

The outgrowth of the major trade agreements I referenced earlier has been a race to the bottom in labor standards, environmental standards, health and safety standards, in nearly every aspect of our economy. A race to the bottom is a race in which even the winners lose.

We need to turn our trade policies around. We need to pursue trade agreements that will promote sustainable economic growth for our Nation and for our trading partners. The resolution I submit today will begin to put us on that path, and I urge my colleagues to support it.

#### AMENDMENTS SUBMITTED & PROPOSED

SA 1659. Mr. REED (for himself, Mr. LEVIN, Mr. KENNEDY, Mrs. FEINSTEIN, and Mr. NELSON, of Florida) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes.

SA 1660. Mr. LEVIN (for himself, Mr. DEWINE, Ms. STABENOW, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1661. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1662. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1663. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1664. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1665. Mr. REID (for Mr. DOMENICI (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2754, supra.

SA 1666. Mr. REID (for Mr. DOMENICI (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2754, supra.

SA 1667. Mr. REID (for Mr. DOMENICI (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2754, supra.

SA 1668. Mr. REID (for Mr. DOMENICI (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2754, supra.

SA 1669. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2754, supra.

SA 1670. Mr. NELSON, of Florida (for himself and Mr. GRAHAM, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1671. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1672. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1673. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1674. Mr. DORGAN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1675. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra.

SA 1676. Mr. DOMENICI (for Mr. KYL) proposed an amendment to the bill H.R. 2754, supra.

SA 1677. Mr. REID (for Mr. DASCHLE (for himself and Mr. JOHNSON)) proposed an amendment to the bill H.R. 2754, supra.

SA 1678. Mr. DOMENICI (for Mr. SHELBY) proposed an amendment to the bill H.R. 2754, supra.

SA 1679. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra.

SA 1680. Mr. FEINGOLD (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1681. Mr. DOMENICI proposed an amendment to the bill H.R. 2754, supra.

SA 1682. Mr. REID proposed an amendment to the bill H.R. 2754, supra.

SA 1683. Mr. DOMENICI (for Mr. SMITH) proposed an amendment to the bill H.R. 2754, supra.

SA 1684. Mr. VOINOVICH (for himself, Mr. DEWINE, Mr. LEVIN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1685. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra.

SA 1686. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1687. Mr. DOMENICI (for Mr. KYL) proposed an amendment to the bill H.R. 2754, supra.

SA 1688. Mr. REID proposed an amendment to the bill H.R. 2754, supra.

SA 1689. Mr. DOMENICI (for Mrs. DOLE) proposed an amendment to the bill H.R. 2754, supra.

SA 1690. Mr. DOMENICI (for Mr. BENNETT) proposed an amendment to the bill H.R. 2754, supra.

SA 1691. Mr. REID (for Mr. WYDEN (for himself and Mr. SMITH)) proposed an amendment to the bill H.R. 2754, supra.

SA 1692. Mr. REID (for Mr. LEVIN (for himself, Mr. DEWINE, Ms. STABENOW, and Mr. VOINOVICH)) proposed an amendment to the bill H.R. 2754, supra.

SA 1693. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1694. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1695. Mr. CORZINE (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 2754, supra; which was ordered to lie on the table.

SA 1696. Mr. DOMENICI (for Mr. COCHRAN) proposed an amendment to the bill H.R. 2754, supra.

SA 1697. Mr. REID (for Mr. DORGAN) proposed an amendment to the bill H.R. 2754, supra.

SA 1698. Mr. REID proposed an amendment to the bill H.R. 2754, supra.

SA 1699. Mr. REID (for Mr. CONRAD) proposed an amendment to the bill H.R. 2754, supra.

SA 1700. Mr. DOMENICI (for Mr. THOMAS) proposed an amendment to the bill H.R. 2754, supra.

SA 1701. Mr. REID proposed an amendment to the bill H.R. 2754, supra.

SA 1702. Mr. DOMENICI (for Mr. BENNETT) proposed an amendment to the bill H.R. 2754, supra.

SA 1703. Mr. REID proposed an amendment to the bill H.R. 2754, supra.

SA 1704. Mr. REID (for Mr. WYDEN) proposed an amendment to the bill H.R. 2754, supra.

SA 1705. Mr. REID (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 2754, supra.

SA 1706. Mr. DOMENICI (for himself and Mr. REID) proposed an amendment to the bill H.R. 2754, supra.

SA 1707. Mr. DOMENICI proposed an amendment to the bill H.R. 2754, supra.

SA 1708. Mr. DOMENICI proposed an amendment to the bill H.R. 2754, supra.

SA 1709. Mr. REID (for Mr. BYRD) proposed an amendment to the bill H.R. 2754, supra.

SA 1710. Mr. REID (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2754, supra.

SA 1711. Mr. DOMENICI (for Mr. VOINOVICH (for himself, Mr. DEWINE, Mr. LEVIN, and Ms. STABENOW)) proposed an amendment to the bill H.R. 2754, supra.

SA 1712. Mr. REID proposed an amendment to the bill H.R. 2754, supra.

