensure that this provision works. In fact, less than 10 days ago, at the very time that the Clinton administration was changing its position on the Jeffords amendment, the New York Times reported that it planned to implement the Patient's Bill of Rights by regulation. It is hard to understand why the administration so eagerly sees regulatory authority where many do not, yet cannot see it when plainly written in the statute. Critics have claimed that the latest version of the bill contains a loophole regarding the labeling requirements. The fact is, the bill requires manufacturers to provide all necessary labeling information, and the provision that I just quoted gives the FDA very broad power to write any other rules necessary to accomplish the intent of the provision. Moreover, this labeling language is unchanged from the version that adopted by the Senate and endorsed by President Clinton.

Critics have claimed that the bill unfairly restricts the countries from which these products may come. The fact is that the bill lists 23 countries to start the process, and lets the FDA expand the list at any time. Critics have complained that this bill will expire after about 7 years. The fact is that this is a vast improvement over the House-passed version which would have expired after only one year. As we all know, major legislation is frequently required to be reauthorized on 5 year cycles in order to force Congress to make improvements, and popular effective laws always survive this process.

Mr. President, this bill, like any other, may not be perfect, but the fact is that it is stronger than the original Jeffords amendment. That is why John Rector, senior vice president for the National Community Pharmacists Association who has been a leader in the effort to reimport lower cost drugs and whose members would be importing under this provision. Mr. Rector recently indicated that this bill, ''will result in the importation of far less expensive drugs.'' This is a workable bill, and that is why the pharmaceutical industry is fighting this tooth and nail—they know it will work. They would like nothing more than to see us to kill this bill. One of our colleagues in the House, who has complained that this provision does not go far enough, noted that this is ''the first defeat ever suffered by the pharmaceutical industry in memory.''

Now I ask you, if this bill is unworkable as the critics have charged, why is the pharmaceutical industry so opposed to the bill, and why are even our critics calling this a defeat for the industry? That should tell you something about what they really think the effect will be of this provision. As I said before, Mr. President, I am disappointed with how partisan this issue has become, but I am glad that the President has said he will sign the bill. I am calling on Congress to put partisanship aside and pass this bill. And I am calling on the Clinton administration to quickly write these regulations so that ordinary Americans can realize savings on prescription drugs as soon as possible.

Mr. President, I rise also today in support of two important food stamp provisions included in this conference report. These provisions are based upon S. 1805, the Hunger Relief Act of which I was proud to be an original cosponsor.

The language in the bill will allow low-income people who spend more than 50 percent of their income on housing to receive food stamp benefits at a level that more accurately reflects their need. Additionally, it will allow low-income people who need a car to find or keep work to still receive food stamp benefits and continue to own a reliable car.

These provisions will provide important relief for needy families in Vermont and all around the United States. In Vermont alone, 42,000 people, the great majority families with children or senior citizens, are on food stamps.

Both provisions in this conference report are important to my state of Vermont. First, the increase in the maximum amount of excess shelter expense deduction to qualify for food stamps is important as we have lately seen housing prices increasing rapidly in Vermont. Without the increase contained in the conference report, rapidly rising housing prices are diluting the effectiveness of the food stamp program because the true need for food stamps is not being adequately represented. The vehicle allowance provisions are vital in a rural state like Vermont where a reliable car is almost a necessity to get to or find work. Providing flexibility in the vehicle allowance will allow low-income individuals to qualify for food stamps while being able to continue to own a reliable car.

While I would have liked to have seen the entire Hunger Relief Act included in this appropriations bill, the inclusion of these two provisions is an important first step forward. I will continue to push for Congressional passage of the entire Hunger Relief Act, but wanted to express my gratitude to the conferees for the inclusion of these provisions which are so important to my constituents.

Mr. President, as the principal author of the drug importation amendment included in the Agriculture Appropriations bill, I am taking this opportunity to provide a detailed explanation of the provisions of the drug importation section.

The conference report to H.R. 4461 amends the Federal Food, Drug, and Cosmetic Act and expands the entities permitted to import certain drugs into the U.S. under Section 801 of the Act, to include pharmacists and drug wholesalers. The Secretary of Health and Human Services will promulgate regulations to carry out the importation provisions after consultation with the United States Trade Representative and the Commissioner of Customs.

Under the new section 804(b), the regulations promulgated by the Secretary must ensure that each drug product that is imported under this section complies with section 501, 502, and 505, and any other applicable provisions of the Federal Food, Drug, and Cosmetics Act (FFD&C Act) and is safe and effective for its intended use, as well as the provisions of this section. This provision also grants broad discretionary authority to the Secretary to include any additional provisions in the regulations that are necessary to protect the public health and to facilitate the importation of drug products under this section.

Subsections (c) and (d) outline extensive record keeping requirements that must be met in order to import under this law, including:

(1) the name, amount and dosage description of the active ingredient;

(2) the shipping date, quantity shipped, and points of origin and destination for the product, price paid by the importer, and price sold by the importer;

(3) verification of the original source and amount of the product received;

(4) the manufacturer's lot or control number;

(5) the name, address, and telephone number of the importer, including the professional license number of the importer (if any);

(6) lab records assuring that the product is in compliance with established standards;

(7) proof that testing was conducted at a qualifying laboratory; and

(8) any other information the Secretary determines is necessary to ensure the protection of the public health.

For a product that is coming from the first foreign recipient, the importer must also demonstrate: (1) that the product was received from a U.S. manufacturer, (2) the amount received and that the amount being imported into the U.S. is not more than the amount received, (3) for the first shipment, documentation showing that each batch was statistically sampled for authenticity and degradation, (4) for all subsequent shipments, documentation that a statistically valid sample of the shipments was tested for authenticity and

degradation, and (4) that the product meets labeling requirements and is approved for marketing in the U.S.

For a product not coming directly from the first foreign recipient, the importer must have documentation demonstrating: (1) that each batch is statistically sampled and tested for authenticity and degradation, and (2) that the product meets labeling requirements and is approved for marketing in the U.S. All testing must be performed at an FDA-approved U.S. laboratory.

Subsection (e) requires that manufacturers provide information to importers sufficient to authenticate the product being imported and to meet the labeling requirements of the FFD&C Act. This provision is understood and intended to require manufacturers to provide such labeling information as is necessary for importers to comply with applicable labeling requirements sufficient for sale and marketing in the U.S. It is also understood and intended that the requirements and authority granted in this provision are supplemented, if necessary, by the broad discretionary authority contained in 804(b)(3) to facilitate the importation of drug products under this section. This information shall be kept in strict confidence. Pursuant to the ''Enhanced Penalties'' subsection below, violation of this subsection is punishable by 10 years in prison or a fine of $250,000 or both.

Subsection (f) refers to an initial list of countries with recognized regulatory structures from which drugs may be imported under this section. The list includes Canada, Australia, Israel, Japan, New Zealand, Switzerland, South Africa, and the EU (Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, England, Liechtenstein, and Norway). The Secretary may expand the list at anytime, taking into consideration protection of the public health.

Subsection (g) requires the Secretary to suspend imports of specific products or by specific importers upon discovery of a pattern of importation of counterfeit or violative products, until an investigation has been completed.

Subsection (h) prohibits contracts or agreements that include any provision preventing the sale or distribution of imported drugs under this section. This provision is understood and intended to prevent manufacturers from ''gaming'' the system or interfering with importation under this section through contractual arrangements that utilize restrictions or disincentives for reselling the drugs into the U.S.

Subsection (i) requires the Secretary to conduct a study regarding the compliance of importers with the requirements of this section, and the incidents of importation of noncompliant shipments of prescription drugs under this section, as well as the effect of importations under this section on trade and patent laws. The Comptroller General will study the effect of this provision on prices of covered products.

Subsection (k) provides definitions for a number of terms in this act, and includes several changes and additions from Senate-passed version. The definition of ''covered product'' clarifies that certain controlled substances are not eligible for importation, and that biological products are also ineligible. In order that this act not create a disincentive for charitable contributions of drugs to foreign countries or humanitarian organizations, this subsection excludes such products from eligibility under this act.

This provision also recognizes that many parenteral drug products (drugs that are administered through IVs, injections, or other means other than orally) are considered by the Secretary to be more sensitive to improper storage and handling, and may be at a higher risk of degradation or present more difficulty in testing for authentication or degradation. Therefore, the 801(d)(1) importation restriction shall continue to apply to parenteral drug products, the importation of which, according to the Secretary, may pose a threat to the public health.

The definition of pharmacist is similar to that in the Senate-passed bill, and is presumed to include a licensed pharmacist, since such a pharmacy is required to have a licensed pharmacist of record.

Subsection (1) is similar to the amendment offered by Senator COCHRAN and adopted unanimously by the Senate during the floor debate. The provision, as included in this conference report, has been changed to require the Secretary to ''demonstrate'' (instead of ''certify'' in Senate-passed version) that implementation will ''pose no additional risk'' (instead of '' pose no risk'' in the Senate-passed version). The provision is otherwise identical to the Senate-passed version.

This act is no longer effective after 5 years from the effective date of the regulations promulgated hereunder. The 5 year clock will begin to run after the regulations are finalized and any litigation is completed.

The conference report includes a new subsection which clarifies that a violation of this section is a prohibited act under the FFD&C Act. This new provision also provides for enhanced penalties (10 years in prison and/or $250,000 fine) for manufacturers who fail to provide information necessary for testing or labeling of imports, and importers who divulge such information for any purpose other than verifying authentication or degradation tests.

The conference report includes a provision that passed the House earlier this year pertaining to the importation of prescription drugs imported for personal use. Current FDA practice has been to not confiscate certain drugs reimported for personal consumption, but, in many cases, to send intimidating warning letters that do not specify how the law is being violated. This bill includes provisions prohibiting the FDA from sending warning notices unless it includes a statement of the underlying reasons for the notice.

Finally, Mr. President, I would like to thank my colleagues that worked so closely with me on this issue. Specifically, I would like to thank Senators GORTON, WELSTONE, and DORGAN, and their staffs, Kristen Michal, John Gilman, and Stephanie Mohl for their countless hours of work on this provision. Without the bipartisan cooperation of my collegues, passage today of this provision would have been impossible.

I urge my colleagues to support this provision and support this Agriculture appropriations conference report.

The PRESIDING OFFICER. Who yields time?

Mr. KOHL. Mr. President, I yield 4 minutes to Senator BYRD.

Mr. BYRD. Mr. President, now before the Senate is the conference report on H.R. 4461, the Fiscal Year 2001 Appropriations bill for Agriculture, Rural Development, the Food and Drug Administration, and Related Agencies. This conference report includes many items important to West Virginia, and to all states, relating to agricultural research and production, conservation, rural development, food assistance, human health, and many other priority areas. I congratulate Senator THAD COCHRAN, Chairman of the Agriculture Subcommittee, and Senator HERB KOHL, Ranking Member, for their hard work in finalizing this very important conference agreement.

This conference report provides a total of $74.458 billion in new non-emergency budget authority. This total includes $34.691 billion for agricultural programs (including reimbursement to the Commodity Credit Corporation for net realized losses); $873 million for conservation programs; $2.487 billion for rural development programs; $34.117 billion for domestic food programs; $1.091 billion for international trade assistance programs; and $1.168 billion for related agencies, including the Food and Drug Administration.

It is important to note that this conference report includes more than the annual Fiscal Year 2001 appropriations for programs under the jurisdiction of the Agriculture Subcommittee. This conference report also includes $3.642 billion in emergency spending. This funding is related, in large part, to action taken by the Senate Appropriations Committee on May 9, 2000, when the Committee approved Fiscal Year 2000 Supplemental Appropriations. The House of Representatives approved a similar FY–2000 Supplemental Appropriations bill on March 30, 2000.

Included in the $3.642 billion in emergency spending are provisions to provide assistance to those who have suffered from natural disasters which have occurred this year and to partially offset certain market losses suffered by the agriculture sector. When

the Appropriations Committee considered supplemental spending more than five months ago, I offered a number of amendments, which were adopted, to provide a timely response to predicted summer drought conditions. One of those provisions would provide $450 million for livestock-related losses, more than double the amount available last year. Another item provided an additional $50 million in loans and grants to provide water supply in rural communities, especially those suffering from drought conditions. I am happy to report that this conference report includes these two items and levels of $490 million and $70 million, respectively.

One other item included in this conference report is a provision which I proposed on the subject of compensation to U.S. industries for losses sustained as a result of unfair foreign trade practices. The U.S. agriculture and manufacturing sectors have been able to avail themselves of legal remedies to challenge foreign actions, but have not had adequate means to recover from the losses resulting from those actions. Now, such a mechanism will be in place and U.S. farmers and workers of all trades affected by unfair trade practices will be able, in essence, to recover monetarily rather than simply having the right to file a complaint.

This extra step is necessary. Current law has simply not been strong enough to deter unfair trading practices, whether in the agriculture or manufacturing industries. Continued foreign dumping and subsidy practices have reduced the ability of our injured domestic industries to reinvest in their workers, equipment, or technology. My provision simply provides a mechanism to help injured U.S. industries recover from the harmful effects of illegal foreign dumping and subsidies. And, most importantly, if our foreign trading partners play by the rules, my provision will never have to be used.

Mr. President, this conference report includes many items important to all Americans, and I am happy to support it. Action on this measure is long overdue. Disaster assistance is badly needed to help people all across the nation who are suffering from drought, storms, floods, and crop loss due to infestations of pests and disease. I urge all my colleagues to join me in support of this conference agreement.

Mr. COCHRAN. Mr. President, I yield 5 minutes to the distinguished Senator from Louisiana, Mr. BREAUX.

Mr. BREAUX. Mr. President, congratulations to the chairman and Senator KOHL for the work they have done on this Agriculture appropriations bill. It indeed has been a very difficult endeavor. I plan to vote for final passage of this Agriculture appropriations bill because I think it is very important and there are many very important things in it dealing with agriculture, which is with what we would think an Agriculture appropriations conference report should deal.

I highlight, however, one thing that I think is very bad public policy; that is, the question of an amendment to this bill allowing for the importation of foreign drugs manufactured in foreign countries, under foreign standards, to be imported into the United States under the guise of ''this is the solution'' or even a partial solution to the high costs of prescription drugs and the unavailability of prescription drugs under our Medicare program for the 40 million senior citizens in this country who need prescription drugs.

Many people said when the bill left the Senate that this provision that was added was a sham. I thought it was a sham when it left and it has come back and it is a worse sham than when it left. This is ''Son of Sham,'' or a double sham, in the sense that this makes absolutely no sense.

Members of both sides of the aisle have said: We are against drug price controls because that is un-American; that is not the way we encourage businesses to operate; we want businesses to compete against each other and the companies that can do the best job for the best price get the business. That is what the American system is all about.

Instead, we have in this bill a provision that says, we might not like price controls in this country, but we are going to import not only the drugs from other countries but their price control systems—as if that somehow makes it all right. The concept is other countries have price controls; therefore, it is cheaper. The fact is, in Canada, to which so many of our people point, there are some drugs that are cheaper because of price controls, but there are many other drugs that, in fact, cost more in Canada than they do here. In many cases, the drugs we have here are simply not available in Canada at all, or maybe a year or two after they are available in the United States, because of the adverse impact of a price control system we are now trying to import into this country.

In addition to that reason that this is bad policy, there are about 10 former Food and Drug Administration agencies that said: Wait a minute; hold on, Congress. What in the world are you doing? This is not a safe process you are legislating into law. We are not going to be able to determine the safety of these drugs. Maybe in Canada it would be all right, but what about Pakistan or what about a Third World country or what about a country we have very little to do with? Are we going to let the drugs come in from those countries as well, which this bill allows? How are we going to be able to guarantee that the same safety or precautions that are in effect in a Third World nation are in effect here in the United States in order to protect the consuming public? How are we going to know that the little pill that is the same color and approximately the same size has in it the same material that it has in this country, that has been approved by our Food and Drug Administration?

This may give some of our colleagues a feeling we have done something to solve the prescription drug cost problem for our seniors. It does not. It does not come close. This is not even a fig leaf of coverage for those who reply to: What have you done on the issue of prescription drugs? The answer is, we probably made the system worse by bringing in drugs the quality of which we cannot guarantee. We cannot guarantee where they came from, how they were produced, or who has been protecting them since they left the factory and ultimately found their way into the United States. The answer is not that complicated. What it takes is a lot of political courage to do what is right and to tell our seniors there are no real easy answers to this problem.

What we need to provide to America's seniors is the same thing that I have as a Member of the Senate, that every one of my colleagues has and every one of the Members of the other body has and the other 9 million Federal employees have; that is, coverage under their health insurance plans that cover prescription drugs. When I walk into a drugstore, I do not pay full retail price, not one of us does. We get a discount because we do volume purchasing under our Federal insurance plan. In addition to the volume purchasing, we also have a very small copay, which allows us, instead of having to pay full price, to pay only a fraction of the price. That is the same type of system we should put into effect for our Nation's seniors.

The PRESIDING OFFICER (Mr. VOINOVICH). The 5 minutes of the Senator has expired.

Mr. COCHRAN. Mr. President, I yield the distinguished Senator 2 additional minutes.

Mr. BREAUX. I don't want to belabor the point, but when I walk into a drugstore, the retail price may be $100. But because of volume purchasing, it may only cost me $70, and because I have coverage, I don't pay $70. I pay a small copayment of maybe $30. I walk out of the drugstore with $100 worth of drugs paying only $30 because I am covered. A Medicare recipient who has no coverage pays the full retail price of $100. That is what is wrong with the system as it is currently constructed.

The answer clearly is not to say we are going to allow people to import drugs from Bangladesh or Pakistan or other countries around the world where we cannot guarantee the quality. That is not the way to do it. It was a sham when it left the Senate. It is a sham as it is being presented to the Senate today. We should have the political courage to address this in a very serious way.

To those of our two colleagues who have worked so hard on this, I thank them for their understanding and their participation. I do not fault them for what has happened. It passed the House by a huge margin. It passed the Senate by a huge margin. It is not the right policy and doesn't solve the problem. I

wanted to bring it to the attention of my colleagues.

Having said that, I intend to vote for the overall product because of the many good things it has in it for American agriculture and American farmers. I think our two leaders are to be congratulated for that product they bring before the Senate.

Mr. COCHRAN. Mr. President, I yield 5 minutes to the distinguished Senator from Alabama, Mr. SESSIONS.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I would like to share a few remarks about the Agriculture bill. I thank Senator COCHRAN and his committee for their work on a very difficult issue at a very difficult time for agriculture. There are no easy solutions to the problems farmers are facing. We know farmers are in trouble. One experienced farmer who heads the Alabama Farmer's Federation told me that without Federal help, he believes in just the next 2 years, one-third of the farmers in Alabama would have gone out of business. It has been costly, but I believe what we are doing is the right thing to do.

Also, before I make those remarks, I would like to say I did return, with quite a number of Senators this afternoon, from the memorial service at Newport News to recognize the sailors who lost their lives in this attack on the *Cole*. We have to remember the *Cole*. We have to remember them. For a whole lot of reasons it was a very meaningful experience for me and I believe for their survivors. I was able to meet a number of sailors who had been wounded. I think all of us in this country need to pause, periodically, to remember how much we owe to the men and women in uniform.

This year, farmers in my home State have faced the worst drought in over a century. In particular, farmers and cattlemen in the southeast region of the state, have been devastated. This drought has come after two previous years of drought. Scorching temperatures and virtually no rain have made it extremely difficult for these fine men and women to continue to farm. In Headland, AL, for example, only 18 inches of rain has fallen this year. This is a part of the State that normally sees over 45 inches by this time.

More rain has come lately but not nearly enough and not soon enough to compensate for the earlier losses. Corn yields are down 40 percent. The peanut crop has had a very bad year, and the cotton crop has been very bad.

It has not been a good year at all for Alabama farmers. This drought has been one of the most severe on record. At some point since March 1, all parts of Alabama have been classified ''exceptional drought'' by the U.S. Drought Monitor. This is the most severe drought rating.

The entire State has been declared a disaster by the Secretary of Agriculture, and the Department of Agriculture has done some good work in helping to respond to the crisis.

However, I continue to hear from farmers at home that they question how long they can actually stay in business if the situation doesn't improve. A combination of bad crop-years and low prices can be devastating. Some livestock producers have liquidated their herds. Nearly all of them had to sell their stock earlier and lighter than normal, costing them money. Over 50 percent of this year's hay harvest has been lost, and this is just in Alabama. There have also been droughts in other States such as Mississippi, Georgia and Texas.

The $3.6 billion in emergency disaster aid included in this conference report is needed to assist these families and others who have experienced losses from drought, fire and other natural disasters.

I am especially pleased that Senator COCHRAN and the conference committee agreed to retain my amendment in the Senate version of the bill to assist Alabama in its emergency hay and feed operations for livestock producers. The Commissioner of Agriculture and Industries, Mr. Charles Bishop; the Alabama Cattlemen's Association and Dr. Billy Powell, its leader; the Alabama Farmers Federation; and other organizations have worked together to provide assistance to struggling cattlemen throughout the summer. Unfortunately, the funding for this assistance has run out. The State funding has collapsed. The $5 million in this conference agreement will go a long way to help these cattlemen make it through the winter without having to sell off their herds, which undermines their ability to have a productive economic enterprise.

I am also pleased that the conference report contains funding for a number of fine agricultural research projects in Alabama and all over the country. These projects keep us on the cutting edge of agriculture, and it is the only way we will be able to compete successfully in the world market. It includes catfish disease research. Catfish is one of the biggest cash crops for agriculture in the State. Peanut allergy research is a critical issue for us. I am particularly pleased the funding for Satsuma orange research was retained in the conference report.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. SESSIONS. I ask unanimous consent for 2 additional minutes.

Mr. COCHRAN. Mr. President, I yield the distinguished Senator what time he may consume.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, the funding for Satsuma orange frost research will go a long way to nurturing this fledgling industry along the gulf coast.

At the beginning of the 20th century, Satsuma orange groves flourished throughout the gulf coast. Indeed, they were running advertisements encouraging people around the country to come down and grow Satsuma oranges. In fact, 18,000 acres of the sweet, easy-to-peel fruit were farmed during the twenties and thirties along the upper gulf coast. However, a period of severe winters around 1940 led to the decline of Satsuma production.

Today, fledgling Satsuma groves exist in Alabama, Louisiana, and Texas. Research by Auburn University, one of the finest research institutions in the world, is being conducted to determine how to make this fruit more frost resistant. There are some ideas percolating that may actually do that. This funding will give us the opportunity to revitalize this industry.

I am certainly pleased with the overall agricultural spending. We have a lot of emergency assistance for farmers this year because it has been a particularly bad year in some areas of the country, including Alabama.

Again, I thank Chairman COCHRAN for his leadership. He understands this issue; he understands this Senate. He has wrestled with these issues for years, and his leadership will help this bill pass with overwhelming support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, I thank and congratulate the chairman of the subcommittee, Senator COCHRAN, for all of his work in crafting this conference report. I believe overall this measure does a very good job of providing funds for ongoing work at USDA, FDA, and the other agencies covered in this bill. It also provides much needed emergency relief for farmers and ranchers suffering from both market loss and natural disasters.

However, I am disappointed that the conference committee could not come to a better conclusion on two highly controversial issues involving trade sanctions and reimportation of prescription drugs.

With regard to the Cuba provision, I would have preferred the Senate language. That language received broad support in this body.

With respect to the reimportation of prescription drugs, I am concerned the language in this report has too many restrictions and may not result in lower drug prices for our seniors, as well as others.

While some of us disagree on the language of these two items, nevertheless this conference report does provide immediate and targeted economic relief to struggling producers. Some producers are receiving the lowest prices for their products in over 20 years.

With respect to the dairy industry, the emergency provisions included in the conference report do not solve the larger problems facing our industry. However, it is an appropriate and vital step in protecting family dairy farmers. I encourage all Senators to support this conference report.

The conference report accompanying the fiscal year 2001 Agriculture appropriations bill provides $78.5 billion in

funding for the operations and programs of the U.S. Department of Agriculture, the Food and Drug Administration and other agencies. This conference report includes much needed emergency relief to assist farmers hurt by economic and weather-related losses. The conference report also includes legislative language regarding food and medicine sanctions and language regarding the reimportation of prescription drugs. I am pleased that the conference committee also accepted a provision that will make it easier for citizens to participate in the federal food stamp program.

From the beginning of this year's appropriation cycle I have been honored to work with the very distinguished Chairman, Senator COCHRAN. The Senator from Mississippi has done an outstanding job of steering this bill through the appropriation process and I believe that with his leadership we have achieved a very fair and balanced conference report.

There are two highly controversial issues relating to this conference report which prevented the House and Senate conferees from moving this bill prior to today. In fact, the FY 2001 Agricultural Appropriations bill was reported by the full Appropriations Committee on May 20, 2000 and was approved by the full Senate on July 20, 2000. With farmers and ranchers struggling with significant market losses and natural disasters, it was my hope that we would have moved this legislation to the President's desk prior to the August recess period.

With regard to the Cuba language, I am disappointed that the conferees did not accept the language that was included in the Senate version of this bill. The language approved by the Senate received broad support and would have created expanded opportunities for Americans to sell food and medicine to Cuba. The provision included in this conference report makes it more difficult for these sales to take place, by preventing U.S. financial institutions from providing financing. The provision also codifies travel restrictions on Americans going to Cuba, making it more difficult for farmers to travel to Cuba to negotiate a sale. Although I do not believe we should be lifting our broader embargo on Cuba until we see democratic reform in Cuba and the end of the repressive Castro regime, in the meantime, I believe that blocking the sale of food and medicine has done little to bring us closer to that goal and has the unintended consequence of harming the very people we want to help.

With regards to the reimportation of prescription drugs, I am extremely disappointed with the process by which the conference provision was developed. We started with a very bipartisan process to develop workable language, but unfortunately, that process was hijacked. Instead, decisions were made in backroom deals behind closed doors. Even when improvements were suggested that would improve the language, they were ignored. This process was a disgrace to the Senate and to our nation's seniors who would benefit far more from a bipartisan process.

American consumers are rightly concerned about the high costs of prescription drugs—especially when compared to prices in other countries. These high costs are forcing America's seniors to often choose between buying food or paying for their medicine bills. America's seniors have footed the bill for the pharmaceutical industry's high profits for far too long.

I believe reimportation could help alleviate the high costs for many seniors, but I am concerned that the language in this conference report has several loopholes that will prevent it from being fully effective. In particular, I am concerned that the sunset provision will have a chilling effect on pharmacists and wholesalers, who may not invest in reimportation because the ability to do so will end in five years. And I am very concerned that drug companies can still keep American prices high by demanding that foreign sellers charge American pharmacists and wholesalers the higher, American-set prices when they reimport drugs. All of these issues, of course, could have been resolved in a bipartisan process.

That said, I am hopeful that the spirit of the reimportation provision—to lower drug prices for American consumers—will become a reality as it is implemented. Let me remind the drug companies in this country that reimportation was overwhelmingly supported in both Houses of Congress. We fully expect drug companies to comply with the intent of the law, and not look for loopholes to continue to inflate their profits.

Most importantly, let me say that while reimportation is an important first step toward helping seniors with high drug prices, make no mistake: this is not a substitute for a Medicare prescription drug benefit. Anyone who claims that reimportation is the answer to the outrageous drug prices seniors face is out of step with reality.

Drug prices are a major problem—but so is coverage. With one-third of seniors lacking any drug coverage at all, it is critical that we pass a Medicare prescription drug benefit as soon as possible.

While some of us may disagree with the outcome on the Cuba sanctions and re-imported drug issues, this conference report does provide immediate and targeted economic relief to struggling farmers and ranchers. In my state of Wisconsin alone, we are losing three dairy farmers a day. While the dairy market loss payments included in this conference report does not solved the larger problems facing our industry, it is an appropriate and vital step necessary to protect our family farmers.

Section 805 of the conference report provides assistance to dairy farmers in an amount equal to 35% of the drop in the price this year from the previous five year average. Let me restate that, ''35%'' of the ''drop'' in price. By contrast, earlier this year the administration proposed a farm emergency package for program crops that would have provided payments to guarantee farmers of certain commodities ''95%'' of the previous 5 year average ''total gross income''.

I cannot overstate the devastation the current dairy price collapse is bringing to family farms all across America. Back home in Wisconsin, the crises is overwhelming. Recently, I received a call from a dairy producer named Tom LaGesse of Bloomer, Wisconsin. Mr. LaGesse informed me that in his small town, located in northwest Wisconsin, five producers within the span of one week went out of business. He also told me that if we do not provide immediate, and direct emergency payments within 60 days, he would be the next producer to go out of business. All too often we hear a lot of talk about saving the family farm but little action. Mr. President, these dairy payments will hopefully save Mr. LaGesse and many, many others like him.

I am aware that producers may have questions regarding the implementation of the dairy payments included in this conference report. That is why I would like to insert into the RECORD the following questions and answers that may address the concerns of producers across the country.

QUESTIONS AND ANSWERS REGARDING EMERGENCY DAIRY PAYMENTS

Question: How soon after the President signs this bill into law can dairy producers expect to receive payments?

Answer: For existing dairy farmers who received Dairy Market Loss Assistance payments earlier this year, payments should go out fairly quickly. New producers who have not previously applied for or received Dairy Market Loss Assistance payments from USDA may wait a little longer.

Question: How will payments be calculated?

Answer: Each producer's payment will be calculated by multiplying their ''eligible'' production by the payment rate. The payment rate equals 35 percent of the decline in the market value of milk in 2000 from the previous five year average. During 1995–99, the market value of all farm milk as reported by USDA was $14.25 per hundredweight. USDA currently projects the all milk price will average $12.40 per hundredweight in 2000, so the projected payment rate would be .35 times $1.85 or about 65-cents per hundredweight.

Eligible production for existing producers who received payments under the earlier program will, in most instances, be their actual milk production marketed in either 1997 or 1998, whichever is higher, up to a limit of 3.9 million pounds. Eligible production for existing producers who received payments under the earlier program, but had no production in 1997 or 1998, will be their actual milk production marketed in 1999 up to a limit of 3.9 million pounds.

Existing producers in either of the above categories who had less than 12 months of production in the base year used to calculate their earlier payments will have the option of substituting their actual production marketed during the 12 months from October 1,

1999, through September 30, 2000, up to a limit of 3.9 million, if it is greater than their base period marketings used for the earlier payments.

Finally, eligible production for new producers who did not receive payments under the earlier programs will be their actual production marketed during the 12 months from October 1, 1999, through September 30, 2000, up to a limit of 3.9 million pounds.

Question: Does a producer have to fill out forms or can they expect to automatically receive their payment?

Answer: The Secretary of Agriculture will decide exactly how to administer the program and what will be required of producers. However, I believe he can automatically pay existing producers who participated in the earlier payment programs and that only those new producers and those few who have the option of updating their base period production should need to fill out new applications.

Question: How much should producers expect to receive?

Answer: First, a producer's payment does not depend directly on the number of cows on the producer's farm but on the producer's eligible production as described above. A producer can estimate his own payment by multiplying his eligible production by the estimated payment rate of 65-cents per hundredweight. An average milk cow produces 17,200 pounds of milk per year. Using this average, producers can expect about $112 per milk cow. A herd of 225 average milk cows will reach the 3.9 million pound limit and receive the maximum payment of about $25,000.

Also included in the conference report is a cranberry relief package that provides assistance to cranberry growers who are suffering with record low prices. This year, my state of Wisconsin will lead the nation in cranberry production. The language in the conference report provides $20 million for direct cash payments to growers and language directing the USDA to purchase $30 million worth of cranberry products.

The cranberry direct payments provision is similar to other market loss assistance provisions in the bill. In order to insure that the funds are equitably distributed in the market place, the provision includes a cap on payments that would be limited to not more than 1.6 million pounds per separate farm unit, regardless of farm ownership.

In recent weeks, the cranberry industry has been working very closely with USDA and the recipients of federal food distribution programs to support purchases of juice concentrate, frozen fruit, or other comparable high-concentration fruit products that will remove the highest quantities of surplus fruit from current inventory. The industry and USDA is working to ensure a nutritious and easy to use product available for the recipients of federal food distribution programs. I appreciate the close cooperation of the Department on this and urge them to move quickly to address this disastrous surplus situation through additional purchases of products containing high concentrations of cranberry products provided for in the bill.

I close by reminding my colleagues that I support the conference report. I also express my sincere appreciation to Senator COCHRAN for his leadership, his fairness, and expertise in the many programs and accounts included in this bill. I thank Senator COCHRAN's subcommittee staff for all their work on this conference report. I urge all Senators to join me in support of this important conference report.

I thank the Chair, and I yield the floor.

Mr. COCHRAN. Mr. President, what is the status of the time and the allocation between both sides?

The PRESIDING OFFICER. The Senator from Mississippi has 10 1/2 minutes, and the Senator from Wisconsin has 2 minutes 50 seconds.

Mr. COCHRAN. Mr. President, I appreciate very much the comments that have been made by a number of Senators about the development of this legislation and the efforts we have made to negotiate an agreement with the House and bring back this conference report for final consideration by the Senate today.

There have been some statements made on the floor today that I think require a response. There was some singling out of individual research projects by the distinguished Senator from Arizona as if these were pork barrel projects. One response has already been made, and that was by the distinguished Senator from Alabama as he talked about some of the specialty crops and specific agricultural and aquacultural activities in his State. He explained the importance of ongoing research initiatives that will help improve the opportunities for agricultural producers to grow those crops and engage in those agricultural and aquacultural pursuits, and to do so profitably, helping to guarantee safe and wholesome supplies of food and food products for people in that State and throughout the country.

We have had a very difficult time in agriculture this year, and because of research, we are able to overcome some of those difficulties and provide hope that in these areas of particular stress in agriculture and aquaculture, we will be able to offer better days in the future.

A considerable attempt and a determined attempt is made in this legislation to identify ways to help improve the opportunities for U.S. agricultural producers to stay in business, to deal with the problems of drought, of infestation of insects and pests, to deal with the problems of weeds and other threats to efficient operation and production of our agricultural lands.

There is nothing wrong with the Government providing Federal funds to help identify better ways of dealing with these problems in agriculture.

One other comment that particularly distresses me is the emphasis on criticizing the existing farm bill as if it is the reason farmers are having such a difficult time.

I recall several years ago when we first realized that in the Asian economies they were getting to the point where they were no longer able to import from our country agricultural commodities in the quantities that they had in the past because of the economic crisis. Particularly countries such as Korea, Japan, and other Asian economies were suffering—the so-called ''tiger economies'' of Southeast Asia. And to hear today a statement that for several years in a row we have had to adopt agricultural disaster and economic assistance programs because of the Freedom to Farm Act. Have Senators forgotten some of the problems that our agricultural producers and exporters have had to overcome that had absolutely nothing to do with the Freedom to Farm Act but everything to do with a worldwide economic crisis? That is the main problem that agriculture had in the first 2 years of this existing farm bill.

To hear some Senators today indicting, again, the Freedom to Farm bill for the results of this year's drought is another new stretch of the imagination and credibility of this institution. Senators know enough not to believe that.

The Senator from Alabama was pointing out how in his State the drought problems are the worst in memory—and not just this year but add to the problems that occurred last year—and you understand how serious, how desperate the situation is in agriculture in Alabama this year, to cite one example. It has nothing to do with the Freedom to Farm Act.

Many worked very hard to craft the farm bill of 1996, Democrats and Republicans in the Senate and in the House—of course, it was not unanimous. But they worked hard to develop the best possible legislation under which we could provide support and rules under which the Federal Government could make available incentives for production agriculture, stabilize prices, and have a predictable level of support from the Federal Government. The bill attempts to avoid the ups and downs, the whims, of one administration or the other, the vicissitudes of a Congress that is unpredictable at best on these matters. The bill prescribed well in advance, over a period of years, the level of assistance for commodity producers that were eligible for benefits—that was the result of that negotiation in the legislation that was produced.

And now to lay it all off on that, as if that is the reason for these difficulties, to me, goes too far and deserves a response. It ought to have a response. I am pointing out at least two instances where that indictment and that criticism is just not accurate, it is not supported by the facts, and it has nothing whatsoever to do with this legislation.

This legislation includes, however, $3.6 billion in additional assistance of an emergency nature to try to assist those who have had difficulties this year over and above those that were expected. Because of findings made by the Senate and the House and the administration, this justifies emergency

funding, and it is included in this legislation.

So I am hopeful and I am confident that the Senate is going to recognize the legitimacy and the importance of adopting this conference report. It reflects a lot of hard work by members of our appropriations subcommittee that developed the legislation, working in a bipartisan fashion, and working with our colleagues in the other body after our bill was passed and we negotiated this conference report with them, to come up with the best possible work product under the circumstances that we find ourselves today.

But no matter how much money we appropriate for research, for disaster assistance, for export assistance, trying to help stimulate our sales in overseas markets, we cannot solve all the problems of agriculture by the passage of this one bill. Everybody knows that. But it is a major and important step, and it will benefit a lot of American agricultural producers.

There is also more in this bill than just production agriculture assistance, but it is an important aspect of this legislation. This is a $78 billion bill. Nearly $40 billion of the funds relates to agriculture, landowner assistance, research to try to help do the things you have to do to maintain efficiency, understand the new technologies, translate the research from the laboratory to the farm through extension programs so that we have the finest, the most efficient, the most dependable agricultural sector in the world. This bill achieves those goals.

We also, at the same time, provide food safety programs, an inspection service that is fully funded, a food safety initiative that is fully funded at the request of the administration, to make sure that we have a wholesome supply of food, and it is fit for consumption by Americans, and it is reasonably priced.

We achieve that goal in this legislation. There are many in our country who do not have the benefit of high incomes. We have low-income people who live in poverty areas who need food assistance. This legislation includes school lunch program and school breakfast program funding. It includes Women, Infants, and Children Program funding, Food Stamp Program funding, assistance to soup kitchens, to those who use surplus commodities to provide lunches and meals for people who cannot afford food, so that we do not have people who are out of work and out of food. This legislation provides that important benefit as well.

So, on balance, this is a good bill. It deserves the support of the Senate. I hope all Senators will support it.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, I yield our time.

Mr. COCHRAN. Mr. President, I ask for the yeas and nays on the conference report.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to the conference report. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) and the Senator from Minnesota (Mr. GRAMS) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 8, as follows:

[Rollcall Vote No. 277 Leg.]

YEAS—86

Abraham	Edwards	McConnell
Akaka	Enzi	Mikulski
Ashcroft	Fitzgerald	Miller
Baucus	Frist	Moynihan
Bayh	Gorton	Murkowski
Bennett	Graham	Murray
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Hollings	Roth
Bunning	Hutchinson	Santorum
Burns	Hutchison	Sarbanes
Byrd	Inhofe	Schumer
Campbell	Inouye	Sessions
Chafee, L.	Jeffords	Shelby
Cleland	Johnson	Smith (OR)
Cochran	Kerrey	Snowe
Collins	Kerry	Specter
Conrad	Kohl	Stevens
Craig	Landrieu	Thomas
Crapo	Lautenberg	Thompson
Daschle	Leahy	Thurmond
DeWine	Levin	Torricelli
Dodd	Lincoln	Warner
Domenici	Lott	Wellstone
Dorgan	Lugar	Wyden
Durbin	Mack	

NAYS—8

Allard	Kyl	Smith (NH)
Feingold	McCain	Voinovich
Gramm	Nickles	

NOT VOTING—6

Biden	Grams	Kennedy
Feinstein	Helms	Lieberman

The conference report was agreed to.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

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

MEMORIAL TRIBUTE TO FREDERICK HART BY REVEREND STEPHEN HAPPEL

Mr. THURMOND. Mr. President, it was only a little over a year ago when this nation lost one of the most inspiring, talented sculptors of the 20th century. Frederick Hart's passionate spirituality and his extraordinary ability to transform human emotions into physical elements were reflected throughout his works of art, and his tragic death has left a tremendous void. I know that I convey the thoughts of all who had the privilege of knowing Rick as I again extend my condolences to his wife, Lindy, and their two sons, Lain and Alexander.

On October 6, 2000, Reverend Doctor Stephen Happel, Dean of the School of Religious Studies at Catholic University, paid tribute to Frederick Hart at a memorial service held in his honor at the Washington National Cathedral. Dr. Happel's poignant remarks are a testimony to a man who embraced the complexity of God and art, and I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CATHEDRAL YEARS

(Remarks of Stephen Happel, Memorial for Frederick Hart, National Cathedral, 6 October 2000)

''We have seen that without the involution of matter upon itself, that is to say, without the closed chemistry of molecules, cells and phyletic branches, there would never have been either biosphere of noosphere. In their advent and their development, life and thought are not only accidentally, but also structurally, bound up with the contours and destiny of the terrestrial mass,'' (P. Teilhard de Chardin, The Phenomenon of Man [New York: Harper Torchbook, 1961], 273). ''The term of creation is not to be sought in the temporal zones of our visible world, but . . . the effort required of our fidelity must be consummated beyond a total metamorphosis of ourselves and of everything surrounding us.'' (P. Teilhard de Chardin, The Divine Milieu [New York: Harper & Row, 1960], 78). The evolution of everything cannot fulfill itself on earth except through reaching for something, someone outside itself. In doing so, literally everything is transformed.