SA 1713. Mr. DOMENICI (for Mr. SPECTER) proposed an amendment to the bill H.R. 2754, supra.

SA 1714. Mr. REID (for himself and Mr. DOMENICI) proposed an amendment to the bill H.R. 2754, supra.

SA 1715. Mr. DOMENICI (for Mr. WARNER (for himself, Mr. SARBANES, Mr. ALLEN, and Ms. MIKULSKI)) proposed an amendment to the bill H.R. 2754, supra.

SA 1716. Mr. DOMENICI (for himself and Mr. REID) proposed an amendment to the bill H.R. 2754, supra.

SA 1717. Mr. REID (for Mr. REED) proposed an amendment to the bill H.R. 2754, supra.

SA 1718. Mr. REID (for Mr. CORZINE (for himself and Mr. LAUTENBERG)) proposed an amendment to the bill H.R. 2754, supra.

SA 1719. Mr. DOMENICI (for Mr. GRASSLEY (for himself and Ms. MURKOWSKI)) proposed an amendment to the bill H.R. 2754, supra.

SA 1720. Mr. REID (for Mr. SCHUMER) proposed an amendment to the bill H.R. 2754, supra.

SA 1721. Mr. REID (for Mr. SCHUMER) proposed an amendment to the bill H.R. 2754, supra.

SA 1722. Mr. SANTORUM (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2754, supra.

#### TEXT OF AMENDMENTS

**SA 1659.** Mr. REED (for himself, Mr. LEVIN, Mr. KENNEDY, Mrs. FEINSTEIN, and Mr. NELSON of Florida) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title III, add the following:

SEC. 313. No funds appropriated or otherwise made available to the Department of Energy by this Act may be available for activities at the engineering development phases, phase 3 or 6.3, or beyond, in support of advanced nuclear weapons concepts, including the robust nuclear earth penetrator.

**SA 1660.** Mr. LEVIN (for himself, Mr. DEWINE, Ms. STABENOW, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, between lines 7 and 8, insert the following:

**SEC. 1. GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION PROGRAMS.**

Of the amounts made available by this title under the heading "GENERAL INVESTIGATIONS", not less than \$1,500,000 shall be available for Great Lakes remedial action plans and sediment remediation programs under section 401 of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; Public Law 101-640).

**SA 1661.** Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, strike lines 11 through 18.

**SA 1662.** Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 10, strike the period at the end and insert ": *Provided further*, That of this amount, sufficient funds shall be available for the Secretary of the Interior, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of the Interior during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of the Interior that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of the Interior shall make the report publicly available by posting the report on an Internet website."

On page 47, line 12, strike the period at the end and insert ": *Provided further*, That of this amount, sufficient funds shall be available for the Secretary of Energy, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Energy during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Energy that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Energy shall make the report publicly available by posting the report on an Internet website."

**SA 1663.** Mr. CONRAD submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water de-

velopment for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, between lines 7 and 8, insert the following:

**SEC. 1. PROJECT REAUTHORIZATIONS.**

Section 364(5) of Public Law 106-53 (113 Stat. 314) is amended—

- (1) by striking "\$18,265,000" and inserting "\$21,075,000"; and
- (2) by striking "\$9,835,000" and inserting "\$7,025,000".

**SA 1664.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 313. No funds appropriated or otherwise made available under this title under the heading "ATOMIC ENERGY DEFENSE ACTIVITIES" may be obligated or expended for additional and exploratory studies under the Advanced Concepts Initiative until 30 days after the date on which the Administrator for Nuclear Security submits to Congress a detailed report on the planned activities for additional and exploratory studies under the initiative for fiscal year 2004. The report shall be submitted in unclassified form, but may include a classified annex.

**SA 1665.** Mr. REID (for Mr. DOMENICI (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place insert the following:

WORKING CAPITAL FUND  
(RESCISSION)

From unobligated balances under this heading \$4,525,000 are rescinded.

**SA 1666.** Mr. REID (for Mr. DOMENICI (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 32, line 10 strike "853,517,000" and insert in lieu thereof "859,517,000".

**SA 1667.** Mr. REID (for Mr. DOMENICI (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place insert the following:

SEC. . That of the funds provided, an additional \$3,000,000 shall be available for the Middle Rio Grande, NM project and an additional \$3,000,000 shall be available for the Lake Tahoe Regional Wetlands Development project.

**SA 1668.** Mr. REID (for Mr. DOMENICI (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and

water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 33, at the end of line 12 insert the following:

"BUREAU OF RECLAMATION LOAN PROGRAM  
ACCOUNT

"For administrative expenses necessary to carry out the program for direct loans and/or grants, \$200,000, to remain available until expended, of which the amount that can be financed by the Reclamation Fund shall be derived from that fund."

**SA 1669.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 31, between lines 7 and 8, insert the following:

**SEC. 1. SNAKE RIVER CONFLUENCE INTERPRETATIVE CENTER, CLARKSTON, WASHINGTON.**

(a) IN GENERAL.—The Secretary of the Army, acting through the Chief of Engineers (referred to in this section as the "Secretary") is authorized and directed to carry out a project to plan, design, construct, furnish, and landscape a federally owned and operated Collocated Civil Works Administrative Building and Snake River Confluence Interpretative Center, as described in the Snake River Confluence Center Project Management Plan.