These quotations from the Teihard de Chardin's Phenomenon of Man and The Divine Milieu were the human milieu that I found when I walked into Frederick Hart's life in 1973–74. He had joined an Inquiry Class at St. Matthew's Cathedral during a particularly difficult time in his life. Inquiry classes are traditional Catholic ways for people investigating new knowledge and spiritual meaning. Rick was living in his studio, a garage on P St with a bedroom attached, his first plan for the facade of the Cathedral rejected (along with all the other sculptors). He was looking for a comprehensive vision in which his own work could struggle to be born. Or better, his artistic work struggled to evolve and create a world, an environment

that could grow like a green space in a desert, expanding to nourish the beautiful on the planet. And he was looking for some words to mirror the sculptural world he was inventing.

Frederick Hart arrived at the National Episcopal Cathedral in the 1960's as a mail clerk. He had decided, after trying his hand at painting, that sculpture was his vocation, but he needed a place to learn. The learning took place here on this spot, under the guidance of Roger Morigi, one of the last classic master stonemasons, whose techniques went back to Michelangelo and Leonardo da Vinci. Rick graduated from mail clerk to apprentice, when Roger, an often difficult, sometimes volcanic, professional father, found the fellow ''promising.'' After Rick completed a bust of Philip Frohman, the architect of the Cathedral, as a gift for the Cathedral (1969), the clerk of the works, Richard Feller, recognized that this young (now 26) sculptor should be included in the competition for the facade sculpture. Rick continued to produce bosses, gargoyles, and the classic Erasmus, a Catholic reformer with an ironic tone (not unlike Rick's own) until April, 1975 when his second set of motifs for the central tympanum and the trumeau sculpture were approved.

I met Rick at that Inquiry Class at St. Matthew's Cathedral on Rhode Island Avenue. I gave a talk on the sacraments in which I spoke about how symbols are neither subjective nor secondary in our religious lives. I paralleled the power and effectiveness of artwork and the Sacraments. Each of them transform us if we let them, they invite us into the world they project in front of us. They announce a better world that has not quite arrived, but will if faith prevails. Artistic and sacramental symbols are not substitutes for what is not there, but an incipient presence of the whole, pushing its way into our sometimes dull and quotidian conscious life. Even though the routine of work and domestic life can screen out what is truly beautiful and holy, symbols can break through and insist on being seen, heard, and touched.

Rick, like the symbols themselves, had a way of fidgeting into a conversation. Although he was respectful of the fact that we had never met, he could not quite resist asking lots of questions early on at the meeting. It did not take long for the two of us to discover that we were cultural and religious siblings, we were both committed to the ways in which religious symbols could change public life. After the ''official'' conversation was over, Rick, Darrell Acree, Father James Meyers and I went to the Dupont Village Pizza, regrettably no longer there, ordered pizza and (I have to say) more than one pitcher of beer while discussing art, the sacraments, and his plans for the Cathedral's facade. Somehow I'm quite sure that the Lord would not have understood our discussing the sacraments over the pizza and beer!

Rick was at the beginning of his new proposal. Basically, he just wanted to know whether his view of the world was theologically crazy. It was not; it was genial. Through the help of his friends, he had not only made his way from Childe Harold and the Benbow, local pubs, but he had also read Teilhard de Chardin and classic philosophies of art. In between these books and his wanderings, he would take his meager paychecks from the National Cathedral to build a garden with a fountain in the backyard of the garage and draperies to remake his interior world. The next winter the drapes were useful; they kept him warm when he wasn't sleeping with the two dogs that sufficed as a heater in the unheated studio.

Rick lived physically on the margins during those years. Deliberately, energetically; he found the ''in-between'' a creative locus in which he could explore the ways in which the body could evoke mind and heart, in which the material embodied the spiritual and eternal, in which the physical could struggle, emerge, and become other than it is. This was a man for whom ideas were a passion; and passions could become ideas. I had no trouble finding a life-long friend—or better, a friend for all of his life.

Later that evening I saw the gouache designs he had already completed for the project of Creation, Adam and Sts. Peter and Paul. But as in all cases with my experience of Rick's work as it evolved, the idea was somewhere within, grasping for life and open air, to live in the public world. Rick had to produce a ''statement,'' as you know, for the competition. That night he and I spoke about how creation evolved, the role of human beings in this evolution, and the primary, initiating power of God's love. If you will, it was a course in Christian anthropology, a human nature aiming beyond itself, a human being unable to make sense of itself without reference to the Other—to God. I took the pieces he had produced, added some theological jargon and sent them back to him. He re-worked them again and sent them in along with the drawings. He won. We are living in the results of his labor.

Medieval Cathedrals emerged from a vastly different anticipated future. They were painted, very colorful places of worship, filled with multiple altars, incense, and song. An entry through the main doors at the Cathedral at Autun shows an either/or world—either heaven or hell. Christ the Judge seated on a throne presides in the midst of a heavenly court. On Christ's right, angels push souls into the mansions of heaven where Mary and the apostles reside; on the left, demons weigh souls and send them off to torment.

Rick's vision for the façade of the National Cathedral coincided with the courageous commitment of the building committee. The theme was creation, a new image for a National Cathedral in a new country. The vision was both/and—the material and the spiritual. How to imagine both a primordial past and a transformed future—at the same time? How to make the stone fly from earth into the infinite horizon of the Universe? How to unite the individual and the communal in a contemporary world where the radically autonomous, isolated subject is the ideal? Can what is new be rooted in history and tradition? For Rick, it was both/and in his sculpture, not either/or.

Creation in the stone embodiment of Frederick Hart is an ongoing event—what theologians call a *creatio continuia*—simultaneously ''conservation'' and ''preservation'' by God. This is not an image of a distant past event, astronomical or human, but the constantly emerging present life of the human community. Ex Nihilo symbolizes the choral dance, the human perichoresis in which we are all even now part of one another, linked body, soul, mind, and heart. The figures emerge from the ground, but are not yet completely defined. As Rick used to say, the Ground from which they come is as primordial as the figures that emerge. Without the involution of matter, sinew and bone folding and revitalizing themselves (as Teilhard said), the unique figures that are human beings would not appear.

Adam is the test case. The central trumeau figure is at once grasping for the air and being grasped. With closed eyes, he is the old Adam yearning with his right arm to push from the ground from which he comes; with the left, he is being pulled, however tentatively, from the swirling ooze, tugged by an invisible hand. The torso leans ever so slightly upward.

This Adam is both the old Adam—and on a longitudinal axis with the new Adam sitting in glory over the high altar on the reredos. He is also an Adam for an American context, both striving to enter the world and helped by One he cannot yet see. This is not a solo, antagonistic, power-hungry figure in the style of Nietzsche; this sculpture has its humanity in and with an Other, a partner who cooperates to bring it into existence.

Perhaps it is this theme that is subversive in Hart's sculptural theology; the sculpture invites, seduces, even provokes the viewer into participation in the world it is announcing. St. Paul, caught at the moment of transformation, the mystic transported to the seventh heaven, sinks below the emergence of the night sky from the swirling chaos. St. Peter, the only facade sculpture with his eyes open, draws his net to build the church under the creation of the day. Thus Hart presents time and space in a single sensuous continuum in which the history of the early Church unfolds from the call of Adam and all humanity pulled out of the visible chaotic ground.

In this sense, Rick's work here (and elsewhere) offends people. Not simply because it does not 'fit into' the current or recent art establishment—though the 70's were not a time for well-modeled, fine art. His work demands of the viewer a participation that insists on re-making the world. Again I quote Teilhard de Chardin: ''To create, or organize material energy, or truth, or beauty, brings with it an inner torment which prevents those who face its hazards from sinking into the quiet and closed-in-life wherein grow the vice of egoism and attachment. An honest workman not only surrenders his tranquility and peace once and for all, but must learn to abandon over and over again the form which his labor or art or thought first took, and go in search of new forms.'' (P. Teilhard de Chardin, The Devine Milieu, 41) Frederick Hart knew this intimately, even painfully. The facade sculptures reach out from the center to the edges of day and night and extend themselves into the city and our world. They proselytize; they preach; they evangelize about how the world could be if values of beauty and truth were embraced. For Rick these were moral values.

Just as Enlightenment values of autonomy, individual history, and emotional independence were moral imperatives, so Rick Hart's work pushes beholders into their inner lives, asking for cooperation to build a world. Rick's sculptures embody the very boundaries he lived between; they provoke viewers into asking about the aura of the Other that envelops them in the material stuff of their day to day lives. But sensing the material as a symbol of the immaterial is not a current ideal. Cooperation is not a current norm. Newspapers are sold on conflict and disagreement; debates are structured on differences; business is won or lost on the basis of unique combative marketing; computer systems are structured on either-or options.

The theology of cooperation Rick espoused in his art, despite his love of playing the antagonist in conversation, was absolutely Trinitarian. The chorus of human activity was a symbol of the internal life of God. The God who creates us; the God whose Beloved Incarnate One we follow and worship; the Spirit that animates human history—all are One terrifying and vivifying, swirling fire. We live in the midst of the divine milieu, as Teilhard says; we cannot escape our God. ''Is the Kingdom of God a big family? Yes, in a sense it is. But in another sense it is a prodigious biological operation—that of the Redeeming Incarnation.'' For Rick, God lives in the heart of matter, calling us, prodding us to share in the divine life of love, justice, and truth.

Rick's best work, his masterpiece on the facade of this building, invites the city to admire the house of prayer, but more to enter it. The sculptures set up the conditions under which a community, a city might transform itself. Enter the choric dance; establish a cooperative rhythm; be drawn like Adam to what you cannot see; drop the sword of contention and enter the mystical night—and maybe, just maybe, you will be able to build the day. You might find God.

Rick Hart was a friend. But I make no apologies for my praise of his work; I believe I have been privileged to know a great, passionate artist whose values emerged within his creative processes and embodied themselves there. As a result, I know that long after I am dead, the ideas and values he, I and others shared in friendship will awaken others. The symbols will remain—continuing to make parts into wholes, building a community of living stones from the stones he shaped, drawing us beyond ourselves into God.

TRIBUTE TO GOV. MEL CARNAHAN

Mr. HARKIN. Mr. President, it is with a heavy heart that I stand here today to pay tribute to a good friend, Mel Carnahan, Governor of Missouri, and express my sorrow at the loss of his son Randy and his longtime aide, Chris Sifford.

I had known Mel for a long time. I have followed his career with pride and admiration as his neighbor to the North. Mel's service to the State of Missouri spans four decades and even more elected offices. He started out as a municipal judge in his hometown of Rolla at the age of 26. He served in the Missouri State Legislature. He was State treasurer and Lieutenant Governor, and in 1992 became the 51st Governor of Missouri.

Like many of my colleagues, I had the privilege of campaigning with Mel this past year. As I watched Mel Carnahan on the trail and watched him talk with the people of Missouri and listen to their concerns and their hopes to gain their confidence and trust, I was reminded of something Adlai Stevenson once said:

Every age needs men who will redeem the time by living with a vision of things that are to be.

Mel Carnahan was one of those men, and as Governor of Missouri, he had a vision for his State and for our country. We saw it in his work on education. We saw it in his work on Missouri's economy. He created thousands of jobs and moved some 100,000 people from welfare to work. We saw it in his work on crime and children's health insurance and so many other issues, how he stood up to the gun industry and stood strong for those who have the deck stacked against them.

He had a vision for this Nation which he took into his Senate race. He believed, as Hubert Humphrey stated, that the measure of government is in how it treats those who are in the dawn of life, the children, those who are in the twilight of life, the elderly, and those who are in the shadows of life, the sick and the needy. That is why he wanted to come to Washington. This was his vision.

Its very urgency makes it harder to accept the fact that he was taken from us before he could help make it a reality. His death is a loss for all of us in Congress who would have had the honor of working with him. It is a loss for the people of Missouri who would have had the privilege of being represented by him. It is a loss for the people of this Nation who would have had the good fortune of being served by him.

We cannot let our sorrow overwhelm us. We cannot let our sadness become bitterness, despair, or regret. That would not be a fitting tribute to Mel Carnahan. Rather, we owe it to him, to his country, and to his family to take up the torch of his life's work and to carry it on. We owe it to ourselves to let his memory be our solace, his record our guide, and his legacy our inspiration, to let the life of this good and decent man continue to light our way. That is the best and enduring memorial for our friend Mel Carnahan.

Earlier this year, I was flying in that very plane with Mel and his son Randy at the controls. Being a pilot myself, we talked a lot about flying. It was a night flight. We talked about the aircraft. I talked to Randy about the different instrumentation he had on his aircraft. Randy was a very qualified pilot. He knew what he was doing. Mel was, too. Mel had been taking flying lessons and had hoped to complete them at some time but had to interrupt them for his campaign.

For me, it makes the loss even so much more poignant and tragic since just a couple of months ago I was on that very plane with them. We do not know exactly what happened. Right now what went wrong is really of no consequence. What is of consequence is that we have lost three good lives in that tragic accident in Missouri.

My heart and my prayers are with Jean, his very lovely and very dedicated wife, their children Russ, Robin, and Tom, and with the family and friends of Chris Sifford who also lost his life in that tragic accident.

Mr. DODD. Mr. President, I rise to add my voice to those who have come to the Senate floor to pay tribute to Missouri Gov. Mel Carnahan.

Those of us who knew and admired Governor Carnahan share a profound sense of loss at the news of his untimely death and the deaths of his son Randy and longtime aide Chris Sifford in a plane crash on Monday night.

I had the pleasure to meet Mel Carnahan on several occasions in recent years. I knew him as a good man, as someone who spoke passionately and cared deeply about the people of his State, especially its children. He was a dedicated and talented public servant who never wavered in his belief that public service is a noble calling.

Few if any would question that Mel Carnahan's heart was with the working people of his State. In his first year as Governor, he called for a tax increase to fund the State's public schools. Allies and opponents alike said he was sealing his fate as a one-term Governor. The voters saw his decision for what it was: an act of political courage. They reelected him in a landslide.

In addition to work on behalf of the children of Missouri, he fought for better health and safety standards for seniors in nursing homes. He championed tough measures to fight crime. He brought about sensible welfare reform. And he successfully streamlined his State's government, redirecting hundreds of millions of dollars for job creation, education, and law enforcement.

The Democratic leader said earlier this week that Governor Carnahan was a man of such talent and insight that he would have succeeded in any field which he chose. Anyone who knew this man would, I believe, have to agree with that view; that he chose the field of public service and brought credit and esteem to a profession that is all too often criticized. It brought a better life for millions of Americans who reaped the harvest of his tireless efforts on their behalf.

I extend my deepest sympathies to the Governor's wife Jean, their family, the family of Chris Sifford, and the people of the State of Missouri.

VICTIMS OF GUN VIOLENCE

Mr. WELLSTONE. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

October 18, 1999: Michelle Alexander, 21, Charlotte, NC; Earl Baker, 22, St. Louis, MO; Karlton Cannon, 30, Chicago, IL; Michael Jones, 49, Knoxville, TN; Kenneth Pastuszak, 28, Detroit, MI; Brian Webster, 26, Detroit, MI; and Unidentified Male, 45, Honolulu, HI.

We cannot sit back and allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

FEDERAL REGULATIONS

Mr. INHOFE. Mr. President, in fiscal year, FY, 2000, some 54 federal departments and agencies and over 130,000 federal employees spent over $18.7 billion writing and enforcing federal regulations.

The number of full-time positions in regulatory agencies reached an all-

time high during the Clinton/Gore Administration. The era of big government is not over. In fact, it is in its hey day. In FY 2000, bureaucratic staffing set a new record, exceeding the previous all-time high of 130,039 in FY 1995.

Rochester Institute of Technology's Professor Thomas Hopkins estimates that the total cost of federal regulation will be $721 billion in 2000, which is equal to about 40 percent of all federal spending—representing a hidden tax of more than $6,800 per year for each American family. This represents direct compliance costs, not indirect costs such as the cost of lost productivity, increased cost of goods and services, as we are seeing with gas prices right now, and lower wages—among others.

These figures are very important for us in Washington to keep in mind—when we are developing laws and regulations. When considering the entire federal budget, $6,800 per year may seem like peanuts, but $6,800 is a great deal of money to millions of hard working Americans.

To put Professor Hopkins' estimates in perspective, current regulatory costs are about 40 percent of the size of the federal budget—which stands at an estimated $1.9 trillion in FY2000—and represent about 8 percent of America's gross domestic product. Moreover, Hopkins' estimates of annual U.S. regulatory costs exceed the entire 1998 GDP of such countries as Canada, $604 billion; Spain, $553 billion; Australia, $364 billion; and Russia, $275 billion.

Beyond the cost of regulations and the size of the federal bureaucracy, a very troublesome trend is occurring in the regulatory arena right now. In its last few days in office, the Clinton/Gore Administration is currently pushing through a number of new rules—particularly in the environmental arena. This last-minute regulatory push, also known as ''midnight-regulation,'' serves two purposes for the Clinton/Gore administration: (1) to pander to the special interest groups and (2) to make regulatory decisions more difficult for the next administration.

This administration is playing a zero sum loss game with the regulatory process. While special interests and bureaucrats are winning, the American people are losing. When well thought out and reflecting consensus, regulations can certainly provide benefits to the American people. However, what is most disturbing is the fact that this administration will promulgate these regulations at any cost—at the financial cost of the American people—at the cost of making a mockery of rulemaking due process—even at the cost of environmental protection. This isn't just my opinion, other experts agree. Wendy Gramm, former Administrator of OMB's Office of Information and Regulatory Affairs, and Susan Dudley—both of whom are with George Mason University's Mercatus Center—recently wrote in an article in The Atlanta Journal, ''when regulations are rushed into effect without adequate thought, they are likely to do more harm than good.''

Eighty-eight rulemakings are in the process at the EPA.

On August 25, 2000, a Washington Post article's byline read, ''[m]indful that Republicans could occupy the White House in less than six months, the Clinton administration is working feverishly to issue a host of new regulations supported by environmentalists and other liberal leaning groups . . .'' The article goes on to state that, ''[a]t the EPA alone, officials have listed 67 regulatory decisions looming before Clinton's second term expires in January.''

In response to the Washington Post article, the National Manufacturers' Association requested this list of 67 pending ''regulatory decisions.'' However, NMA's request was denied. Thanks to the leadership of Representative DAVID MCINTOSH, the Clinton/Gore Administration submitted the list of regulations. Representative MCINTOSH discovered that it was not 67 regulatory decisions—but rather 88! This does not include the numerous interim final regulations, policy statements, and guidance documents, which EPA is pushing through.

In fact, the average pages of regulations in the Federal Register is currently sky-rocketing. Currently, the Clinton/Gore Administration is averaging 210 pages of regulations per day in the Federal Register. The last time that the American people experienced such a flood of regulations was at the end of the Carter Administration—when the Federal Register had an average of 200 pages of regulations per day. Mr. President, there is a graph of the average number of regulations in the Federal Register during election years since the Ford Administration.

Here are some examples:

The Clinton/Gore administration's ''Total Maximum Daily Load'' or ''TMDL'' Rule.

The now final TMDL rule drew more than 30,000 public comments and has been the subject of 12 congressional hearings. An overwhelming majority of these citizens, including environmental, community, state, labor union, and business organizations, expressed their opposition to the rule. Their concerns have included such issues as the rule's effectiveness, costs, technical and scientific feasibility, and basic structure.

On June 30, 2000, in response to the testimony and thousands of letters that I and other Members of Congress received in opposition to EPA's proposed TMDL rule, Congress included a provision in the FY 2001 Military Construction Appropriations Act that would prohibit EPA from implementing this rule. This provision was a bipartisan attempt to direct the EPA to take a step back and address the concerns of the American people—not a sneak attack on the environment as many extremist environmental groups tried to portray it.

The U.S. Congress sent a clear message to the White House and EPA. However, the Clinton/Gore Administration allowed EPA to finalize its proposed TMDL rule shortly before President Clinton signed the FY 2001 Military Construction Appropriations Act into law. I have grave concerns about any Administration which seeks to make the will of Congress ''meaningless''—which is what the White House was quoted as saying. The very thought of such an action is a vulgar abuse of power and blatant disregard for the legislative branch of our government.

The Clinton/Gore EPA's poorly thought-out sulphur/diesel rule.

For some reason the EPA is shocked and surprised that fuel prices are spiking because of the introduction of the new RFG phase 2 regulations. The trouble is the EPA continues to roll out new restrictions and regulations on gasoline and gasoline formulas without any regard to what the consequences are to the consumer. I am concerned that the Clinton/Gore sulfur diesel regulation is a perfect example. This is a regulation which will cause price spikes for fuel over the next ten years, and EPA has done a miserable job in predicting the consequences of this regulation. I believe there will be severe shortages of diesel fuel which will lead to higher prices for truckers, farmers, and the home heating market. It is highly likely that instead of installing the expensive desulfurization equipment many companies will choose to export their diesel instead of selling in the U.S., creating greater shortages. While they are discussing finalizing this rule, they are also discussing the need for a technology review in three years on the pollution devices for the trucks themselves. It seems the EPA is not sure if the technology will be available which requires the low sulfur diesel fuel. But this review will take place after the refiners begin installing the expensive low sulfur equipment.

The real shame in this is that it could be avoided if the EPA were more reasonable in their expectations. Instead of calling for a 97 percent reduction in sulfur, they could have taken a 90 percent reduction in sulfur which would have produced the same benefits for particulate matter at half the cost. While it is true that NOx would only be reduced by 75 percent instead of 95 percent. I think we need to stop and look at it, 75 percent reduction at half the cost is a bargain. Once again the EPA appears bent on chasing pennies of benefits for dollars of costs.

My subcommittee will be looking even more closely at the cost of EPA's programs on our nation's fuel supply. I really think the lasting legacy of Carol Browner might very well end up being these gasoline price spikes over the next ten years, unless something is done to restore some sanity to this process.

EPA's arsenic regulation.

The EPA is reconsidering its proposal for lowering the federal standard for arsenic in drinking water. The 5ppb standard, for which EPA is seeking comment, is scientifically unjustifiable. Many experts believe that ''given the available information EPA has provided, a final standard below 20 ppb can not be justified.'' This rule is anticipated to cost $1.5 billion annually and require $14 billion in capital investments—threatening to bankrupt small towns. EPA's own analysis reveals will impose net costs on users of drinking water systems. Unfortunately, this regulation is just another example of the EPA putting the policy ahead of the science—at the cost of the American people.

Mr. President, I could go on and on about these midnight regulations.

The Clinton/Gore administration is circumventing regulatory rulemaking due process.

A fundamental safeguard provided by the Administrative Procedure Act (the ''APA'') is to ensure that federal agencies provide an opportunity for informed and meaningful public participation as part of the regulatory rulemaking process.

As if midnight regulations were not bad enough, the Clinton/Gore administration attempts to short-cut APA safeguards by the issuance of interim final rules, guidance documents, and policy statements. These documents, which do not go through the notice and comment rulemaking process required by the APA, are not subject to review by the courts. Often, these documents suggest that regulated entities must comply with requirements beyond the requirements found in law or regulation. Though agencies deny the fact these documents are legally biding, it is clearly an attempt to make law outside the rulemaking process—in a way which tries to shield agencies from judicial review.

For example, on April 14, 2000, the U.S. Court of Appeals, in Appalachian Power v. EPA, struck down EPA's ''Periodic Monitoring'' Guidance. Among it's findings, the Court found: (1) EPA was creating broad new authority through the guidance document; (2) EPA did intend the guidance document to have binding effect; and (3) the guidance was illegally issued outside the APA rulemaking procedures.

From 1992 to 1999, the Clinton/Gore EPA published over sixty-five interim final rules, guidance, and policy statements in the Federal Register. However, there are many more of these documents, which have never been published in the Federal Register—in violation of the Federal Register Act.

And the cycle continues . . . on August 28, 2000, EPA has just issued a guidance document on Environmental Justice. While I will reserve the policy discussion on environmental justice for another time, the process question arises again. Even though the Congress and many stakeholders urged EPA to issue an Environmental Justice Rule, which would be subject to the APA's opportunity for notice and comment as well as judicial review, the EPA refused to do so. Instead, the EPA again created a binding regulation, albeit through a guidance document, which is not subject to judicial review.

Additionally, in the case of many of the 88 rules, EPA will argue that the regulation has been a work in progress for years. EPA's claim begs the question, ''Then why cram through the final product when EPA is juggling so many balls at once.'' Though some of the regulations may have been proposed before, it does not mean that the proposal is still relevant—which we see with EPA's Proposed New Source Review Rule. In this and other cases, EPA should re-propose the rule rather than going final with it's obsolete, out-dated proposed rule.

In conclusion, the Clinton/Gore Administration is in overdrive to make policy by administrative edict where it has failed to do so by the legislative process or by following the regular regulatory order. President Clinton and Vice President GORE can't really believe that the less the public participates the better—but they're acting like they do. The fact that the EPA is cramming though scores of rules and other regulatory decisions without public discourse is irresponsible. I call on the Administration to exercise regulatory restraint and stop exceeding its legal authority without undergoing appropriate rulemaking procedures.

Rushed and poor judgement and deliberate acts that exceed an agency's authority can cause serious disruptions in the course of American families' lives. Therefore, I, along with other Members of Congress, will explore the various options, which Congress could use to address this Administration's numerous egregious political and anti-democratic actions. Environmental protection is vitally important, but so is the integrity of our government.

STATE DEPARTMENT MEMORANDUM

Mr. MCCAIN. Mr. President, yesterday, we learned that a memorandum from the Inter-Agency Coordinator for the State Department instructed the Voice of America to refrain from broadcasting an editorial denouncing the terrorist act that took the lives of seventeen American sailors on the U.S.S. *Cole* and expressing the United States' resolute opposition to all terrorism. Apparently she perceived in the editorial an insensitivity to the fact that ''the seventeen or so dead does not compare to the 100+ Palestinians who have died in recent weeks where we have remained silent.''

Mr. President, I was not aware that the United States had remained silent about the loss of life, both Israeli and Palestinian, in the current conflicts threatening the prospects for peace in the Middle East. Indeed, I believe the President and a good many members of Congress have been quite outspoken on the subject. Moreover, the losses incurred in that conflict and our responsibility to do what we can to help bring violence there to an end, does not preclude the United States from strongly, unequivocally addressing the first responsibility of any U.S. Government: the safety of American lives.

I understand that the State Department spokesman has issued a statement calling the official's extraordinarily offensive memorandum ''wrong,'' ''not approved through appropriate channels'' and assuring that it in ''no way reflects the views of the Secretary or the Department.'' Fine, we can let the matter rest there.

Let me add a thought, though. It's a free country, but the official in question is not free to represent her own controversial priorities as official U.S. policy. Should she be unable to meet this basic professional and civic responsibility, perhaps she should seek a place of employment that is more compatible with her views.

TREASURY-POSTAL/LEGISLATIVE BRANCH APPROPRIATIONS—CONFERENCE REPORT

Mr. JOHNSON. Mr. President, last week, the Senate passed a conference report which contained the Treasury-Postal appropriations bill, the legislative branch appropriations bill, and a repeal of the century-old telephone excise tax. This package was the first of the several ''mini-omnibus'' packages we will likely consider in the waning days of this Congress, and unfortunately, it demonstrates the fundamental problems associated with this type of legislating.

I voted against this mini-omnibus for several reasons. The Senate never had the opportunity to even consider the Treasury-Postal bill on the floor. Many issues that are critical to Senators could not receive deliberation because of the unwillingness of the leaders to allow the Senate to fulfill its constitutional directive of deliberating on the crucial issues facing the nation. I will not review the entire list of neglected issues again. That recitation has occurred elsewhere, and I am confident we will hear more about them in the coming days.

Suffice it to say, I deplore the procedure that permits unpassed appropriations bills to go right to conference. Other than the procedural irregularity, I opposed this conference report because it did not contain language to strike the congressional pay raise. It is unfathomable to me that at a time we cannot raise the minimum wage to bring a full-time worker above the poverty line, we once again raise salaries for Members of Congress. I have opposed any effort to raise congressional salaries in every year since 1994. I, and similarly-minded colleagues, were denied the opportunity to fully debate this issue. I cannot support this increase, especially under the current

circumstances with so much unfinished business.

Unfortunately, many initiatives I support were also included in this package. Among them is the repeal of the telephone excise tax, a revenue used originally to help fund the Spanish-American war. This three percent surcharge is among the most regressive taxes, and I was proud to be an early cosponsor of the effort to repeal it. In addition to cosponsoring the original legislation, I voted to repeal this tax when the repeal was offered as an amendment to the estate tax repeal.

In a time of unprecedented surpluses, we must fix some of the inequities in the tax code. I am disappointed we have not managed to accomplish more. Once again, this is indicative of the overly partisan nature of Senate activity, and this partisanship has blocked fair tax reform. Nonetheless, I am pleased we have at least resolved the federal telephone excise tax, a reform which will save all Americans $51 billion over the next decade. I commend the major telephone providers for committing to pass fully these savings to consumers, and I once again regret that the unique and deplorable manner in which this Congress is fulfilling its responsibilities forced me to vote against this package.

CONGRATULATIONS TO KIM DAE-JUNG

Mrs. BOXER. Mr. President, I would like to congratulate Kim Dae-jung, the President of South Korea, on receiving the Nobel Peace Prize for 2000. This award is well-earned for a great leader whom many call the ''Nelson Mandela of Asia.'' President Kim's life-long dedication to peace and reconciliation is evident in the fact that he had been nominated for this award on 14 different occasions. Last Friday's announcement made President Kim his nation's first Nobel laureate, a source of great pride for the people of South Korea.

Kim Dae-jung has led an extraordinary life, highlighted by an unwavering commitment to democracy. In fact, throughout his career, President Kim has been willing to risk his own life in standing up for the principles that allow South Korea to be the great nation it is today.

President Kim has indeed paid a heavy price for speaking out against totalitarian rule. Shortly after his first run for President in 1971, Kim was nearly killed in a car accident that many believed to be an assassination attempt. Two years later, he was kidnapped by South Korean agents, ostensibly because he was perceived as a threat to the status quo. He would have been killed, had the United States not intervened. In the years that followed, President Kim survived jailings, house arrest, exile and numerous beatings.

Three years ago, President Kim campaigned on an innovative, open approach to reconciliation with North Korea, which he called the ''sunshine policy.'' This policy of building ties with the North is on a scale that has not been seen in the history of postwar Korea. After winning the election, President Kim, a forgiving and religious man above all, pardoned the former military rulers who tried to kill him as his first act in office. He has also been a positive force for South Korea's economy which was at a low point when President Kim was elected. The South Korean economy grew by 10.2 percent in 1999 and is projected to grow by 6 percent in 2000.

President Kim's ''sunshine policy'' culminated in a June summit between the leaders of North Korea and South Korea. The summit was a success, and set a tremendous precedent for the relationship between the two countries. Speaking of the meeting, President Kim said, ''the Korean people are one; we have a common fate. There is nothing we cannot do if we make steady efforts with good faith and patience.'' The possibility for continued conversation between North and South gives me great hope that the two sides have taken the first steps to a true and lasting peace.

The rebuilding process between the Koreas has been enhanced by several small but meaningful achievements. North Korea and South Korea have pledged to work on rebuilding roads and rail lines between the two countries. Earlier this summer, a brief reunion occurred of families separated by the Korean war 50 years ago. Just last month, the entire world was moved when the North Korean and South Korean teams marched together in the opening ceremonies of the Sydney Olympics.

I had the opportunity to meet President Kim in 1986 when he was under house arrest. I was very moved by his courage and faith and thought that he would some day lead his beloved nation. It is with great happiness that I take this opportunity to congratulate Kim Dae-jung and the people of South Korea on this historic occasion.

A SALUTE TO THE SAILORS OF THE U.S.S. ''COLE''

Ms. LANDRIEU. Mr. President, I am deeply saddened by the loss of the brave men and women of the U.S.S. *Cole*. October 12, 2000 will long be remembered as a day of heavy emotions for our armed forces and all American people. All of our hearts have been consumed with anger and sorrow at the senseless act of terrorism that, on that day, left seventeen United States sailors dead, and thirty-nine injured. All young, all promising, all dedicated to defending America's values and way of life.

But my heart is also filled with pride in these men and women. Our sailors served in the finest traditions of the Navy, selflessly dedicating themselves to serving our country with bravery and integrity. And I rise today to honor those who gave their lives in the line of duty. We will not forget your superb service and ultimate sacrifice.

As I extend my heartfelt sympathy to the families of the *Cole* Sailors, let me also say to the world that the United States will not rest until those responsible for this attack are held accountable for this atrocious destruction of innocent American life. Let there be no mistake. We will use every tool in our arsenal to track down and charge our adversaries for this cowardly act.

The British poet A.E. Housman wrote, ''The troubles of our proud and angry dust are from eternity and shall not fail. Bear them we can, and if we can, we must.'' Housman's poem speaks to our strong tradition of persistence and moral courage to stand up for our values. Let our resilience signal to the world that no terrorist attack can encroach our resolve. We will not shrink to defeat, but grow stronger in our commitment to securing peace and stability throughout this nation's areas of interest. Seventeen U.S.S. *Cole* sailors did not suffer tragic deaths in vain. They died protecting freedom, and defending the greatest nation on Earth.

So now, I join my colleagues and the families of the U.S.S. *Cole* crew in solemn prayer for these brave sailors, the protectors of America's great democracy. God bless you and God bless America.

FEDERAL PRISONER HEALTH CARE COPAYMENT ACT

Mr. JOHNSON. Mr. President, I am pleased the President recently signed into law the Federal Prisoner Health Care Copayment Act. As you know, Senator JON KYL and I introduced last year a bill to require Federal prisoners to pay a nominal fee when they initiate certain visits for medical attention. Fees collected from prisoners will either be paid as restitution to victims or be deposited into the Federal Crime Victims' Fund. My State of South Dakota is one of 38 States that have implemented State-wide prisoner health care copayment programs. The Department of Justice supported extending this prisoner health care copayment program to Federal prisoners in an attempt to reduce unnecessary medical procedures and ensure that adequate health care services are available for prisoners who need them.

My interest in the prisoner health care copayment issue came from discussions I had in South Dakota with a number of law enforcement officials and US Marshal Lyle Swenson about the equitable treatment between presentencing Federal prisoners housed in county jails and the county prisoners residing in those same facilities. Currently, county prisoners in South Dakota are subject to State and local laws allowing the collection of a health care copayment, while Marshals Service prisoners are not, thereby allowing Federal prisoners to abuse health care

resources at great cost to state and local law enforcement.

As our legislation moved through the Senate Judiciary Committee and Senate last year, we had the opportunity to work on specific concerns raised by South Dakota law enforcement officials and the US Marshals Service. I sincerely appreciate Senator KYL's willingness to incorporate my language into the Federal Prisoner Health Care Copayment Act that allows state and local facilities to collect health care copayment fees when housing pre-sentencing federal prisoners.

I also worked with Senator KYL and members of the Senate Judiciary Committee to include sufficient flexibility in the Kyl-Johnson bill for the Bureau of Prisons and local facilities contracting with the Marshals Service to maintain preventive-health priorities. The Kyl-Johnson bill prohibits the refusal of treatment for financial reasons or for appropriate preventive care. I am pleased this provision was included to pre-empt long term, and subsequently more costly, health problems among prisoners.

The goal of the Kyl-Johnson Federal Prisoner Health Care Copayment Act is not about generating revenue for the Federal, State, and local prison systems. Instead, current prisoner health care copayment programs in 38 States illustrate the success in reducing the number of frivolous health visits and strain on valuable health care resources. The Kyl-Johnson bill will ensure that adequate health care is available to those prisoners who need it, without straining the budgets of taxpayers.

ADDITIONAL STATEMENTS

NATIONAL INVENTORS HALL OF FAME INDUCTEES

• Mr. VOINOVICH. Mr. President, I rise today to pay tribute to the inductees into the National Inventors Hall of Fame for the year 2000. Located in Akron, OH, the National Inventors Hall of Fame is America's shrine to those who have made significant contributions to our nation, and improvements to the quality of life for all mankind. As Governor of Ohio, I was proud to speak at the dedication ceremony for this magnificent facility in July of 1995, and I was pleased to have the Hall also serve as the backdrop for the Edison Innovator Awards my office presented to companies throughout the State of Ohio.

Inductees into the National Inventors Hall of Fame represent the epitome of ingenuity and inspiration, and this year's class is no exception. Inductees for the year 2000 include: Walt Disney, whose name has become synonymous with imagination and creativity; Reginald Fessenden, whose pioneering work in the area of wireless communication led to the modern radio broadcasting industry; Helen and Alfred Free, whose work developing the ''dip-and-read'' urinalysis test greatly eased the lives of those suffering from diabetes; J. Franklin Hyde, whose discovery of fused silica made possible the fiber optic cable so widely used today; William Kroll, who escaped Europe before the onset of World War II, and whose work in his home laboratory resulted in a process that allows titanium and zirconium to be produced; and Steve Wozniak, co-founder of Apple Computer and the inventor of the modern personal computer.

Build a better mousetrap, and the world will beat a path to your door. In modern parlance, one might say that technological advancement is the engine that drives our economy. It is the biggest contributor to increasing our standard of living here in the United States, and the best way to improve the lives of individuals the world over. This progress is essentially made possible through the protection of intellectual property that is afforded by the U.S. Patent and Trademark Office, the main force behind the founding of the National Inventors Hall of Fame. In today's rapidly changing world, the Patent and Trademark Office is the ''safe haven'' that encourages men and women to accept the challenge to build the better mousetrap through the protection of creativity and what our minds can produce.

Consider the accomplishments of the 158 inventors enshrined at the Hall. Consider the contributions they have made to society: to prolonging our lives and making them more enjoyable; to reducing our workload; and to allowing us to explore new continents and the heavens themselves. It is easy to see the power of invention and the tremendous impact inventors have on all of us.

As an Ohioan, I am always struck by the ingenuity and sheer determination of two Dayton bicycle workers who dared to believe that they could defy gravity with their winged invention. Little did the Wright Brothers realize that 66 years after their historic flight, man's inquisitive nature would improve upon their invention and put another Ohioan—Neil Armstrong—on the moon.

Invention is progress, and I salute the work of America's inventors, the U.S. Patent & Trademark Office and the National Inventors Hall of Fame in Akron, Ohio, for their continuing efforts to improve and enrich our lives.•

A TRIBUTE TO VIRGINIA SHEHEE

• Ms. LANDRIEU. Mr. President, I wish to join with my colleague, Senator BREAUX, in recognizing the great civic contributions of my dear friend, Virginia Shehee. It is so appropriate that the Biomedical Research Foundation of Northwest Louisiana should be gathering to honor this amazing woman, whose vision and energy led to the creation of the Foundation and the many benefits that it has produced for the citizens of Shreveport—Bossier and Northwest Louisiana.

I have known Virginia Shehee and come to treasure her example and her friendship in my service as a State official in Louisiana and in my first term as a U.S. Senator. To those of us who believe that Louisiana must move aggressively to be part of the knowledge-based economy, the evolution of Biomed and the opportunities it has come to represent stand as a model of civic leadership and foresight. It is the story of a community that dared to dream big dreams at a time in its history when those dreams seemed most remote.

But those dreams are coming true, and young people who once had to leave home to participate in the new economy are now finding significant career opportunities in Northwest Louisiana. Of all the community leaders who can share in the credit for this remarkable achievement, none has played a larger role than Virginia Shehee. Her grit and unyielding persistence led to millions of dollars in state and federal construction and program dollars for a Biomedical Research Institute. And her salesmanship and gentle charm have opened doors to a world of promising cooperative relationships and new corporate citizens for Shreveport.

Some years ago, not too long after the Institute opened its doors, Virginia led a blue-ribbon group of Shreveporters, some half her age, on an industry-hunting trip through the mid-Atlantic and New England. Nothing could capture the indefatigable energy of the leader of the trip more than the words of a lapel button, which someone distributed to participants after the trip: ''I Survived Shehee's March!''