(b) LOCATION.—The project—

(1) shall be located on Federal property at the confluence of the Snake River and the Clearwater River, near Clarkston, Washington; and

(2) shall be considered to be a capital improvement of the Clarkston office of the Lower Granite Project.

(c) EXISTING STRUCTURES.—In carrying out the project, the Secretary may demolish or relocate existing structures.

(d) COST SHARING.—

(1) TOTAL COST.—The total cost of the project shall not exceed \$3,500,000 (excluding interpretative displays).

(2) FEDERAL SHARE.—The Federal share of the cost of the project shall be \$3,000,000.

(3) NON-FEDERAL SHARE.—

(A) IN GENERAL.—The non-Federal share of the cost of the project—

(i) shall be \$500,000; and

(ii) may be provided—

(I) in cash; or

(II) in kind, with credit accorded to the non-Federal sponsor for provision of all necessary services, replacement facilities, replacement land (not to exceed 4 acres), easements, and rights-of-way acceptable to the Secretary and the non-Federal sponsor.

(B) INTERPRETIVE EXHIBITS.—In addition to the non-Federal share described in subparagraph (A), the non-Federal sponsor shall fund, operate, and maintain all interpretative exhibits under the project.

**SA 1670.** Mr. NELSON of Florida (for himself and Mr. GRAHAM of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 2, after "expended," insert the following: "of which not less than \$90,000,000 shall be used for Central and

Southern Florida (of which not less than \$1,000 shall be made available to permit the Corps of Engineers and Palm Beach County, Florida, to execute a project cooperation agreement for project construction relating to the Winsberg Farm Wetland Restoration Project authorized under section 601(c) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2683)), and”.

**SA 1671.** Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, line 8, after the colon, insert the following: “*Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, shall allocate to the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe not less than \$9,000,000 of the funds made available under this heading for use in carrying out certain projects and activities under title VI of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 385)”.

**SA 1672.** Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 16, line 12, before the period, insert the following: “: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, shall allocate to the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe not less than \$5,000,000 of the funds made available under this heading for use in carrying out certain projects and activities under title VI of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 385)”.

**SA 1673.** Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 18, strike “\$131,700,000, to remain available until expended:” and insert “\$130,700,000, to remain available until expended, of which not more than \$3,216,000 shall be used to carry out the Upper Mississippi and Illinois Navigation Study:”.

On page 4, line 25, after the colon, insert the following: “*Provided further*, That the Secretary of the Army is directed to use not less than \$21,000,000 of the funds made available under this heading to carry out the Upper Mississippi River System Environmental Management Program:”.

**SA 1674.** Mr. DORGAN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, line 19, before the period at the end, insert the following: “: *Provided further*,

That the \$750,000 that is made available under this heading for a transmission study on the placement of 500 megawatt wind energy in North Dakota and South Dakota shall be nonreimbursable”.

**SA 1675.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

After section 104, insert the following: “The Secretary is directed and authorized to design, remove and dispose of oil bollards and associated debris in Burlington Harbor, VT, at full Federal expense.”

**SA 1676.** Mr. DOMENICI (for Mr. KYL) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. . LOWER COLORADO RIVER BASIN DEVELOPMENT.**

(a) IN GENERAL.—Notwithstanding section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)), no amount from the lower Colorado River Basin Development Fund shall be paid to the general fund of the Treasury until each provision of the revised Stipulation Regarding a Stay and for Ultimate Judgment Upon the Satisfaction of Conditions, filed in United States district court on April 24, 2003, in Central Arizona Water Conservation District v. United States (No. CIV 95-625-TUC-WDB (EHC), No. CIV 95-1720-OHX-EHC (Consolidated Action)), and any amendment or revision thereof, is met.

(b) PAYMENT TO GENERAL FUND. If any of the provisions of the stipulation referred to in subsection (a) are not met by the date that is 10 years after the date of enactment of this Act, payments to the general fund of the Treasury shall resume in accordance with section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)).

(c) AUTHORIZATION. Amounts in the Lower Colorado River Basin Development Fund that but for this section would be returned to the general fund of the Treasury may not be expended until further Act of Congress.

**SA 1677.** Mr. REID (for Mr. DASCHLE (for himself and Mr. JOHNSON)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 33, line 12, before the period at the end, insert the following: “: *Provided further*, That of the funds provided under this heading, an additional \$5,000,000 may be available for the Mni Wiconi project, South Dakota”.

**SA 1678.** Mr. DOMENICI (for Mr. SHELBY) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 15, line 16, after the colon, insert the following: “*Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, may use not less than \$5,461,000 of the funds made available under this heading for the Alabama-Coosa River, Alabama (including for routine operations and maintenance work at Swift Creek Park),

of which not less than \$2,500,000 may be used for annual maintenance dredging of navigational channels of the Alabama-Coosa River”.