As the CEO of one of Louisiana's largest companies and as a leader in the insurance industry, as one of the earliest women members of the Louisiana Legislature, as a caring steward of our great state university, as a devoted wife and mother and as someone who gives utterly selflessly and endlessly to her community, Virginia Shehee has earned the love and admiration of all of us who are privileged to know her and work with her. It will be a great moment for me on the evening of Friday, November 3, when I get to be part of the evening in which the Shreveport community says, ''Thanks, Virginia. Let Shehee's March continue.''•

A TRIBUTE TO SPECIAL AGENT TOM LAPISH

• Mr. ABRAHAM. Mr. President, during the 106th Congress, the Detroit Field Office of the Federal Bureau of Investigation lost two of its most dedicated agents to battles with cancer. Both were respected not only for their professional accomplishments, but also for the manner in which they conducted themselves outside of their work, as each contributed considerably

to the Detroit community. I rise today in honor and in memory of Special Agent Tom Lapish, one of these two men.

Special Agent Lapish entered on duty with the FBI in 1976. After a brief stay in Kansas City, he was assigned to the Detroit Field Office. In Detroit, he developed an expertise in white collar crime investigations, and was regarded as one of the Bureau's top agents in that arena. With a background in accounting, he thrived on the protracted, intricate nature of investigating complex fraud matters, and was formally commended for his investigative accomplishments on several occasions.

Not surprisingly, Special Agent Lapish was known for his attention to detail. He was also known for his high ethical standards. He stood for the ideals of the FBI motto—Fidelity, Bravery and Integrity—at all times. Even as his illness made him weak, he would contemplate going to the office to work on cases he had been assigned. In addition, he was very active within his church, helping to promote the Christian lifestyle which he believed so deeply in.

Special Agent Lapish was also an extremely gifted athlete, and his passion for soccer became legendary within the Detroit community. He served as the coach for nearly 30 soccer teams, and in this capacity mentored hundreds of young individuals. His impact on them was seen at his memorial service, which was crowded with soccer players paying final respects to their favorite coach. It can also physically be seen in the Detroit area, where a soccer field was posthumously named in his honor.

Special Agent Lapish passed away on May 18, 2000 at the age of 50. He is survived by his wife, Mary, and two sons, Matthew and Andrew.

The Federal Bureau of Investigation works hard to ensure that its agents set a strong moral example for the people they are entrusted to protect. There is no question that Special Agent Lapish was a leader in this regard. Dedicated to his Nation, his agency, his family and his faith, he was a role model in the Detroit community, and he will be deeply missed.●

IN RECOGNITION OF DR. CHARLES E. THOMAS

● Mr. TORRICELLI. Mr. President, I rise today to recognize Dr. Charles E. Thomas, pastor of New Hope Baptist Church upon the occasion of his retirement. During his time in the ministry, Pastor Thomas has shown a great commitment to both church and community.

Under Pastor Thomas's leadership and guidance, The New Hope Baptist Church has accomplished a great deal and continues to grow. The New Hope Day Care Center has been established and the edifice of New Hope has been renovated and expanded, creating a beautiful church with seating for over 1,200. Further, numerous programs have been implemented to enhance the lives of The New Hope members.

Pastor Thomas has also contributed much to the Newark community. He established the Minority Contractors and Craftsmans Trade Association and the New Hope Skills Center to enable individuals to pursue careers in carpentry, masonry, and machinery. In 1975, the New Hope Development Corporation was organized to build New Hope Village, a 170 family housing complex in Newark that provides affordable housing for lower income families.

For over 20 years, Pastor Thomas has dedicated himself to both his congregation and his community. His efforts have benefitted the lives of countless individuals, and he is richly deserving of our thanks and well wishes for his retirement.●

REVEREND DR. BENNIE THAYER

● Mr. GREGG. Mr. President, it is with great sadness that I rise to note the recent passing of the Reverend Dr. Bennie Thayer. Dr. Thayer was an extraordinary and inspiring figure in the eyes of all who knew him, and I would like to take this opportunity to describe for the record just a few of his achievements and his many attributes.

I have found it striking that the people who are now mourning Dr. Thayer's loss come from so many different backgrounds and walks of life. Clearly this was a man who touched many people in many different ways. Dr. Thayer was an ordained minister, the Senior Pastor at the United Methodist Church of the Redeemer in Temple Hills, Maryland. He also worked tirelessly to expand the political activities and economic opportunities for African Americans, both within his community and across the nation. His funeral last Saturday literally produced an overflow crowd—testimony to the high esteem in which he was held in religious communities, in political circles, and among many others.

Reverend Thayer was also the President and the CEO of the National Association for the Self-Employed, and it was in this capacity that I had come to know him. Along with Senator JOHN BREAUX, Congressman JIM KOLBE and Congressman CHARLIE STENHOLM, I co-chaired the CSIS National Commission on Retirement Policy. In the course of our work we took testimony from all sorts of groups—seniors' groups, youth advocacy groups, employer groups, and others—and it was through the gathering this testimony that my office first established regular contact with Reverend Thayer.

Among those who worked in the area of Social Security reform, Dr. Thayer stood out for his passionate and unswerving dedication to his cause. He also stood out in every other respect as well. He was an impressive, imposing figure of a man, with a deep and sonorous voice that he used to tremendous effect. And he was always there to do whatever was necessary to advance the work in which he so deeply believed. In the rough and tumble world of Social Security politics, it is easy to become discouraged or demoralized, but Dr. Thayer was unfazed by any setback. Regardless of the short-term fortunes, he always kept his eye on the long-term horizon, and applied all of his considerable gifts and his hard work to achieving it.

All of us who knew Dr. Thayer admired him deeply for his willingness to argue passionately for an unconventional position when he knew that he was right. What was striking about Dr. Thayer's oratorical style was that he always strove to appeal to the very best instincts in his listeners—never selfishness, never division, never despair—always hope, opportunity, advancement, responsibility, self-reliance, and giving all that one can. There's a poignant example of this in a recent speech that he gave in Nashville, Tennessee, ''The Power of Small Business for Wealth Creation in the Minority Community''—when he talks about why he felt that African Americans should support reform of the Social Security system. To quote from his words:

''First, African Americans tend to start working at a younger age than whites. So we pay taxes into the system for more years than whites. And second, African-Americans also have shorter life expectancies than whites. The average African-American male currently has a life expectancy of less than the retirement age of 65! So many African-Americans will spend their entire working lives paying taxes into Social Security. But then, they won't draw out a dime in retirement benefits. Or accumulate any wealth to pass along to their children, or other heirs.'' This is typical of his approach; noting not what was in it for him—but what kind of legacy was being left behind.

The sad irony here is that Bennie himself died at the age of 61. When one heard Bennie speak those words, one didn't think that he was talking about himself. I think that everyone close to him assumed that he had come so far in life that he would beat the odds.

And indeed Reverend Thayer had come very far from his birthplace in Pickens County, South Carolina. He was fully 36 when he received his bachelor's degree from the University of Maryland, 54 when he received his master's in divinity, and 58 when he received his doctorate of divinity. His biography shows the mark of a man who was always striving, always working to create the next opportunity. But when you look carefully at the opportunities that he sought, they so frequently centered on creating new hopes for others—promoting economic opportunities with the National Association of the Self-Employed, spiritual guidance through his ministry, bequeathing wealth to our children and our grandchildren through reform of the Social

Security system. This theme of striving to create a constructive and uplifting legacy ran throughout his life and throughout his work.

Dr. Thayer was an extraordinary man who led an extraordinary life. He is already deeply missed.●

HONORING THE WORK OF ANTHONY ROMOLO

● Mr. DURBIN. Mr. President, I rise today to recognize Tony Romolo, in whose honor the Anthony C. Romolo Training Center in Mt. Sterling, Illinois, is being dedicated this month.

Tony Romolo was the Center's founding administrator and is now the longest-serving training administrator within the Laborers' International Union of North America.

As administrator, Tony has been responsible for creating policies that have guided the procedures and management of the training center, including the development of training goals and priorities. His leadership has resulted in the training of thousands of laborers throughout Illinois.

The Laborers' Training Program was one of the first within the State of Illinois to receive accreditation from the Illinois Department of Public Health for teaching environmentally beneficial courses in asbestos abatement. Mr. Romolo also oversaw the creation of the Construction Craft Laborers' Apprenticeship Program that was approved February 3, 1997.

Tony Romolo's work has been diverse but unwavering in its commitment to improving the skills of our nation's workers. We are fortunate to have dedicated, hard-working men like Tony in our society today. Illinois is a better place because of his commitment to the working men and women of our state and country.●

TRIBUTE TO WORKERS AT THE PADUCAH GASEOUS DIFFUSION PLANT

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to the thousands of workers, both past and present, at the Gaseous Diffusion Plants in Paducah, Portsmouth, and Oak Ridge for their patience and persistence through what has been, and continues to be, a challenging time.

When the reports of contamination broke in the August 8, 1999 edition of the Washington Post, my first thoughts were of the individuals and families who had suffered because of DOE's mistakes. I thought of the pain those workers must have endured from the illnesses and continue to endure in many cases, and the sense of loss families must have felt for those whose loved ones did not survive the harsh effects of contamination.

The story of the Harding Family, of Paducah, still haunts me. To think that a man suffered and died a painful death because of the carelessness of officials at the Department of Energy is incomprehensible. My heart goes out to the Harding Family for the loss of Mr. Joe Harding, and I hope that this dear family can take some solace in the knowledge that it was because of Joe's persistence that this story came to light. Because of Joe's willingness to speak in the face of high-powered opposition, at least 120 other workers who suffer effects of contamination will now be treated and compensated by the United States government. Joe paid the ultimate price in his death, and for that he deserves our sympathy, our respect, and our gratitude.

From that very first moment the story broke, I have been determined to make sure all current and former employees are tested for contamination and that sick employees receive the treatment they need and deserve. Of course, nothing can take the place of good health or life, but every effort should be made to provide compensation for DOE's wrongs.

I want the workers in Paducah, Portsmouth, and Oak Ridge to know that I am working here in the Senate to ensure that they are adequately tested and treated for any problems they experience as a result of contamination at the plant. I have continually sought funding, as a member of the Senate Appropriations Committee, and am pleased to have played a role in providing the funding to make health testing equipment, such as the vital lung screening van for Paducah, available to all of the dedicated workers who have served at the each of the Gaseous Diffusion Plants.

The mobile lung screening unit should serve as a symbol to each of the workers and their families that we will keep fighting for your health and safety, for your economic livelihood, and for the cleanup of the plant sites and surrounding neighborhoods.

On behalf of my colleagues in the Senate, I want to say thank you to the employees at the plants for their service to the United States. Your sacrifice to help us win the Cold War will never be forgotten.●

HONORING DR. ORLANDO EDREIRA

● Mr. TORRICELLI. Mr. President, I rise today to recognize the retirement of Dr. Orlando Edreira. Dr. Edreira's hard work and dedication as a Councilman in Elizabeth, New Jersey has had a lasting impact on communities throughout Union County and the State of New Jersey.

For more than four decades, Councilman Edreira has been contributing to the future of our children and the improvement of our communities as both an educator and a civil servant. He has contributed to hundreds of community projects and has been a member of numerous professional and community-based organizations in New Jersey. Councilman Edreira has also been a well-recognized and respected advocate for the Latino community of New Jersey throughout his career.

I salute Councilman Edreira's leadership in Elizabeth, which during his service has enjoyed a remarkable economic renaissance as new jobs and economic development have brought new life to one of New Jersey's historic cities. He is to be thanked for helping to sow these seeds of revitalization in the community. Councilman Edreira's retirement from the Elizabeth City Council is a true loss for both the City of Elizabeth and the entire State of New Jersey. After a career marked by many accomplishments, I am pleased today to highlight his remarkable record of service on the occasion of his retirement. While we are losing one of our State's finest and most valuable leaders, we can take pride in the countless contributions that Councilman Edreira has made to one of New Jersey's most important communities.●

A TRIBUTE TO SPECIAL AGENT DAVID J. WILSON

● Mr. ABRAHAM. Mr. President, during the 106th Congress, the Detroit Field Office of the Federal Bureau of Investigation lost two of its most dedicated agents to battles with cancer. Both were respected not only for their professional accomplishments, but also for the manner in which they conducted themselves outside of their work, as each contributed considerably to the Detroit community. I rise today in honor and in memory of Special Agent David J. Wilson, one of these two men.

Before joining the Federal Bureau of Investigation in 1980, Special Agent Wilson served the Nation as a military police officer, earning the National Defense, Marksman and Sharpshooter service medals. Upon joining the FBI, he quickly earned top honors in his Academy Class for academics, physical fitness and marksmanship.

Special Agent Wilson spent the majority of his FBI career working in Detroit. He specialized in drug and white collar crime matters, and was highly regarded for his investigative skills. Indeed, he was a pioneer in the investigation of health care fraud, and his undercover work in the Detroit area yielded numerous successful prosecutions which saved and recovered millions of dollars for the State of Michigan in fraudulent medical billings. They also helped to prevent the illegal diversion of controlled substances by health care professionals.

Special Agent Wilson received many commendations, including two national awards, on account of his investigative prowess. In 1997, he was appointed to the position of Polygrapher for the Detroit Field Office, a position he held with great pride.

The City of Detroit was in many ways a perfect fit for Special Agent Wilson. He developed a unique interest in its history and architecture. An accomplished vocalist himself, he had a passion for music, and particularly for the ''Motown'' sound. He also had an

appreciation for fine arts and for the theater, both of which were nurtured in Detroit. And, as an avid basketball player and fan, he was able to cheer on the Detroit Pistons during the greatest years that organization has known.

Special Agent Wilson passed away on August 29, 1999 at the age of 47. He is survived by his wife, Patricia, and two sons, Lerone and Paul.

The Federal Bureau of Investigation works hard to ensure that its agents set a strong moral example for the people they are entrusted to protect. There is no question that Special Agent Wilson was a leader in this regard. Dedicated to his Nation, his agency and his family, he was a role model in the Detroit community, and he will be deeply missed.●

HONORING SHERIFF JOHN T. PIERPONT

● Mr. ASHCROFT. Mr. President, I would like to honor John T. Pierpont for his outstanding service as Sheriff of Greene County, Missouri. I want to extend my personal appreciation and heartfelt thanks to John for his dedication and hard work.

There are few careers more noble than those spent in public service. Sheriff Pierpont's twenty years of service with the Greene County Sheriff's Office have meant a great deal to the people he has served. Prior to being elected Sheriff of Greene County, Mr. Pierpont served as U.S. Marshal for the Western District of Missouri for eight years. His service has extended well beyond the Sheriff's office and law enforcement to community and charitable organizations across Greene County and throughout our state.

Sheriff Pierpont has represented the state of Missouri and the Sheriff's Department with dignity, integrity, and professionalism. His commitment to the enforcement of Missouri law and the protection of our residents is to be commended. I am delighted to honor my friend and fellow Greene County resident, John Pierpont.

May God richly bless John and his family as they begin this next chapter in their lives.●

TRIBUTE TO MICHAEL DAWSON

● Mr. VOINOVICH. Mr. President, I rise today to pay tribute to Michael Dawson, who, over the past 11 years, has been my press secretary, one of my most trusted advisors, and a man whose judgement has been a key component to my success, from the campaign trail, to the Statehouse of Ohio and to the Capitol of the United States. But most of all, Mike Dawson has been, and will always be, my friend.

I first got to know Michael in 1989, when I was pursuing the governorship of Ohio and he was working as a top aide to then-Congressman Mike DeWine during his campaign for Lieutenant Governor. I was immediately struck by his work ethic and his tenacity. During that campaign, it was reported that if Mike saw the lights on in the offices of our opponent when he was leaving the office, no matter what time it was, Mike would turn around, go back inside and continue to work. Mike refused to allow them to get the upper hand by putting in more time or effort.

Once the election was over, and I was elected Governor, there was little doubt in my mind that one of the people I had to have on my executive team was Mike Dawson. Since then, Mike has been with me through thick and thin and through good times and bad. Whatever the situation, and no matter how rough things got, Mike was always there providing me sound advice.

I will never forget Mike's dedication and professionalism during the Lucasville prison riots in April of 1993—a period I consider to be the darkest days of my administration. For eleven days, Ohio held its breath as the Lucasville prison erupted in violence. As I worked to find a peaceful solution to the crisis, one of the people I depended upon most for assistance was Mike Dawson. Not only did Mike serve as press secretary at that time, but he was also my executive assistant in charge of emergency management operations. In that position, Mike had a strong hand in working with the Department of Rehabilitation and Corrections, the Ohio Highway Patrol, and several other agencies in helping to put an end to the siege at the prison and restoring order. Mike initiated a task force to review what had gone wrong at Lucasville and to make recommendations on how to avoid similar Lucasville situations in the future. A special emphasis of the task force focused on the proper role of the media in covering prison situations.

Mike's service in emergency management operations was not limited just to the Lucasville riots. He was instrumental in Ohio's efforts to coordinate assistance to flood-ravaged areas of Ohio in 1997 and 1998, and was always right in the middle of things whenever Ohio was faced with an emergency situation during my two terms as Governor.

But no tribute to Mike would be complete without mentioning the work he has done as my press secretary. Mike has a relationship with Ohio's press corps and editorial writers that is legendary. All you would have to do, Mr. President, is ask any reporter who has covered my two terms as governor or my first two years in the Senate to find out what kind of a professional Mike really is.

Throughout the entire time that he has been my press secretary, Mike has always been accessible, always wiling to go the extra mile to furnish the information that will make a reporter's job easier and he has made it a point to be able to provide an answer to whatever questions the press ask. If Mike does not know an answer, he will find it, and he will make sure that he understands the entire issue well-enough to be able to explain it. Mike has always been relentless in wanting to guarantee that the press gets the story right the first time.

Of course, the Ohio press corps could write volumes of examples of Mike's tenacity in wanting a story reported correctly. If Mike felt he was right, he would argue his point until that reporter understood what he was talking about and where he was coming from. If Mike knew he was right, he would be relentless in his effort to not only convince the reporter to see his point of view, but to agree with it as well.

Mike's style has earned him the respect of reporters from all across Ohio. In fact, when I left the Governor's office to come to the Senate, Mike was lauded in a column written by Joe Hallett in the Cleveland Plain Dealer for how diligently he served as press secretary during my administration: probably the highest compliment any press secretary can receive from his peers.

That column put in print what I already knew and what I told millions of Ohioans on the night I was elected to the Senate—that Mike Dawson was the best press secretary in America. It was true then, and it is true today. In all the years I have known him, and in the hundreds, if not thousands, of stories that Mike handled for my gubernatorial administration, as well as here in the Senate, he has always kept the best interests of Ohio at heart. I have been truly blessed to have had Mike provide me such tremendous professional service over the years.

As I have been blessed with Mike's service, he has been blessed even more so with a wonderful and loving family. To witness the love that Mike has for his wife Laurel and his son Will makes it evident that they are the most important priorities in his life, and to see them all together makes it easy to realize that God's love truly shines upon them.

Mike is an Ohioan to the core, and he has always considered it his distinct privilege to work on behalf of the people of his state of Ohio in an effort to improve government and make government work more efficiently, and for the benefit of all Ohioans. When serving the people of Ohio, Mike was the first to arrive in the morning and the last to leave at night, and it was a given that Mike was on-call 24 hours a day, 7 days a week.

Today, though, Mike's responsibilities are focused a little more closer to home, and he and Laurel have decided to go back to their roots and raise Will in the Buckeye State. And while I am losing a valued member of my staff, I take great comfort in the knowledge that my friend Mike Dawson's service to the people of Ohio will continue. Mike has gone back to work for his former boss and my very dear friend, Senator MIKE DEWINE. I know that he will be successful in this new endeavor.

I consider myself a better person and a better public servant for having the

opportunity to know Michael Dawson. He has been a loyal friend and a sage counselor whom I will truly miss.●

TRIBUTE TO WILLIAM F.X. McCONNELL

● Mr. HATCH. Mr. President, I rise today to honor a fellow Utahn, William F.X. McConnell of Salt Lake City, a remarkable man with a remarkable story. I am not sure that in this retelling I can do justice to his sacrifices or of those who fought along side of him during World War II's campaign for the Rhine River. But, I think my colleagues would be interested in this history and would like to join me in paying tribute to the bravery of these men.

In December 1944, Bill McConnell arrived in France and was assigned to the 168th Engineer Combat Battalion. Shortly thereafter, Bill McConnell and his battalion fought in the terrible Battle of the Bulge. His battalion paved the way for an allied victory by removing road blocks and tank traps, building bridges under fire, and other perilous assignments. But, these were not the most harrowing experiences to which McConnell was assigned. The worst was yet to come.

McConnell and his battalion were called to cross the Rhine River, an assault as dangerous as it was important. He was told that this would be a simple assault, with plenty of support provided. At 2:00 a.m. on March 26, 1945, he boarded a row boat to cross the Rhine River into Germany. During the crossing, a bank of lights on the German side of the river were suddenly turned on, spotlighting the American soldiers. German tracer bullets fell like deadly rain upon them. The promised support from the American side never came.

While rowing, McConnell was hit in the wrist. Bleeding profusely, he continued to row. Shortly thereafter, several tracer bullets ripped through his thigh and knee. Continuing to row, he was hit a third time by an unidentified object on the side of his face and head. This blow knocked him into the water where he was miraculously saved by an assault boat returning from the German shore. Still without cover, the occupants of the boat were forced to debark and trudge through an active sewer line in order to escape the German gunfire.

For this act of bravery, Bill McConnell was awarded a well-deserved Purple Heart. In addition, he has been honored with the American Campaign Medal, Good Conduct Medal, Distinguished Unit Citation, European Theater of Operations with four battle stars, and the Belgium Croix de Guerre (War Cross). These medals stand as a symbol of his dedication.

But, Bill McConnell's battle since the war has been to keep this military history alive. While the battle at Remagen and other locations during the war to defeat the Third Reich have been well-chronicled in books and on film, engagements such as the Rhine crossing are still unknown to many Americans.

Since the war, McConnell has worked tirelessly in support of veterans organizations. Shortly after returning from the war he worked as a national service officer with the Disabled American Veterans. For 25 years, he served in the Veterans Administration Adjudication Division, in positions including senior adjudicator, chairman of the rating board, and adjudication officer.

For more than 40 years, he has been the American Legion member in charge of placing U.S. flags on graves for Memorial Day. He has served as past state commander in Utah of the Disabled American Veterans. He is the founder of the Salt Lake City chapter and national service officer of the Military Order of the Purple Heart, where he volunteers to help veterans with their disability claims. Clearly, he is one who has helped many.

There are thousands of World War II veterans just like Bill McConnell, who fought courageously for freedom. But, William F.X. McConnell is one who happens to live in my home state. He exemplifies the dedication of all American soldiers, sailors, airmen, and marines—past, present, and future—who have always been on watch to defend our country and its vital interests.

Today, I want to thank Bill McConnell for his service in uniform and for his service to our nation's veterans. This stand as his own monument. I am pleased to call the Senate's attention to his bravery in battle and to his many contributions to veterans.●

MR. LEONARD E. AND MRS. LOUISE A. PLACHTA DAY

● Mr. ABRAHAM. Mr. President, November 11, 2000 is a very special day on the campus of Central Michigan University in Mount Pleasant, MI. The day has been proclaimed Mr. Leonard E. and Mrs. Louise A. Plachta Day, in honor of the former President and First Lady of the University. I rise today to recognize this occasion and to pay tribute to the magnificent couple being honored.

The couple arrived in Mt. Pleasant in 1972 when Mr. Plachta took a job as Professor of Accounting. He served as Assistant Dean of CMU's College of Business Administration from 1977 to 1979, when he took over the position of Dean. In January of 1992, he was appointed to serve as President of the University, and he served in this position until his retirement in July of 2000.

Mr. Plachta's 8-year tenure as President stands as one of the most productive stints in the history of the University. His financial restructuring of CMU has allowed it to remain one of the most affordable public universities in the State of Michigan. He initiated a number of programs to give students real-world experience to help prepare them for future employment, including developing a state-of-the-art Career Services Center and expanding internship opportunities for students.

He drew national attention for the Degree Partners Program, which is a guaranteed four-year degree agreement with students designed to save them money as well as get skilled professionals into the job market quickly. He also initiated one of the first leadership scholar programs in the country, a four-year educational protocol designed to help students develop ethical leadership skills they can apply in their professions.

Mr. Plachta oversaw significant upgrading of classrooms and facilities during his tenure. This included new, highly technological music and science buildings; new and renovated athletic facilities; and a pending Library and Information Services Center that will incorporate technology to link students with academic resources from around the world.

He also oversaw a complete reorganization of CMU's academic programs in order to increase interdepartmental cooperation and draw attention to the University's strengths. This reorganization included a new College of Communication and Fine Arts, a new College of Health Professions, redefined science programs through a new College of Science and Technology, and a revamped College of Business Administration, College of Education and Human Services, and College of Humanities and Social and Behavioral Sciences.

One of the greatest accomplishments of his tenure, though, has been the leadership role CMU has taken in terms of the chartering of public school academies, charter schools. More than 17,000 K–12 students, approximately 50 percent of whom are minorities or at risk children, are enrolled in 59 CMU-licensed schools throughout the State of Michigan, with families on waiting lists at nearly every school. In addition, the national Charter Schools Development and Performance Institute, housed at CMU, had its grand opening earlier this year, on May 1, 2000.

Mrs. Plachta has also greatly contributed to the CMU community. For twelve years, she worked as a member of the clerical staff. She provided superior guidance and caring support to nontraditional students as the nontraditional student services liaison, which is a volunteer position. Her knowledge in this position came honestly, as she earned a master's degree herself as a nontraditional student. And, as First Lady, she has been a much-loved ambassador for CMU and an outstanding member of the Mount Pleasant community, volunteering with numerous organizations and strongly supporting adult literacy programs.

Central Michigan University stands where it does today, poised for success in the 21st Century, in large part due to the efforts of Mr. and Mrs. Plachta. They have worked together to bring

about positive change not only for the University, but also for the State of Michigan, on many different fronts, and I thank them for their extraordinary efforts. On behalf of the entire United States Senate, I congratulate Mr. Leonard E. and Louise A. Plachta on having a day designated in their honor, and I hope that they enjoy every minute of it.●

MESSAGES FROM THE HOUSE

At 2:22 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 460. An act to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

H.R. 2570. An act to require the Secretary of the Interior to undertake a study regarding methods to commemorate the national significance of the United States roadways that comprise the Lincoln Highway, and for other purposes.

H.R. 3926. An act to amend the Illinois and Michigan Canal National Heritage Corridor Act of 1984 to increase the amount authorized to be appropriated to the Illinois and Michigan Canal National Heritage Corridor Commission.

H.R. 4187. An act to assist the establishment of an interpretive enter and museum in the vicinity of the Diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles.

H.R. 4281. An act to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new or revised scientifically valid toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

H.R. 4312. An act to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing an Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes.

H.R. 4404. An act to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision when required by State law, and for other purposes.

H.R. 4493. An act to establish grants for drug treatment alternative to prison programs administered by State or local prosecutors.

H.R. 4521. An act to direct the Secretary of the Interior to authorize and provide funding for rehabilitation of the Going-to-the-Sun Road in Glacier National Park, to authorize funds for maintenance of utilities related to the Park, and for other purposes.

H.R. 4646. An act to designate certain National Forest System lands within the boundaries of the State of Virginia as wilderness areas.

H.R. 4965. An act to amend the Perishable Agricultural Commodities Act, 1930, to extend the time period during which persons may file a complaint alleging the preparation of false inspection certificates at Hunts Point Terminal Market, Bronx, New York.

H.R. 5016. An act to redesignate the facility of the United States Postal Service located at 514 Express Center Drive in Chicago, Illinois, as the ''J.T. Weeker Service Center.''

H.R. 5041. An act to establish the boundaries and classification of a segment of the Missouri River in Montana under the Wild and Scenic Rivers Act.

H.R. 5110. An act to designate the United States courthouse located at 3470 12th Street in Riverside, California, as the ''George E. Brown, Jr. United States Courthouse.''

H.R. 5210. An act to designate the facility of the United States Postal Service located at 200 South George Street in York, Pennsylvania, as the ''George Atlee Goodling Post Office Building.''

H.R. 5225. An act to revise the boundaries of the Richmond National Battlefield Park based on the findings of the Civil War Sites Advisory Committee and the National Park Service and to encourage cooperative management, protection, and interpretation of the resources associated with the Civil War and the Civil War battles in and around the city of Richmond, Virginia.

H.R. 5302. An act to designate the United States courthouse located at 1010 Fifth Avenue in Seattle, Washington, as the ''William Kenzo Nakamura United States Courthouse.''

H.R. 5312. An act to amend the Controlled Substances Act to protect children from drug traffickers.

H.R. 5398. An act to provide that land which is owned by the Coushatta Tribe of Louisiana but which is not held in trust by the United States for the Tribe may be leased or transferred by the Tribe without further approval by the United States.

H.R. 5410. An act to establish revolving funding for the operation of certain programs and activities of the Library of Congress, and for other purposes.

The message also announced that the House has passed the following bills, without amendment:

S. 406. An act to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations.

S. 1296. An act to designate portions of the lower Delaware River and associated tributaries as a component of the National Wild and Scenic Rivers System.

S. 1705. An act to direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho, and for other purposes.

S. 1707. An act to amend the Inspector General Act of 1978 (5 U.S.C. App.) to provide that certain designated Federal entities shall be establishments under such Act, and for other purposes.

S. 2102. An act to provide to the Timbisha Shoshone Tribe a permanent land base within its aboriginal homeland, and for other purposes.

S. 2412. An act to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2000, 2001, 2002, and 2003, and for other purposes.

S. 2498. An act to authorize the Smithsonian Institute to plan, design, construct, and equip laboratory, administrative, and support space to house base operations for the Smithsonian Astrophysical Observatory Submillimeter Array located on Mauna Kea at Hilo, Hawaii.

S. 2917. An act to settle the land claims of the Pueblo of Santo Domingo.

S. 3201. An act to rename the National Museum American Art.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 145. Concurrent resolution expressing the sense of Congress on the propriety and need for expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capital.

The message also announced that the House has passed the bill (S. 1936) to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes, with an amendment.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 1444) to authorize the Secretary of the Interior to establish a program to plan, design, and construct fish screens, fish passage devices, and related features to mitigate adverse impacts associated with irrigation system water diversions by local governmental entities in the States of Oregon, Washington, Montana, Idaho, and California, with amendments.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 4788) to amend the United States Grain Standards Act to extend the authority of the Secretary of Agriculture to collect fees to cover the cost of services performed under the Act, extend the authorization of appropriations for that Act, and improve the administration of that Act, to reenact the United States Warehouses used to store agricultural products and provide for the issuance of receipts, including electronic receipts, for agricultural products stored or handled in licensed warehouses, and for other purposes, with an amendment.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 209) to improve the ability of Federal agencies to license federally owned inventions, without amendment.

The message further announced that the House has agreed to the amendments of the Senate to the amendments of the House to the bill (S. 1402) to amend the United States Code, to enhance programs providing education benefits for veterans, and for other purposes, without amendment.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 1695) to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes, without amendment.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 2607) to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, to authorize appropriations for the Office of Space Commercialization, and for other purposes, without amendment.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 3069) to authorize the Administrator of General Services to provide for redevelopment of the Southeast Federal Center in the District of Columbia, without amendment.

The message further announced that the House has agreed to the amendments of the Senate to the bill (H.R. 4850) to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to enhance programs providing compensation and life insurance benefits for veterans, and for other purposes, without amendment.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 4864) to amend title 38, United States Code, to reaffirm and clarify the duty of the Secretary of Veterans Affairs to assist claimants for benefits under laws administered by the Secretary, and for other purposes, without amendment.

The message further announced that the House disagreed to the amendment of the Senate to the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, and agreed to the conference asked by the Senate on the disagreeing votes of the two Houses and appoints Mr. WALSH, Mr. DELAY, Mr. HOBSON, Mr. KNOLLENBERG, Mr. FRELINGHUYSEN, Mrs. NORTHUP, Mr. SUNUNU, Mr. GOODE, Mr. YOUNG of Florida, Mr. MOLLOHAN, Ms. KAPTUR, Mrs. MEEK of Florida, Mr. PRICE of North Carolina, Mr. CRAMER, and Mr. OBEY, as the managers of the conference on the part of the House.

The message also announced that pursuant to provisions of section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616), the Speaker reappointed Mr. Gordon A. Martin of Roxbury, Massachusetts, on the part of the House to the Coordinating Council on Juvenile Justice and Delinquency Prevention, to a 2-year term.

At 4:39 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 624. An act to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana, and for other purposes.

S. 2686. An act to improve service systems for individuals with developmental disabilities, and for other purposes.

S. 1809. An act to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes.

H.R. 3986. An act to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington.

H.R. 34. An act to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

H.R. 208. An act to amend title 5, United States Code, to allow for the contribution of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan, and for other purposes.

H.R. 707. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes.

H.R. 1654. An act to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes.

H.R. 1715. An act to extend and reauthorize the Defense Production Act of 1950.

H.R. 2389. An act to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes.

H.R. 2842. An act to amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB) Program, to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when a State court orders the employee to provide health insurance coverage for a child of the employee but the employee fails to provide the coverage, and for other purposes.

H.R. 2879. An act to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech.

H.R. 2883. An act to amend the Immigration and Nationality Act to modify the provisions governing acquisition of citizenship by children born outside of the United States, and other purposes.

H.R. 2984. An act to direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

H.R. 3235. An act to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours.

H.R. 3236. An act to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Weber Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

H.R. 3292. An act to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

H.R. 3468. An act to direct the Secretary of the Interior to convey certain water rights to Duchesne City, Utah.

H.R. 3577. An act to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho.

H.R. 3767. An act to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under section 217 of such Act.

H.R. 3986. An act to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washingon.

H.R. 3995. An act to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government.

H.R. 4002. An act to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger.

H.R. 4259. An act to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

H.R. 4386. An act to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes.

H.R. 4389. An act to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

H.R. 4681. An act to provide for the adjustment of status of certain Syrian nationals.

H.R. 4828. An act to designate the Steens Mountain Wilderness Area and the Steens Mountain Cooperative Management and Protection Area in Harney County, Oregon, and for other purposes.

H.R. 5107. An act to make certain corrections in copyright law.

H.R. 5417. An act to rename the Stewart B. McKinney Homeless Assistance Act as the ''McKinney-Vento Homeless Assistance Act.''

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

At 4:55 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5308. An act to amend laws relating to the lands of the citizens of the Muscogee (Creek), Seminole, Cherokee, Chickasaw and Choctaw Nations, historically referred to as the Five Civilized Tribes, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–11156. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tebuconazole; Extension of Tolerances for Emergency Exemptions'' (FRL #6749–5) received on October 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11157. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Norflurazon; Extension of Tolerances for Emergency Exemptions'' (FRL #6748–2) received on October 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11158. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Zinc Phosphide; Extension of Tolerances for Emergency Exemptions'' (FRL #6748–1) received on October 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11159. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of rule entitled ''Citrus Canker; payments for Commercial Citrus Tree Replacement'' (Docket No. 00–037–1) received on October 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11160. A communication from the Deputy General Counsel, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''8(a) Business Development/Small Disadvantaged Business Status Determination; Rule of Procedure Governing Cases Before the Office of Hearings and Appeals'' (RIN 3245–AE60) received on October 17, 2000; to the Committee on Small Business.

EC–11161. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Luminescent Zinc Sulfide; Confirmation of Effective Date'' (Docket No. 97C–0415) received on October 17, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–11162. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Phaffia Yeast; Confirmation of Effective Date'' (Docket No. 97C–0466) received on October 17, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–11163. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Haematococcus Algae Meal; Confirmation of Effective Date'' (Docket No. 98C–0212) received on October 17, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–11164. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Changes to Various VOC Regulations'' (FRL #6886–5) received on October 13, 2000; to the Committee on Environment and Public Works.

EC–11165. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Post-1996 Rate of Progress Plans'' (FRL #6877–5) received on October 13, 2000; to the Committee on Environment and Public Works.

EC–11166. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri; Designation of Areas for Air Quality Planning Purposes, Dent Township'' (FRL #6885–6) received on October 17, 2000; to the Committee on Environment and Public Works.

EC–11167. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Virginia; Approval of Removal of tSP Ambient Air Quality Standards'' (FRL #6887–7) received on October 17, 2000; to the Committee on Environment and Public Works.

EC–11168. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Maryland; Nitrogen Oxides Budget Program'' (FRL #6878–4) received on October 17, 2000; to the Committee on Environment and Public Works.

EC–11169. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Colorado and Utah; 1996 Periodic Carbon Monoxide Emission Inventories'' (FRL #6889–2) received on October 17, 2000; to the Committee on Environment and Public Works.

EC–11170. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Water Heaters, Small Boilers, and Process Heaters; Agreed Orders; Major Stationary Sources of Nitrogen Oxides in the Beaumont/Port Arthur Ozone Nonattainment Area'' (FRL #6886–1) received on October 17, 2000; to the Committee on Environment and Public Works.

EC–11171. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the San Diego Fairy Shrimp (Branchinecta sandiegoensis)'' (RIN1018–AF97) received on October 17, 2000; to the Committee on Environment and Public Works.

EC–11172. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Coastal California Gnatcatcher'' (RIN1018–AF32) received on October 17, 2000; to the Committee on Environment and Public Works.

EC–11173. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report relative to Nonproliferation and Disarmament Fund (NDF) activities; to the Committee on Foreign Relations.

EC–11174. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the transmittal of the certification of the proposed issuance of an export license to Algeria and Israel; to the Committee on Foreign Relations.

EC–11175. A communication from the Assistant General Counsel for Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Increased Distributions to Owners of Certain HUD-Assisted Multifamily Rental Projects'' (RIN2502–AH46) (FR–4532–F–01) received on October 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–11176. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a report relative to exports to Algeria; to the Committee on Banking, Housing, and Urban Affairs.

EC–11177. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a report relative to exports to Uzbekistan; to the Committee on Banking, Housing, and Urban Affairs.

EC–11178. A communication from the Assistant Secretary for Export Administration, Office of Strategic Industries and Economic Security, Bureau of Export Administration, transmitting, pursuant to law, the report of a rule entitled ''Effect of Imported Articles on the National Security'' (RIN0694–AC07) received on October 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–11179. A communication from the Assistant Secretary for Export Administration, Office of Strategic Industries and Economic Security, Bureau of Export Administration, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Encryption Items'' (RIN0694–AC32) received on October 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–11180. A communication from the Commissioner of Social Security, transmitting, pursuant to law, a report relative to the processing of continuing disability reviews (CDR) for fiscal year 1999; to the Committee on Finance.

EC–11181. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''July-September 2000 Bond Factor Amounts'' (Revenue Ruling 2000–48) received on October 16, 2000; to the Committee on Finance.

EC–11182. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Preparer Due Diligence Requirements for Determining Earned Income Credit Eligibility'' (RIN1545–AW74, TD 8905) received on October 16, 2000; to the Committee on Finance.

EC–11183. A communication from the Program Manager, Bureau of Alcohol, Tobacco and Firearms, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled ''Labeling of Flavored Wine Products'' (RIN1512–AB86) received on October 17, 2000; to the Committee on Finance.

EC–11184. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Audit of the Advisory Neighborhood Commission 3B for the period October 1, 1997 through December 31, 1999''; to the Committee on Governmental Affairs.

EC–11185. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''NARA Reproduction Fee Schedule'' (RIN3095–AA87) received on October 13, 2000; to the Committee on Governmental Affairs.

EC–11186. A communication from the Executive Director of the Federal Retirement Thrift Investment Board, transmitting, pursuant to law, a report relative to the year 2000 commercial activities inventory; to the Committee on Governmental Affairs.

EC–11187. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the B–1B Defensive System Upgrade Program (DSUP); to the Committee on Armed Services.

EC–11188. A communication from the Under Secretary of Defense, transmitting, pursuant to law, a report relative to the fiscal year 2000 commercial activities; to the Committee on Armed Services.

EC–11189. A communication from the Assistant Secretary of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''25 CFR Part 20, Financial Assistance and Social Services Programs'' (RIN1076–AD95) received on October 13, 2000; to the Committee on Indian Affairs.

EC–11190. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Gas Valuation Regulations for Indian Leases (MT and ND time limits)'' (RIN1010–AC72) received on October 16, 2000; to the Committee on Indian Affairs.