**SA 1679.** Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 63, between lines 2 and 3 insert the following:

**SEC. 3 . . . REPORT ON EXPENDITURES FOR THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION ACT.**

Not later 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on administrative expenditures of the Secretary for the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.).

**SA 1680.** Mr. FEINGOLD (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, lines 11 through 14, strike “\$56,330,000 shall be available for transfer to the Upper Colorado River Basin Fund and,” and insert “\$56,330,000 shall be available for transfer to the Upper Colorado River Basin Fund: *Provided*, That the Secretary of the Interior shall release to the Congress and the public a report prepared by the Bureau of Reclamation detailing project cost overruns and including revised cost estimates and project recommendations within 90 days of enactment of this Act and,”

**SA 1681.** Mr. DOMENICI proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 67, strike line 7 through line 11 and insert in lieu thereof:

**SEC. 506. CLARIFICATION OF INDEMNIFICATION TO PROMOTE ECONOMIC DEVELOPMENT.**

“Subsection (b)(2) of section 3158 of the National Defense Authorization Act for Fiscal Year 1998 (42 U.S.C. 7274q(b)(2)) is amended by adding the following after subparagraph (C):

“(D) Any successor, assignee, transferee, lender, or lessee of a person or entity described in subparagraphs (A) through (C).”

(b) The amendment made by section 506, as amended by this section, is effective as of the date of enactment of the National Defense Authorization Act for Fiscal Year 1998.

**SA 1682.** Mr. REID proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . Section 560(f) of the Public Law 106-53 is amended by striking “\$5,000,000” and inserting in lieu thereof “7,500,000”.

**SA 1683.** Mr. DOMENICI (for Mr. SMITH) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 42, between lines 5 and 6, insert the following:

**SEC. 2 . TUALATIN RIVER BASIN, OREGON.**

(a) AUTHORIZATION TO CONDUCT FEASIBILITY STUDY.—The Secretary of the Interior may conduct a Tualatin River Basin water supply feasibility study—

(1) to identify ways to meet future water supply needs for agricultural, municipal, and industrial uses;

(2) to identify water conservation and water storage measures;

(3) to identify measures that would—

(A) improve water quality; and

(B) enable environmental and species protection; and

(4) as appropriate, to evaluate integrated water resource management and supply needs in the Tualatin River Basin, Oregon.

(b) FEDERAL SHARE.—The Federal share of the cost of the study conducted under subsection (a)—

(1) shall not exceed 50 percent; and

(2) shall be nonreimbursable and non-returnable.

(c) ACTIVITIES.—No activity carried out under this section shall be considered a supplemental or additional benefit under Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(d) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,900,000, to remain available until expended.

**SA 1684.** Mr. VOINOVICH (for himself, Mr. DEWINE, Mr. LEVIN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, line 21, before the period at the end, insert the following: “: *Provided further*, That the Secretary of the Army is directed to use at least \$1,000,000 of the funds provided under this heading for the Great Lakes fishery and ecosystem restoration program”.

**SA 1685.** Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 31, between lines 7 and 8, insert the following:

**SEC. 1 . FLOOD DAMAGE REDUCTION, MILL CREEK, CINCINNATI, OHIO.**

Not later than 1 year after the date of enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall complete the general reevaluation report for the project for flood damage reduction, Mill Creek, Cincinnati, Ohio.

**SA 1686.** Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending

September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, line 20, before the period at the end, insert “, of which \$400,000 shall be made available to the Office of International Market Development to carry out a program to implement, and serve as an administrative center in support of, the multi-agency Clean Energy Technology Exports Initiative”.

**SA 1687.** Mr. DOMENICI (for Mr. KYL) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 34, line 6, strike “\$56,525,000” and insert “\$54,425,000”.

On page 42, between lines 5 and 6, insert the following:

**SEC. 2 . FACILITATION OF INDIAN WATER RIGHTS.**

The Secretary of the Interior may extend, on an annual basis, the repayment schedule of debt incurred under section 9(d) of the Act of August 4, 1939 (43 U.S.C. 485h(d)) to facilitate Indian water rights settlements in the State of Arizona.

**SA 1688.** Mr. REID proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 13 of the bill, line 21, before the period, insert the following:

: *Provided further*, That within funds provided herein, \$500,000 may be used for completion of design and initiation of construction of the McCarran Ranch, NV, environmental restoration project

**SA 1689.** Mr. DOMENICI (for Mrs. DOLE) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 16, line 12, before the period at the end, insert the following: “: *Provided further*, That the Secretary of the Army may use \$3,000,000 of the funds provided under this heading to undertake, in connection with the harbor of Morehead City, North Carolina, a project to disperse sand along Bogue Banks”.

**SA 1690.** Mr. DOMENICI (for Mr. BENNETT) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 2, line 18, after “expended” insert the following: “, of which \$500,000, along with \$500,000 of the unobligated balance of funds made available under this heading in the Energy and Water Appropriations Act, 2003, may be transferred to the Bureau of Reclamation to conduct a feasibility study for the purposes of providing water to Park City and the Snyderville Basin, Utah”.