EC–11191. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Repeat Intoxicated Driver Laws'' (RIN2127–AH47) received on October 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11192. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Company CF6 Turbofan Engines; Docket no. 2000–NE–38 [10–2/10–16]'' (RIN2120–AA64) (2000–0483) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11193. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (88); amdt. no. 2013; [10–5/10–16]'' (RIN2120–AA65) (2000–0051) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11194. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (38); amdt. No. 2012; [10–5/10–16]'' (RIN2120–AA65) (2000–0052) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11195. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Service Difficulty Reports; technical amendment; Docket No. 28293'' (RIN2120–AF71) (2000–0002) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11196. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Fees for Air Traffic Services for Certain Flights Through U.S.-Controlled Airspace and for Aeronautical Studies; extension of comment period; interim final rule; docket no. FAA–00–7018; [10–6/10–16]'' (RIN2120–AG17) (2000–0003) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11197. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Advanced Qualification Program; docket no. FAA–2000–7497 [10–10/10–16]'' (RIN2120–AH01) (2000–0002) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11198. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Commercial Air Tour Limitations in the GCNPSFRA; Modification of the Dimensions of the GCNPFRA and FFZone; Disposition of a request for stay of compl. date; [10–11/10–16]'' (RIN2120–ZZ30) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11199. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Strategic Booming Exercise in the Cape May Harbor, Cape May, NJ'' (CGD05–00–047)'' (RIN2115–AA97) (2000–0086) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11200. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Thunderbird Air Show, Long Island Sound, Governor Alfred E. Smith/Sunken Meadow State Park, Kings Park, NY'' (CGD01–00–224)'' (RIN2115–AA97) (2000–0087) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11201. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Special Anchorage Areas/Anchorage Grounds Regulations; Delaware Bay and River'' (CGD05–00–048)'' (RIN2115–AA98) (2000–0007) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11202. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Milford Haven, Virginia'' (CGD05–00–042)'' (RIN2115–AE47) (2000–0049) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11203. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Florida East Coast Railway Bridge, Across the Okeechobee Waterway, Mile 7.4, at Stuart, Martin County, FL (CGD07–00–097)'' (RIN2115–AE47) (2000–0050) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11204. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; CSX Railroad Bridge (South Fork of the New River), Ft. Lauderdale, Broward County, FL'' (CGD07–00–092)'' (RIN2115–AE47) (2000–0051) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11205. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Allowing Alternative Source to Incandescent Light in Private Aids to Navigation (USCG–2000–7466)'' (RIN2115–AF98) (2000–0001) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11206. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Traffic Separation Scheme; In the Approaches to Los Angeles-Long Beach, California (USCG–2000–7695)'' (RIN2115–AF99) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11207. A communication from the Acting Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes and Conforming Amendments (USCG–2000–7790)'' (RIN2115–ZZ02) (2000–0002) received on October 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11208. A communication from the Acting Secretary of the Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Appliance Labeling Rule, 16 C.F.R. Part 305'' (RIN3084–AA74) received on October 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11209. A communication from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report on the Application of New Standards or Technologies to Reduce Aircraft Noise Levels; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JEFFORDS, from the Committee on Health, Education, Labor, and Pensions, with amendments:

S. 2731: A bill to amend title III of the Public Health Service Act to enhance the Nation's capacity to address public health threats and emergencies (Rept. No. 106–505).

By Mr. CAMPBELL, from the Committee on Indian Affairs:

Report to accompany S. 2917, a bill to settle the land claims of the Pueblo of Santo Domingo (Rept. No. 106–506).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. MCCAIN for the Committee on Banking, Housing, and Urban Affairs.

Marjory E. Searing, of Maryland, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

(The above nomination was reported with the recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SMITH of New Hampshire (for himself, Mr. GREGG, Mr. LEAHY, and Mr. JEFFORDS):

S. 3212. A bill to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont; to the Committee on Energy and Natural Resources.

By Mr. ALLARD (for himself and Mr. CRAPO):

S. 3213. A bill to amend the Internal Revenue Code of 1986 to allow an individual to designate $3 or more on their income tax return to be used to reduce the public debt; to the Committee on Finance.

By Mr. GREGG (for himself, Mr. HARKIN, and Mr. KENNEDY):

S. 3214. A bill to amend the Assets for Independence Act (Title IV of the Community Opportunities, Accountability, and Training and Educational Services Act of 1998) to enhance program flexibility, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN:

S. 3215. A bill to amend the Public Health Service Act to reauthorize women's health research award programs conducted through the National Institutes of Health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAIG (for himself and Mr. BAUCUS):

S. 3216. A bill to provide for review in the Court of International Trade of certain determinations of binational panels under the North American Free Trade Agreement; to the Committee on Finance.

By Mr. MACK (for himself and Mr. BROWNBACK):

S. 3217. A bill to amend the Internal Revenue Code of 1986 to provide for individuals who are residents of the District of Columbia a maximum rate of tax of 15 percent on income from sources within the District of Columbia, and for other purposes; to the Committee on Finance.

By Mr. MCCONNELL:

S. 3218. A bill to amend the Clean Air Act to exclude beverage alcohol compounds emitted from aging warehouses from the definition of volatile organic compounds; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. WARNER (for himself, Mr. LEVIN, Mr. THURMOND, Mr. KENNEDY, Mr. MCCAIN, Mr. BYRD, Mr. SMITH of New Hampshire, Mr. ROBB, Mr. INHOFE, Mr. LIEBERMAN, Mr. SANTORUM, Mr. CLELAND, Ms. SNOWE, Ms. LANDRIEU, Mr. ROBERTS, Mr. REED, Mr . ALLARD, Mr. HUTCHINSON, Mr. SESSIONS, Mr. BOND, Mr. BINGAMAN, Mrs. HUTCHISON, Mr. SARBANES, Ms. MIKULSKI, Mr. KERRY, Mr. MILLER, Mr. EDWARDS, Mr. VOINOVICH, Mr. WELLSTONE, and Mrs. FEINSTEIN):

S. Res. 378. A resolution honoring the members of the crew of the guided missile destroyer U.S.S. *Cole* (DDG–67) who were killed or wounded in the terrorist bombing attack on that vessel in Aden, Yemen, on October 12, 2000, expressing the sympathies of the Senate to the families of those crew members, commending the ship's crew for their heroic damage control efforts, and condemning the bombing of that ship; considered and agreed to.

By Ms. SNOWE (for herself, Mr. MCCAIN, Mr. ROBB, Mr. INHOFE, Mr. THURMOND, Mr. BOND, Ms. LANDRIEU, Mr. ROBERTS, Mr. SANTORUM, Mr. HUTCHINSON, Mr. REED, Mr. LIEBERMAN, Mr. LEVIN, Mr. KENNEDY, and Mrs. FEINSTEIN):

S. Res. 379. A resolution memorializing the sailors of the Navy lost in the attack on the U.S.S. *Cole* (DDG–67) in the port of Aden, Yemen, on October 12, 2000; extending condolences to their families and other loved ones; extending sympathy to the members of the crew of that vessel who were injured in the attack and commending the entire crew for its performance and professionalism in saving the U.S.S. *Cole*; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SMITH of New Hampshire (for himself, Mr. GREGG, Mr. LEAHY, and Mr. JEFFORDS):

S. 3212. A bill to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont; to the Committee on Energy and Natural Resources.

UPPER CONNECTICUT RIVER PARTNERSHIP ACT OF 2000

Mr. SMITH of New Hampshire. Mr. President, I am pleased to introduce the Upper Connecticut River Partnership Act of 2000. This legislation is a truly locally-led initiative. I believe it will result in great environmental benefits for the Connecticut River.

The Connecticut River forms the border to New Hampshire and Vermont and provides for a great deal of recreational and tourism opportunities for residents of both States. This legislation takes a major step forward in making sure this River continues to thrive as a treasured resource.

To understand just how significant this legislation is, I would like to share with my colleagues some history about the Connecticut River program. In 1987–88, New Hampshire and Vermont each created a commission to address environmental issues facing the Connecticut river valley. The commissions were established to coordinate water quality and various other environmental efforts along the Connecticut river valley. The two commissions came together in 1990 to form the Connecticut River Joint Commission. The Joint Commission has no regulatory authority, but carries out cooperative education and advisory activities.

To further the local influence of the Commission, the Connecticut River Joint Commission established five advisory bi-state local river subcommittees comprised of representatives nominated by the governing body of their municipalities. These advisory groups developed a Connecticut River Corridor Management Plan. A major portion of the plan focuses on channeling federal funds to local communities to implement water quality programs, nonpoint source pollution controls and other environmental projects. Over the last ten years, the Connecticut River Joint Commission has fostered widespread participation and laid a strong foundation of community and citizen involvement.

As a Senator from New Hampshire and chairman of the Environment and Public Works Committee, as well as someone who enjoys the beauty of the Connecticut river, I am proud to be the principal author and cosponsor of this locally led, voluntary effort that accomplishes real environmental progress. Too often we depend on bureaucratic federal regulatory programs to accomplish environmental success. This bill takes a different approach and one that I bet will achieve greater results on the ground. I hope that other communities and neighboring states will look at this model as an example of how to develop and implement true voluntary, on the ground, locally-led environmental programs.

I want to thank my colleague from New Hampshire, Senator GREGG, and the two distinguished Senators of Vermont, Senators LEAHY and JEFFORDS, for joining me as original cosponsors to this legislation. I look forward to working with them as we move this important legislation through the Senate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3212

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Upper Connecticut River Partnership Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the upper Connecticut River watershed in the States of New Hampshire and Vermont is a scenic region of historic villages located in a working landscape of farms, forests, and the mountainous headwaters and broad fertile floodplains of New England's longest river, the Connecticut River;

(2) the River provides outstanding fish and wildlife habitat, recreation, and hydropower generation for the New England region;

(3) the upper Connecticut River watershed has been recognized by Congress as part of the Silvio 0. Conte National Fish and Wildlife Refuge, established by the Silvio O. Conte National Fish and Wildlife Refuge Act (16 U.S.C. 668dd note; Public Law 102–212);

(4) the demonstrated interest in stewardship of the River by the citizens living in the watershed led to the Presidential designation of the River as 1 of 14 American Heritage Rivers on July 30, 1998;

(5) the River is home to the bistate Connecticut River Scenic Byway, which will foster heritage tourism in the region;

(6) each of the legislatures of the States of Vermont and New Hampshire has established a commission for the Connecticut River watershed, and the 2 commissions, known collectively as the ''Connecticut River Joint Commissions''—

(A) have worked together since 1989; and

(B) serve as the focal point for cooperation between Federal agencies, States, communities, and citizens;

(7) in 1997, as directed by the legislatures, the Connecticut River Joint Commissions, with the substantial involvement of 5 bistate local river subcommittees appointed to represent riverfront towns, produced the 6-volume Connecticut River Corridor Management Plan, to be used as a blueprint in educating agencies, communities, and the public in how to be good neighbors to a great river;

(8) this year, by Joint Legislative Resolution, the legislatures have requested that Congress provide for continuation of cooperative partnerships and support for the Connecticut River Joint Commissions from the New England Federal Partners for Natural Resources, a consortium of Federal agencies, in carrying out recommendations of the Connecticut River Corridor Management Plan;

(9) this Act effectuates certain recommendations of the Connecticut River Corridor Management Plan that are most appropriately directed by the States through the Connecticut River Joint Commissions, with assistance from the National Park Service and United States Fish and Wildlife Service; and

(10) where implementation of those recommendations involves partnership with local communities and organizations, support for the partnership should be provided by the Secretary.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary to provide to the States of New Hampshire and Vermont (including communities in those States), through the Connecticut River Joint Commissions, technical and financial assistance for management of the River.

SEC. 3. DEFINITIONS.

In this Act:

(1) RIVER.—The term ''River'' means the Connecticut River.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means—

(A) the State of New Hampshire; or

(B) the State of Vermont.

SEC. 4. ASSISTANCE FOR STATES.

The Secretary of the Interior may provide to the States, through the Connecticut River Joint Commissions, technical and financial assistance in managing the River, including assistance in—

(1) developing a joint policy for water quality, flow management, and recreational boating for the portion of the River that is common to the States;

(2) developing protection plans for water quality in the tributaries that flow into the River;

(3) developing a coordinated, collaborative approach on the part of the States for monitoring the quality of the River for human use and ecological health;

(4) restoring and protecting priority riverbanks to improve water quality and aquatic and riparian habitat;

(5) encouraging and assisting communities, farmers, and other riverfront landowners in—

(A) establishing and protecting riparian buffers; and

(B) preventing nonpoint source pollution;

(6) encouraging and assisting communities in—

(A) protecting shoreland, wetland, and flood plains; and

(B) managing and treating stormwater runoff;

(7) in cooperation with dam owners—

(A) evaluating the decommissioning of uneconomic dams in the watershed; and

(B) restoring natural riverine habitat;

(8) protecting and restoring the habitat of native trout, anadromous fisheries, and other outstanding fish and wildlife resources;

(9) encouraging new and improved markets for local agricultural products;

(10) encouraging the protection of farm land and economically sustainable agriculture;

(11) developing and promoting locally planned, approved, and managed networks of heritage trails and water trails in the River valley;

(12) coordinating and fostering opportunities for heritage tourism and agritourism through the Connecticut River Scenic Byway;

(13) demonstrating economic development based on heritage tourism;

(14) supporting local stewardship;

(15) strengthening nonregulatory protection of heritage resources;

(16) encouraging the vitality of historically compact village and town centers;

(17) establishing indicators of sustainability; and

(18) monitoring the impact of increased tourism and recreational use on natural and historic resources.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. ALLARD (for himself and Mr. CRAPO):

S. 3213. A bill to amend the Internal Revenue Code of 1986 to allow an individual to designate $3 or more on their income tax return to be used to reduce the public debt; to the Committee on Finance.

TAXPAYERS CHOICE DEBT REDUCTION ACT

Mr. ALLARD. Mr. President, I have introduced S. 3213. I want to take a few moments to talk about this important piece of legislation for paying down the national debt.

As the 106th Congress comes to an end, I rise to make a few comments on the evolution of an issue of great concern to myself and to many Americans. The issue is the $5,661,548,045,674 national debt we had as of October 2, 2000.

In August of 1993, while serving in the House of Representatives, I introduced House Joint Resolution 251 with the support of a number of my colleagues. The intention of this resolution was to amend the Constitution of the United States to provide for budgetary reform by requiring the reduction of the deficit, a balanced Federal budget, and the repayment of the national debt. During my years in the House, I had the good fortune to work with many Republican colleagues who were committed to these fiscally sound and enormously important issues.

Today, a scant 7 years later, we are enjoying unsurpassed Federal budget surpluses and the many difficulties that accompany such prosperity. I am concerned that the running dialog in Washington is far too focused on today's spending, today's enormous Federal programs, today's immediate wants and needs. I am concerned that we are talking too much about spend today and not enough about the consequences of tomorrow. As we conclude the appropriations process, it is apparent that many Members of this body are eager to transform the Federal budget surplus into new Federal spending, creating more Federal programs that will begat future obligations.

I am primarily concerned that efforts to recklessly spend every nickel of the taxpayers' money will threaten the long-term fiscal health of our Nation, the Nation our children and grandchildren will inherit. The majority of my colleagues on this side of the aisle are focusing on returning the surplus to its rightful owners—the American people.

In recent months, the current administration has taken a hardline against tax cuts, making it clear that the President believes the Federal budget surplus belongs to Washington and not the hard-working men and women who send far more money to the Internal Revenue Service than they often save for retirement, college, or for buying a home.

I find it frustrating and the height of arrogance to assume that the Federal Government can do more with this money than the taxpayers. So many of my Republican colleagues have such a profound conviction regarding returning the money to the working man and woman that, in fact, they have been hesitant to engage in development of a comprehensive long-term debt repayment plan.

I have come to the floor before, and I will come to the floor again, to make clear what is required to manage the national debt in a comprehensive repayment strategy. The sheer enormity of the national debt demands such diligence. I admit that I have no desire to increase the growth of the Federal Government instead of paying down the debt. I am, as many of my colleagues, however, personally committed to cutting taxes.

I have come to the floor today for no other reason than to make one thing crystal clear: We can pay down the debt and cut taxes. It is not an either/or proposition. It takes planning, and it takes commitment. It takes a plan to repay the debt and a commitment to cut taxes and the discipline to refrain from pouring ever more money into newer or larger programs.

At the end of fiscal year 1999, the gross Federal budget was $5,656,270,901,615 and at the end of fiscal year 2000, the gross Federal budget was $5,674,178,209,886.

Our past fiscal irresponsibilities have created this overwhelming mess, and an unpleasant task lies before us. For the health and well-being of our national economy and the future security of our young people, we must commit to the elimination of this debt.

The journey of 5½ trillion miles begins with a single step. Early in the 106th Congress, I introduced the American Debt Repayment Act. A year

later, I followed that legislation with the American Social Security Protection and Debt Repayment Act. I believe each of these bills provided a sensible first step toward debt repayment and the 5 trillion steps to follow.

Both pieces of legislation suggested we treat the Federal debt just as every American treats the largest purchase they will ever make. That is their home. In February of this year, I came to the floor with my friends, GEORGE VOINOVICH, ROD GRAMS and MIKE ENZI, with an amortization schedule for debt repayment to be offered to the budget resolution. Just as any American home buyer would amortize the purchase of their home with a mortgage, we offered a dutiful and moderate restriction on Federal spending combined with a specific debt repayment schedule. Our amendment was defeated. I believe the chief reason for the defeat of the amendment was the fear of being locked into a long-term repayment plan that would prohibit future tax cuts. The July 2000 budget economic and outlook update by the Congressional Budget Office disputes this understandable fear.

According to the CBO, assuming spending is frozen at fiscal year 2000 levels, the next 10 years will yield an on-budget surplus of $3.4 trillion. If this Congress had exercised some discipline this year and appropriated within a freeze, the on-budget surplus in fiscal year 2001, which we have just begun, is projected to be $116 billion.

One criticism of the long-term debt amortization plan that I brought to the floor was that it would prevent tax cuts and tie the hands of appropriators by absorbing all of the surplus. My most recent plan simply dedicates $15 billion of on-budget surplus to debt repayment and adds $15 billion each year thereafter. The sum total after 10 years of structured debt repayment is $825 billion from on-budget surplus.

This repayment schedule would have left $2.6 trillion remaining for tax cuts and new spending over the next 10 years.

It is important to note that these numbers do not take into account the off-budget surplus created by Social Security. I have said on the floor many times before that paying down the national debt is one of the best ways to provide long-term fiscal stability to Social Security.

In the past, I proposed restricted use of the Social Security surplus to help pay down the debt. This not only provides for the future stability of Social Security by paying down the debt but protects Social Security money from Federal discretionary spending.

Social Security surplus money should be used for debt repayment only until such time as Congress can initiate sensible reform to preserve the long-term integrity of Social Security. Social Security reform has been a priority of this Congress, and we can act to reduce the debt and reform this important program in one commitment.

When the new Congress convenes in 2001, I intend to continue to work with my colleagues on developing a sensible and concrete debt repayment plan. I am also interested in working with my colleagues on other innovative ways to reduce the national debt. Legislation was recently introduced in the House, and I am pleased to come to the floor today on behalf of myself and the Senator from Idaho, Mr. CRAPO, to introduce the Taxpayers Choice Debt Reduction Act.

Every year, millions of taxpaying Americans have the opportunity to designate on their tax form a $3 contribution to the Presidential Election Campaign Fund. This checkoff on all 1040 forms would allow for the taxpayers themselves to designate that $3, or $6 for joint filers, would be dedicated to a special Department of the Treasury account to pay down the national debt.

Checking the box on the tax document would not increase the amount of taxes to be paid, nor would it decrease any refund. Checking ''yes'' in this box would simply provide a directive from the taxpayer that 3 of the dollars they were paying in taxes be used solely to pay down the Nation's debt. Importantly, these funds would be beyond any money set aside by Congress for debt reduction.

In my annual town meetings around the State of Colorado, I often speak with my constituents over the enormous debt owed by this country. I can say with great confidence that this is an issue where the public desires action. It is my hope that with this legislation Congress will empower these concerned taxpayers to act on their impulse to eliminate the debt.

Before I yield the floor, I extend my thanks to all of my Senate colleagues who have expressed an interest in debt repayment during this Congress, particularly Senators VOINOVICH, ENZI, GRAMS of Minnesota, CRAPO, REID of Nevada, and FEINGOLD. I have enjoyed working with each of these Members over the course of the year as we have brought debt repayment amendments to the floor. I look forward to continuing to work on this important issue with my colleagues.

Mr. GREGG (for himself and Mr. HARKIN):

S. 3214. A bill to amend the Assets for Independence Act (Title IV of the Community Opportunities, Accountability, and Training and Educational Services Act of 1998) to enhance program flexibility, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ASSETS FOR INDEPENDENCE ACT AMENDMENTS OF 2000

Mr. GREGG. Mr. President, in his 1991 book ''Assets and the Poor: a New American Welfare Policy,'' Washington University Professor Michael Sherraden argues that people move forward economically through savings and investment, not through spending and consumption. Owning assets gives people a stake in the future—a reason to save, to dream, and to invest time, effort and resources in creating a future for themselves and their children. As Sherraden puts it, ''income may feed people's stomachs, but assets change their heads.''

I am pleased today to be joined by Senator HARKIN in introducing legislation designed to further promote innovative asset-building strategies for the poor.

Over the past two years, asset-building strategies have gained widespread, bi-partisan support at both the federal and state levels. Legislation has been introduced and laws have been enacted to develop and promote Individual Development Accounts (IDAs) among low income Americans. IDAs reward the monthly savings of working poor families who are trying to buy their first home, pay for post secondary education, or start a business.

In some respects, IDAs are like Individual Retirement Accounts for the working poor. IDAs are dedicated savings accounts that can be used for purchasing a first home, paying for post-secondary education, or capitalizing business. These investments are associated with extremely high rates of return that have the potential to bring a new level of economic and personal security to families and communities. Participants also are able to make emergency withdrawals in limited circumstances and must pay back such withdrawals within 12 months.

The individual or family deposits whatever dollar amount they can save (typically $5 to $20 a month) into the account. The sponsoring organization matches that deposit with funds provided by local churches and service organizations, corporations, foundations, and state or local governments. The sponsoring organization determines the ratio at which they will match an individual's contribution (not less than $0.50 and not more than $4 for every $1).

In 1998, Congress enacted legislation entitled the ''Assets for Independence Act''. This Act established a five year demonstration program to determine the social, civic, psychological and economic effects that individual development account, IDA, savings accounts can have on low income individuals and their families. The assets for independence demonstration program is presently the largest source of federal funding for individual development accounts.

The intent of this demonstration program is to encourage participants to develop and reinforce strong habits for saving money. To assist this, sponsor organizations provide participating individuals and families intensive financial counseling and counseling to develop investment plans for education, home ownership, and entrepreneurship. In addition, participating welfare and low-income families build assets whose high return on investment has the capacity for propelling them into independence and stability.

The community also benefits from the significant return on investment in IDAs: we expect welfare rolls to be reduced, tax receipts to increase, employment to increase, and local enterprises and builders can expect local businesses to benefit from increased activity. Neighborhoods will be rejuvenated as new micro-enterprises and increased home renovation and building drive increased employment and community development.

In fact, it is estimated that an investment of $125 million in assert building through these individual accounts will generate 7,050 new businesses, 68,799 new jobs, $730 million in additional earnings, 12,000 new or rehabilitated homes, $287 million in savings and matching contributions and earnings on those accounts, $188 million in increased assets for low-income families, 6,600 families removed from welfare rolls, 12,000 youth graduates from vocational education and college programs, 20,000 adults obtaining high school, vocational, and college degrees.

IDA programs currently exist in about 250–300 communities, with another 100 in development. Overall, at least 10,000 people are currently saving in an IDA and another 30,000–40,000 are expected to be reached by the year 2003. All but three states have IDA programs in their states or mechanisms in place to permit the start up of an IDA program.

The field of economic development has rapidly changed over the course of the last few years, and as a result, those administering IDAs on a national basis have sought to work within the structure defined by Congress. Unfortunately, because of changes in the field and certain unforeseen difficulties with the implementation of the demonstration in its current form, we have been asked to consider making a handful of technical changes that will help with program administration and make the program run more consistently and effectively.

Those changes include: (1) changing the legal accounting structure of IDAs; (2) expanding the potential field of grantees to include low-income credit unions and community development financial institutions; (3) providing additional flexibility for withdrawals from IDA accounts for the purchase of a home; (4) expanding the availability of funds for economic literacy training; and (5) adding a Federal poverty measure to the current eligibility criteria; and (6) making the AFIA and TANF Individual Development Account programs consistent with respect to the treatment of funds for purposes of determining eligibility for Federal programs based on need.

These are modest but needed changes in the law that will help Federal IDA programs function more as originally intended. I urge their adoption.

I ask unanimous consent that a summary of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ASSETS FOR INDEPENDENCE ACT AMENDMENTS OF 2000—SECTION-BY-SECTION SUMMARY

NOTE: Except where otherwise specified, references in this summary to provisions of law are references to provisions of the Assets for Independence Act (the Act), title IV of the Community Opportunities, Accountability, and Training and Educational Services Act of 1998.

SEC. 2. MATCHING CONTRIBUTIONS UNAVAILABLE FOR EMERGENCY WITHDRAWALS.

This section amends section 404(5)(A) (which defines the term ''Individual Development Account'' (IDA) and specifies required IDA elements), in clause (v), to eliminate language which permits use of matching contributions by the qualified entity serving as IDA trustee for emergency withdrawals. As amended, clause (v) would permit use of matching contributions only for qualified expenses (as defined in section 404(8)). The amendment would eliminate the inconsistency between section 404(5)(A)(v) as currently drafted and section 404(3), which defines the term ''emergency withdrawal'' to mean a withdrawal by the eligible individual of some or all of the funds deposited by that individual for specified emergency situations.

SEC. 3. ADDITIONAL QUALIFIED ENTITIES.

This section amends section 404(7) (the definition of ''qualified entity'') to expand the category of entities eligible to operate IDA programs under the Act to include low-income credit unions (as designated by the National Credit Union Administration) and organizations designated as community development financial institutions by the Secretary of the Treasury (or the Community Development Financial Institutions Fund) that can demonstrate a collaborative relationship with a community-based organization.

SEC. 4. HOME PURCHASE COSTS.

Section 4(a) amends section 407(8)(B) (which includes the purchase of a first home in the definition of ''qualified expenses'' for which IDA funds can be withdrawn by the participant) to increase the purchase price limit to 120 percent of the average area purchase price for such a residence.

SEC. 5. INCREASED SET-ASIDE FOR ECONOMIC LITERACY TRAINING AND ADMINISTRATIVE COSTS.

Section 5 amends section 407(c)(3) by increasing from 9.5 percent of 15 percent the amount of funds that grantee organizations may use to provide economic literacy training and other administrative functions. Of this amount, not more than 7.5 percent may be used for administrative functions.

SEC. 6. ALTERNATIVE ELIGIBILITY CRITERIA.

This section amends section 408(a) (which sets forth IDA participation criteria) by adding an additional criteria for eligibility as an IDA program participant. Under this amendment, an individual with an income less than 200% of the poverty line (as defined by OMB), would be eligible to participate.

SEC. 7. REVISED ANNUAL PROGRESS REPORT DEADLINE.

Section 7 amends Section 412 © which currently requires the first Annual Progress Report to be delivered not later than 60 days after the end of the calendar year. This amendment would require the first report to be delivered not later than 60 days after the end of the project year.

SEC. 8. REVISED INTERIM EVALUATION REPORT DEADLINE.

This section amends section 414(d) which currently requires the first interim evaluation to be delivered not later than 90 days after the end of the calendar year in which the Secretary first authorizes a demonstration project. This amendment would require the first interim evaluation to be delivered not later than 90 days after the end of the project year.

SEC. 9. INCREASED APPROPRIATIONS FOR EVALUATION EXPENSES.

The section amends section 414(e) (which sets forth the amount the Secretary may set aside to evaluate the IDA program) by changing from 2% to not more than $500,000 the amount of IDA appropriations set aside for such evaluation.

SEC. 10. NO REDUCTION IN BENEFITS.

This section strikes section 415 which pertains to the treatment of funds deposited in IDA accounts for purposes of determining eligibility for Federal or federally assisted program based on need and replaces it with similar language found in P.L. 104–193, the TANF block grant. Currently, only funds contributed into an IDA by a sponsoring organization are disregarded for purposes of determining eligibility for federal needs tested programs. With this change, both an individual's own contributions and the contributions made on behalf of an individual by a sponsoring organization will be disregarded for this purpose.

By Mr. HARKIN:

S. 3215. A bill to amend the Public Health Service Act to reauthorize women's health research award programs conducted through the National Institutes of Health; to the Committee on Health, Education, Labor, and Pensions.

WOMEN'S HEALTH RESEARCH CAREER ENHANCEMENT ACT

Mr. HARKIN. Mr. President, I am pleased to introduce today the Women's Health Research Career Enhancement Act of 2000. This legislation addresses a critical shortage of qualified clinician researchers available to investigate the diseases and conditions that primarily affect women.

As the brother of two sisters lost to breast cancer and the father of two daughters, I know first-hand the importance of making women's health initiatives a top priority. More can and must be done to guarantee that women have the quality care they deserve. This includes making sure that qualified researchers are out there leading the search for cures and treatments.

In 1985, the United States Public Health Task Force on Women's Health Issues concluded that women's health care was getting short shrift by the lack of research focus on women's health concerns. Since then we have made good progress to expand women's health research, but more needs to be done.

In 1990, the U.S. General Accounting Office (GAO) found that the National Institutes of Health (NIH) had been slow and ineffective in implementing a policy to include women in research study populations. At the urging of myself and others, and in response to passage of the NIH Revitalization Act of 1993, the NIH began to take more comprehensive measures to increase research on health problems affecting women.

And more recently, at my request, along with Senators OLYMPIA SNOWE and BARBARA MIKULSKI, and Representative HARRY WAXMAN (D–CA), the GAO published a report last May assessing the NIH's progress on conducting research on women's health in the past decade. The GAO's report found that while NIH has made significant progress in implementing a strengthened policy on including women in clinical research, they have failed to fully analyze clinical data on women's health.

It is clear we can and must do more to advance a comprehensive women's health agenda.

A growing body of evidence is emerging that demonstrates significant differences between men and women and how they get sick and how they react to potential treatments. Women and men metabolize food, alcohol, medication and environmental toxins differently.

And certain diseases and conditions disproportionately affect women. For example, women comprise 80% of those suffering from osteoporosis. Seventy-five percent of those afflicted with autoimmune diseases are women. And although we have made significant progress, we are still fighting the terrible epidemic of breast cancer in this country, a disease that strikes 1 out of every 8 American women.

Women everywhere will benefit through more and better scientific research on the diseases and conditions that affect them. And our scientific enterprise will reap maximum returns when it involves teams of investigators with expertise in various disciplines. A comprehensive, targeted approach is necessary to develop a multi-disciplinary cadre of researchers with the interest and expertise to broaden the field of women's health research.

In addition, mentoring between junior and senior scientists is important to promoting an inclusive and diverse research environment. Mentoring relationships can lead to the retention and advancement of talented scientists from all segments of the population and enhance our investment in medical research.

Mr. President, my legislation authorizes two important initiatives to expand the number of qualified investigators in women's health research by providing improved career development opportunities through the National Institutes of Health (NIH):

First, the Building Interdisciplinary Research Careers in Women's Health Program—will support the career development of junior women's health scientists by providing new opportunities to improve their research skills in interdisciplinary settings. The NIH, through the Office of Research on Women's Health, will provide grants to research institutions to pair junior investigators with seasoned senior investigators, who will mentor them for 2–5 years.

Second, the Women's Reproductive Health Research Career Development Centers—will help build the next generation of investigators in obstetrics and gynecology by giving clinicians the experience they need to become women's health scientists. The NIH, through the National Institute of Child Health and Human Development and the Office of Research on Women's Health, will provide grants to research institutions and hospitals for the training of new women's health researchers.

The Women's Reproductive Health Research Career Development Centers program and the Building Interdisciplinary Research Careers in Women's Health grant program have already stimulated women's health research across a variety of disciplines. Authorizing and expanding these programs will speed breakthroughs in women's health research by building and improving the network of scientific investigators expert in the diseases and conditions that affect women.

Mr. President, I have a long tradition of supporting research and specifically women's health research both as Chairman and now Ranking Member of the Senate Labor, Health and Human Services and Education Appropriations Subcommittee. This year we will provide an unprecedented, $2.7 billion increase for the National Institutes of Health, keeping us well on track towards our goal of doubling the NIH budget over 5 years.

But all the funding in the world will do us no good if we don't have talented investigators ready and able to take on the challenge of finding the cures and treatments for the diseases that afflict us. We must do more to make sure we grow and strengthen a diverse network of our best and brightest clinicians and scientists to keep pace with our increased investment in medical research. The bill I am introducing today will help to do just that. It has the support of the National Institutes of Health, the Society for Women's Health Research, the Women's Health Research Coalition and the American College of Obstetricians and Gynecologists. I urge my colleagues to support this important legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3215

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Women's Health Research Career Enhancement Act of 2000''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Public Health Service's Task Force on Women's Health Issues concluded in 1985 that women's health care was compromised by the lack of research focus on women's health concerns. Since then, progress has been made to expand women's health research, but more can be done to strengthen our nation's capacity to aggressively investigate the diseases and conditions primarily affecting women.

(2) A growing body of evidence demonstrates dramatic differences between women's and men's biology, including symptoms of disease, mechanism of disease and responses to treatment.

(3) Women and men differ in disease presentation and treatment outcomes of coronary heart disease. Women comprise 80 percent of the population suffering from osteoporosis. Women comprise 75 percent of those afflicted with autoimmune diseases. Women and men metablolize food, alcohol, medication, and atmospheric toxins differently.

(4) Scientific research will reap maximum returns when it involves teams of investigators with expertise in various disciplines. A comprehensive, targeted effort is necessary to develop a multi-disciplinary cadre of researchers with the interest and expertise to develop the field of gender based health research so that it has the greatest impact on all women and men.

(5) Mentoring between junior and senior scientists is vitally important to promoting an inclusive and diverse research environment, leading to the retention and advancement of talented scientists from all segments of the population and enhancing the nation's investment in treatments and cures for the diseases and conditions that affect Americans.

(6) The Women's Reproductive Health Research Career Development Centers and the Building Interdisciplinary Research Careers in Women's Health grant programs have stimulated women's health research across a variety of disciplines.

(7) Expanding the initiatives described in paragraph (6) will speed breakthroughs in women's health research by building and improving the network of scientific investigators who are experts in the diseases and conditions that affect women.

SEC. 3. BUILDING INTERDISCIPLINARY RESEARCH CAREERS IN WOMEN'S HEALTH.

Part A of title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following:

"SEC. 310A. BUILDING INTERDISCIPLINARY RESEARCH CAREERS IN WOMEN'S HEALTH.

''(a) PURPOSE.—It is the purpose of the section to provide funding to enable the Director of the Office of Research on Women's Health, in coordination with the Director of the National Institute of Child Health and Human Development and other Institutes and centers of the National Institutes of Health, to carry out the Building Interdisciplinary Research Careers in Women's Health program (as authorized under section 301) to support the career development of scientists who are commencing basic, translational, clinical, behavioral or health services research relevant to women's health in an interdisciplinary scientific setting.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2001 through 2006 to enable the Director of the Office of Research on Women's Health to carry out program described in subsection (a).

''(c) REQUIREMENTS FOR GRANTS.—

''(1) ELIGIBILITY.—In making awards under the program described in subsection (a), the Director of the Office of Research on Women's Health, acting through the Director of the National Institute of Child Health and Human Development and other Institutes and centers of the National Institutes of Health, shall, with respect to an institution, consider—

''(A) domestic profit and nonprofit, non-Federal, public or private organizations;

''(B) the extent to which the institution has the clinical specialities and subspecialities, and the clinical and research facilities, sufficient to meet the objective of the program of bridging clinical or post-doctoral training with a career in interdisciplinary research relevant to women's health; and

''(C) other factors determined appropriate by the Directors.

''(2) RULE OF CONSTRUCTION.—With respect to the program described in subsection (a), nothing in this subsection shall be construed to prohibit the application by the Director of the Office of Research on Women's Health of eligibility or other requirements, including requirements applied to applicants under such program in the fiscal year prior to the date of enactment of this section.''.

SEC. 3. WOMEN'S REPRODUCTIVE HEALTH RESEARCH CAREER DEVELOPMENT CENTERS.

Part A of title III of the Public Health Service Act (42 U.S.C. 241 et seq.), as amended by section 3, is further amended by adding at the end the following:

''SEC. 310B. WOMEN'S REPRODUCTIVE HEALTH RESEARCH CAREER DEVELOPMENT CENTERS.

''(a) PURPOSE.—It is the purpose of this section to provide for the funding of Women's Reproductive Health Research Career Development Centers to enable the Director of the National Institute of Child Health and Human Development, in collaboration with the Director of the National Institutes of Health, to—

''(1) assist in improving the health of women and infants by training new researchers in reproductive health science;

''(2) address concerns raised in a recent study by the National Research Council about the declining number of physician-investigators; and

''(3) provide newly trained obstetric-gynecologic clinicians with training and support, through the Women's Reproductive Health Research Career Development Centers, to assist in such clinicians in their pursuit of research careers to address problems in women's obstetric and gynecologic health.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2001 through 2006 to enable the Director of the National Institute of Child Health and Human Development to fund Women's Reproductive Health Research Career Development Centers for the purposes described in subsection (a).

''(c) RULE OF CONSTRUCTION.—With respect to the program described in subsection (a), nothing in this section shall be construed to prohibit the application by the Director of the National Institute of Child Health and Human Development of eligibility or other requirements, including requirements applied to applicants under such program, in the fiscal year prior to the date of enactment of this section.''.

Mr. CRAIG (for himself and Mr. BAUCUS):

S. 3216. A bill to provide for review in the Court of International Trade of certain determinations of binational panels under the North American Free Trade Agreement; to the Committee on Finance.

INTEGRITY OF THE U.S. COURTS ACT

Mr. CRAIG. Mr. President, I rise to introduce important legislation designed to correct a fundamental flaw within the North American Free Trade Agreement (NAFTA) dispute resolution mechanism, known as Chapter 19. As many of my colleagues are aware, Chapter 19 has revealed itself to be unacceptable in its current form. The Integrity of the U.S. Courts Act, that I introduce today with my colleague Mr. BAUCUS, is necessary to make certain bilateral dispute resolution decisions from the NAFTA are made pursuant to U.S. trade laws.

At present, antidumping and countervailing duty determinations made by NAFTA members are appealed to ad hoc panels of private individuals, instead of impartial courts created under national constitutions. These panels are supposed to apply the same standard of review as a U.S. court in order to determine whether a decision is supported by substantial evidence on the agency record, and is otherwise in accordance with the law. This standard requires that the agency's factual findings and legal interpretations be given significant deference. Unfortunately, in spite of the panels's mandate, they all too often depart from their directive and fail to ensure that the correct standard of review is applied.

The Integrity of the U.S. Courts Act would permit any party to a NAFTA dispute involving a U.S. agency decision to remove appellate jurisdiction from the Extraordinary Challenge Committees (ECC) to the U.S. Court of International Trade. Doing so would resolve some of the constitutional issues raised by the Chapter 19 system, expedite resolution of cases, and ensure conformity with U.S. law.

The infirmities of Chapter 19 are real, and have been problematic from the beginning. The Justice Department, the Senate Finance Committee, and other authorities are on record of having expressed serious concern about giving private panelists—sometimes a majority of whom are foreign nationals—the authority to issue decisions about U.S. domestic law that have the binding force of law. These appointed panelists, coming from different legal and cultural disciplines and serving on an ad hoc basis, do not necessarily have the interest that unbiased U.S. courts have in maintaining the efficacy of the laws, as Congress wrote them.

One of the most egregious examples of the flaws of Chapter 19 is reflected in a case from early in this process, reviewing a countervailing duty finding that Canadian lumber imports benefits from enormous subsidies. Three Canadian panelists outvoted two leading U.S. legal experts to eliminate the countervailing duty based on patently erroneous interpretations of U.S. law—interpretations that Congress had expressly rejected only months before. Two of the Canadian panelists served despite undisclosed conflicts of interest. The matter was then argued before a Chapter 19 appeals committee, and the two committee members outvoted the one U.S. member to once again insulate the Canadian subsidies from U.S. law.

The U.S. committee member was Malcolm Wilkey, the former Chief Judge of the Federal Court of Appeals for the D.C. circuit, and one of the United States' most distinguished jurists. In his opinion, Judge Wilkey wrote that the lumber panel decision ''may violate more principles of appellate review of agency action than any opinion by a reviewing body which I have ever read.'' Judge Wilkey and former Judge Charles Renfrew (Also a chapter 19 appeals committee member) have since expressed serious constitutional reservations about the system. While some have claimed that Chapter 19 decides many cases well, its inability to resolve appropriately large disputes, and its constitutional infirmity, demand a remedy.