**SA 1691.** Mr. REID (for Mr. WYDEN (for himself and Mr. SMITH)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water and development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 15, line 8, strike “facilities:” and insert “facilities; and of which \$500,000 may

be available for dredging and other operation and maintenance of the Rogue River, Gold Beach, Oregon”.

**SA 1692.** Mr. REID (for Mr. LEVIN (for himself, Mr. DEWINE, Ms. STABENOW, and Mr. VOINOVICH)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 31, between lines 7 and 8, insert the following:

**SEC. 1 . GREAT LAKES REMEDIAL ACTION PLANS AND SEDIMENT REMEDIATION PROGRAMS.**

Of the amounts made available by this title under the heading “GENERAL INVESTIGATIONS”, not less than \$1,500,000 may be available for Great Lakes remedial action plans and sediment remediation programs under section 401 of the Water Resources Development Act of 1990 (33 U.S.C. 1268 note; Public Law 101-640).

**SA 1693.** Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 63, between lines 2 and 3, insert the following:

**SEC. 3 . NEW SOURCE REVIEW DOCUMENTS.**

Not later than the later of November 1, 2003, or the date that is 30 days after the date of enactment of this Act, in accordance with a commitment to the Committee on Environment and Public Works of the Senate expressed in a letter from the Department of Energy dated September 25, 2002, the Secretary of Energy shall submit to that Committee a log of documents that are responsive to the requests of the Committee relating to the rules on the new source review program of the Environmental Protection Agency.

**SA 1694.** Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, at the end of line 20 insert:

*Provided*, That of the funds made available for the Office of Electricity and Energy Assurance, the Office shall provide grants to states and regional organizations to work with system operators, including regional transmission organizations and independent system operators, on transmission system planning. The Office shall require that grantees consider a full range of technology and policy options for transmission system planning, including energy efficiency at customer facilities and in transmission equipment, customer demand response, distributed generation and advanced communications and controls. *Provided further*, That of the funds made available for the Office of Electricity and Energy Assurance, the Office shall develop regional training and technical assistance programs for state regulators and system operators to improve operation of the electricity grid.

**SA 1695.** Mr. CORZINE (for himself and Mr. LAUTENBERG) submitted an

amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 9, strike "That" and all that follows through line 12 and insert the following: "That the Secretary of the Army, acting through the Chief of Engineers, shall use not more than \$1,000,000 of the funds made available under this heading to continue construction of the project for Passaic River Streambank Restoration, Minish Park, New Jersey, and not more than \$6,500,000 of the funds made available under this heading to carry out the project for the Raritan River Basin, Green Brook Sub-Basin, New Jersey: *Provided further*, That the Secretary of the Army,

**SA 1696.** Mr. DOMENICI (for Mr. COCHRAN) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 31, between lines 7 and 8, insert the following:

SEC. 1. Section 592(g) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 380) is amended by striking "\$25,000,000 for the period beginning with fiscal year 2000" and inserting "\$100,000,000".

**SA 1697.** Mr. REID (for Mr. DORGAN) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 54, line 19, before the period at the end, insert the following: "*Provided further*, That the \$750,000 that is made available under this heading for a transmission study on the placement of 500 megawatt wind energy in North Dakota and South Dakota may be nonreimbursable".

**SA 1698.** Mr. REID proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . Of the funds made available under Operation and Maintenance, General, an additional \$500,000 may be made available to the Recreation Management Support Program to work with the International Mountain Bicycling Association to design, build, and maintain trails at Corps of Engineers projects.

**SA 1699.** Mr. REID (for Mr. CONRAD) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 31, between lines 7 and 8, insert the following:

SEC. 1. **PARK RIVER, GRAFTON, NORTH DAKOTA.**

Section 364(5) of the Water Resources Development Act of 1999 (113 Stat. 314) is amended—

(1) by striking "\$18,265,000" and inserting "\$21,075,000"; and

(2) by striking "\$9,835,000" and inserting "\$7,025,000".

**SA 1700.** Mr. DOMENICI (for Mr. THOMAS) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 54, line 19, before the period, insert the following: "*Provided further*, That, in accordance with section 203 of the Colorado River Basin Salinity Control Act (43 U.S.C. 1593), electrical power supply and delivery assistance may be provided to the local distribution utility as required to maintain proper voltage levels at the Big Sandy River Diffuse Source Control Unit".

**SA 1701.** Mr. REID proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 13 of the bill, line 21, before the period, insert the following:

*Provided further*, That within funds provided herein, \$100,000 may be used for initiation of feasibility studies to address erosion along Bayou Teche, LA within the Chitimacha Reservation.