It is clear that the time is long past due to remedy Chapter 19. From the outset, the NAFTA agreement contemplated that given the sensitive and unusual subject matter, signatories might have to alter their obligations under Chapter 19. The Integrity of the U.S. Courts Act is a reasonable solution to a serious problem.

I urge my colleagues to join Senator BAUCUS and me in our effort to fix this problem that is unfairly harming American industry, and more important, the U.S. Constitution. I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3216

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Integrity of the United States Courts Act of 2000''.

SEC. 2. JUDICIAL REVIEW OF BINATIONAL PANEL DECISIONS.

(a) IN GENERAL.—Subtitle A of title IV of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3431 et seq.) is amended by inserting after section 404 the following new section:

''SEC. 404A. REVIEW OF BINATIONAL PANEL DETERMINATIONS.

''(a) BASIS FOR REVIEW IN COURT OF INTERNATIONAL TRADE.—

''(1) IN GENERAL.—If, within 30 days after publication in the Federal Register of notice that a binational panel has issued a determination following a review under article 1904 of a decision of a competent investigating authority in the United States, a party or person within the meaning of paragraph 5 of article 1904 alleges that—

''(A)(i) the determination of the panel was based on a misinterpretation of United States law;

''(ii) a member of a panel was guilty of a gross misconduct, bias, or a serious conflict of interest, or otherwise materially violated the rules of conduct,

''(iii) the panel seriously departed from a fundamental rule of procedure, or

''(iv) the panel manifestly exceeded its powers, authority, or jurisdiction set out in article 1904, as in failing to apply the appropriate standard of review, and

''(B) any of the actions described in subparagraph (A) has materially affected the panel's decision and threatens the integrity of the binational panel review process,

then such party or person may file an appeal with the United States Court of International Trade, seeking review of the binational panel determination, pursuant to section 516A of the Tariff Act of 1930.

''(2) REVIEW IN COURT OF INTERNATIONAL TRADE WHERE BINATIONAL PANEL DOES NOT ACT.—If a request for a panel review has been made under article 1904 and a panel is not convened within 315 days of the request, the Party requesting the panel review or person within the meaning of paragraph 5 of article 1904 may file an appeal of the antidumping or countervailing duty determination with respect to which the request was filed with the United States Court of International Trade.

''(b) DECISIONS OF THE COURT.—

''(1) IN GENERAL.—In any appeal filed under subsection (a)(1) for review of a binational panel determination, the Court of International Trade shall, after examining the legal and factual analysis underlying the findings and conclusions of the panel's decision, determine whether any of the actions described in subsection (a)(1)(A) has been established. If the court finds that any of those actions has been established, the court shall vacate the original panel decision and enter judgment accordingly. If the actions are not established, the court shall affirm the original binational panel decision. Decisions of the Court of International Trade under this section shall be binding on the parties with respect to the matters between the parties that were before the panel.

''(2) DECISIONS WHERE PANEL NOT CONVENED.—In the case of an appeal filed under subsection (a)(2) for review of a determination of a competent investigating authority, the Court of International Trade shall, after examining the legal and factual analysis underlying the findings and conclusions of the investigating authority's determination, determine whether the determination was made in accordance with article 1904. If the court finds that the determination was not in accordance with article 1904 or is not supported by the legal and factual analysis, the court shall vacate the investigating authority's determination and enter judgment accordingly. If the court finds that the determination was in accordance with article 1904 and is supported by the legal and factual analysis, the court shall affirm the investigating authority's determination. Decisions of the Court of International Trade under this section shall be binding on the parties with respect to the matters between the parties that would have been before a panel had the panel been convened.

''(c) EXCLUSIVE JURISDICTION.—If a party or person within the meaning of paragraph 5 of article 1904 timely files a notice of appeal to the Court of International Trade pursuant to this section, then jurisdiction exclusively resides with the United States Court of International Trade, and such determinations are not subject to review by an extraordinary challenge committee under paragraph 13 of article 1904.

''(d) APPLICABILITY.—Subsections (a)(1), (b)(1), and (c) apply to all goods from NAFTA countries which were subject to an antidumping duty or countervailing duty determination of a competent investigating authority in the United States.''.

(b) CONFORMING AMENDMENT.—The table of contents of the North American Free Trade Implementation Act is amended by inserting after the item relating to section 404 the following:

''Sec. 404A. Review of binational panel determinations.''.

SEC. 3. JURISDICTION OF THE COURT OF INTERNATIONAL TRADE.

Section 516A of the Tariff Act of 1930 (19 U.S.C. 1516a) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)(i)(I), by striking ''or (viii)'' and inserting ''(viii), (ix), or (x)''; and

(B) in subparagraph (B), by adding at the end the following:

''(ix) A final determination of a binational panel convened pursuant to article 1904 of the NAFTA.

''(x) A final determination of an investigating authority described in section 404A(a)(2) of the North American Free Trade Agreement Implementation Act.'';

(2) in subsection (a)(5), in the matter preceding subparagraph (A), by inserting ''(other than a determination described in subsection (g)(3)(A)(vii))'' after ''apply''; and

(3) in subsection (g)(3)(A)—

(A) in clause (v), by striking ''or'' at the end;

(B) in clause (vi), by striking the period and inserting '', or''; and

(C) by adding at the end the following:

''(vii) a determination of which either a party or person within the meaning of paragraph 5 of article 1904 of the NAFTA has requested review pursuant to section 404A of the North American Free Trade Agreement Implementation Act.''.

SEC. 4. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act, the amendments made by this Act shall apply with respect to goods from Canada and Mexico.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall apply to any final determination of a binational panel convened pursuant to article 1904 of the North American Free Trade Agreement or to a final determination of a competent investigating authority with respect to which section 404A(a)(2) of the North American Free Trade Agreement Implementation Act applies, notice of which is published in the Federal Register on or after the date of enactment of this Act.

ADDITIONAL COSPONSORS

S. 61

At the request of Mr. DEWINE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 61, a bill to amend the Tariff Act of 1930 to eliminate disincentives to fair trade conditions.

S. 459

At the request of Mr. BREAUX, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 922

At the request of Mr. ABRAHAM, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 922, a bill to prohibit the use of the ''Made in the USA'' label on products of the Commonwealth of the Northern Mariana Islands and to deny such products duty-free and quota-free treatment.

S. 1536

At the request of Mr. DEWINE, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

S. 1822

At the request of Mr. MCCAIN, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1822, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 2068

At the request of Mr. GREGG, the name of the Senator from Wyoming (Mr. ENZI) was withdrawn as a cosponsor of S. 2068, a bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations.

S. 2341

At the request of Mr. GREGG, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 2341, a bill to authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2010.

S. 2393

At the request of Mr. DURBIN, the names of the Senator from Nevada (Mr. REID) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2393, a bill to prohibit the use of racial and other discriminatory profiling in connection with searches and detentions of individuals by the United States Customs Service personnel, and for other purposes.

S. 2440

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 2440, a bill to amend title 49, United States Code, to improve airport security.

S. 2698

At the request of Mr. MOYNIHAN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2698, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 2699

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 2699, a bill to strengthen the authority of the Federal Government to protect individuals from certain acts and practices in the sale and purchase of social security numbers and social security account numbers, and for other purposes.

S. 2726

At the request of Mr. HELMS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2726, a bill to protect United States military personnel and other elected and appointed officials of the United States Government against

criminal prosecution by an international criminal court to which the United States is not a party.

S. 2773

At the request of Mr. FEINGOLD, the names of the Senator from Minnesota (Mr. GRAMS), the Senator from Vermont (Mr. LEAHY), and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 2773, a bill to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes.

S. 2938

At the request of Mr. BROWNBACK, the names of the Senator from Maine (Ms. SNOWE), the Senator from Louisiana (Mr. BREAUX), the Senator from Nevada (Mr. REID), the Senator from Missouri (Mr. BOND), the Senator from Rhode Island (Mr. REED), the Senator from North Carolina (Mr. EDWARDS), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2938, a bill to prohibit United States assistance to the Palestinian Authority if a Palestinian state is declared unilaterally, and for other purposes.

S. 2964

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2964, a bill to amend the Internal Revenue Code of 1986 to provide new tax incentives to make health insurance more affordable for small businesses, and for other purposes.

S. 3009

At the request of Mr. DEWINE, his name was added as a cosponsor of S. 3009, a bill to provide funds to the National Center for Rural Law Enforcement.

S. 3020

At the request of Mr. GRAMS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 3020, a bill to require the Federal Communications Commission to revise its regulations authorizing the operation of new, low-power FM radio stations.

S. 3072

At the request of Mr. GRAMS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3072, a bill to assist in the enhancement of the development of expansion of international economic assistance programs that utilize cooperatives and credit unions, and for other purposes.

S. 3089

At the request of Mr. HAGEL, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from Alaska (Mr. STEVENS), the Senator from Connecticut (Mr. DODD), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from North Dakota (Mr. DORGAN), and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of S. 3089, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial

S. 3127

At the request of Mr. SANTORUM, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 3127, a bill to protect infants who are born alive

S. 3145

At the request of Mr. BREAUX, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 3145, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment under the tax-exempt bond rules of prepayments for certain commodities

S. 3152

At the request of Mr. ROTH, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 3152, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for distressed areas, and for other purposes.

S. 3169

At the request of Mr. SESSIONS, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 3169, a bill to amend the Federal Food, Drug, and Cosmetic Act and the International Revenue Code of 1986 with respect to drugs for minor animal species, and for other purposes.

S. 3175

At the request of Mr. CRAIG, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 3175, a bill to amend the Consolidated Farm and Rural Development Act to authorize the National Rural Development Partnership, and for other purposes.

S. 3180

At the request of Mr. EDWARDS, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 3180, a bill to provide for the disclosure of the collection of information through computer software, and for other purposes.

S. 3181

At the request of Mr. HAGEL, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Virginia (Mr. WARNER), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 3181, a bill to establish the White House Commission on the National Moment of Remembrance, and for other purposes.

S. 3198

At the request of Mr. JEFFORDS, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 3198, a bill to provide a pool credit under Federal milk marketing orders for handlers of certified organic milk used for Class I purposes.

S. CON. RES. 130

At the request of Mrs. LINCOLN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Con. Res. 130, concurrent resolution establishing a special task force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol.

S. RES. 343

At the request of Mr. FITZGERALD, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. Res. 343, a resolution expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David.

S. RES. 353

At the request of Mr. BIDEN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. Res. 353, a resolution designating October 20, 2000, as ''National Mammography Day.''

S. RES. 373

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. Res. 373, supra.

At the request of Mr. LUGAR, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. Res. 373, supra.

At the request of Mr. LEVIN, his name was added as a cosponsor of S. Res. 373, supra.

At the request of Mr. KENNEDY, his name was added as a cosponsor of S. Res. 373, a resolution recognizing the 225th birthday of the United States Navy.

S. RES. 375

At the request of Mr. LUGAR, the names of the Senator from Rhode Island (Mr. L. CHAFEE) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. Res. 375, a resolution supporting the efforts of Bolivia's democratically elected government.

SENATE RESOLUTION 378—HONORING THE MEMBERS OF THE CREW OF THE GUIDED MISSILE DESTROYER U.S.S. ''COLE'' (DDG–67) WHO WHERE KILLED OR WOUNDED IN THE TERRORIST BOMBING ATTACK ON THAT VESSEL IN ADEN, YEMEN, ON OCTOBER 12, 2000, EXPRESSING THE SYMPATHIES OF THE SENATE TO THE FAMILIES OF THOSE CREW MEMBERS, COMMENDING THE SHIP'S CREW FOR THEIR HEROIC DAMAGE CONTROL EFFORTS, AND CONDEMNING THE BOMBING OF THAT SHIP

Mr. WARNER (for himself, Mr. LEVIN, Mr. THURMOND, Mr. KENNEDY, Mr. MCCAIN, Mr. BYRD, Mr. SMITH of New Hampshire, Mr. ROBB, Mr. INHOFE, Mr. LIEBERMAN, Mr. SANTORUM, Mr. CLELAND, Ms. SNOWE, Ms. LANDRIEU, Mr. ROBERTS, Mr. REED, Mr. ALLARD, Mr. HUTCHINSON, Mr. SESSIONS, Mr. BOND, Mr. BINGAMAN, Mrs. HUTCHISON, Mr. SARBANES, Ms. MIKULSKI, Mr. KERRY, Mr. MILLER, Mr. EDWARDS, Mr.

VOINOVICH, Mr. WELLSTONE, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 378

Whereas the guided missile destroyer U.S.S. COLE (DDG–67) was severely damaged on October 12, 2000, when a boat bomb exploded alongside that ship while on a refueling stop in Aden, Yemen;

Whereas the explosion resulted in a 40-by-45 foot hole in the port side of the ship at the waterline and left seven of the ship's crew dead, ten who as of October 17, 2000, are missing and presumed dead, and over three dozen wounded;

Whereas the U.S.S. COLE had stopped in Aden for routine refueling while in transit from the Red Sea to the Persian Gulf to conduct forward maritime presence operations in the Persian Gulf region as part of the U.S.S. George Washington battle group;

Whereas the members of the United States Navy killed and wounded in the bombing were performing their duty in furtherance of the national security interests of the United States;

Whereas United States national security interests continue to require the forward deployment of elements of the Armed Forces;

Whereas the members of the Armed Forces are routinely called upon to perform duties that place their lives at risk;

Whereas the crew members of the U.S.S. COLE who lost their lives as a result of the bombing of their ship on October 12, 2000, died in the honorable service to the Nation and exemplified all that is best in the American people; and

Whereas the heroic efforts of the surviving crew members of the U.S.S. Cole after the attack to save their ship and rescue their wounded shipmates are in the highest tradition of the United States Navy: Now, therefore, be it

Resolved, That the Senate, in response to the terrorist bombing attack on the U.S.S. COLE (DDG–67) on October 12, 2000, while on a refueling stop in Aden, Yemen, hereby—

(1) honors the members of the crew of the U.S.S. COLE who died as a result of that attack and sends heartfelt condolences to their families, friends, and loved ones;

(2) honors the members of the crew of the U.S.S. COLE who were wounded in the attack for their service and sacrifice, expresses its hopes for their rapid and complete recovery, and extends its sympathies to their families;

(3) commends the crew of the U.S.S. COLE for their heroic damage control efforts; and

(4) condemns the attack against the U.S.S. COLE as an unprovoked and cowardly act of terrorism.

SENATE RESOLUTION 379—MEMORALIZING THE SAILORS OF THE NAVY LOST IN THE ATTACK ON THE U.S.S. ''COLE'' (DDG–67) IN THE PORT OF ADEN, YEMEN, ON OCTOBER 12, 2000; EXTENDING CONDOLENCES TO THEIR FAMILIES AND OTHER LOVED ONES; EXTENDING SYMPATHY TO THE MEMBERS OF THE CREW OF THAT VESSEL WHO WERE INJURED IN THE ATTACK AND COMMENDING THE ENTIRE CREW FOR ITS PERFORMANCE AND PROFESSIONALISM IN SAVING THE U.S.S. ''COLE''

By Ms. SNOWE (for herself, Mr. MCCAIN, Mr. ROBB, Mr. INHOFE, Mr. THURMOND, Mr. BOND, Ms. LANDRIEU, Mr. ROBERTS, Mr. SANTORUM, Mr. HUTCHINSON, Mr. REED, Mr. LIEBERMAN, Mr. LEVIN, Mr. KENNEDY, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 379

Whereas the Arleigh Burke class destroyer U.S.S. Cole (DDG–67) was attacked in the port of Aden, Yemen, on October 12, 2000, apparently by terrorists who, by insidious ruse, drew along side the vessel in a small boat containing powerful explosives that detonated next to the hull of the vessel;

Whereas the horrific explosion in that attack resulted in the loss of 17 sailors and injury to another 39 sailors, all of them being members of the Navy serving in the crew of the U.S.S. Cole;

Whereas those sailors who lost their lives made the ultimate sacrifice in the service of the United States and the Navy;

Whereas all of the remaining members of the crew of the U.S.S. Cole responded valiantly and courageously to save their ship from sinking from the explosion and, in so doing, proved themselves to be ''Determined Warriors'', the motto of their ship; and

Whereas the men and women of the crew of the U.S.S. Cole, like all of the men and women of the Armed Forces, are the current patriots who stand ever vigilant against the attacks of those who seek to undermine peace and stability in an uncertain world: Now, therefore, be it

Resolved, That (a) the Senate memorializes those sailors of the Navy who were lost in the despicable attack on the U.S.S. Cole (DDG–67) on October 12, 2000, in the port of Aden, Yemen, as follows:

(1) Richard Costelow, Electronics Technician First Class, of Morrisville, Pennsylvania.

(2) Cherone Louis Gunn, Signalman Seaman Recruit, of Rex, Georgia.

(3) James Rodrick McDaniels, Seaman, of Norfolk, Virginia.

(4) Craig Bryan Wibberley, Seaman Apprentice, of Williamsport, Maryland.

(5) Timothy Lamont Saunders, Operations Specialist Second Class, of Ringold, Virginia.

(6) Lakiba Nicole Palmer, Seaman Recruit, of San Diego, California.

(7) Andrew Triplett, Ensign, of Macon, Mississippi.

(8) Lakeina Monique Francis, Mess Management Specialist, of Woodleaf, North Carolina.

(9) Timothy Lee Gauna, Information Systems Technician Seaman, of Rice, Texas.

(10) Ronald Scott Owens, Electronics Warfare Technician Third Class, of Vero Beach, Florida.

(11) Patrick Howard Roy, Fireman Apprentice, of Cornwall on the Hudson, New York.

(12) Kevin Shawn Rux, Electronics Warfare Technician Second Class, of Portland, North Dakota.

(13) Ronchester Manangan Santiago, Mess Management Specialist Third Class, of Kingsville, Texas.

(14) Gary Graham Swenchonis, Jr., Fireman, of Rockport, Texas.

(15) Kenneth Eugene Clodfelter, Hull Maintenance Technician Third Class, of Mechanicsville, Virginia.

(16) Mark Ian Neito, Engineman Second Class, of Fond du Lac, Wisconsin.

(17) Joshua Langdon Parlett, Engineman Fireman, of Churchville, Maryland.

(b) The Senate extends condolences to the members of the families, other loved ones, and shipmates of those devoted sailors who made the ultimate sacrifice in the service of the United States.

(c) It is the sense of the Senate that all of the people of the United States join the Chief of Naval Operations and the other members of the Navy in mourning the grievous loss of life among the members of the crew of the U.S.S. Cole resulting from the attack on that vessel.

SEC. 2. The Senate—

(1) recognizes the loss, sacrifice, valor, and determination of the surviving members of the crew of the U.S.S. Cole;

(2) extends sympathy to the 39 sailors of that crew who were injured in the attack on their vessel; and

(3) commends the members of the crew for their remarkable performance, professionalism, skill, and success in fulfilling their duties to support and save the U.S.S. Cole following the attack.

SEC. 3. The Secretary of the Senate shall transmit an enrolled copy of this resolution to the Chief of Naval Operations, the commanding officer of the U.S.S. Cole, and the family of each member of the United States Navy who was lost in the attack on the U.S.S. Cole (DDG–67) in the port of Aden, Yemen, on October 12, 2000.

AMENDMENTS SUBMITTED

EARTH, WIND, AND FIRE AUTHORIZATION ACT OF 2000

FRIST AMENDMENT NO. 4323

Mr. SESSIONS (for Mr. FRIST) proposed an amendment to the bill (S. 1639) to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service and Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002; as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Earthquake Hazards Reduction Authorization Act of 2000''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—Section 12(a)(7) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(a)) is amended—

(1) by striking ''and'' after ''1998'', and

(2) by striking ''1999.'' and inserting ''1999; $19,861,000 for the fiscal year ending September 30, 2001, of which $450,000 is for National Earthquake Hazard Reduction Program-eligible efforts of an established multistate consortium to reduce the unacceptable threat of earthquake damages in the New Madrid seismic region through efforts to enhance preparedness, response, recovery, and mitigation; $20,705,000 for the fiscal year ending September 30, 2002; and $21,585,000 for the fiscal year ending September 30, 2003.''.

(b) UNITED STATES GEOLOGICAL SURVEY.—Section 12(b) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(b)) is amended—

(1) by inserting after ''operated by the Agency.'' the following: ''There are authorized to be appropriated to the Secretary of the Interior for purposes of carrying out, through the Director of the United States Geological Survey, the responsibilities that may be assigned to the Director under this Act $48,360,000 for fiscal year 2001, of which $3,500,000 is for the Global Seismic Network and $100,000 is for the Scientific Earthquake Studies Advisory Committee established

under section 10 of the Earthquake Hazards Reduction Act of 2000; $50,415,000 for fiscal year 2002, of which $3,600,000 is for the Global Seismic Network and $100,000 is for the Scientific Earthquake Studies Advisory Committee; and $52,558,000 for fiscal year 2003, of which $3,700,000 is for the Global Seismic Network and $100,000 is for the Scientific Earthquake Studies Advisory Committee;

(2) by striking ''and'' at the end of paragraph (1);

(3) by striking ''1999,'' at the end of paragraph (2) and inserting ''1999;''; and

(4) by inserting after paragraph (2) the following:

''(3) $9,000,000 of the amount authorized to be appropriated for fiscal year 2001;

''(4) $9,250,000 of the amount authorized to be appropriated for fiscal year 2002; and

''(5) $9,500,000 of the amount authorized to be appropriated for fiscal year 2003,''.

(c) REAL-TIME SEISMIC HAZARD WARNING SYSTEM.—Section 2(a)(7) of the Act entitled ''An Act To authorization appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes (111 Stat. 1159; 42 U.S.C. 7704 nt) is amended by striking ''1999.'' and inserting ''1999, $2,600,000 for fiscal year 2001, $2,710,000 for fiscal year 2002, and $2,825,000 for fiscal year 2003.''.

(d) NATIONAL SCIENCE FOUNDATION.—Section 12(c) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(c)) is amended—

(1) by striking ''1998, and'' and inserting ''1998,''; and

(2) by striking ''1999.'' and inserting ''1999, and (5) $19,000,000 for engineering research and $11,900,000 for geosciences research for the fiscal year ending September 30, 2001. There are authorized to be appropriated to the National Science Foundation $19,808,000 for engineering research and $12,406,000 for geosciences research for fiscal year 2002 and $20,650,000 for engineering research and $12,933,000 for geosciences research for fiscal year 2003.''.

(e) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Section 12(d) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(d)) is amended—

(1) by striking ''1998, and''; and inserting ''1998,''; and

(2) by striking ''1999.'' and inserting ''1999, $2,332,000 for fiscal year 2001, $2,431,000 for fiscal year 2002, and $2,534,300 for fiscal year 2003.''.

SEC. 3. REPEALS.

Section 10 and subsections (e) and (f) of section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705d and 7706 (e) and (f)) are repealed.

SEC. 4. ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM.

The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at the end the following new section:

''SEC. 13. ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM.

''(a) ESTABLISHMENT.—The Director of the United States Geological Survey shall establish and operate an Advanced National Seismic Research and Monitoring System. The purpose of such system shall be to organize, modernize, standardize, and stabilize the national, regional, and urban seismic monitoring systems in the United States, including sensors, recorders, and data analysis centers, into a coordinated system that will measure and record the full range of frequencies and amplitudes exhibited by seismic waves, in order to enhance earthquake research and warning capabilities.

''(b) MANAGEMENT PLAN.—Not later than 90 days after the date of the enactment of the Earthquake Hazards Reduction Authorization Act of 2000, the Director of the United States Geological Survey shall transmit to the Congress a 5-year management plan for establishing and operating the Advanced National Seismic Research and Monitoring System. The plan shall include annual cost estimates for both modernization and operation, milestones, standards, and performance goals, as well as plans for securing the participation of all existing networks in the Advanced National Seismic Research and Monitoring System and for establishing new, or enhancing existing, partnerships to leverage resources.

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) EXPANSION AND MODERNIZATION.—In addition to amounts appropriated under section 12(b), there are authorized to be appropriated to the Secretary of the Interior, to be used by the Director of the United States Geological Survey to establish the Advanced National Seismic Research and Monitoring System—

''(A) $33,500,000 for fiscal year 2002;

''(B) $33,700,000 for fiscal year 2003;

''(C) $35,100,000 for fiscal year 2004;

''(D) $35,000,000 for fiscal year 2005; and

''(E) $33,500,000 for fiscal year 2006.

''(2) OPERATION.—In addition to amounts appropriated under section 12(b), there are authorized to be appropriated to the Secretary of the Interior, to be used by the Director of the United States Geological Survey to operate the Advanced National Seismic Research and Monitoring System—

''(A) $4,500,000 for fiscal year 2002; and

''(B) $10,300,000 for fiscal year 2003.''.

SEC. 5. NETWORK FOR EARTHQUAKE ENGINEERING SIMULATION.

The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at the end the following new section:

''SEC. 14. NETWORK FOR EARTHQUAKE ENGINEERING SIMULATION.

''(a) ESTABLISHMENT.—The Director of the National Science Foundation shall establish the George E. Brown, Jr. Network for Earthquake Engineering Simulation that will upgrade, link, and integrate a system of geographically distributed experimental facilities for earthquake engineering testing of full-sized structures and their components and partial-scale physical models. The system shall be integrated through networking software so that integrated models and databases can be used to create model-based simulation, and the components of the system shall be interconnected with a computer network and allow for remote access, information sharing, and collaborative research.

''(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated under section 12(c), there are authorized to be appropriated $28,200,000 for fiscal year 2001 for the Network for Earthquake Engineering Simulation. In addition to amounts appropriated under section 12(c), there are authorized to be appropriated to the National Science Foundation for the Network for Earthquake Engineering Simulation—

''(1) $24,400,000 for fiscal year 2002;

''(2) $4,500,000 for fiscal year 2003; and

''(3) $17,000,000 for fiscal year 2004.''.

SEC. 6. BUDGET COORDINATION.

Section 5 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704) is amended—

(1) by striking subparagraph (A) of subsection (b)(1) and redesignating subparagraphs (B) through (F) of subsection (b)(1) as subparagraphs (A) through (E), respectively;

(2) by striking ''in this paragraph'' in the last sentence of paragraph (1) of subsection (b) and inserting ''in subparagraph (E)''; and

(3) by adding at the end the following new subsection:

''(c) BUDGET COORDINATION.—

''(1) GUIDANCE.—The Agency shall each year provide guidance to the other Program agencies concerning the preparation of requests for appropriations for activities related to the Program, and shall prepare, in conjunction with the other Program agencies, an annual Program budget to be submitted to the Office of Management and Budget.

''(2) REPORTS.—Each Program agency shall include with its annual request for appropriations submitted to the Office of Management and Budget a report that—

''(A) identifies each element of the proposed Program activities of the agency;

''(B) specifies how each of these activities contributes to the Program; and

''(C) states the portion of its request for appropriations allocated to each element of the Program.''.

SEC. 7. REPORT ON AT-RISK POPULATIONS.

Not later than one year after the date of the enactment of this Act, and after a period for public comment, the Director of the Federal Emergency Management Agency shall transmit to the Congress a report describing the elements of the Program that specifically address the needs of at-risk populations, including the elderly, persons with disabilities, non-English-speaking families, single-parent households, and the poor. Such report shall also identify additional actions that could be taken to address those needs and make recommendations for any additional legislative authority required to take such actions.

SEC. 8. PUBLIC ACCESS TO EARTHQUAKE INFORMATION.

Section 5(b)(2)(A)(ii) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(2)(A)(ii)) is amended by inserting '', and development of means of increasing public access to available locality-specific information that may assist the public in preparing for or responding to earthquakes'' after ''and the general public''.

SEC. 9. LIFELINES.

Section 4(6) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7703(6)) is amended by inserting ''and infrastructure'' after ''communication facilities''.

SEC. 10. SCIENTIFIC EARTHQUAKE STUDIES ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Director of the United States Geological Survey shall establish a Scientific Earthquake Studies Advisory Committee.

(b) ORGANIZATION.—The Director shall establish procedures for selection of individuals not employed by the Federal Government who are qualified in the seismic sciences and other appropriate fields and may, pursuant to such procedures, select up to ten individuals, one of whom shall be designated Chairman, to serve on the Advisory Committee. Selection of individuals for the Advisory Committee shall be based solely on established records of distinguished service, and the Director shall ensure that a reasonable cross-section of views and expertise is represented. In selecting individuals to serve on the Advisory Committee, the Director shall seek and give due consideration to recommendations from the National Academy of Sciences, professional societies, and other appropriate organizations.

(c) MEETINGS.—The Advisory Committee shall meet at such times and places as may be designated by the Chairman in consultation with the Director.

(d) DUTIES.—The Advisory Committee shall advise the Director on matters relating to the United States Geological Survey's participation in the National Earthquake Hazards Reduction Program, including the United States Geological Survey's roles, goals, and objectives within that Program,

its capabilities and research needs, guidance on achieving major objectives, and establishing and measuring performance goals. The Advisory Committee shall issue an annual report to the Director for submission to Congress on or before September 30 of each year. The report shall describe the Advisory Committee's activities and address policy issues or matters that affect the United States Geological Survey's participation in the National Earthquake Hazards Reduction Program.

FIRE ADMINISTRATION AUTHORIZATION ACT OF 2000

FRIST AMENDMENT NO. 4324

Mr. SESSIONS (for Mr. FRIST) proposed an amendment to the bill (H.R. 1550) to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes, as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fire Administration Authorization Act of 2000''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

(1) by striking ''and'' at the end of subparagraph (G);

(2) by striking the period at the end of subparagraph (H) and inserting a semicolon; and

(3) by adding at the end the following:

''(I) $44,753,000 for fiscal year 2001, of which $3,000,000 is for research activities, and $250,000 may be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which $6,000,000 is for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel;

''(J) $47,800,000 for fiscal year 2002, of which $3,250,000 is for research activities, and $250,000 may be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which $7,000,000 is for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel; and

''(K) $50,000,000 for fiscal year 2003, of which $3,500,000 is for research activities, and $250,000 may be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which $8,000,000 is for anti-terrorism training, including associated curriculum development for fire and emergency services personnel.''. None of the funds authorized for fiscal year 2002 may be obligated unless the Administrator has verified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that the obligation of funds is consistent with the strategic plan transmitted under section 302 of this Act.''.

SEC. 3. STRATEGIC PLAN.

(a) REQUIREMENT.—Not later than April 30, 2001, the Administrator of the United States Fire Administration shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 5-year strategic plan of program activities for the United States Fire Administration.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall include—

(1) a comprehensive mission statement covering the major functions and operations of the United States Fire Administration in the areas of training; research, development, test and evaluation; new technology and non-developmental item implementation; safety; counterterrorism; data collection and analysis; and public education;

(2) general goals and objectives, including those related to outcomes, for the major functions and operations of the United States Fire Administration;

(3) a description of how the goals and objectives identified under paragraph (2) are to be achieved, including operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;

(4) an analysis of the strengths and weaknesses of, opportunities for, and threats to the United States Fire Administration;

(5) an identification of the fire-related activities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies, and a discussion of how those activities can be coordinated with and contribute to the achievement of the goals and objectives identified under paragraph (2);

(6) a description of objective, quantifiable performance goals needed to define the level of performance achieved by program activities in training, research, data collection and analysis, and public education, and how these performance goals relate to the general goals and objectives in the strategic plan;

(7) an identification of key factors external to the United States Fire Administration and beyond its control that could affect significantly the achievement of the general goals and objectives;

(8) a description of program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations;

(9) a plan for the timely distribution of information and educational materials to State and local firefighting services, including volunteer, career, and combination services throughout the United States;

(10) a description of how the strategic plan prepared under this section will be incorporated into the strategic plan and the performance plans and reports of the Federal Emergency Management Agency;

(11)(A) a description of the current and planned use of the Internet for the delivery of training courses by the National Fire Academy, including a listing of the types of courses and a description of each course's provisions for real time interaction between instructor and students, the number of students enrolled, and the geographic distribution of students, for the most recent fiscal year;

(B) an assessment of the availability and actual use by the National Fire Academy of Federal facilities suitable for distance education applications, including facilities with teleconferencing capabilities; and

(C) an assessment of the benefits and problems associated with delivery of instructional courses using the Internet, including limitations due to network bandwidth at training sites, the availability of suitable course materials, and the effectiveness of such courses in terms of student performance;

(12) timeline for implementing the plan; and

(13) the expected costs for implementing the plan.

SEC. 4. RESEARCH AGENDA.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the United States Fire Administration, in consultation with the Director of the Federal Emergency Management Agency, the Director of the National Institute of Standards and Technology, representatives of trade, professional, and nonprofit associations, State and local firefighting services, and other appropriate entities, shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the United States Fire Administration's research agenda and including a plan for implementing that agenda.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) identify research priorities;

(2) describe how the proposed research agenda will be coordinated and integrated with the programs and capabilities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies;

(3) identify potential roles of academic, trade, professional, and non-profit associations, and other research institutions in achieving the research agenda;

(4) provide cost estimates, anticipated personnel needs, and a schedule for completing the various elements of the research agenda;

(5) describe ways to leverage resources through partnerships, cooperative agreements, and other means; and

(6) discuss how the proposed research agenda will enhance training, improve State and local firefighting services, impact standards and codes, increase firefighter and public safety, and advance firefighting techniques.

(c) USE IN PREPARING STRATEGIC PLAN.—The research agenda prepared under this section shall be used in the preparation of the strategic plan required by section 302.

SEC. 5. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

''SEC. 33. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

''The Administrator shall make publicly available, including through the Internet, information on procedures for acquiring surplus and excess equipment or property that may be useful to State and local fire, emergency, and hazardous material handling service providers.''.

SEC. 6. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

The Federal Fire Prevention and Control Act of 1974, as amended by section 304, is amended by adding at the end the following new section:

''SEC. 34. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

''The Administrator shall make publicly available, including through the Internet, information on procedures for establishing cooperative agreements between State and local fire and emergency services and Federal facilities in their region relating to the provision of fire and emergency services.''.

SEC. 7. NEED FOR ADDITIONAL TRAINING IN COUNTERTERRORISM.

(a) IN GENERAL.—The Administrator of the United States Fire Administration shall conduct an assessment of the need for additional capabilities for Federal counterterrorism training of emergency response personnel.

(b) CONTENTS OF ASSESSMENT.—The assessment conducted under this section shall include—

(1) a review of the counterterrorism training programs offered by the United States Fire Administration and other Federal agencies;

(2) an estimate of the number and types of emergency response personnel that have,

during the period between January 1, 1994, and October 1, 1999, sought training described in paragraph (1), but have been unable to receive that training as a result of the oversubscription of the training capabilities; and

(3) a recommendation on the need to provide additional Federal counterterrorism training centers, including—

(A) An analysis of existing Federal facilities that could be used as counterterrorism training facilities; and

(B) a cost-benefit analysis of the establishment of such counterterrorism training facilities.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prepare and submit to the Congress a report on the results of the assessment conducted under this section.

SEC. 8. WORCESTER POLYTECHNIC INSTITUTE FIRE SAFETY RESEARCH PROGRAM.

From the funds authorized to be appropriated by section 2, $1,000,000 may be expended for the Worcester Polytechnic Institute fire safety research program.

SEC. 9. INTERNET AVAILABILITY OF INFORMATION.

Upon the conclusion of the research under a research grant or award of $50,000 made with funds authorized by this Act (or any Act amended by this Act), the Administrator of the United States Fire Administration shall make available through the Internet home page of the Administration a brief summary of the results and importance of such research grant or award. Nothing in this section shall be construed to require or permit the release of any information prohibited by law or regulation from being released to the public.

SEC. 10. CONFORMING AMENDMENTS AND REPEALS.

(a) 1974 ACT.—

(1) IN GENERAL.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended—

(A) by striking subsection (b) of section 10 (15 U.S.C. 2209) and redesignating subsection (c) of that section as subsection (b);

(B) by striking sections 26 and 27 (15 U.S.C. 2222; 2223);

(C) by striking ''(a) The'' in section 24 (15 U.S.C. 2214) and inserting ''The''; and

(D) by striking subsection (b) of section 24.

(2) REFERENCES TO SECRETARY.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended—

(A) in section 3 (15 U.S.C. 2203)—

(i) by inserting ''and'' after the semicolon in paragraph (7);

(ii) by striking paragraph (8); and

(iii) by redesignating paragraph (9) as paragraph (8);

(B) by striking paragraph (2) of section 15(a) (15 U.S.C. 2214(a)) and inserting the following:

''(2) the Director's Award For Distinguished Public Safety Service (Director's Award')'';

(C) by striking ''Secretary's Award'' each place it appears in section 15 (15 U.S.C. 2214) after subsection (a) and inserting ''Director's Award''; and

(D) by striking ''Secretary'' each place it appears in section 15 (15 U.S.C. 2214) after subsection (a), in section 16(a) (15 U.S.C. 2215(a)), and in section 21(c) (15 U.S.C. 2218(c)) and inserting ''Director''.

(b) DEPARTMENT OF COMMERCE.—Section 12 of the Act of February 14, 1903 (15 U.S.C. 1511) is amended—

(1) by inserting ''and'' after ''Census;'' in paragraph (5);

(2) by striking paragraph (6); and

(3) by redesignating paragraph (7) as paragraph (6).

SEC. 11. NATIONAL FIRE ACADEMY CURRICULUM REVIEW.

(a) IN GENERAL.—The Administrator of the United States Fire Administration, in consultation with the Board of Visitors and representatives of trade and professional associations, State and local firefighting services, and other appropriate entities, shall conduct a review of the courses of instruction available at the National Fire Academy to ensure that they are up-to-date and complement, not duplicate, courses of instruction offered elsewhere. Not later than 180 days after the date of enactment of this Act, the Administrator shall prepare and submit a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) examine and assess the courses of instruction offered by the National Fire Academy;

(2) identify redundant and out-of-date courses of instruction;

(3) examine the current and future impact of information technology on National Fire Academy curricula, methods of instruction, and delivery of services; and

(4) make recommendations for updating the curriculum, methods of instruction, and delivery of services by the National Fire Academy considering current and future needs, State-based curricula, advances in information technologies, and other relevant factors.

SEC. 12. REPEAL OF EXCEPTION TO FIRE SAFETY REQUIREMENT.

(a) REPEAL.—Section 4 of Public Law 103–195 (107 Stat. 2298) is hereby repealed.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect 1 year after the date of the enactment of this Act.

SEC. 13. NATIONAL FALLEN FIREFIGHTERS FOUNDATION TECHNICAL CORRECTIONS.

(a) PURPOSES.—Section 151302 of title 36, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) primarily—

''(A) to encourage, accept, and administer private gifts of property for the benefit of the National Fallen Firefighters' Memorial and the annual memorial service associated with the memorial; and

''(B) to, in coordination with the Federal Government and fire services (as that term is defined in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203)), plan, direct, and manage the memorial service referred to in subparagraph (A);'';

(2) by inserting ''and Federal'' in paragraph (2) after ''non-Federal'';

(3) paragraph (3)—

(A) by striking ''State and local'' and inserting ''Federal, State, and local''; and

(B) by striking ''and'' after the semicolon;

(4) by striking ''firefights.'' in paragraph (4) and inserting ''firefighters;''; and

(5) by adding at the end the following:

''(5) to provide for a national program to assist families of fallen firefighters and fire departments in dealing with line-of-duty deaths of those firefighters; and

''(6) to promote national, State, and local initiatives to increase public awareness of fire and life safety.''

(b) BOARD OF DIRECTORS.—Section 151303 of title 36, United States Code, is amended—

(1) by striking subsections (f) and (g) and inserting the following:

''(f) STATUS AND COMPENSATION.—

''(1) Appointment to the board shall not constitute employment by or the holding of an office of the United States.

''(2) Members of the board shall serve without compensation.''; and

(2) by redesignating subsection (h) as subsection (g).

(c) OFFICERS AND EMPLOYEES.—Section 151304 of title 36, United States Code, is amended—

(1) by striking ''not more than 2'' in subsection (a); and

(2) by striking ''are not'' in subsection (b)(1) and inserting ''shall not be considered''.

(d) SUPPORT BY THE ADMINISTRATOR.—Section 151307(a)(1) of title 36, United States Code, is amended—

(1) by striking ''The Administrator'' and inserting ''During the 10-year period beginning on the date of enactment of the Fire Administration Authorization Act of 2000, the Administrator''; and

(2) by striking ''shall'' in subparagraph (B) and inserting ''may''.