**SA 1702.** Mr. DOMENICI (for Mr. BENNETT) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 28, strike lines 13 through 25 and insert the following:

SEC. 115. Section 595 of the Water Resources Development Act of 1999 (113 Stat. 383; 117 Stat. 142) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 595. **IDAHO, MONTANA, RURAL NEVADA, NEW MEXICO, AND RURAL UTAH.**";

(2) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(B) by striking (a) and all that follows through "means—" and inserting the following:

"(a) DEFINITIONS.—In this section:

"(1) RURAL NEVADA.—The term 'rural Nevada' means"; and

(C) by adding at the end the following:

"(2) RURAL UTAH.—The term 'rural Utah' means—

"(A) the counties of Box Elder, Cache, Rich, Tooele, Morgan, Summit, Daggett, Wasatch, Duchesne, Uintah, Juab, Sanpete, Carbon, Millard, Sevier, Emery, Grand, Beaver, Piute, Wayne, Iron, Garfield, San Juan, and Kane, Utah; and

"(B) the portions of Washington County, Utah, that are located outside the city of St. George, Utah.";

(3) in subsections (b) and (c), by striking "Nevada, Montana, and Idaho" and inserting "Idaho, Montana, rural Nevada, New Mexico, and rural Utah"; and

(4) in subsection (h), by striking "2001—" and all that follows and inserting "2001 \$25,000,000 for each of Idaho, Montana, New Mexico, and rural Utah, to remain available until expended".

**SA 1703.** Mr. REID proposed an amendment to the bill H.R. 2754, making appropriations for energy and

water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . Of the funds made available under Construction, General, \$1,500,000 may be made available for work to be carried out under Section 560 of the Water Resources Development Act of 1999 (Public Law 106-53).

**SA 1704.** Mr. REID (for Mr. WYDEN) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 44, line 14, before the period at the end, insert ", of which \$3,000,000 may be available for a defense and security research center".

**SA 1705.** Mr. REID (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 34, line 10, strike the period at the end and insert "*Provided further*, That of this amount, sufficient funds may be available for the Secretary of the Interior, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of the Interior during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of the Interior that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of the Interior shall make the report publicly available by posting the report on an Internet website."

On page 47, line 12, strike the period at the end and insert "*Provided further*, That of this amount, sufficient funds shall be available for the Secretary of Energy, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Energy during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Energy that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Energy shall make the report publicly available by posting the report on an Internet website."

**SA 1706.** Mr. DOMENICI (for himself and Mr. REID) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 41, line 5, strike "655" and insert in lieu thereof "566".

**SA 1707.** Mr. DOMENICI proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 28, line 1 strike "105-227" and insert in lieu thereof "105-277".

**SA 1708.** Mr. DOMENICI proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 48, line 8, after the word "expanded:" insert the following:

"Provided, That the Secretary of Energy may use \$1,000,000 of available funds to preserve historical sites associated with, and other aspects of the history of, the Manhattan Project"

**SA 1709.** Mr. REID (for Mr. BYRD) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 42, line 20, before the period at the end, insert ", of which \$400,000 may be made available to the Office of International Market Development to carry out a program to implement, and serve as an administrative center in support of, the multi-agency Clean Energy Technology Exports Initiative".

**SA 1710.** Mr. REID (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title III, add the following:

SEC. 313. No funds appropriated or otherwise made available under this title under the heading "ATOMIC ENERGY DEFENSE ACTIVITIES" may be obligated or expended for additional and exploratory studies under the Advanced Concepts Initiative until 30 days after the date on which the Administrator for Nuclear Security submits to Congress a detailed report on the planned activities for additional and exploratory studies under the initiative for fiscal year 2004. The report shall be submitted in unclassified form, but may include a classified annex.

**SA 1711.** Mr. DOMENICI (for Mr. VOINOVICH (for himself, Mr. DEWINE, Mr. LEVIN, and Ms. STABENOW)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 13, line 21, before the period at the end, insert the following: "Provided further, That the Secretary of the Army may use at least \$1,000,000 of the funds provided under this heading for the Great Lakes fishery and ecosystem restoration program".

**SA 1712.** Mr. REID proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place on page 42, after section 211 insert the following:

**SEC. \_\_\_\_ RESTORATION OF FISH AND WILDLIFE HABITAT AND PROVISION OF BOTTLED WATER FOR FALLON SCHOOL-CHILDREN.**

(a) IN GENERAL.—In carrying out section 2507 of Public Law 101-171, the Secretary of Interior, acting through the Commissioner of Reclamation, shall—

(1) notwithstanding sec. 2507(b) of P.L. 101-171, provide \$2.5 million to the State of Nevada to purchase water rights from willing sellers and make necessary improvements for Carson Lake and Pasture.

(2) provide \$100,000 to Families in Search of Truth, Fallon, NV for the purchase of bottled water for schoolchildren in Fallon-area schools.

(b) LIMITATION.—The funds specified to be provided in (a)(1) shall only be provided by the Bureau of Reclamation when the title to Carson lake and Pasture is conveyed to the State of Nevada; the waiver of sec. 2507(b) of P.L. 101-171 shall only apply to water purchases for Carson Lake and Pasture.

(c) ADMINISTRATION.—The Secretary of Interior, acting through the Commissioner of Reclamation, may provide financial assistance to State and local public agencies, Indian tribes, nonprofit organization, and individuals to carry out this section and sec. 2507 of P.L. 101-171.

**SA 1713.** Mr. DOMENICI (for Mr. SPECTER) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ SCHUYLKILL RIVER PARK, PHILADELPHIA, PENNSYLVANIA.**

The Secretary of the Army may provide technical, planning, design, and construction assistance for Schuylkill River Park, Philadelphia, Pennsylvania, in accordance with section 564(c) of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3785), as contained in the May 2000 report of the Philadelphia District based on regional economic development benefits, at a Federal share of 50 percent and a non-Federal share of 50 percent.

**SA 1714.** Mr. REID (for himself and Mr. DOMENICI) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 63, between lines 2 and 3 insert the following:

**SEC. 3 \_\_\_\_ MARTIN'S COVE LEASE.**

(a) DEFINITIONS.—In this section:

(1) BUREAU OF LAND MANAGEMENT.—The term "Bureau of Land Management", hereafter referred to as the "BLM", means an agency of the Department of the Interior.

(2) CORPORATION.—The term "Corporation" means the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, located at 50 East North Temple Street, Salt Lake City, Utah.

(3) MARTIN'S COVE.—The term "Martin's Cove" means the area, consisting of approximately 940 acres of public lands in Natrona County, Wyoming as depicted on the Martin's Cove map numbered MC-001.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) LEASE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary may enter into an agreement with the Corporation to lease, for a term of 25 years, approximately 940 acres of Federal land depicted on the Martin's Cove map MC-001. The Corporation shall retain the right of ingress and egress in, from and to any part of the leasehold for its use and management as an important historical site.

(2) TERMS AND CONDITIONS.—

(A) SURVEY.—As a condition of the agreement under paragraph (1), the Corporation shall provide a boundary survey to the Secretary, acceptable to the Corporation and the Secretary, of the parcels of land to be leased under paragraph (1).

(B) ACCESS.—

(i) IN GENERAL.—The Secretary and the Corporation shall enter into a lease covenant, binding on any successor or assignee that ensures that, consistent with the historic purposes of the site, public access will be provided across private land owned by the Corporation to Martin's Cove and Devil's Gate. Access shall—

(I) ensure public visitation for historic, educational and scenic purposes through private lands owned by the Corporation to Martin's Cove and Devil's Gate;

(II) provide for public education, ecologic and preservation at the Martin's Cove site;

(III) be provided to the public without charge; and

(IV) permit the Corporation, in consultation with the BLM, to regulate entry as may be required to protect the environmental and historic values of the resource at Martin's Cove or at such times as necessitated by weather conditions, matters of public safety and nighttime hours.

(C) IMPROVEMENTS.—The Corporation may, upon approval of the BLM, improve the leasehold as may become necessary from time to time in order to accommodate visitors to the leasehold.

(D) ARCHAEOLOGICAL PRESERVATION.—The Corporation shall have the obligation to protect and maintain any historical or archaeological artifacts discovered or otherwise identified at Martin's Cove.

(E) VISITATION GUIDELINES.—The Corporation may establish, in consultation with the BLM, visitation guidelines with respect to such issues as firearms, alcoholic beverages, and controlled substances and conduct consistent with the historic nature of the resource, and to protect public health and safety.

(F) NO ABRIDGEMENT.—The lease shall not be subject to abridgement, modification, termination, or other taking in the event any surrounding area is subsequently designated as a wilderness or other protected areas. The lease shall contain a provision limiting the ability of the Secretary from administratively placing Martin's Cove in a restricted land management status such as a Wilderness Study Area.

(G) RIGHT OF FIRST REFUSAL.—The Corporation shall be granted a right of first refusal to lease or otherwise manage Martin's Cove in the event the Secretary proposes to lease or transfer control or title of the land to another party.

(H) FAIR MARKET VALUE LEASE PAYMENTS.—The Corporation shall make lease payments which reflect the fair market rental value of the public lands to be leased, provided however, such lease payments shall be offset by value of the public easements granted by the Corporation to the Secretary across private lands owned by the Corporation for access to Martin's Cove and Devil's Gate.

(I) RENEWAL.—The Secretary may offer to renew such lease on terms which are mutually acceptable to the parties.

(c) MINERAL WITHDRAWAL.—The Secretary shall retain the subsurface mineral estate under the leasehold, provided that the leased lands shall be withdrawn from all forms of entry, appropriations, or disposal under the public land laws and disposition under all laws relating to oil and gas leasing.

(d) NO PRECEDENT SET.—This Act does not set a precedent for the terms and conditions of leases between or among private entities and the United States.

(e) VALID AND EXISTING RIGHTS.—The Lease provided for under this section shall be subject to valid existing rights with respect to any lease, right-of-way, permit, or other valid existing rights to which the property is subject.

(f) AVAILABILITY OF MAP.—The Secretary shall keep the map identified in this section on file and available for public inspection in the Casper District Office of the BLM in Wyoming and the State Office of the BLM, Cheyenne, Wyoming.

(g) NEPA COMPLIANCE.—The Secretary shall comply with the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in carrying out this section.