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that a staff member, Sally Phillips, be granted the privilege of the floor for debate during consideration of the Agriculture appropriations bill.

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

DEATH OF GOVERNOR MEL CARNAHAN

Mr. BOND. Mr. President, I rise today to share with my colleagues the sadness that all of us in Missouri feel this week. This has been a very, very sad week for us.

Late Monday evening, we lost our Governor, Mel Carnahan, along with his son, Randy, and a top aide, Chris Sifford, who were killed tragically in a plane crash.

Nearly having completed two terms as Governor, Mel Carnahan was in a heated race for the Senate with our colleague, JOHN ASHCROFT. Mel Carnahan was a devoted husband, father, and grandfather as well as a public servant who had devoted much of his career and much of his adult life to serving the people of our State.

The news of Governor Carnahan's very untimely and tragic death serves as a reminder to all of us of the preciousness of life and its unpredictability.

Our thoughts, our prayers, and our sympathy go out to his wife Jean, to his daughter Robin, to his sons, Russ and Tom, and his grandchildren during this difficult time. We also extend our deepest sympathies to all the people who worked closely with him and considered him their close friend. None of us can pretend to understand the pain they must feel at this time.

But I hope they will find comfort in knowing that their husband, father, grandfather, and friend will have a lasting impact on many lives. The fruits of Mel Carnahan's efforts will be felt in our State for many years to come. He presided over a period of economic growth in our State. He worked hard to reform Missouri's welfare system, crime laws, and educational system.

Mel Carnahan and I were friends for a long time—probably 30 years. It is no secret that we were often political opponents. We disagreed on a lot of things, and he was a tough opponent; no question about that.

A couple of years ago when I was getting ready to run for reelection, there was some thought that we might have to run against each other. But at that time, he chose to stay in Jefferson City and serve the people of Missouri for the remainder of his term as Governor. When asked why he entered public service, Governor Carnahan said he was inspired by the words of Adlai Stevenson, who said public service was a ''high calling,'' and he urged young people to get involved.

Mel Carnahan lived his belief that public service was a ''high calling.'' He brought the best of himself to the job. He loved Missouri and Missourians. He loved rural Missouri and his adopted hometown of Rolla, MO. He always wanted the best for our State. While the two of us may only have agreed on a handful of issues in 30 years, when it came time to defend the interests of Missouri, we fought arm in arm together. Some of you may recall a few battles we had on behalf of Missouri and the neighbors of the Missouri River in a battle against the Fish and Wildlife Service.

But in the end, a man's position on the issues of the day is only a small measure of his life.

In this age of multimillion-dollar campaign advertising budgets and media consultants, Gov. Mel Carnahan still believed in keeping in touch with individual Missourians. He died while attempting to get to a campaign event in a small town in Missouri that maybe few outside our State ever heard of. As Governor, he crisscrossed our State endlessly, visiting schools and farms, veterans, and highway dedications. He worked hard and Missourians loved him for it. Twice they elected him by large margins to the highest office in our State.

I particularly admired and appreciated the friendship we had as political opponents, as people committed to public service in our State.

I was with him on Saturday at the homecoming for the University of Missouri. We shared a common interest on that day; our football team didn't do well. But Mel Carnahan, with a ready smile and a lovely wife, was there. We enjoyed our time together as we appreciated and looked back on the tremendous accomplishments he had and the contributions he made to the State of Missouri.

At a commencement speech in his town of Rolla last year, Governor Carnahan told graduates, ''Each of you was put on this Earth for a reason . . . life is precious and fragile . . . and each of us has such a short time to make our mark on the world that we must not waste it.''

Surely Mel Carnahan wasted no time. He made the most of every minute, and our lives are richer for it, and for his friendship.

Our thoughts and prayers are with his family and his friends in Missouri.

Mr. CONRAD. Mr. President, I too want to speak about the former Governor of Missouri, Mel Carnahan.

Over the last 3 weeks, I was engaged, along with my colleague, Senator DORGAN, in intense negotiations with Governor Carnahan and the two Senators from Missouri with respect to a major water project in our State, the Dakota Water Resources Act.

We had the opportunity to talk to Governor Carnahan directly, and we talked to his top staff repeatedly. I found him to be a fierce advocate for the people of Missouri, just as I have found Senator BOND and Senator ASHCROFT to be fierce advocates for the people of Missouri.

We have had a difficult time reaching conclusion on our water project because of objections from the State of Missouri. But the representatives of that State—Senator BOND, Senator ASHCROFT, and Governor Carnahan—worked in good faith with us, all the while protecting vigorously and aggressively the interests of their State. I respect that. That is what representatives are supposed to do.

I found Governor Carnahan to be absolutely ferocious on the issues that he thought were important to the people of his State. When I heard the news that he had been killed in a tragic plane accident, it saddened me. It saddened our family because we are certain that the Carnahans are suffering greatly. And the people of Missouri have had a terrible loss.

It reminded me of a similar incident with a Missouri Senate candidate more than 20 years ago, Congressman Litton, who was also killed in a light plane crash in that State. It almost makes one wonder if Missouri is somehow star crossed with leaders of that caliber—so widely respected by the people of their States—being lost in these tragic accidents.

I send my best wishes to the Carnahan family and to people all over the country who are grieving at the loss of the Governor of that great State. We are thinking of the family and thinking of the friends and staff of Governor Carnahan.

As I say, I have had several weeks in which I talked frequently to the Governor's chief of staff and the head of his department of natural resources. I found them to be very good people, very decent people—very difficult to negotiate with but very good people. We share their loss.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LAUTENBERG. Mr. President, I understand we are in morning business; is that correct?

The PRESIDING OFFICER. The Senator is correct.

WORLD PEACE

Mr. LAUTENBERG. Mr. President, I take a few minutes to discuss something that has been in front of our eyes and in front of our minds these last couple of weeks; that is, the turmoil we are witnessing in the Middle East. Those horrible pictures of young people engaged in violence and paying a terrible price for the consequence of that violence. Not just the young people—women, children, young men.

I think it is fair to say that everyone who sees what is taking place wishes it weren't happening. The question is raised about our responsibility and what do we do about it. Is there an opportunity for us to lend peace a hand, to see whether or not we can encourage the reduction of violence, the elimination of the confrontation with stones and tanks and guns, to see if there isn't something more that we could do than to simply be a witness.

Mr. President, I commend President Clinton's efforts. He has been such a wonderful peacemaker in his term of office.

I have been to the places he has exerted some effort, i.e., Ireland. I was there many years ago and met with people in the north and met people from the Republic. I talked to Catholics and Protestants and tried to help make adjustments in our funding support so it would be more balanced, balanced towards those people who needed help while asking those who did not to at least participate in a nonviolent manner to get the killing and the mayhem stopped.

President Clinton took the initiative there. He sent Senator Mitchell, one of our very good friends from this place, a distinguished Senator; a distinguished judge before he came to the Senate. He worked tirelessly. He would get the two sides to at least stop shooting at one another and come to the negotiating table. It has had a shaky peace arrangement, but at least people are not dying. And if they are, it is an exceptional occasion and not the usual thing.

I was in Kosovo and Bosnia with other Members of the Senate and saw the unacceptable behavior of the leadership there, as they committed the genocidal acts against innocent people. We became engaged, and it was a tough fight to become a part of the peacemaking structure. We didn't always agree with our friends in Europe about whether or not it was in their interests or our interests. I think we have seen that too many times.

I was a veteran during the war a long time ago. I enlisted in the Army. Even in those early days in the last century when Hitler started to invade neighboring countries, killing people, separating groups from one another so they

could be attacked in an organized fashion, there were people, I understand, as I read the history, who questioned whether it was something in which the United States should become involved. Before we knew it, we had no choice. When our ships were attacked in Pearl Harbor, we were in it 110 percent, with some 15 million people in uniform. We fought hard. Hearts were broken. Families paid a price. Young people died—among others, but those who were involved in the military were young.

In the last half of the 20th century, democracy flourished in some of those places. We still have troops in Germany, in Japan, in South Korea—50 years later.

Sometimes, I must tell you, I do not understand it when questions are raised here about our role: Are we going to be the policeman of the world? Does it have our interest in it?

I remember the debate on Kosovo and Bosnia. There were many who said we have no business being there. I disagreed. I disagreed strongly, and I encouraged us to do what we did. President Clinton and Vice President GORE led the charge, if I may say, by making certain we protected our pilots and our military servicepeople wherever they were in the area as we took on the task of stopping a mad, genocidal attack on people in Kosovo and at times before that in Bosnia itself. It was a wonderful conclusion that we lost no one in combat, but we stopped the killing of innocent people. Kosovo is being rebuilt. Again, maybe it is a shaky peace but a peace. That is the critical issue. The question was raised, as I said, was that in our national interest? Are we going to be the policeman of the world?

Now we are faced with another situation. When terrorism rears its ugly head, and when those who want to violate the safety and well-being of ordinary citizens and take it into their hands to determine who is wrong and who is right commit atrocious acts, it does almost always come home to roost. It is proven that at some point in time it is in our national interest. Our national interest is to protect our people. Maybe in the process we reach out to protect others so violence does not spread and we are not looking at wholesale attacks on innocent people.

The other day when the U.S.S. *Cole* was struck by madmen who detonated bombs that tore the U.S.S. *Cole* apart, left a hole in the hull of the U.S.S. *Cole*, in a ship that was designed to withstand torpedoes and other pieces of military weaponry, and killed 17 people, if one read the biography of so many of them who died, they were young: 19, 20 years old. I enlisted when I was 18. It is so very young. And 37 more, I think the number is, were wounded, many of them seriously wounded, and just brought home. Today I know there was a memorial service in Norfolk, VA, for those who died. The President was there. He made certain he got back from Egypt on time to be there.

I wonder how many people are saying, do we have an interest, a national interest in what is taking place there when terrorism is allowed to flourish, and included in that activity are American citizens, those who were there to maintain the peace?

The other day we passed a piece of legislation which I had the privilege of authoring that compensated victims of terrorist activity, families who lost people I knew, who lost a daughter in Israel in an attack on a bus outside the Gaza Strip. She was 20 years old, there on business, innocent, studying, trying to learn something about a heritage that she and her family were proud of —killed by a terrorist's bomb.

Iran was held in our courts to be the country of responsibility. We took further action based on legislation that had passed through this House that enabled people to bring suits against those countries, to attach their assets that may have been in America. A resolution was adopted and the President is going to be signing a bill into law very shortly permitting the distribution of funds to those families. They didn't want the money but they didn't want other families to have to suffer the same consequences they did.

Now we look at the President's attempt to bring peace to Israel and the Palestinians. We do not know whether that effort is going to work. But we do know that the President did the right thing to assert the presence of America and to say we want to see peace in this area.

We are friendly with both sides in the dispute there, perhaps friendlier, as I think we should be, in many ways to the democratic nation of Israel because it is a democracy and people have choices about things. But we do not want to see Palestinians killed. It pained us all to see the picture of that young boy who was shot in a crossfire. It pained us all to see a couple of soldiers, who were doing no harm, taken to a jail and held there as prisoners until a mob was able to get their hands on them and lynch them, mutilate them—lynched them not with a rope but lynched them in terms of taking their lives in a mob attack, parading their bodies through the streets, mutilating them even as they lay dead.

It is time for us to ask those who can stop this violence, who can at least slow it down, at least encourage peace, to step up and do so and not hold out a friendly American hand to those who will not.

I welcomed Mr. Arafat here in 1993. I was amazed to see Prime Minister Rabin; the President of the United States; and the Chairman of the Palestinian Authority, Yasser Arafat; shaking hands because I had only known about Yasser Arafat in an earlier time when he wore a gun on his hip and went to the United Nations and held the gun up as a manifestation of his view of how disputes are resolved.

Now we see what is happening, even though there was a tacit agreement to try and stop the violence and the Israelis were cooperating. They permitted the reopening of the Gaza airport. I was there the week before that airport was opened. I was so positive about it bringing an opportunity to the Palestinian people in Gaza to have their economy lifted, to have their hopes and spirits lifted at the same time, that perhaps an improvement in their way of life and their economy might be possible because they live in desperate conditions.

We have seen the violence, the rioting, the abuse, the stone throwing. Stone throwing is not an acceptable way of resolving disputes. It does not matter what the weapon is; it is a weapon; and it is designed to intimidate and punish a people with whom there is a disagreement. The Israelis retaliated. They have a responsibility, in my view, to protect their people and protect their property, protect their integrity as a democratic nation.

I did not see any Israeli gloating about the fact that a Palestinian life was taken. We saw some action by some of the so-called settlers in territories in the West Bank who took action against their Palestinian neighbors, and the Prime Minister rebuked them and said: No Jewish Israelis, no Israelis should be taking mob rule into their own hands and harming people or killing them.

He came out against it.

Chairman Arafat in 1993, when he stood on the lawn at the White House, signed a statement that violence was no way to resolve differences, and he took an oath, practically speaking, that he would do whatever he could to abolish it.

What we have seen in the last few days is inconsistent with that position, and we ought to notice it. When the U.N. took up a resolution that blamed Israel for all the problems, I was disappointed that the United States did not veto that resolution. But I know in this administration, this President, the Vice President, and the Secretary of State, all have peace in mind. I thought perhaps that was the reason we did not veto this resolution but, rather, abstained. Therefore, I do not second-guess the decision, but I hope if there are more such lopsided resolutions, the United States will veto it and not permit it to continue.

It is fair to say the Israelis are making a genuine effort to stop the violence. And on the Palestinian side, they want it stopped. We heard Prime Minister Barak talking about it. They do not want to kill Palestinians. They do not want to injure people on the other side of the issue, but it is fair to say, Mr. Arafat, I was one in the Senate who supported financial assistance for the Palestinians when they signed the agreement to establish a peaceful relationship. I was one of those who encouraged it. I was one of those who said the Palestinians needed some hope and some expectation that their lives would improve, that their standard of

living would be better, that their children could get an education, that they could have the proper health services they needed.

I was filled with hope. I wanted to make certain that we showed our good faith by doing something positive for the Palestinians.

I know Israel very well. I have visited there many times, and I know a lot of people there. Yitzhak Rabin was a personal friend of mine. When he was killed by one of his own people, it was a tragedy felt round the world.

The nation of Israel continued to try to make peace. Prime Minister Barak, the most heavily decorated soldier in the Israeli military, the most highly decorated soldier, is a prominent peacemaker. He wants to establish peace. He has seen war at its worst. That is why he has the medals that reflect heroism, bravery, and valor, but he did not like the killing. He did what he had to do to protect his country, and he is doing the same thing now, trying to protect his country and is trying to do it without violence, without responding violently to the attacks of his country. He is pleading for there to be peace, some measure of tranquillity on both sides.

So as we mourn the loss of our young people, the sailors from the U.S.S. *Cole,* we wish those who are ill, who are wounded, who are injured, a full and speedy recovery.

We also wish we can be witnesses to a more peaceful discussion about where the relationship between Israel and the Palestinians will go. They can get along—they must get along—to try to resolve every difference. Whether it is with slingshots and stones or rifles or artillery pieces, it is not an appropriate way to resolve those problems.

But I do respect Israel's right to defend itself, and I do respect the wishes of many of the people in Palestine, the Palestinian community, to have their freedoms enumerated very clearly—their capacity to raise their families, to have an opportunity for the appropriate education and standard of living that all people want.

But I call on Mr. Arafat, Yasser Arafat, with whom I have shaken hands many times—and in the tradition of the Middle East, we kissed each other on the cheek in good will when I was there at Gaza at the opening of the airport, when I was there to see the economic development that was taking place; I had so much respect for the things he was trying to do for his people—I send out a plea to him to gather whatever strength he has to take the leadership of the Palestinian Authority and do what he is supposed to as the chairman; that is, call for reconciliation, call for the end of the violence. Get back to the negotiating table. Air your differences. Ask the United States to help. Do not invite imbalance in resolutions and things such as that. Do not search for those who have a bias in this case to present programs for peace. But do what you said you would do, Mr. Arafat, when you came here in 1993, when we sat around dinner tables together, when I visited you in Jericho, and we talked in such friendly fashion that I walked away believing we were seeing the accomplishment of miracles, small though they may be.

So I wish both sides the best wish I can, and that is for peace, to take care of your families, save your children by not taking other people's children, by not taking other people's lives.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. NICKLES. Mr. President, I heard my colleague from New Jersey making a very eloquent statement concerning the violence in the Middle East. I certainly share his concern and his wish that peace will be restored amongst the Palestinians and the Israelis.

I also heard him compliment the President on his efforts. And I compliment the President on his efforts in trying to contain the violence. But I am critical of the administration for a couple of things. I am critical of the administration for not vetoing Security Council Resolution 1322, which passed the Security Council on October 7. We could have vetoed this resolution. It was a biased resolution. It was an unbalanced resolution, a resolution that criticized Israel and did not criticize the Palestinians. The Palestinians have been very involved in creating a lot of the violence. This is a one-sided resolution. This administration did not veto it, for whatever reason.

Now the United Nations is considering another resolution, from what I understand from press reports and so on, that very strongly condemns Israel and is somewhat silent on the Palestinians.

Mr. President, I ask unanimous consent this Security Council resolution 1322 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RESOLUTION 1322 (2000)

(Adopted by the Security Council at its 4205th meeting on 7 October 2000)

The Security Council,

Recalling its resolutions 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 672 (1990) of 12 October 1990, and 1073 (1996) of 28 September 1996, and all its other relevant resolutions,

Deeply concerned by the tragic events that have taken place since 28 September 2000, that have led to numerous deaths and injuries, mostly among Palestinians,

Reaffirming that a just and lasting solution to the Arab and Israeli conflict must be based on its resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, through an active negotiating process,

Expressing its support for the Middle East peace process and the efforts to reach a final settlement between the Israeli and Palestinian sides and urging the two sides to cooperate in these efforts,

Reaffirming the need for full respect by all of the Holy Places of the City of Jerusalem, and condemning any behaviour to the contrary,

1. Deplores the provocation carried out at Al-Haram Al-Sharif in Jerusalem on 28 September 2000, and the subsequent violence there and at other Holy Places, as well as in other areas throughout the territories occupied by Israel since 1967, resulting in over 80 Palestinian deaths and many other casualties;

2. Condemns acts of violence, especially the excessive use of force against Palestinians, resulting in injury and loss of human life;

3. Calls upon Israel, the occupying Power, to abide scrupulously by its legal obligations and its responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

4. Calls for the immediate cessation of violence, and for all necessary steps to be taken to ensure that violence ceases, that new provocative actions are avoided, and that the situation returns to normality in a way which promotes the prospects for the Middle East peace process;

5. Stresses the importance of establishing a mechanism for a speedy and objective inquiry into the tragic events of the last few days with the aim of preventing their repetition, and welcomes any efforts in this regard;

6. Calls for the immediate resumption of negotiations within the Middle East peace process on its agreed basis with the aim of achieving an early final settlement between the Israeli and Palestinian sides;

7. Invites the Secretary-General to continue to follow the situation and to keep the Council informed;

8. Decides to follow closely the situation and to remain seized of the matter.

Mr. NICKLES. But it is interesting, the second statement says it:

Condemns acts of violence, especially the excessive use of force against Palestinians, resulting in injury and loss of human life.

No. 3, it:

Calls upon Israel, the occupying Power, to abide scrupulously by its legal obligations. . . .

It does not say for the Palestinians and it does not say for Mr. Arafat to abide by its obligations, and it does not talk about the Palestinians and their use of force.

I heard my colleague from New Jersey talk about the fact that Palestinians had a couple of Israelis who were murdered.

So my point is that the President of the United States should have urged our representative at the United Nations to veto this, use our veto in the Security Council to veto this very unbalanced, very biased, very anti-Israel resolution. And they did not do it. I think that was a mistake.

Now we see more violence. This recent attack on the U.S.S. Cole on October 12 killed 17 and wounded dozens. I think many of us were shocked by that. I heard some of the statements by the Secretary of State, by the Secretary of Defense, by the President: Boy, we're going to hold those people, those terrorists, those cowards who committed this cowardly deed and killed innocent U.S. soldiers, accountable.

Well, Mr. President, I have heard those words before. In many cases in past history, those words have been a lot stronger than our deeds. That bothers this Senator. I look back at some of

the terrorist activity that has happened in the Middle East over the last few years directed at the U.S. citizens and soldiers, and I am thinking: Wait a minute, I have heard those exact same words: We are going to hold these people accountable. And I look at what has happened.

In 1993, we had President Bush—at that time he was former President Bush. He traveled to Kuwait in April of 1993. He was there April 14 through 16. The Kuwaiti Government captured a van loaded with 180 pounds of explosives. This was an attempt to assassinate former President Bush. This administration launched 23 cruise missiles to show they were really upset about that, most of which hit in the sand; some may have hit the targets, or at least they are saying that—but a pretty mild response.

Again, was it directly targeted at those people who were directly responsible, or was it the United States kicking up and showing, well, we are a little peeved about this? Did we hold those people directly responsible who tried to assassinate President Bush? The answer is no. Did we capture those people who were directly involved in that? I believe the answer is no.

If the intelligence community knows more about this than I do, I would be happy for them to inform this Senator. But I do not believe the individuals who were directly involved in that terrorist activity were held accountable, that they were tried, that they were punished for that action.

What about the bombing of Khobar Towers? This happened June 25, 1996 as a result of a car bomb. The destruction looked very similar to the bombing in Oklahoma City, another car bomb that blew up the Federal building in Oklahoma City and killed 168 people. The car bomb outside the Khobar Towers killed 19 Americans, and it wounded 364.

I remember the President, I remember the Secretary of Defense, I remember the Secretary of State say: We will not stop until these cowards are brought to justice.

How many people have been brought to justice from the Khobar Towers bombing of 1996? The answer is, no one. The answer is, one person has been arrested. He is now in a Saudi jail—one person. A lot more than one person was responsible for the Khobar Towers bombing, a lot more than one person.

What has been the result? Have we held people accountable? No. That was the most massive terrorist attack against military personnel, certainly since the bombing in Lebanon. What did we do? Well, basically nothing. Basically nothing.

What about the bombings of the Embassies in Kenya and Tanzania? That was August 7, 1998. Bombs exploded at the U.S. Embassies in both Kenya and Tanzania, killed 252 people, including 12 Americans. Again, we heard this President, this Secretary of State, this Secretary of Defense say: We will hold them accountable. What did we do? Once again, we lobbed some cruise missiles, and we hit, I guess, a terrorist camp in Afghanistan. I guess the principal terrorist we were aiming at was not there. Maybe some people were killed. Maybe those people were directly involved in the bombing; maybe they weren't. That is not very targeted, in my opinion. We also bombed a pharmaceutical plant that we may be making significant payments on because people determined maybe it wasn't directly involved. I don't know.

My point is, this administration has made very strong statements that we are going to hold people accountable for attacking U.S. facilities, U.S. soldiers. We did it again with the U.S.S. *Cole.* Frankly, we haven't done it. Our country hasn't done it. Maybe we lobbed some cruise missiles and maybe we directly or indirectly hit some people who might have been responsible, but it is a little questionable.

I think it almost sends a signal of weakness, if we don't hold people accountable. I think the rhetoric has been good. I think the language has been good. I don't think the results have been good. I think if there is a U.N. resolution that is biased and anti-Israel, it should be vetoed. I certainly believe we should find out those people who are responsible for the bombing of the U.S.S. *Cole,* and we should hold them accountable. We should find the people who are responsible for the bombing of the Khobar Towers, and we should hold them accountable. They should pay a penalty, a price, and, frankly, that has not happened.

I see my colleague wanting to speak.

Mr. LAUTENBERG. If the Senator will allow me a few minutes, I appreciate that. It is very nice of him to do so.

I listened carefully. I have respect for our friend from Oklahoma. He has been here, despite his youth, for a long time. He knows how this place works.

President Bill Clinton went immediately to the scene of the violence, to Egypt, to the region where so much is taking place, to plead and beg and to force a peaceful resolution, to stop the violence. That is what he said: Stop the violence. He wasn't drawing the terms. It is not fair to say that we have done nothing.

We went into Afghanistan with bombs. We attacked what we thought was the appropriate target. Yes, we missed when we went to the Sudan, but is that a criticism of our troops, of our pilots? Are they saying that mistakes don't happen in conflict or in a wartime exercise? I am not talking about practice. I am talking about the exercise of defense. Would we restrict the rights of our citizens to travel? Do we say that our warships can't circulate around the world? Do we say we have to stay home, come back here and just hide in our harbors so that we don't have any problems? Our people who enlist always know there is some risk. They have been asked to do tough duty.

I am not sure about how the votes went when we decided to go to Kosovo, in deference to my colleague and friend from Oklahoma. I think there was a vote not to go to Kosovo by lots of people. I am not sure how the Senator from Oklahoma voted, but I do know there was sharp resistance: It was not in our national interest to stop the killing; it wasn't in our national interest to be on the side of antigenocide, to stop the mutilation of communities and families and people and the abuse of women, the likes of which has rarely been seen in history.

It is not fair to say we have done nothing. We have tried. We have sent dozens of investigators to Yemen, and we have already made some progress. It is in the papers. I am not telling anything from the Intelligence Committee. But we have already found explosives in an apartment there. We are on the trail.

When Pan Am 103 went down, brought down by terrorists, we found, from the tiniest fiber of thread from a jacket, people who were the likely perpetrators.

This is not an idle administration. I would never say, because I am a Democrat and we have a Republican President, that there were times that I voted against going to war. There were times that I voted going for it. Because whenever I have a vote such as that, I look to the eyes of my son, when he was 22, and I say: This isn't a war I would send you to and, therefore, I am not sending other parents' sons. I enlisted when I was 18. My father was on his deathbed. My mother was 36 years old. I felt it was my responsibility to serve my country.

I think one has to be careful when we start suggesting that nothing is happening. As to the Khobar Towers, the example the Senator cited, it is outrageous that we haven't found the perpetrators of those killings of our troops. But I want to point a finger at Saudi Arabia, the country that we sent our troops to protect in 1990. We sent them out there, 450,000 or maybe even over 500,000, to protect the Saudis, our good friends, who are holding us by the throat with their oil prices. That is where they are. What have they done to help us find the perpetrators of the murder of our troops? Not very much, I can tell you that.

I have watched this very closely. So I will point fingers where they belong. Those pointed fingers didn't belong against the Bush administration who served until 1992 and they don't belong at the Clinton administration. Those examples are invalid.

We have done what we have to do. We are fully committed, every one of us, to finding those who did that dastardly bombing against the U.S.S. *Cole.* I predict we will find them, and we are going to get help from people we never expected. When the trade towers went down in New York City, I was commissioner of the port authority. We had offices, before I came to the Senate, in

that building. Unfortunately, a couple of the perpetrators came from my side of the Hudson River. But we searched until we found the people, just as we did in Oklahoma. We searched until we found the people. We can't push buttons and instantly solve these crimes that are planned by crazies, masterminded by people who have lots of skills in the wrong areas.

We do our share; we really do. I think it is unfair to cast a net. Yes, I disagree with the decision on the vote of the U.N., but I trusted this administration, I trusted our Government to say, OK, the reason we don't want to do it is to create a further imbalance, to further enrage the Palestinian young people, to further the violence that is going on there. We have hopes for peace. Our mission is peace, not to make more war.

So while we disagree—in hindsight it is always easy to disagree—the fact is, President Clinton picked up bag and baggage, went there overnight to try to bring the parties together. He is not disengaged by a longshot. We are not taking the Palestinian side in any issue. We are friends of Israel, but we are also cognizant that the Palestinians are humans. We don't want harm brought to them, either.

I am sorry to get so passionate about this, but I have strong views and I just disagree with our colleague from Oklahoma.

Mr. NICKLES. Mr. President, I didn't hear total disagreement. I think I heard my colleague say he agreed with me that the administration should have vetoed the U.N. resolution that strongly condemned Israel and was silent about Palestinian violence. We agree.

I think he also said he agreed with me that we should be very assertive in trying to find those people responsible for the Khobar Towers, for that bombing that was so damaging, that killed 19 Americans, wounded a couple hundred others. We haven't had success. He is critical of the Saudi Government. So am I.

The point being, our language and our rhetoric in some cases has exceeded our results. When we had two American embassies that were bombed, what did we do? We lobbed a few cruise missiles. We don't know if those hit the people who were directly responsible or not.

The point is, if you are going to hold people accountable, you want to hold the people who are directly accountable for committing the crime against American citizens who killed American citizens, and we haven't done that in the two latest cases of terrorism. Frankly, if you don't hold them accountable, I think that sends a bad signal.

I would agree with my colleague from New Jersey, we should certainly hold people accountable for the U.S.S. *Cole*. Likewise we should hold people accountable on Khobar Towers and on American embassies, and that hasn't happened yet. That was my point.

THE AGRICULTURE CONFERENCE REPORT

Mr. NICKLES. Mr. President, I want to comment on the Agriculture conference report that just passed overwhelmingly today in the Senate. It already passed the House and it will be going to the President to be signed. In my opinion, there are a couple of provisions in this bill that really should not have been included and are serious mistakes that may come back to haunt Congress or will require Congress to change their actions.

One of them deals with private contracts. I happen to believe very strongly in private contracts. I came from the business sector, the private sector. When Congress interferes in private contracts, it ought to have a good reason. It ought to know what it is doing. Frankly, it should hardly ever do so. In this case, we put some language in this bill that I venture to say very few of our colleagues—maybe only a couple—even know it exists or what its ramifications will be.

There is language in the Agriculture conference report that doesn't deal with Agriculture but deals with reimportation of drugs. Yes, we debated reimportation language on the Senate floor, but we didn't debate this contracting issue.

Senator JEFFORDS offered an amendment dealing with reimportation of drugs. However, the amendment offered by Senator JEFFORDS contained some serious flaws, which led me to oppose the amendment. For example, the original Senate language included a provision that would have established two separate standards for drugs that were sold in the United States. One standard, which is current law, with regard to drugs that are manufactured and sold in the U.S. And a separate, and in my opinion, inferior standard for drugs that are imported or reimported into the U.S. Fortunately, the conference agreement corrected the flaws of the original Jeffords language and will require that all drugs, including those imported by businesses other than the manufacturer, must fully comply with Section 505 of the Federal Food, Drug and Cosmetic Act. This means that every importer must ensure that all safety standards which are included in a new drug approval application (NDA) are fully met for every drug which is imported into the U.S. Additionally, the conference agreement retained Senator COCHRAN's amendment that perfected and improved the Jeffords amendment to require that the Secretary ensure that if drugs are imported, U.S. safety standards will be used to ensure that these drugs pose no risk to the public health and that consumers will benefit from any potential savings prior to this law going into effect. I supported the Cochran amendment and I am pleased that this bill included that language.

However, in conference, new language was added that was not in either the House bill or the Senate bill. It wasn't in any of the language adopted on the Senate floor. This language states:

No manufacturer of covered products—[prescription drugs]—may enter into a contract or agreement that includes a provision to prevent the sale or distribution of covered products under this subsection.

What does that mean? Well, it means that this Congress could either abrogate or direct contracts which don't meet this new federal test. I think that is a serious problem. This could make it illegal for a patent holder to insert a clause into a private licensing agreement with a foreign distributor that prevents a foreign distributor from reselling that product for any reason.

This proposal could prohibit any private agreement that limits or restricts the sale of drugs, including quantities, territories, resale conditions, or other normal terms of commerce.

I think this Congress is inappropriately intruding into commerce in ways that we don't have any idea what we are doing, what the ramifications may be and may in fact be unconsitutional. But that's not all. Additionally, the language we have adopted would direct the U.S. Government to sanction companies that structure their business relationships with foreign distributors in a manner inconsistent with the legislation. A lot of these businesses have been doing business with people to resell their drugs, and we are going to say they are not doing it right so we can fine them. We may in fact require them to sell to anybody. Can they resell in any way they want to? Not according to this language. So a manufacturer can lose total control of its products and this may at some point result in a number of counterfeit drugs and other safety problems. How is this type of provision consistent with the basic concept of private property and freedom to contract? It is not. It really makes no sense. Have we had any hearings on this? No. If you restrict this kind of contract for pharmaceutical companies, why in the world can't you do it for any other contract? So somebody says, wait a minute; this just deals with pharmaceutical products. Frankly, if Congress can insert itself into contracting language, are we going to do the same thing on contracts between auto dealers or other private business.

There is a little bill floating around that would try to do that. We can do it on other contracts where maybe we deem we have superior wisdom to all the business groups out there or anybody who has a contract, that we know better. What does this language mean? What is its impact? We are going to go and give the authority to fine somebody if they don't comply. Wow. This is in an appropriations bill. It didn't come through the Judiciary Committee or a committee composed of people who work on contracts or work on judicial issues. We are setting up that kind of a program, and I am embarrassed for us to do that.

This type of legislating sets a horrible precedent for other businesses as well. It is not appropriate for this Congress to force American manufacturers to sell their products to consumers that they do not want to sell to under contract terms that the federal government approves. This type of requirement is unfair and lacks common sense. I predict it will raise serious constitutional questions as well and may interfere with the exercise of intellectual property rights. It is unfortunate that this language was included in this bill. I think this is a serious mistake.

It is somewhat similar to another mistake, in my opinion, included in this bill, which is title X, the continued dumping and subsidies offset. It is a brand new provision. It is a provision inserted in the Agriculture conference. It deals with subsidies and with dumping. Those are trade issues, trade sanctions, usually handled in the Ways and Means Committee in the House and the Finance Committee in the Senate. This didn't go through either. I will tell my colleagues this provision could not pass the Finance Committee. It could not pass the Ways and Means Committee.

This runs directly contrary, frankly, to free trade and the idea of trying to expand trade. This says if you have a dumping complaint, and if you happen to win, the benefits go back directly to that company, directly to the individuals involved. So there is a reward and incentive that if you file a dumping complaint and win, you will receive benefits. This encourages lawsuits on dumping because you can win the ''lottery.'' Here they come. It doesn't make sense. It is probably not WTO consistent. This says ''consistent with the rights under the World Trade Organization.'' I venture to say that it is not consistent with WTO rights in any way, shape, or form. It will probably be thrown out by the courts.

Why are we doing this? I am on the Finance Committee, and did we have a hearing on this? No, we did not. Did the Ways and Means Committee have a hearing on this? I don't believe so. But all of a sudden, it is inserted into a conference report which is not amendable. Some colleagues say they don't like this process. I don't like this process either. I think it is bad legislation. I think it can come back to haunt us, and we could be talking about hundreds and hundreds of millions of dollars from this provision alone.

Again, how many colleagues are even aware that this is in the bill? We have committees of jurisdiction, such as the Judiciary Committee, that should be dealing with contracts and they should have handled this contracting issue. My guess is that they would have scrubbed it and done a better job. The Finance Committee, which deals with trade, would totally reject this idea of rewarding people if they file successful dumping lawsuits.

Mr. President, it is with regret that I say there are other aspects of this Agriculture appropriations bill, which has grown substantially, that bother this Senator. We would end up passing a bill that increases budget authority over the President by 22 percent in outlays and 24 percent in budget authority. That bothers me. It bothers me when we see growth in the discretionary portion of this bill to that extent—to be growing at 24 percent I don't think is affordable or responsible. I could go on.

Also, there are expansions of entitlements. I remember earlier this year when we passed emergency assistance, and we busted that. We busted it big time. I understand there are a lot of problems. We had a drought as bad as anybody. Texas suffered from a drought and so did we. This is fiscally irresponsible, in my opinion. And because of the provision dealing with dumping and the abrogation of contracts, or the changing of contracts, and the total cost of this bill, regretfully, this Senator had to vote against the Agriculture conference report.

I see my colleague from Alabama is here. I am prepared to wrap up. How long does he wish to speak?

Mr. SESSIONS. Fifteen minutes.

Mr. NICKLES. I will give the Senator from Alabama the pleasure of closing the Senate then.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Alabama is recognized.

THANKING THE ASSISTANT MAJORITY LEADER

Mr. SESSIONS. Mr. President, the assistant majority leader is becoming the conscience of this Senate. It is a thankless task to say no on bills as popular as the Agriculture bill—something that was important for my State. I voted for it and I respect it. I think it is also important if we are going to have any respect for our ultimate budget requirements, the people in our leadership need to stand up and speak out, and I appreciate him doing so. He provides great leadership for us.

CONGRESS' OVERSIGHT RESPONSIBILITIES

Mr. SESSIONS. Mr. President, I am concerned that we as a Congress have not been as effective in our oversight responsibility as we should. I want to share some remarks on that subject in a minute. The distinguished assistant majority leader made some remarks about our failure to identify, prosecute, and hold to account individuals who have committed terrorist acts against American service men and women and citizens. That is an important issue. In fact, we have not been effective at it.

I remember when the attack was made on the Sudan pharmacy, the pill factory there. I remember the attack made on the facility in Afghanistan not long after that. The committee on which I serve had a hearing where the Director of the FBI, Louis Freeh; former Director of the CIA under President Clinton, Mr. Woolsey; and Jean Kirkpatrick discussed that event.

Prior to that time, I had publicly stated that I did not believe President Clinton had utilized these attacks to distract attention from the domestic problems he was having at home. People were suggesting it was a ''wag the dog'' syndrome—an attack that may not have been justified but helped distract public attention from his own troubles. I said no about that. But I must admit after having heard at that hearing these distinguished Americans discuss how that attack was conducted that I was very troubled. I really did not believe it made a lot of sense to just lob missiles into a factory and hope that was justified factually; that it was a factory that may have had something to do with it; and, who would be injured. That kind of thing was very troubling, and certainly had no realistic impact or potential to hurt Bin Laden who may have been involved in that. In fact, he is under indictment now for terrorist acts.

Then in Afghanistan, we just shot off some missiles. We don't know whether or not anybody was hurt. That is all it was. So we retaliated. We had done something. We didn't really do anything. That is the fact. We really did not do anything. Nobody involved in that terrorist act that we know of to this day has been held to account because of it.

We have to be prepared to work hard to identify who was involved in those activities, and to do everything we can to arrest them and bring them into custody, and, if not and if they resist, to be able to take them out wherever they may be.

That is just the plain fact of it. Bin Laden, for example, has openly declared war on the United States. The attack on this vessel—the U.S.S. *Cole*—was more than just a terrorist attack. It was an act of war. We have every right, and we have a duty as any great nation does to defend itself and its ability to send its ships on the open seas, and to enter port in which it should be safe. We have every right, and we have a duty to respond to that. If we don't do so, who will be next? Who else will be hurt? I left the memorial service at Norfolk just today. It was a very moving ceremony with all of those sailors standing on the *Eisenhower*. When the Chief of Naval Operations for the Atlantic finished his speech, he said, ''Remember the *Cole*.'' When the ceremony was over, one of those sailors on that great aircraft carrier yelled ''Remember the *Cole*.'' It is our responsibility to remember those 17 who are no longer with us and the ones who are injured. We cannot allow this kind of activity time and time and time again, as Senator NICKLES said, to be carried out and nothing happen.

I am glad he talked about that. We need to do better.

OVERSIGHT OF GOVERNMENT BUILDINGS AND LEASES

Mr. SESSIONS. Mr. President, I believe it is our responsibility as Members of Congress to do unglamorous work called oversight. It is our duty to make sure our governmental agencies are, on a daily basis, spending money wisely and not ripping off the American taxpayer. I believe that is a constitutional duty. I believe we are legitimately criticized in this body for not being more aggressive about that. I have tried to resolve it. I am going to do better. I am going to take some action with regard to what I consider to be poor expenditures of money.

I initiated a project in my office I call ''Integrity Watch.'' We examine suspected cases of waste, fraud, and abuse in the Federal Government. I think that is healthy.

I have exposed the enormous costs associated with the building of a new United Nations mission in New York. That building came in at $88 million. It is nothing more than an office space for governmental employees who work at the U.N., and for two-thirds of the year almost half as many people are there. Only half the year will the space be nearly utilized.

It came in on a per square foot basis as the most expensive building that this Government has ever built—more expensive than our great Federal courthouses, some of which have been criticized like the one in Boston. It is more expensive per square foot than those great Federal courthouses.

Today I alert my colleagues to a problem I have noted. I hope we are not seeing a pattern of abuse of taxpayers.

The General Services Administration, the Government's landlord, is responsible for purchasing, leasing, and refurbishing the buildings that house Federal agencies and Departments. My concern is that too often Congress is simply rubber stamping leasing requests of GSA without exercising careful oversight responsibilities. Specifically, I am concerned about the proposed expenditure of Federal funds to lease space for the Department of Transportation and the procedure being used in that process.

In 1996, GSA came to Congress to receive authorization to secure a new lease for DOT. The current lease was to expire on March 31 of 2000. The prospectus GSA provided to Congress was very simple. It plainly stated that GSA ''proposes a replacement lease of 1,199,000 to 1,320,000 rentable square feet of space and 145 official inside parking spaces for the Department of Transportation.''

That was basically it.

On November 6 of 1997, the Senate Committee on Environment and Public Works, of which I was a member at that time, approved a resolution authorizing GSA to secure an operating lease for the headquarters. The resolution was just as simple as the prospectus. It was a one-page resolution authorizing GSA to enter into an operating lease not to exceed 20 years for approximately 1.1 million net usable square feet of space plus 145 official parking spaces at an estimated annual cost of $55 million plus escalations.

Almost 2 years after GSA was given the go-ahead to procure the lease, the agency issued a 250-page solicitation for offers asking people to make proposals to secure this space for DOT. Buried in this SFO—Solicitation for Offers—are a number of alarming statements used by GSA in making its decision which may have a profound impact on the cost and the quality of the building, and, more importantly, the expense that we as taxpayers will pay over the next few decades.

It strikes me that GSA may well be deliberately ignoring their 1997 mandate, or at least violating the spirit and intent of the congressional authorization. One only needs to review the 250-page SFO to determine that GSA has decided unilaterally to go far beyond what they were authorized to lease by Congress.

Specifically, the requirement in the SFO that proposals are to provide a level of quality consistent with ''the highest quality commercial office buildings over 250,000 square feet in Washington, DC.''

I don't believe a Federal office building has to be equal to the highest quality private office space in this city. Federal dollars are paying for the building—taxpayer dollars—and that requirement cannot be justified.

Additionally, the congressional authorizing resolution said nothing about GSA securing a lease equal to the highest quality commercial building. They weren't given that commission.

I am also concerned about what appears to be the lavish excesses included in the performance specifications. Just for example, the SFO explains that the passenger elevators—this is not a ceremonial building; this is an office building—are to be made of ''premium quality natural stone or terrazzo,'' and that the walls in each passenger elevator are to be ''a combination of premium quality architectural wood paneling, premium quality natural stone, and finished metal.''

I think this shows a real sense of disconnect from the American people, even of arrogance. Most families in the United States work hard to achieve the American dream of building and owning a home but can't afford to place ''premium quality architectural wood paneling'' in their home. Why should their hard-earned tax dollars that are extracted from them be spent so that Government workers can ride up and down these elevators with ''premium quality natural stone'' floors?

Additionally, I am concerned that other Government agencies will come to expect this same ''highest quality, best-in-class'' office space in Washington, DC, whether in a leased or renovated Government building. This could have a snowballing effect and create a procurement and budgetary drain on the country.

I am also disturbed by GSA's clear statement that price and cost to the Government are significantly less important than the scoring on technical factors.

In Alabama, families who are building a home first start with a budget. Once they begin to design a home, if they cannot afford a ''premium quality natural stone or terrazzo'' floor for the dining room, they may be forced to settle for a less expensive alternative. For the majority of families in this country, price and cost are the determining factors in all their decisions when they are building a new home. Why should the Government think it should act differently?

It is my belief that among the finalists who can clearly and credibly show that they meet the space and program requirements of the SFO, price and cost should clearly be the determining factor ultimately in making the lease award. To select a building on any other basis than best value seems, to me, quite unjustifiable.

In the next few weeks, GSA will make their decision on the location of the Department of Transportation headquarters building. I will be sending a letter to Senator BOB SMITH, the outstanding chairman of the Senate Committee on Environment and Public Works. I thank Chairman SMITH for taking a hard look at the U.N. building, too, in his role as the committee chairman. I will ask him and his committee to work with me to look into the procedures and standards that were passed by Congress in 1997 versus the solicitation for offer being used by GSA today for the Department of Transportation building.

I am afraid that under the current system, GSA is working with vague guidelines from Congress, very vague guidelines. In fact, their language, as I noted earlier, was ''$55 million plus escalations.'' That is not a crack in the door. That is a wide-open door, big enough to drive a truck through. I think they are using these vague guidelines, and these guidelines allow them to be free to set their own standards, potentially allowing them to commit to a building of unjustifiable expense.

I believe this Congress has a responsibility to our constituents to oversee and ensure all Government leases and all Government expenditures across the board, and that they are awarded to provide the Government the best quality. If we refuse to look at this, I believe we will have failed the taxpayers who will be paying for this bill. We will be potentially burdening them with an exorbitant price tag for simple office space beyond reason and justification.

I believe if we allow GSA to proceed with their current plans, we will not have followed through on our requirements of oversight to ensure that these moneys for lease space are properly approved. We want good space for the employees at the Department of Transportation. I hear they are happy where

they are. They are not asking to go to a new building or have a new building. We need to be sure that we give them a new 15-year lease, wherever it is, and that it is comparable in price. We ought not to spend a whole bunch of money to get a fancy new building somewhere at much greater expense than what they have if they are happy where they are. This is not a building that is old; it is about 30 years old. We need to look at that. I will be writing the chairman. I think we need to talk more about that.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on today's Executive Calendar: No. 659, John E. McLaughlin, of Pennsylvania, to be Deputy Director of Central Intelligence.

I further ask unanimous consent the nomination be confirmed, the motion to consider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

CENTRAL INTELLIGENCE

John E. McLaughlin, of Pennsylvania, to be Deputy Director of Central Intelligence.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDER FOR STAR PRINT

Mr. SESSIONS. Mr. President, I ask unanimous consent that S. Res. 376, previously agreed to, be modified and star printed with the changes that are at the desk.

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

ORDER FOR STAR PRINT

Mr. SESSIONS. I further ask unanimous consent that the report to accompany S. 2580 be star printed with the changes that are at the desk.

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

REAUTHORIZING GRANTS UNDER THE WATER RESOURCES RESEARCH ACT OF 1984

Mr. SESSIONS. I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 4132, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4132) to reauthorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984.

There being no objection, the Senate proceeded to consider the bill.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4132) was read the third time and passed.

RELEASE OF MR. EDMOND POPE

Mr. SESSIONS. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H. Con. Res. 404, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 404) calling for the immediate release of Mr. Edmond Pope from prison in the Russian Federation for humanitarian reasons, and for other purposes.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SESSIONS. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 404) was agreed to.

The preamble was agreed to.

RECOGNIZING AND ADMITTING ISRAEL'S MAGEN DAVID ADOM SOCIETY

Mr. SESSIONS. I ask unanimous consent the Senate now proceed to the immediate consideration of Calendar No. 863, S. Res. 343.

The PRESIDING OFFICER. The clerk will report the resolution by title.

A resolution (S. Res. 343) expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society, with its emblem, the Red Shield of David.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SESSIONS. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this resolution be printed in the RECORD.

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

The resolution (S. Res. 343) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 343

Whereas Israel's Magen David Adom Society has since 1930 provided emergency relief to people in many countries in times of need, pain, and suffering, regardless of nationality or religious affiliation;

Whereas in the past year alone, the Magen David Adom Society has provided invaluable humanitarian services in Kosovo, Indonesia, Ethiopia, and Eritrea, as well as Greece and Turkey in the wake of the earthquakes that devastated these countries;

Whereas the American Red Cross has recognized the superb and invaluable work done by the Magen David Adom Society and considers the exclusion of the Magen David Adom Society from the International Red Cross and Red Crescent Movement ''an injustice of the highest order'';

Whereas the American Red Cross has repeatedly urged that the International Red Cross and Red Crescent Movement recognize the Magen David Adom Society as a full member, with its emblem;

Whereas the Magen David Adom Society utilizes the Red Shield of David as its emblem, in similar fashion to the utilization of the Red Cross and Red Crescent by other national societies;

Whereas the Red Cross and the Red Crescent have been recognized as protective emblems under the Statutes of the International Red Cross and Red Crescent Movement;

Whereas the International Committee of the Red Cross has ignored previous requests from the United States Congress to recognize the Magen David Adom Society;

Whereas the Statutes of the International Red Cross and Red Crescent Movement state that it ''makes no discrimination as to nationality, race, religious beliefs, class or political opinions,'' and it ''may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature'';

Whereas although similar national organizations of Iraq, North Korea, and Afghanistan are recognized as full members of the International Red Cross and Red Crescent Movement, the Magen David Adom Society has been denied membership since 1949;

Whereas in the six fiscal years 1994 through 1999, the United States Government provided a total of $631,000,000 to the International Committee of the Red Cross and $82,000,000 to the International Federation of Red Cross and Red Crescent Societies; and

Whereas in fiscal year 1999 alone, the United States Government provided $119,500,000 to the International Committee of the Red Cross and $7,300,000 to the International Federation of Red Cross and Red Crescent Societies: Now, therefore, be it

Resolved, That—

(1) the International Committee of the Red Cross should immediately recognize the Magen David Adom Society and the Magen David Adom Society should be granted full membership in the International Red Cross and Red Crescent Movement;

(2) the International Federation of Red Cross and Red Crescent Societies should grant full membership to the Magen David Adom Society immediately following recognition by the International Committee of the Red Cross of the Magen David Adom Society;

(3) the Magen David Adom Society should not be required to give up or diminish its use of its emblem as a condition for immediate and full membership in the International Red Cross and Red Crescent Movement; and

(4) the Red Shield of David should be accorded the same recognition under international law as the Red Cross and the Red Crescent.

CONDEMNING THE ASSASSINATION OF FATHER JOHN KAISER

Mr. SESSIONS. I ask unanimous consent the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 146, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Con. Res. 146) condemning the assassination of Father John Kaiser and others in Kenya and calling for a thorough investigation to be conducted in those cases, a report on the progress made in such an investigation to be submitted to Congress by December 15, 2000, and a final report on such an investigation to be made public, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SESSIONS. I ask unanimous consents the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (S. Con. Res. 146) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. CON. RES. 146

Whereas Father John Kaiser, a Catholic of the Order of the Mill Hill Missionaries and a native of Minnesota, who for 36 years served as a missionary in the Kisii and Ngong Dioceses in the Republic of Kenya and advocated the rights of all Kenyans, was shot dead on Wednesday, August 23, 2000;

Whereas Father Kaiser was a frequently outspoken advocate on issues of human rights and against the injustice of government corruption in Kenya;

Whereas fellow priests report that Father Kaiser spoke to them of his fear for his life on the night before his assassination;

Whereas the murders of Father Stallone, Father Graife, and Father Luigi Andeni, all of Marsabit Diocese in Kenya, the circumstances of the murder of Brother Larry Timors of Nakaru Diocese in Kenya, the murder of Father Martin Boyle of Eldoret Diocese, and the murders of other local human rights advocates in Kenya have not yet been fully explained, nor have the perpetrators of these murders been brought to justice;

Whereas the report of a Kenyan governmental commission, known as the Akiwumi Commission, on the government's investigation into tribal violence between 1992 and 1997 in Kenya's Great Rift Valley has not yet been released in spite of several requests by numerous church leaders and human rights organizations to have the Commission's findings released to the public;

Whereas, after Father Kaiser's assassination, documents were found on his body that he had intended to present to the Akiwumi Commission;

Whereas the nongovernmental Kenyan Human Rights Commission has expressed fear that the progress achieved in Kenya during the last few years in the struggle for democracy, the rule of law, respect for human rights, and meeting the basic needs of all Kenyans is jeopardized by the current Kenyan government; and

Whereas the 1999 Country Report on Human Rights released by the Bureau of Democracy, Human Rights, and Labor of the Department of State reports that the Kenyan Government's ''overall human rights record was generally poor, and serious problems remained in many areas; while there were some signs of improvement in a few areas, the situation worsened in others.'': Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) condemns the violent deaths of Father John Kaiser and others who have worked to promote human rights and justice in the Republic of Kenya and expresses its outrage at those deaths;

(2) calls for a thorough investigation of those deaths that includes other persons in addition to the Kenyan authorities;

(3) calls on the Secretary of State, acting through the Assistant Secretary of State for Democracy, Human Rights, and Labor, to prepare and submit to Congress, by December 15, 2000, a report on the progress made on investigating these killings, including, particularly, a discussion of the actions taken by the Kenyan government to conduct an investigation as described in paragraph (2);

(4) calls on the President to support investigation of these killings through all diplomatic means; and

(5) calls for the final report of such an investigation to be made public.

225TH BIRTHDAY OF THE U.S. NAVY

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of S. Res. 373, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 373) recognizing the 225th birthday of the United States Navy.

There being no objection, the Senate proceeded to consider the resolution.

• Mr. GRAMS. Mr. President, today it is my pleasure to pay tribute to the United States Navy as it celebrates the 225th anniversary of its founding. The Navy can be proud of a distinguished heritage, a heritage longer than that of the United States itself. Because of the dedicated service of our nation's sailors, Americans can feel secure that our shores are free from foreign aggression, and the world's oceans and seaways are open for peaceful commerce. The recent terrorist attack on the U.S.S. *Cole,* resulting in the death or presumed death of 17 sailors, reminds us of the personal risk that the members of our Navy bravely face every day, in peacetime as well as wartime.

On October 13, 1775, the Second Continental Congress authorized the acquisition of ships and establishment of a navy. Within a few days, a Naval Committee was established to coordinate the purchase of ships and the recruitment of personnel, and to draft rules regulating the Navy's administration. Although the Continental Navy of the Revolutionary War was rather humble compared to today's Navy—it was made up of only 40 vessels at its peak—it played an important role in the miraculous success of the American Revolution. The Navy was able to seize almost 200 British ships as prizes, including many off the British coast, and this forced the British to divert valuable warships to the protection of transport convoys. It was in one of these raids that the legendary John Paul Jones uttered his immortal words: ''I have not yet begun to fight!'' And this spirit of unflagging courage and selfless discharge of duty has animated the hearts of every sailor since.

Our Founding Fathers saw the role of the Navy as important enough to merit specific mention in Article I, Section 8 of the Constitution, which empowers Congress to ''provide and maintain a Navy.'' As American history has unfolded since then, the U.S. Navy has distinguished itself in every major armed conflict in the history of our country, from the War of 1812 and the Civil War all the way to the Gulf War and the conflict in Kosovo.

As we enter the 21st century, the U.S. Navy is without question the preeminent sea power in the world. On October 2, 2000, the active fleet contained 318 ships and 4,108 aircraft, and over 373,000 active-duty personnel filled the Navy's ranks. The U.S. Naval Academy in Annapolis provides its midshipmen with an academically rigorous curriculum, and no less important, leadership and character development. This rigorous preparation continues at a more advanced level at the Naval War College, which teaches the latest naval doctrine and strategy to senior and mid-level officers. Thanks to these prestigious institutions, the U.S. Navy boasts the finest and best qualified naval officers in the world, and the ability to face with confidence any challenge to American security.

According to the Navy, its mission is to ''maintain, train and equip combat-ready naval forces capable of winning wars, deterring aggression and maintaining freedom of the seas.'' No matter where a sailor serves, whether on an aircraft carrier, submarine, battleship, cruiser, or naval base, his or her contribution is vital to fulfilling this mission. The Navy's worldwide reach allows our country to maintain U.S. national security through dominance of the seas, a dominance made possible by a combination of highly trained service members and highly sophisticated technology.

I'd like to take this opportunity to thank in particular those Minnesotans who have served, or are currently serving, in the Navy. I am proud of them, and they should know that their sacrifices on behalf of the cause of freedom are not taken for granted by their friends and neighbors in Minnesota.

I'm sure my colleagues will join me in recognizing the rich heritage and

dedicated service of the United States Navy on its anniversary.●

Mr. SESSIONS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 373) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 373

Whereas on Friday, October 13, 1775, the Continental Congress, representing the citizens of 13 American colonies, passed a resolution which stated ''That a swift sailing vessel, to carry ten carriage guns, and a proportionable number of swivels, with eighty men, be fitted, with all possible dispatch, for a cruise of three months, and that the commander be instructed to cruise eastward, for intercepting such transports as may be laden with warlike stores and other supplies for our enemies, and for such other purposes as the Congress shall direct.'';

Whereas the founders recognized the essential nature of a Navy to the strength and longevity of the Nation by providing authority to Congress ''To provide and maintain a Navy'' in article I of the Constitution;

Whereas a Naval Committee was established to build a fitting Navy for our fledgling country, acquire and fit out vessels for sea, and draw up regulations;

Whereas the Continental Navy began a proud tradition, carried out for 225 years by our United States Navy, to protect our island Nation and pursue the causes of freedom we hold so dear;

Whereas, for the past 225 years, the central mission of the Navy has been to protect the interests of our Nation around the world on the high seas, to fight and win the wars of our Nation, and to maintain control of the sea lines of communication enabling this Nation and other free nations to grow and prosper;

Whereas, whether in peace or at war, United States citizens around the world can rest assured that the United States Navy is on watch, ever vigilant, and ready to respond;

Whereas, for the past 225 years, Navy men and women, as both ambassadors and warriors, have won extraordinary distinction and respect for the Nation and its Navy on the high seas, among the ocean depths, on distant shores, and in the skies above;

Whereas the core values of ''Honor, Courage, and Commitment'' are the guides by which United States sailors live and serve;

Whereas the United States Navy today is the most capable, most respected, and most effective sea service in the world;

Whereas 75 percent of the land masses in the world are bounded by water and 75 percent of the population of the world lives within 100 miles of the sea, assuring that our Naval forces will continue to be called upon to respond to emerging crises, to maintain freedom of the sea, to deter would-be aggressors, and to provide our allies with a visible reassurance of the support of the United States of America; and

Whereas, no matter what the cause, location, or magnitude of future conflicts, the Nation can rely on its Navy to produce well-trained, well-led, and highly motivated sailors to carry out the missions entrusted to them: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic significance of the 225th birthday of the United States Navy;

(2) expresses the appreciation of the people of the United States to the Navy, and the men and women who have served in the Navy, for 225 years of dedicated service;

(3) honors the courage, commitment, and sacrifice that Americans have made throughout the history of the Navy; and

(4) gives special thanks to the extended Navy family of civilians, family members, and loved ones who have served and supported the Navy for the past 225 years.

UNANIMOUS CONSENT AGREEMENT—S. 2508

Mr. SESSIONS. Mr. President, I ask unanimous consent that at a time determined by the majority leader, after consultation with the minority leader, the Senate proceed to the consideration of Calendar No. 723, S. 2508 and it be considered under the following terms: 30 minutes for debate on the bill equally divided in the usual form; the only amendments in order be a substitute amendment No. 4303, submitted by Senator CAMPBELL. Further, I ask unanimous consent that a Feingold amendment be in order to the substitute relative to non-Indian water users and limited to 30 minutes equally divided in the usual form.

I further ask unanimous consent that following the above debate time, the Senate proceed to vote in relation to the Feingold amendment; further, the substitute amendment then be agreed to, as amended, if amended, the bill then be read the third time, and the Senate proceed to a vote on passage of the bill, with no further intervening action or debate.

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

EARTH, WIND, AND FIRE AUTHORIZATION ACT OF 2000

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 760, S. 1639.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1639) to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service and Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, Science, and Transportation with an amendment, as follows:

[Strike out all after the enacting clause and insert the part printed in italic.)

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Earth, Wind, and Fire Authorization Act of 2000''.

TITLE I—EARTHQUAKE HAZARDS REDUCTION ACT

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—Section 12(a)(7) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(a)) is amended—

(1) by striking ''and'' after ''1998''; and

(2) by striking ''1999.'' and inserting ''1999; $19,861,000 for the fiscal year ending September 30, 2001, of which $450,000 shall be used to support the National Earthquake Hazard Reduction Program-eligible efforts of an established multi-state consortium to reduce the unacceptable threat of earthquake damages in the New madrid seismic region through efforts to enhance preparedness, response, recovery, and mitigation; $20,953,000 for the fiscal year ending September 30, 2002; and $22,105,000 for the fiscal year ending September 30, 2003.''.

(b) UNITED STATES GEOLOGICAL SURVEY.—Section 12(b) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(b)) is amended—

(1) by inserting after ''operated by the Agency.'' the following: ''There are authorized to be appropriated to the Secretary of the Interior for purposes of carrying out, through the Director of the United States Geological Survey, the responsibilities that may be assigned to the Director under this Act $47,360,000 for fiscal year 2001; $49,965,000 for fiscal year 2002; and $52,713,000 for fiscal year 2003.'';

(2) by striking ''and'' at the end of paragraph (1);

(3) by striking ''1999,'' at the end of paragraph (2) and inserting ''1999;''; and

(4) by inserting after paragraph (2) the following:

''(3) $9,000,000 of the amount authorized to be appropriated for fiscal year 2001;

''(4) $9,250,000 of the amount authorized to be appropriated for fiscal year 2002; and

''(5) $9,500,000 of the amount authorized to be appropriated for fiscal year 2003,''.

(c) NATIONAL SCIENCE FOUNDATION.—Section 12(c) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(c)) is amended—

(1) by striking ''1998, and'' and inserting ''1998,''; and

(2) by striking ''1999.'' and inserting ''1999, and (5) $19,000,000 for engineering research and $11,900,000 for geosciences research for the fiscal year ending September 30, 2001. There are authorized to be appropriated to the National Science Foundation $20,045,000 for engineering research and $12,555,000 for geosciences research for fiscal year 2002 and $21,147,000 for engineering research and $13,246,000 for geosciences research for fiscal year 2003.''.

(d) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Section 12(d) of the Eearthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(d)) is amended—

(1) by striking ''1998, and''; and inserting ''1998,''; and

(2) by striking ''1999.'' and inserting ''1999, $2,332,000 for fiscal year 2001, $2,460,000 for fiscal year 2002, and $2,595,300 for fiscal year 2003.''.

SEC. 102. REPEALS.

Section 10 and subsections (e) and (f) of section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705d and 7706 (e) and (f)) are repealed.

SEC. 103. ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM.

The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at the end the following new section:

''SEC. 13. ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM.

''(a) ESTABLISHMENT.—The Director of the United States Geological Survey shall establish and operate an Advanced National Seismic Research and Monitoring System. The purpose of such system shall be to organize, modernize, standardize, and stabilize the national, regional, and urban seismic monitoring systems in the United States, including sensors, recorders, and data analysis centers, into a coordinated system that will measure and record the full range of frequencies and amplitudes exhibited

by seismic waves, in order to enhance earthquake research and warning capabilities.

''(b) MANAGEMENT PLAN.—Not later than 90 days after the date of the enactment of the Earthquake Hazards Reduction Authorization Act of 2000, the Director of the United States Geological Survey shall transmit to the Congress a 5-year management plan for establishing and operating the Advanced National Seismic Research and Monitoring System. The plan shall include annual cost estimates for both modernization and operation, milestones, standards, and performance goals, as well as plans for securing the participation of all existing networks in the Advanced National Seismic Research and Monitoring System and for establishing new, or enhancing existing, partnerships to leverage resources.

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) EXPANSION AND MODERNIZATION.—In addition to amounts appropriated under section 12(b), there are authorized to be appropriated to the Secretary of the Interior, to be used by the Director of the United States Geological Survey to establish the Advanced National Seismic Research and Monitoring System—

''(A) $33,500,000 for fiscal year 2001;

''(B) $33,700,000 for fiscal year 2002;

''(C) $35,100,000 for fiscal year 2003;

''(D) $35,000,000 for fiscal year 2004; and

''(E) $33,500,000 for fiscal year 2005.

''(2) OPERATION.—In addition to amounts appropriated under section 12(b), there are authorized to be appropriated to the Secretary of the Interior, to be used by the Director of the United States Geological Survey to operate the Advanced National Seismic Research and Monitoring System—

''(A) $4,500,000 for fiscal year 2001; and

''(B) $10,300,000 for fiscal year 2002.''.

SEC. 104. NETWORK FOR EARTHQUAKE ENGINEERING SIMULATION.

The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at the end the following new section:

''SEC. 14. NETWORK FOR EARTHQUAKE ENGINEERING SIMULATION.

''(a) ESTABLISHMENT.—The Director of the National Science Foundation shall establish a Network for Earthquake Engineering Simulation that will upgrade, link, and integrate a system of geographically distributed experimental facilities for earthquake engineering testing of full-sized structures and their components and partial-scale physical models. The system shall be integrated through net-working software so that integrated models and databases can be used to create model-based simulation, and the components of the system shall be interconnected with a computer network and allow for remote access, information sharing, and collaborative research.

''(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated under section 12(c), there are authorized to be appropriated, out of funds otherwise authorized to be appropriated to the National Science Foundation, $28,200,000 for fiscal year 2001 for the Network for Earthquake Engineering Simulation. In addition to amounts appropriated under section 12(c), there are authorized to be appropriated to the National Science Foundation for the Network for Earthquake Engineering Simulation—

''(1) $24,400,000 for fiscal year 2002;

''(2) $4,500,000 for fiscal year 2003; and

''(3) $17,000,000 for fiscal year 2004.''.

SEC. 105. BUDGET COORDINATION.

Section 5 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704) is amended—

(1) by striking subparagraph (A) of subsection (b)(1) and redesignating subparagraphs (B) through (F) of subsection (b)(1) as subparagraphs (A) through (E), respectively;

(2) by striking ''in this paragraph'' in the last sentence of paragraph (1) of subsection (b) and inserting ''in subparagraph (E)''; and

(3) by adding at the end the following new subsection;

''(c) BUDGET COORDINATION.—

''(1) GUIDANCE.—The Agency shall each year provide guidance to the other Program agencies concerning the preparation of requests for appropriations for activities related to the Program, and shall prepare, in conjunction with the other Program agencies, an annual Program budget to be submitted to the Office of Management and Budget.

''(2) REPORTS.—Each Program agency shall include with its annual request for appropriations submitted to the Office of Management and Budget a report that—

''(A) identifies each element of the proposed Program activities of the agency;

''(B) specifies how each of these activities contributes to the Program; and

''(C) states the portion of its request for appropriations allocated to each element of the Program.''.

SEC. 106. REPORT ON AT-RISK POPULATIONS.

Not later than one year after the date of the enactment of this Act, and after a period for public comment, the Director of the Federal Emergency Management Agency shall transmit to the Congress a report describing the elements of the Program that specifically address the needs of at-risk populations, including the elderly, persons with disabilities, non-English-speaking families, single-parent households, and the poor. Such report shall also identify additional actions that could be taken to address those needs and make recommendations for any additional legislative authority required to take such actions.

SEC. 107. PUBLIC ACCESS TO EARTHQUAKE INFORMATION.

Section 5(b)(2)(A)(ii) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(2)(A)(ii)) is amended by inserting '', and development of means of increasing public access to available locality-specific information that may assist the public in preparing for or responding to earthquakes'' after ''and the general public''.

SEC. 108. LIFELINES.

Section 4(6) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7703(6)) is amended by inserting ''and infrastructure'' after ''communication facilities''.

TITLE II—NATIONAL WEATHER SERVICE AND RELATED AGENCIES AUTHORIZATION ACT

SEC. 201. DEFINITIONS.

For purposes of this title, the term—

(1) ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration; and

(2) ''Secretary'' means the Secretary of Commerce.

SEC. 202. NATIONAL WEATHER SERVICE.

(a) OPERATIONS, RESEARCH, AND FACILITIES.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the Operations, Research, and Facilities activities of the National Weather Service $634,872,000 for fiscal year 2001, $669,790,000 for fiscal year 2002, and $706,628,000 for fiscal year 2003, to remain available until expended. Of such amounts—

(1) $466,471,000 for fiscal year 2001, $492,127,000 for fiscal year 2002, and $519,194,000 for fiscal year 2003 shall be for Local Warnings and Forecasts;

(2) $1,000,000 for fiscal year 2001, $1,055,000 for fiscal year 2002, and $1,113,000 for fiscal year 2003 shall be for Advanced Hydrological Prediction System;

(3) $619,000 for fiscal year 2001, $653,000 for fiscal year 2002, and $689,000 for fiscal year 2003 shall be for Susquehanna River Basin Flood Systems;

(4) $35,596,000 for fiscal year 2001, $37,554,000 for fiscal year 2002, and $39,619,000 for fiscal year 2003 shall be for Aviation Forecasts;

(5) $5,250,000 for fiscal year 2001, $5,539,000 for fiscal year 2002, and $5,843,000 for fiscal year 2003 shall be for Weather Forecast Offices (WFO) Facilities Maintenance;

(6) $38,001,000 for fiscal year 2001, $40,091,000 for fiscal year 2002, and $42,296,000 for fiscal year 2003 shall be for Central Forecast Guidance;

(7) $3,068,000 for fiscal year 2001, $3,237,000 for fiscal year 2002, and $3,415,000 for fiscal year 2003 shall be for Atmospheric and Hydrological Research;

(8) $38,802,000 for fiscal year 2001, $40,936,000 for fiscal year 2002, and $43,188,000 for fiscal year 2003 shall be for Next Generation Weather Radar (NEXRAD);

(9) $7,423,000 for fiscal year 2001, $7,831,000 for fiscal year 2002, and $8,262,000 for fiscal year 2003 shall be for Automated Surface Observing System (ASOS); and

(10) $38,642,000 for fiscal year 2001, $40,767,000 for fiscal year 2002, and $43,010,000 for fiscal year 2003 shall be for Advanced Weather Interactive Processing System (AWIPS).

(b) PROCUREMENT, ACQUISITION, AND CONSTRUCTION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the Procurement, Acquisition, and Construction activities of the National Weather Service $75,360,000 for fiscal year 2001, $77,754,000 for fiscal year 2002, and $71,012,000 for fiscal year 2003 to remain available until expended. Of such amounts—

(1) $9,580,000 for fiscal year 2001, $16,798,000 for fiscal year 2002, and $15,931,000 for fiscal year 2003 shall be for Next Generation Weather Radar (NEXRAD).

(2) $5,125,000 for fiscal year 2001, $5,125,000 for fiscal year 2002, and $5,125,000 for fiscal year 2003 shall be for Automated Surface Observing System (ASOS).

(3) $17,300,000 for fiscal year 2001, $17,300,000 for fiscal year 2002, and $9,645,000 for fiscal year 2003 shall be for Advanced Weather Interactive Processing System (AWIPS);

(4) $13,085,000 for fiscal year 2001, $17,505,000 for fiscal year 2002, and $19,285,000 for fiscal year 2003 shall be for Center Computer Facilities Upgrades;

(5) $7,000,000 for fiscal year 2001, $7,000,000 for fiscal year 2002, and $7,000,000 for fiscal year 2003 shall be for Radiosonde Replacement;

(6) $9,526,000 for fiscal year 2001, $9,526,000 for fiscal year 2002, and $9,526,000 for fiscal year 2003 shall be for Weather Forecast Office (WFO) Construction;

(7) $6,244,000 for fiscal year 2001, $4,500,000 for fiscal year 2002, and $4,500,000 for fiscal year 2003 shall be for NOAA Weather Radio Expansion; and

(8) $5,500,000 for fiscal year 2001 shall be for the Evansville Infrastructure Protection.

SEC. 203. ATMOSPHERIC RESEARCH.

(a) OPERATIONS, RESEARCH, AND FACILITIES.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the Atmospheric Research Operations, Research, and Facilities environmental research and development activities of the Office of Oceanic and Atmospheric Research $201,963,000 for fiscal year 2001, $213,071,000 for fiscal year 2002, and $224,790,000 for fiscal year 2003 to remain available until expended.

(2) CLIMATE AND AIR QUALITY RESEARCH.—Of the amounts authorized under paragraph (1), $154,356,000 for fiscal year 2001, $162,846,000 for fiscal year 2002, and $171,802,000 for fiscal year 2003 shall be for Climate and Air Quality Research, of which—

(A) $14,986,000 for fiscal year 2001, $15,813,000 for fiscal year 2002, and $16,683,000 for fiscal year 2003 shall be for Interannual and Seasonal Climate Research;

(B) $30,525,000 for fiscal year 2001, $32,204,000 for fiscal year 2002, and $33,975,000 for fiscal year 2003 shall be for Long-Term Climate and Air Quality Research;

(C) $67,095,000 for fiscal year 2001, $70,785,000 for fiscal year 2002, and $74,678,000 for fiscal year 2003 shall be for Climate and Global Change;

(D) $5,000,000 for fiscal year 2001, $5,275,000 for fiscal year 2002, and $5,565,000 for fiscal year 2003 shall be for Global Learning and Observations to Benefit the Environment (GLOBE); and

(E) $12,750,000 for fiscal year 2001, $13,451,000 for fiscal year 2002, and $14,191,000 for fiscal year 2003 for High Performance Computing and Communications.

(3) ATMOSPHERIC PROGRAMS.—Of the amounts authorized under paragraph (1), $47,607,000 for fiscal year 2001, $50,225,000 for fiscal year 2002, and $52,988,000 for fiscal year 2003 shall be for Atmospheric Programs, of which—

(A) $37,075,000 for fiscal year 2001, $39,114,000 for fiscal year 2002, and $41,265,000 for fiscal year 2003 shall be for Weather Research;

(B) $4,350,000 for fiscal year 2001, $4,589,000 for fiscal year 2002, and $4,842,000 for fiscal year 2003 shall be for Wind Profiler; and

(C) $6,182,000 for fiscal year 2001, $6,522,000 for fiscal year 2002, and $6,881,000 for fiscal year 2003 shall be for Solar-Terrestrial Services and Research.

(b) PROCUREMENT, ACQUISITION, AND CONSTRUCTION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the Atmospheric Research Procurement, Acquisition, and Construction environmental research and development activities of the Office of Oceanic and Atmospheric Research $7,000,000 for fiscal year 2001, $7,000,000 for fiscal year 2002, and $7,000,000 for fiscal year 2003, for the Geophysical Fluid Dynamics Laboratory Supercomputer.

SEC. 204. NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE.

(a) OPERATIONS, RESEARCH, AND FACILITIES.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the Operations, Research, and Facilities environmental research and development and related activities of the National Environmental Satellite, Data and Information Service $108,201,000 for fiscal year 2001, $114,152,000 for fiscal year 2002, and $120,430,000 for fiscal year 2003 to remain available until expended.

(2) SATELLITE OBSERVING SYSTEMS.—Of the amounts authorized under paragraph (1), $63,412,000 for fiscal year 2001, $66,900,000 for fiscal year 2002, and $70,579,000 for fiscal year 2003 shall be for Satellite Observing Systems, of which—

(A) $5,500,000 for fiscal year 2001, $5,803,000 for fiscal year 2002, and $6,122,000 for fiscal year 2003 shall be for Global Disaster Information Network (GDIN);

(B) $4,000,000 for fiscal year 2001, $4,220,000 for fiscal year 2002, and $4,452,000 for fiscal year 2003 shall be for Ocean Remote Sensing; and

(C) $53,912,000 for fiscal year 2001, $56,877,000 for fiscal year 2002, and $60,005,000 for fiscal year 2003 shall be for Environmental Observing Services.

(3) ENVIRONMENTAL DATA MANAGEMENT SYSTEMS.—Of the amounts authorized under paragraph (1), $44,879,000 for fiscal year 2001, $47,252,000 for fiscal year 2002, and $49,851,000 for fiscal year 2003 shall be for Environmental Data Management Systems.

(b) PROCUREMENT, ACQUISITION, AND CONSTRUCTION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the Procurement, Acquisition, and Construction environmental research and development and related activities of the National Environmental Satellite, Data and Information Service $445,828,000 for fiscal year 2001, $515,271,000 for fiscal year 2002, and $554,945,000 for fiscal year 2003 to remain available until expended of such amounts—

(1) $136,965,000 for fiscal year 2001, $136,965,000 for fiscal year 2002, and $103,010,000 for fiscal year 2003 shall be for the procurement and launch of, and supporting ground systems for, Polar Orbiting Environmental Satellites (POES), K, L, M, N, and N′.

(2) $76,654,000 for fiscal year 2001, $156,731,000 for fiscal year 2002, and $236,471,000 for fiscal year 2003 shall be for the procurement and launch of, and supporting ground systems for, the National Polar-Orbiting Operational Environmental Satellite System (NPOESS).

(3) $323,209,000 for fiscal year 2001, $221,575,000 for fiscal year 2002, and $215,464,000 for fiscal year 2003 shall be for the procurement and launch of, and supporting ground systems for, Geo-stationary Operational Environment NEXT follow-on Satellites (GOES N–Q).

SEC. 205. MINORITY SERVING INSTITUTIONS.

There are authorized to be appropriated $17,000,000 for fiscal year 2001, $17,935,000 for fiscal year 2002, and $18,921,000 for fiscal year 2003 for Minority Serving Institutions in the Atmospheric, Environmental, and Oceanic Sciences.

SEC. 206. INTERNET AVAILABILITY OF INFORMATION.

The Administrator shall make available through the Internet home page of the National Oceanic and Atmospheric Administration the abstracts relating to all research grants and awards made with funds authorized by this Act. Nothing in this section shall be construed to require or permit the release of any information prohibited by law or regulation from being released to the public.

TITLE III—FIRE ADMINISTRATION AUTHORIZATION ACT

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

(1) by striking ''and'' at the end of subparagraph (G);

(2) by striking the period at the end of subparagraph (H) and inserting a semicolon; and

(3) by adding at the end the following:

''(I) $69,753,000 for fiscal year 2001;

''(J) $46,096,000 for fiscal year 2002; and

''(K) $47,479,000, for fiscal year 2003.''.

None of the funds authorized for fiscal years 2001 and 2002 may be obligated unless the Administrator has verified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that the obligation of funds is consistent with the strategic plan transmitted under section 302 of this Act.

SEC. 302. STRATEGIC PLAN.

(a) REQUIREMENT.—Not later than April 30, 2000, the Administrator of the United States Fire Administration shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 5-year strategic plan of program activities for the United States Fire Administration.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall include—

(1) a comprehensive mission statement covering the major functions and operations of the United States Fire Administration in the areas of training; research, development, test and evaluation; new technology and non-developmental item implementation; safety; counterterrorism; data collection and analysis; and public education;

(2) general goals and objectives, including those related to outcomes, for the major functions and operations of the United States Fire Administration;

(3) a description of how the goals and objectives identified under paragraph (2) are to be achieved, including operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;

(4) an analysis of the strengths and weaknesses of, opportunities for, and threats to the United States Fire Administration;

(5) an identification of the fire-related activities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies, and a discussion of how those activities can be coordinated with and contribute to the achievement of the goals and objectives identified under paragraph (2);

(6) a description of objective, quantifiable performance goals needed to define the level of performance achieved by program activities in training, research, data collection and analysis, and public education, and how these performance goals relate to the general goals and objectives in the strategic plan;

(7) an identification of key factors external to the United States Fire Administration and beyond its control that could affect significantly the achievement of the general goals and objectives;

(8) a description of program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations;

(9) a plan for the timely distribution of information and educational materials to State and local firefighting services, including volunteer, career, and combination services throughout the United States;

(10) a description of how the strategic plan prepared under this section will be incorporated into the strategic plan and the performance plans and reports of the Federal Emergency Management Agency;

(11)(A) a description of the current and planned use of the Internet for the delivery of training courses by the National Fire Academy, including a listing of the types of courses and a description of each course's provisions for real time interaction between instructor and students, the number of students enrolled, and the geographic distribution of students, for the most recent fiscal year;

(B) an assessment of the availability and actual use by the National Fire Academy of Federal facilities suitable for distance education applications, including facilities with teleconferencing capabilities; and

(C) an assessment of the benefits and problems associated with delivery of instructional courses using the Internet, including limitations due to network bandwidth at training sites, the availability of suitable course materials, and the effectiveness of such courses in terms of student performance;

(12) timeline for implementing the plan; and

(13) the expected costs for implementing the plan.

SEC. 303. RESEARCH AGENDA.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the United States Fire Administration, in consultation with the Director of the Federal Emergency Management Agency, the Director of the National Institute of Standards and Technology, representatives of trade, professional, and nonprofit associations, State and local firefighting services, and other appropriate entities, shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the United States Fire Administration's research agenda and including a plan for implementing that agenda.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) identify research priorities;

(2) describe how the proposed research agenda will be coordinated and integrated with the programs and capabilities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies;

(3) identify potential roles of academic, trade, professional, and non-profit associations, and

other research institutions in achieving the research agenda;

(4) provide cost estimates, anticipated personnel needs, and a schedule for completing the various elements of the research agenda;

(5) describe ways to leverage resources through partnerships, cooperative agreements, and other means; and

(6) discuss how the proposed research agenda will enhance training, improve State and local firefighting services, impact standards and codes, increase firefighter and public safety, and advance firefighting techniques.

(c) USE IN PREPARING STRATEGIC PLAN.—The research agenda prepared under this section shall be used in the preparation of the strategic plan required by section 302.

SEC. 304. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

''SEC. 33. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

''The Administrator shall make publicly available, including through the Internet, information on procedures for acquiring surplus and excess equipment or property that may be useful to State and local fire, emergency, and hazardous material handling service providers.''.

SEC. 305. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

The Federal Fire Prevention and Control Act of 1974, as amended by section 304, is amended by adding at the end the following new section:

''SEC. 34. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

''The Administrator shall make publicly available, including through the Internet, information on procedures for establishing cooperative agreements between State and local fire and emergency services and Federal facilities in their region relating to the provision of fire and emergency services.''.

SEC. 306. NEED FOR ADDITIONAL TRAINING IN COUNTERTERRORISM.

(a) IN GENERAL.—The administrator of the United States Fire Administration shall conduct an assessment of the need for additional capabilities for Federal counterterrorism training of emergency response personnel.

(b) CONTENTS OF ASSESSMENT.—The assessment conducted under this section shall include—

(1) a review of the counterterrorism training programs offered by the United States Fire Administration and other Federal agencies;

(2) an estimate of the number and types of emergency response personnel that have, during the period between January 1, 1994, and October 1, 1999, sought training described in paragraph (1), but have been unable to receive that training as a result of the oversubscription of the training capabilities; and

(3) a recommendation on the need to provide additional Federal counterterrorism training centers, including—

(A) an analysis of existing Federal facilities that could be used as counterterrorism training facilities; and

(B) a cost-benefit analysis of the establishment of such counterterrorism training facilities.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prepare and submit to the Congress a report on the results of the assessment conducted under this section.

SEC. 307. WORCESTER POLYTECHNIC INSTITUTE FIRE SAFETY RESEARCH PROGRAM.

From the funds authorized to be appropriated by section 301, $1,000,000 may be expended for the Worcester Polytechnic Institute fire safety research program.

AMENDMENT NO. 4323

(Purpose: To authorize appropriations for earthquake reduction activities, and for other purposes)

Mr. SESSIONS. Mr. President, Senator FRIST has an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. FRIST, proposes an amendment numbered 4323.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. SESSIONS. Mr. President, I ask unanimous consent that the amendment be agreed to, the committee amendment, as amended, be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 4323) was agreed to.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1639), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

FIRE ADMINISTRATION AUTHORIZATION ACT OF 2000

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 1550 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1550) to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HOLLINGS. Mr. President, the United States has over 2 million fires annually. Each one can devastate a family or business. I should know. Last year, I lost my home in Charleston, SC to fire. The statistics—approximately 4500 deaths, 30,000 civilian injuries, more than $8 billion in direct property losses, and more than $50 billion in costs to taxpayers each year—do not tell the whole story. A fire can take away a lifetime of things that have true value only to the person who has suffered the loss. The tragic thing is that most of these fires are preventable.

H.R. 1550 would authorize appropriations for the United States Fire Administration for fiscal years 2001, 2002, and 2003. The Fire Administration provides invaluable services—such as training, data, arson assistance, and research for better safety equipment and clothing—to the more than 1.2 million paid and volunteer firefighters throughout the Nation.

The administration's FY 2001 budget request for the Fire Administration was $69 million, $25 million of which was for grants to local fire departments. S. 1941, the Firefighter Investment and Response Enhancement Act, authorizes $100 million in FY 2001 and $300 million in FY 2002 for these grants. That bill was ordered to be reported by the Commerce Committee on Spetember 20, 2000. Subsequently, the text of S. 1941, as reported, was included in the Department of Defense Authorization Act. Therefore, the substitute amendment to H.R. 1550 now under consideration does not include funding for grants to local fire departments within the Fire Administration's FY 2001 authorization.

The bill also provides additional funding for counterterrorism training, requires the Fire Administration to submit a strategic plan and a plan for research, and makes technical corrections to the Fire Prevention and Control Act of 1974 and the National Fallen Firefighters Foundation Act. I support H.R. 1550 and urge its immediate passage.

AMENDMENT NO. 4324

(Purpose: To authorize appropriations for the Fire Administration, and for other purposes)

Mr. SESSIONS. Mr. President, Senator FRIST has an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. FRIST, proposes an amendment numbered 4324.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. SESSIONS. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1550), as amended, was read the third time and passed.

HONORING THE MEMBERS OF THE CREW OF THE GUIDED MISSILE DESTROYER U.S.S. ''COLE'' WHO WERE KILLED OR WOUNDED IN THE TERRORIST BOMBING ATTACK ON THAT VESSEL

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 378, submitted by Senator WARNER for himself and others.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 378) honoring the members of the crew of the guided missile destroyer U.S.S. *Cole* (DDG–67) who were killed or wounded in the terrorist bombing attack on that vessel in Aden, Yemen, on October 12, 2000, expressing the sympathies of the Senate to the families of those crew members, commending the ship's crew for their heroic damage control efforts, and condemning the bombing of that ship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 378) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 378

Whereas the guided missile destroyer U.S.S. COLE (DDG–67) was severely damaged on October 12, 2000, when a boat bomb exploded alongside that ship while on a refueling stop in Aden, Yemen;

Whereas the explosion resulted in a 40-by-45 foot hole in the port side of the ship at the waterline and left seven of the ship's crew dead, ten who as of October 17, 2000, are missing and presumed dead, and over three dozen wounded;

Whereas the U.S.S. COLE had stopped in Aden for routine refueling while in transit from the Red Sea to the Persian Gulf to conduct forward maritime presence operations in the Persian Gulf region as part of the U.S.S. George Washington battle group;

Whereas the members of the United States Navy killed and wounded in the bombing were performing their duty in furtherance of the national security interests of the United States;

Whereas United States national security interests continue to require the forward deployment of elements of the Armed Forces;

Whereas the members of the Armed Forces are routinely called upon to perform duties that place their lives at risk;

Whereas the crew members of the U.S.S. COLE who lost their lives as a result of the bombing of their ship on October 12, 2000, died in the honorable service to the Nation and exemplified all that is best in the American people; and

Whereas the heroic efforts of the surviving crew members of the U.S.S. Cole after the attack to save their ship and rescue their wounded shipmates are in the highest tradition of the United States Navy: Now, therefore, be it

Resolved, That the Senate, in response to the terrorist bombing attack on the U.S.S. COLE (DDG–67) on October 12, 2000, while on a refueling stop in Aden, Yemen, hereby—

(1) honors the members of the crew of the U.S.S. COLE who died as a result of that attack and sends heartfelt condolences to their families, friends, and loved ones;

(2) honors the members of the crew of the U.S.S. COLE who were wounded in the attack for their service and sacrifice, expresses its hopes for their rapid and complete recovery, and extends its sympathies to their families;

(3) commends the crew of the U.S.S. COLE for their heroic damage control efforts; and

(4) condemns the attack against the U.S.S. COLE as an unprovoked and cowardly act of terrorism.

Mr. SESSIONS. Mr. President, I will just add that I know how deeply Senator WARNER feels about this. I am very appreciative that he submitted this resolution. Senator WARNER served in both the Marines and the Navy, serving as Secretary of the Navy, and now serves as chairman of the Armed Services Committee. He and a substantial delegation of Senators and Congressmen attended the services today for those sailors we lost on the Cole.

We need to remember the Cole, and we need to remember the hundreds of thousands of service men and women who are serving us around the globe who cannot be fully protected where they are. I think this is an important resolution today. It is appropriate that this Senate pauses to remember them.

MEMORIALIZING THE SAILORS OF THE NAVY LOST IN THE ATTACK ON THE U.S.S. ''COLE ''

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 379, submitted earlier by Senator SNOWE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 379) memorializing the sailors of the Navy lost in the attack on the U.S.S. Cole (DDG–67) in the port of Aden, Yemen, on October 12, 2000; extending condolences to their families and other loved ones; extending sympathy to the members of the crew of that vessel who were injured in the attack; and commending the entire crew for its performance and professionalism in saving the U.S.S. Cole.

There being no objection, the Senate proceeded to consider the resolution.

Ms. SNOWE. Mr. President, I rise today to express how deeply saddened and angered I am by the apparent terrorist attack on the U.S.S. *Cole* on October 12th. Earlier today, along with many of my distinguished colleagues, I attended a memorial service in Norfolk, Virginia, the homeport of *Cole*. It was an emotional event. The nation lost 17 of its sons and daughters in the prime of their lives.

And we ask why? Why did this happen? I am hopeful that the details of the facts of this despicable act will be determined by the vigorous ongoing investigation. But I will tell my colleagues why—it is because we have national interests throughout the world and we have established a world wide military presence to protect these interests. We rely on these courageous young men and women who have volunteered to serve in our military to make the sacrifices necessary to protect these national interests. Mr. President, these young men and women of the U.S.S. *Cole* who were lost have made the ultimate sacrifice.

As the chair of the Seapower Subcommittee, I submitted a Senate resolution to memorialize those Sailors who were lost and to extend our heartfelt condolences to their families, shipmates, and other loved ones, to express our concern for the Sailors injured in the attack and wish them a speedy and full recovery, and to commend the entire crew for the performance and professionalism in saving their shipmates and their ship. You all remain in our prayers.

With this apparent terrorist attack, once again, we were brutally reminded of the dangers and risks that our young men and women who serve in uniform face each hour of the day as they safeguard our nation's security interests around the world. In difficult times, one's true colors are revealed—and so I applaud the valiant and courageous actions of the entire crew of the U.S.S. *Cole* as they fought to save their shipmates and their ship from this despicable act.

The courageous crew of the *Cole* embodies the motto of their ship as ''Determined Warriors.'' As we watched those first pictures unfold before our eyes I was struck by their professionalism, skill, and pride in fulfilling their duties. In that photo which shows a close up of the gaping hole at the waterline, I notice Sailors working on the deck just above, at once no doubt shocked and saddened by the loss of their shipmates, yet doing their jobs running pumps, securing lines, and carrying out the myriad other duties in this emergency with courage and determination.

Although I will reserve my judgement on the specific cause of this tragedy until the formal investigation has concluded and those responsible have been identified, there should be no mistake: those who want to disrupt peace and deter our nation from our global responsibilities must know that we will leave no stone unturned in our search to determine who is culpable. They must and will be held accountable. And I feel strongly that the US should keep all options open in determining the appropriate actions for holding those responsible accountable for this cowardly action.

The courage and resoluteness in the face of adversity shown by the gallant crew of the U.S.S. *Cole* is a national characteristic of Americans and when we are attacked under such circumstances, we all become ''determined warriors.''

The men and women of our armed forces are today's patriots who remain ever vigilant against those who seek to undermine peace and stability in the uncertain world in which we live. I have said before and I continue to believe that one of the United States' greatest blessings is that so many of her young men and women elect to stand vigil knowing full well the sacrifices they may be called upon to make. Certainly, America is stronger for their sacrifice and remains forever indebted.

Mr. President, again it is with the deepest sorrow that I rise today to

mourn the loss of our brave Sailors—my heart goes out to their families as well as those who have suffered injuries and their loved ones. May God grant them comfort and solace in the days ahead. It is my hope that, with this enrolled resolution, they will know that the entire nation grieves with them.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 379) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 379

Whereas the Arleigh Burke class destroyer U.S.S. Cole (DDG–67) was attacked in the port of Aden, Yemen, on October 12, 2000, apparently by terrorists who, by insidious ruse, drew along side the vessel in a small boat containing powerful explosives that detonated next to the hull of the vessel;

Whereas the horrific explosion in that attack resulted in the loss of 17 sailors and injury to another 39 sailors, all of them being members of the Navy serving in the crew of the U.S.S. Cole;

Whereas those sailors who lost their lives made the ultimate sacrifice in the service of the United States and the Navy;

Whereas all of the remaining members of the crew of the U.S.S. Cole responded valiantly and courageously to save their ship from sinking from the explosion and, in so doing, proved themselves to be ''Determined Warriors'', the motto of their ship; and

Whereas the men and women of the crew of the U.S.S. Cole, like all of the men and women of the Armed Forces, are the current patriots who stand ever vigilant against the attacks of those who seek to undermine peace and stability in an uncertain world: Now, therefore, be it

Resolved, That (a) the Senate memorializes those sailors of the Navy who were lost in the despicable attack on the U.S.S. Cole (DDG–67) on October 12, 2000, in the port of Aden, Yemen, as follows:

(1) Richard Costelow, Electronics Technician First Class, of Morrisville, Pennsylvania.

(2) Cherone Louis Gunn, Signalman Seaman Recruit, of Rex, Georgia.

(3) James Rodrick McDaniels, Seaman, of Norfolk, Virginia.

(4) Craig Bryan Wibberley, Seaman Apprentice, of Williamsport, Maryland.

(5) Timothy Lamont Saunders, Operations Specialist Second Class, of Ringold, Virginia.

(6) Lakiba Nicole Palmer, Seaman Recruit, of San Diego, California.

(7) Andrew Triplett, Ensign, of Macon, Mississippi.

(8) Lakeina Monique Francis, Mess Management Specialist, of Woodleaf, North Carolina.

(9) Timothy Lee Gauna, Information Systems Technician Seaman, of Rice, Texas.

(10) Ronald Scott Owens, Electronics Warfare Technician Third Class, of Vero Beach, Florida.

(11) Patrick Howard Roy, Fireman Apprentice, of Cornwall on the Hudson, New York.

(12) Kevin Shawn Rux, Electronics Warfare Technician Second Class, of Portland, North Dakota.

(13) Ronchester Manangan Santiago, Mess Management Specialist Third Class, of Kingsville, Texas.

(14) Gary Graham Swenchonis, Jr., Fireman, of Rockport, Texas.

(15) Kenneth Eugene Clodfelter, Hull Maintenance Technician Third Class, of Mechanicsville, Virginia.

(16) Mark Ian Neito, Engineman Second Class, of Fond du Lac, Wisconsin.

(17) Joshua Langdon Parlett, Engineman Fireman, of Churchville, Maryland.

(b) The Senate extends condolences to the members of the families, other loved ones, and shipmates of those devoted sailors who made the ultimate sacrifice in the service of the United States.

(c) It is the sense of the Senate that all of the people of the United States join the Chief of Naval Operations and the other members of the Navy in mourning the grievous loss of life among the members of the crew of the U.S.S. Cole resulting from the attack on that vessel.

SEC. 2. The Senate—

(1) recognizes the loss, sacrifice, valor, and determination of the surviving members of the crew of the U.S.S. Cole;

(2) extends sympathy to the 39 sailors of that crew who were injured in the attack on their vessel; and

(3) commends the members of the crew for their remarkable performance, professionalism, skill, and success in fulfilling their duties to support and save the U.S.S. Cole following the attack.

SEC. 3. The Secretary of the Senate shall transmit an enrolled copy of this resolution to the Chief of Naval Operations, the commanding officer of the U.S.S. Cole, and the family of each member of the United States Navy who was lost in the attack on the U.S.S. Cole (DDG–67) in the port of Aden, Yemen, on October 12, 2000.

Mr. SESSIONS. Mr. President, the Senator from Maine, Ms. SNOWE, chairs the Seapower Subcommittee in the Armed Services Committee, of which I am honored to be a member. I likewise appreciate very much her interest in expressing our sympathy to the families of those sailors who were lost.

ORDERS FOR THURSDAY, OCTOBER 19, 2000

Mr. SESSIONS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until the hour of 10:30 a.m. on Thursday, October 19. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period of morning business until 12:30, with the time equally divided between the two leaders or their designees, with Senators speaking for up to 5 minutes, with the following exceptions: Senator ASHCROFT for the first 15 minutes; Senator DURBIN or his designee, 15 minutes.

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

Mr. SESSIONS. Mr. President, I further ask unanimous consent that the Senate recess from 12:30 until 2:15 to accommodate a party caucus.

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

PROGRAM

Mr. SESSIONS. For the information of all Senators, I say on behalf of the majority leader, following the recess on Thursday, the Senate may consider the VA-HUD appropriations conference report, if available; a continuing resolution, if received from the House; or a procedural vote with respect to the bankruptcy reform issue. Therefore, rollcall votes will occur during Thursday's session of the Senate.

RECESS UNTIL 10:30 A.M. TOMORROW

Mr. SESSIONS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 7:29 p.m., recessed until Thursday, October 19, 2000, at 10:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate October 18, 2000:

CENTRAL INTELLIGENCE

JOHN E. MCLAUGHLIN, OF PENNSYLVANIA, TO BE DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE.

EXTENSIONS OF REMARKS

TRIBUTE TO JASON HAYES OF MADISON, ALABAMA

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 2000

Mr. CRAMER. Mr. Speaker, I rise today to pay tribute to a very brave and fortunate young man from Madison, Alabama, Mr. Jason Hayes. Last Thursday while in a Yemen port, the U.S.S. *Cole* was attacked with a bomb that blew open a 40 by 40 ft. hole in the midsection of the ship. The attack destroyed an engine room and nearby mess hall. Hayes was on the mess deck at the time and is currently recovering from cuts, bruises, smoke inhalation and a chemical burn on his foot.

Hayes, a third class petty officer on the Navy destroyer, is a hero. The word ''hero'' is not a word to be flippantly uttered—but Hayes and the other surviving sailors aboard the U.S.S. *Cole* that day are heroes. Their quick and brave actions saved lives as well as the ship.

Today, people from all across North Alabama and especially his friends in the Madison area are gathering at the Huntsville International Airport to welcome their hero and his family home. I cannot be there today but I wish I could to join his friends in telling Jason how proud we are of him and how thrilled we are that he is home safe. Hayes is a 1995 graduate of Bob Jones High School and his parents, Jean and Stephen, still live in the Madison community. Our community has come together in this crisis after receiving word of Jason's injuries and it is right that we gather to celebrate his homecoming. Jason and the Hayes family including Jason's wife, Roxanne, in Norfolk have been in our prayers.

What happened last Thursday was an intolerable act of terrorism. Across the country, 17 families are having much different and much more solemn ceremonies than the Hayes today as they bury their sons and daughters who did not survive the attack. My thoughts and prayers are with those families today. I urge our federal agents to exhaust all conceivable avenues to capture those responsible and bring them to justice for this horrific crime.

On behalf of the Congress of the United States, I want to express my gratitude for Jason's bravery and his service. I know today is an emotional and special day for the Hayes family and the Madison community. I hope that this time is a time for them to relish being together and celebrate the bonds of family.

J.T. WEEKER SERVICE CENTER

SPEECH OF

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 2000

Mr. HYDE. Madam Speaker, I rise in support of H.R. 5016, which designates the facility of the United States Postal Service located at 514 Express Center Drive in Chicago, Illinois, as the J.T. Weeker Service Center. It is with great pride that we in the Illinois Congressional Delegation honor a man for whom our entire Nation is eternally grateful.

John Thomas (J.T.) Weeker was born in New York, New York in 1947. He graduated from Cornell University in 1969 and completed Executive Management Programs at Harvard, Pennsylvania State, and Duke Universities.

Mr. Weeker began his career with the Postal Service in 1972 in Akron, Ohio, as District Director, Employee Relations and served in a variety of management positions for the Postal Service throughout the United States. In 1988 he was appointed General Manager/Postmaster of the Albany, NY Field Division, and served in that capacity until 1993, when he was appointed District Manager for the Albany District.

When Mr. Weeker was appointed to direct operations of the U.S. Postal Service's Great Lakes Area in 1995, mail service in the area had been lambasted by public and postal officials the year before. Joining a rehabilitation effort already in progress, Mr. Weeker, known for fostering optimism in his coworkers, stressed employee development and built a professional relationship with the region's largest postal customers. He brought tremendous energy to this effort, despite his own fragile health. In 1977, he received a kidney and pancreas transplant to replace organs damaged by a lifelong struggle with diabetes.

As Vice President of Operations of the Great Lakes Area, Mr. Weeker was responsible for mail processing and distribution, customer service and sales operations in a territory covering most of Illinois, Indiana, and Michigan, serving 25 million customers and staffed by more than 80,000 employees in 32 plants and 2,140 post offices.

Noted for his innovative leadership and team building activities, Mr. Weeker implemented the first extensive Quality Process in the Postal Service and was a founding member of the first national Management by Participation committee. During the four years he directed operations, Mr. Weeker changed operational structures in the office, as well as the way the region examined its performance. As a result, mail delivery times in the Great Lakes Area, and especially in Chicago, improved considerably. In FY 1998, the overnight committed first-class mail arrived on time in the Great Lakes Area 93.4 percent, and 93.5 percent in Chicago and further improvements were seen in FY 1999 and FY 2000.

Mr. Weeker died on January 6, 2000 at the University of Wisconsin Hospital in Madison, Wisconsin. He is survived by his wife, Julia (from Wheaton, Illinois), his parents Samuel and Maxine, his sister Wendy Vaccaro, and his brothers, Brett and Scott.

Madam Speaker, I urge the adoption of H.R. 5016. I thank the gentleman from Illinois (Mr. BLAGOJEVICH) for recognizing this great man from Illinois.

IN HONOR OF SALLY MORILLAS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 2000

Mr. KUCINICH. Mr. Speaker, I rise today to pay tribute to one of Cleveland's finest citizens. Mrs. Sally Morillas. At 86 years old, Mrs. Morillas continues to be an example of selflessness, volunteerism, and the spirit of community.

Sally Morillas was born in Missouri, but she spent most of her childhood in Youngstown, Ohio. Mrs. Morillas became an active force in her community at an early age. Following her graduation from Oberlin College in 1934, Mrs. Morillas was instrumental in organizing the Youngstown Steelworkers Union. She continued her admirable fight on behalf of the Union until moving to Cleveland in 1942.

Since then, Sally Morillas has made immeasurable contributions to the city of Cleveland, particularly for women and the Hispanic community. Her interminable commitment to peace has earned her prominent positions in the Women's International League for Peace and Freedom and Women Speak Out for Peace and Justice. Her unfailing dedication to peace first became evident during the Vietnam War when she participated in anti-war demonstrations in Cleveland and in Washington, DC. However, Mrs. Morillas does not only exercise her political activism during times of war and struggle. She worked diligently on the campaign to lift the embargo on Cuba and on the effort to return Elian Gonzales to his family in Cuba.

Beyond her extraordinary involvement with international issues and world peace, Mrs. Morillas also supports causes that hit closer to home. As a full-time teacher at Glenville High School for 7 years and a substitute teacher for 10 years, Mrs. Morillas aimed to advance the interests of teachers through her membership in the Cleveland Teacher's Union. In addition to the Teacher's Union, Mrs. Morillas honorably served on the first advisory committee of the Hispanic Senior Center, where she is still a member. Finally, she donated considerable time and effort as a senior companion for the Benjamin Rose Institute, a non-profit, health and social services organization that seeks to help Cleveland's elderly population.

Despite her numerous other commitments, Sally Morillas always found time for her family. She has one daughter, Lucha, with her husband Diego Morillas who passed away in 1966.

Mr. Speaker, I ask my fellow colleagues in the House of Representatives to join me today in honoring this remarkable woman, Sally Morillas. The tremendous impact that she has made on her community and the city of Cleveland will last for generations to come.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 19, 2000 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 20

9 a.m.

Armed Services

To hold closed hearings on issues related to the attack on the U.S.S. Cole.

SR–222

Daily Digest

HIGHLIGHTS

Senate agreed to the Conference Report on Agriculture Appropriations.

The House agreed to H. Res. 631, honoring the members of the crew of the guided missile destroyer U.S.S. COLE who were killed or wounded in the terrorist bombing attack in Aden, Yemen, on October 12, 2000, expressing the sympathies of the House of Representatives to the families of those crew members, commending the ship's crew for their heroic damage control efforts, and condemning the bombing of the U.S.S. COLE.

Senate

Chamber Action

Routine Proceedings, pages S10645–S10742

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 3212–3218, and S. Res. 378–379. **Page S10716**

Measures Reported:

S. 2731, to amend title III of the Public Health Service Act to enhance the Nation's capacity to address public health threats and emergencies, with amendments. (S. Rept. No. 106–505)

Report to accompany S. 2917, to settle the land claims of the Pueblo of Santo Domingo. (S. Rept. No. 106–506) **Page S10715**

Measures Passed:

Water Resources Research Act: Committee on Environment and Public Works was discharged from further consideration of H.R. 4132, to reauthorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984, and the bill was then passed, clearing the measure for the President. **Page S10735**

Release of Edmond Pope: Senate agreed to H. Con. Res. 404, calling for the immediate release of Mr. Edmond Pope from prison in the Russian Federation for Humanitarian reasons. **Page S10735**

Israel's Magen David Adom Society Recognition: Senate agreed to S. Res. 343, expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David. **Pages S10735–36**

Condemning Assassination of Father John Kaiser: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 146, condemning the assassination of Father John Kaiser and others in Kenya, and calling for a thorough investigation to be conducted in those cases, a report on the progress made in such an investigation to be submitted to Congress by December 15, 2000, and a final report on such an investigation to be made public, and the resolution was then agreed to. **Page S10736**

U.S. Navy 225th Birthday: Committee on Armed Services was discharged from further consideration of S. Res. 373, recognizing the 225th birthday of the United States Navy, and the resolution was then agreed to. **Pages S10736–37**

Earth, Wind, and Fire Authorization Act: Senate passed S. 1639, to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977, for the National Weather Service and Related Agencies, and for the United States Fire Administration for fiscal years 2000, 2001, and 2002, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S10737–40**

Sessions (for Frist) Amendment No. 4323, in the nature of a substitute. **Page S10740**

Fire Administration Authorization Act: Committee on Commerce, Science, and Transportation

was discharged from further consideration of H.R. 1550, to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Page S10740

Sessions (for Frist) Amendment No. 4324, in the nature of a substitute. **Page S10740**

Honoring U.S.S. Cole Victims: Senate agreed to S. Res. 378, honoring the members of the crew of the guided missile destroyer U.S.S. Cole (DDG–67) who were killed or wounded in the terrorist bombing attack on that vessel in Aden, Yemen, on October 12, 2000, expressing the sympathies of the Senate to the families of those crew members, commending the ship's crew for the heroic damage control efforts, and condemning the bombing of that ship. **Pages S10740–41**

Memorializing U.S.S. Cole Sailors: Senate agreed to S. Res. 379, memorializing the sailors of the Navy lost in the attack on the U.S.S. Cole (DDG–67) in the port of Aden, Yemen, on October 12, 2000; extending condolences to their families and other loved ones; extending sympathy to the members of the crew of that vessel who were injured in the attack; and commending the entire crew for its performance and professionalism in saving the U.S.S. Cole. **Pages S10741–42**

Colorado Ute Settlement Act Amendments: A unanimous-consent-time agreement was reached providing for consideration of S. 2508, to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, with certain amendments to be proposed thereto, at a time to be determined. **Page S10737**

Agriculture Appropriations Conference Report: By 86 yeas to 8 nays (Vote No. 277), Senate agreed to the conference report on H.R. 4461, making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, clearing the measure for the President.

Pages S10648–58, S10669–S10701

Treaties Approved: The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolutions of ratification were agreed to:

Treaty with Mexico on Delimitation of Continental Shelf (Treaty Doc. 106–39), with the declaration and proviso indicated in Section VII;

Protocol Amending the 1950 Consular Convention with Ireland (Treaty Doc. 106–43), with the declaration and proviso indicated in Section VI;

Inter-American Convention on Serving Criminal Sentences Abroad (Treaty Doc. 104–35), with conditions indicated in Section VI;

Treaty with Belize for the Return of Stolen Vehicles (Treaty Doc. 105–54), with declarations and provisos indicated in Section VII;

Treaty with Costa Rica on Return of Vehicles and Aircraft (Treaty Doc. 106–40), with declarations and provisos indicated in Section VII;

Treaty with Dominican Republic for the Return of Stolen or Embezzled Vehicles (Treaty Doc. 106–7), with declarations and provisos indicated in Section VII;

Treaty with Guatemala for the Return of Stolen, Robbed, Embezzled or Appropriated Vehicles and Aircraft (Treaty Doc. 105–58), with declarations and provisos indicated in Section VII;

Treaty with Panama on Return of Vehicles and Aircraft (Treaty Doc. 106–44), declarations and provisos indicated in Section VII;

Investment Treaty with Azerbaijan (Treaty Doc. 106–47), with a declaration and proviso;

Investment Treaty with Bahrain (Treaty Doc. 106–25), with a declaration and proviso;

Investment Treaty with Bolivia (Treaty Doc. 106–26), with a declaration and proviso;

Investment Treaty with Croatia (Treaty Doc. 106–29), with a declaration and proviso;

Investment Treaty with El Salvador (Treaty Doc. 106–28), with a declaration and proviso;

Investment Treaty with Honduras (Treaty Doc. 106–27), with a declaration and proviso;

Investment Treaty with Jordan (Treaty Doc. 106–30), with a declaration and proviso;

Investment Treaty with Lithuania (Treaty Doc. 106–42), with a declaration and proviso;

Investment Treaty with Mozambique (Treaty Doc. 106–31), with a declaration and proviso;

Investment Treaty with Uzbekistan (Treaty Doc. 104–25), with a declaration and proviso;

Protocol Amending Investment Treaty with Panama (Treaty Doc. 106–46);

Treaty with Cyprus on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–35), with an understanding, a declaration, and two provisos;

Treaty with Egypt on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–19), with an understanding, a declaration, and two provisos;

Treaty with France on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–17), with an understanding, a declaration, and two provisos;

Treaty with Greece on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–18), with an understanding, a declaration, and two provisos;

Treaty with Nigeria on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 102–26), with an understanding, a declaration, and two provisos;

Treaty with Romania on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–20), with an understanding, a declaration, and two provisos;

Treaty with South Africa on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–36), with an understanding, a declaration, and two provisos;

Treaty with Ukraine on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–16), with an understanding, a declaration, and two provisos;

Inter-American Convention on Mutual Assistance in Criminal Matters with Related Optional Protocol (Treaty Doc. 105–25), with an understanding, a declaration, and a proviso;

United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought, Particularly in Africa, with Annexes (Treaty Doc. 104–29), with five understandings, three declarations, and two provisos;

Extradition Treaty with Belize (Treaty Doc. 106–38), with an understanding, a declaration, and a proviso;

Extradition Treaty with Paraguay (Treaty Doc. 106–4), with an understanding, a declaration, and a proviso;

Extradition Treaty with South Africa (Treaty Doc. 106–24), with an understanding, a declaration, and a proviso;

Extradition Treaty with Sri Lanka (Treaty Doc. 106–34), with an understanding, a declaration, and a proviso; and

International Plant Protection Convention (IPPC) (Treaty Doc. 106–23), with three understandings, a declaration, and two provisos. **Pages S10658–67**

Nominations Confirmed: Senate Confirmed the following nominations:

John E. McLaughlin, of Pennsylvania, to be Deputy Director of Central Intelligence.

Pages S10735, S10742

Messages From the House: **Pages S10712–13**

Communications: **Pages S10713–15**

Executive Reports of Committees: **Page S10715**

Statements on Introduced Bills: **Pages S10716–22**

Additional Cosponsors: **Pages S10722–23**

Amendments Submitted: **Pages S10724–27**

Additional Statements: **Pages S10707–12**

Privileges of the Floor: **Page S10727**

Record Votes: One record vote was taken today. (Total—277) **Page S10701**

Recess: Senate convened at 10:01 a.m., and recessed at 7:29 p.m., until 10:30 a.m., on Thursday, October 19, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10742.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 17 public bills, H.R. 5482–5498; 3 resolutions, H.J. Res. 114, and H. Res. 641–642 were introduced. **Pages H10256–57**

Reports Filed: Reports were filed today as follows.

H.R. 3250, to amend the Public Health Service Act to improve the health of minority individuals, amended (H. Rept. 106–986);

H.R. 1552, to authorize appropriations for fiscal year 2000 and fiscal year 2001 for the Marine Research and related environmental research and development program activities of the National Oceanic and Atmospheric Administration and the National Science Foundation, amended (H. Rept. 106–987, Pt. 1);

Conference report on H.R. 4635, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001 (H. Rept. 106–988);

H. Res. 637, providing for consideration of H.J. Res. 114, making further continuing appropriations for the fiscal year 2001 (H. Rept. 106–989);

H. Res. 638, waiving points of order against the conference report to accompany H.R. 4635, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001 (H. Rept. 106–990);

H. Res. 639, providing for consideration of S. 2796, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States (H. Rept. 106–991); and

H. Res. 640, providing for the consideration of motions to suspend the rules (H. Rept. 106–992).

Pages H10083–H10224, H10256

Honoring the Crew of the U.S.S. Cole: The House agreed to H. Res 631, honoring the members of the crew of the guided missile destroyer U.S.S. Cole (DDG–67) who were killed or wounded in the terrorist bombing attack on that vessel in Aden, Yemen, on October 12, 2000, expressing the sympathies of the House of Representatives to the families of those crew members, commending the ship's crew for their heroic damage control efforts, and condemning the bombing of that ship by a yea and nay vote of 386 yeas with none voting "nay", Roll No. 531. **Pages H10070–81**

Endangered Fish Recovery Programs for Upper Colorado and San Juan River Basins: The House agreed to S. Con. Res. 151, to make a correction in the enrollment of the bill H.R. 2348, endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.

Page H10069

Five Nations Oklahoma Citizens Land Reform: Agreed by unanimous consent that the Clerk be authorized in the engrossment of H.R. 5308, to amend laws relating to the lands of the citizens of the Muscogee (Creek), Seminole, Cherokee, Chickasaw and Choctaw Nations, historically referred to as the Five Civilized Tribes, to make the correction placed at the desk by Representative Walden of Oregon. The bill was passed under suspension of the rules on Oct. 17, 2000. **Page H10069**

Suspensions: The House agreed to suspend the rules and pass the following measures that were debated on Tuesday, Oct. 17.

National Children's Memorial Day. H. Con. Res. 415, expressing the sense of the Congress that there should be established a National Children's Memorial Day (agreed to by a yea and nay vote of 376 yeas with none voting "nay", Roll No. 532);

Pages H10081–82

Social Security Number Confidentiality: H.R. 3218, to amend title 31, United States Code, to prohibit the appearance of Social Security account numbers on or through unopened mailings of checks or other drafts issued on public money in the Treasury (passed by a yea and nay vote of 385 yeas with none voting "nay", Roll No. 533); **Page H10082**

Fish and Wildlife Programs Improvement and National Wildlife Refuge System Centennial: Agreed to the Senate amendments to H.R. 3671, to amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those Acts—clearing the measure for the President; **Page H10082**

Indian Self-Determination and Education Assistance: H.R. 4148, amended, to make technical amendments to the provisions of the Indian Self-Determination and Education Assistance Act relating to contract support costs; and **Page H10082**

Compensation to Cheyenne River Sioux Tribe for Takings: S. 964, amended, to provide for equitable compensation for the Cheyenne River Sioux Tribe. Earlier, agreed by unanimous consent that the amendment to the bill be deemed to include the corrections placed at the desk by Representative Walden of Oregon. **Pages H10069–70, H10082–83**

Advisory Committee on Student Financial Assistance: The Chair announced the Speaker's reappointment of Mr. Henry Givens of St. Louis, Missouri to the Advisory Committee on Student Financial Assistance for a three-year term. **Page H10083**

Recess: The House recessed at 4:18 p.m. and reconvened at 5:00 p.m. **Page H10070**

Senate Messages: Messages received from the Senate appear on pages H10067 and H10224.

Quorum Calls—Votes: Three yea and nay votes developed during the proceedings of the House today and appear on pages H10080–81, H10081–82, and H10082. There were no quorum calls.

Adjournment: The House met at 4 p.m. and adjourned at 10:38 p.m.

Committee Meetings

FREEDMEN'S BUREAU RECORDS PRESERVATION ACT

Committee on Government Reform: Subcommittee on Government Management, Information, and Technology held a hearing on the "Freedmen's Bureau Records Preservation Act: Are These Reconstruction Era Records Being Protected?" Testimony was heard from Representative Millender-McDonald; the following officials of the National Archives and Records Administration: Reginald Washington, African-American Genealogy Subject Area Specialist; and

Michael J. Kurtz, Assistant Archivist, Record Services; and public witnesses.

WESTERN EUROPE DEVELOPMENTS

Committee on International Relations: Held a hearing on Developments in Western Europe. Testimony was heard from Charles Ries, Principal Deputy Assistant Secretary, Bureau for European Affairs, Department of State.

CONFERENCE REPORT VA, HUD, APPROPRIATIONS, 2001

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report on H.R. 4635, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commission, corporations, and offices for the fiscal year ending September 30, 2001, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Walsh and Mollohan.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2001

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate in the House on H.J. Res. 114, Making further Continuing Appropriations for Fiscal Year 2001, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution. Finally, the rule provides one motion to recommit.

WATER RESOURCES DEVELOPMENT ACT OF 2000

Committee on Rules: Granted, by voice vote, a closed rule on S. 2796, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, providing one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute printed in the Congressional Record and numbered 2 shall be considered as adopted. The rule provides for one motion to recommit with or without instructions. Finally, the rule provides that should the Senate bill, as amended, pass the House, it then shall be in order to move that the House insist on its amendment to S. 2796 and request a conference with the Senate thereon.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a resolution providing that certain suspensions will be in order at any time on the legislative day of Thursday, October 19, 2000. The rule lays House Resolutions 615 and 633 on the table.

VACATED PROCEEDINGS, WATER RESOURCES DEVELOPMENT ACT OF 1999 CONFERENCE REPORT

Committee on Rules: By unanimous consent, vacated the proceedings of the Rules Committee on August 5, 1999 on ordering reported a rule providing for considering of the Conference Report to Accompany S. 506, The Water Resources Development Act of 1999.

COMMITTEE MEETINGS FOR THURSDAY, OCTOBER 19, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings on issues related to the attack on the U.S.S. Cole, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: to hold oversight hearings on the Department of Energy's decision to release 30 million barrels of crude oil from the strategic petroleum reserve and the bid process used to award contracts regarding the same, 9:30 a.m., SH–216.

Full Committee, to hold oversight hearings on potential timber sale contract liability incurred by the government as a result of timber sale contract cancellations, 3 p.m., SD–366.

Committee on the Judiciary: business meeting to mark up S. 1020, to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts; S. Res. 231, referring S. 1456 entitled "A bill for the relief of Rocco A. Trecosta of Fort Lauterdale, Florida" to the chief judge of the United States Court of Federal Claims for a report thereon; S. Res. 340, designating December 10, 2000, as "National Children's Memorial Day"; S. Res. 339, designating November 18, 2000, as "National Survivors of Suicide Day"; the nomination of Gregory A. Vega, of California, to be United States Attorney for the Southern District of California; and to consider a committee resolution for personal appearance subpoena pursuant to Rule 26 to the Department of Energy regarding Secretary Richardson, 9:30 a.m., SD–226.

House

Committee on Commerce, Subcommittee on Energy and Power, hearing on Strategic Petroleum Reserve: A Closer Look at the Drawdown, 9 a.m., 2123 Rayburn.

Committee on Government Reform, to consider the following draft reports entitled: "The Tragedy at Waco: New Evidence Examined;" "Janet Reno's Stewardship of the Justice Department: A Failure to Serve the Ends of Justice;" and "Management Practices at the Office of Workers' Compensation Programs, U.S. Department of Labor," 1 p.m., 2154 Rayburn.

Next Meeting of the **SENATE**

10:30 a.m., Thursday, October 19

Senate Chamber

Program for Thursday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 12:30 p.m.), *Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences;* following which, Senate may begin consideration of the Conference Report on H.R. 4635, VA–HUD Appropriations, if available.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Thursday, October 19

House Chamber

Program for Thursday: Consideration of S. 2796, Water Resources Development Act of 2000 (closed rule, one hour of debate);

Consideration of the conference report on H.R. 4635, VA, HUD Appropriations, 2001 (Rule waiving points of order);

Consideration of H.J. Res. 114, Continuing Appropriations for FY 2001 (closed rule, one hour of debate);

Consideration of H. Res. 640, Providing for Consideration of Motions to Suspend the Rules; and

Consideration of Suspensions (subject to the rule being granted):

(1) H.R. 4541, Commodity Futures Modernization;

(2) H.R. 2780, Kristen's Act;

(3) H. Res. 605, Urging the Implementation of the Amber Plan to recover Abducted Children;

(4) H. Con. Res. 271, Increasing Public Awareness of Multiple Sclerosis;

(5) H.R. 2592, Establishing that low-speed electric bicycles are consumer products subject to the Consumer Products Safety Act; and

Consideration of H. Res. 596, Affirmation of the United States Record on the Armenian Genocide Resolution (closed rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Cramer, Robert E. (Bud), Jr., Ala., E1821
Hyde, Henry J., Ill., E1821
Kucinich, Dennis J., Ohio, E1821

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