**SA 1715.** Mr. DOMENICI (for Mr. WARNER (for himself, Mr. SARBANES, Mr. ALLEN, and Ms. MIKULSKI)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

*Provided*, That using \$200,000 appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, may develop an environmental impact statement for introducing non-native oyster species into the Chesapeake Bay. During preparation of the environmental impact statement, the Secretary may establish a scientific advisory body consisting of the Virginia Institute of Marine Science, the University of Maryland, and other appropriate research institutions to review the sufficiency of the environmental impact statement. In addition, the Secretary shall give consideration to the findings and recommendations of the National Academy of Sciences report on the introduction of non-native oyster species into the Chesapeake Bay in the preparation of the environmental impact statement. Notwithstanding the cost sharing provisions of Section 510(d) of the Water Resources Development Act of 1996, 110 Stat. 3760, the preparation of the environmental impact statement shall be cost shared 50% Federal and 50% non-Federal, for an estimated cost of \$2,000,000. The non-Federal sponsors' may meet their 50% matching cost share through in-kind services, provided that the Secretary determines that work performed by the non-Federal sponsor's is reasonable, allowable, allocable, and integral to the development of the environmental impact statement.

**SA 1716.** Mr. DOMENICI (for himself and Mr. REID) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 14, line 26, strike "\$1,949,000,000" and insert in lieu thereof "\$2,014,000,000".

**SA 1717.** Mr. REID (for Mr. REED) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 42, at the end of line 20 insert:

*Provided*, That of the funds made available for the Office of Electricity and Energy Assurance, the Office may provide grants to states and regional organizations to work with system operators, including regional transmission organizations and independent system operators, on transmission system planning. The Office may require that grantees consider a full range of technology and policy options for transmission system planning, including energy efficiency at customer facilities and in transmission planning, including energy efficiency at customer facilities and in transmission equipment, customer demand response, distributed generation and advanced communications and controls. *Provided further*, That of the funds made available for the Office of Electricity and Energy Assurance, the Office may develop regional training and technical assistance programs for state regulators and system operators to improve operation of the electricity grid.

**SA 1718.** Mr. REID (for Mr. CORZINE (for himself and Mr. LAUTENBERG)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 10, line 9, strike "That" and all that follows through line 12 and insert the following: "That the Secretary of the Army, acting through the Chief of Engineers, may use \$1,000,000 of the funds made available under this heading to continue construction of the project for Passaic River Streambank Restoration, Minish Park, New Jersey, and \$6,500,000 of the funds made available under this heading to carry out the project for the Raritan River Basin, Green Brook Sub-Basin, New Jersey: *Provided further*, That the Secretary of the Army,

**SA 1719.** Mr. DOMENICI (for Mr. GRASSLEY (for himself and Ms. MURKOWSKI)) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) MEMORANDUM OF AGREEMENT.—Not later than 45 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Labor shall enter into a Memorandum of Agreement (referred to in this section as the "MOA") under which the Secretary of Labor shall agree to provide technical and managerial assistance pursuant to subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385o et seq.).

(b) REQUIREMENT.—Under the MOA entered into under subsection (a), the Secretary of Labor shall, not later than 90 days after the date of enactment of this Act, assume management and operational responsibility for the development and preparation of claims filed with the Department of Energy under subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385o et seq.), consistent with the regulations under part 852 of title 10, Code of Federal Regulations, including the development of information necessary for the informed consideration of such claims by a physicians panel (which shall include work histories, medical records, and exposure assessments with respect to toxic substances).

(c) PROCUREMENT OF SERVICES.—The Secretary of Labor may procure temporary services in carrying out the duties of the Secretary under the MOA.

(d) DUTIES OF SECRETARY OF ENERGY.—Under the MOA entered into under subsection (a), the Secretary of Energy shall—

(1) consistent with subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385o et seq.), manage physician panels and secure necessary records in response to requests from the Secretary of Labor; and

(2) subject to the availability of appropriations, transfer funds pursuant to requests by the Secretary of Labor.

(e) SUBMISSION TO CONGRESS.—The MOA entered into under subsection (a) shall be submitted to the appropriate committees of Congress and made available to the general public in both printed and electronic forms.

**SA 1720.** Mr. REID (for Mr. SCHUMER) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 15, line 16, after "2004" insert the following: "": *Provided further*, That none of the funds appropriated under this heading may be used for the Great Lakes Sediment Transport Models".

**SA 1721.** Mr. REID (for Mr. SCHUMER) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 63, between lines 2 and 3 insert the following:

SEC. 3 \_\_\_\_ REINSTATEMENT AND TRANSFER OF THE FEDERAL LICENSE FOR PROJECT NO. 2696.

(a) DEFINITIONS.—

(1) COMMISSION.—The term "Commission" means the Federal Energy Regulatory Commission.

(2) TOWN.—The term "town" means the town of Stuyvesant, New York, the holder of Federal Energy Regulatory Commission Preliminary Permit No. 11787.

(b) REINSTATEMENT AND TRANSFER.—Notwithstanding section 8 of the Federal Power Act (16 U.S.C. 801) or any other provision of that Act, the Commission shall, not later than 30 days after the date of enactment of this Act—

(1) reinstate the license for Project No. 2696; and

(2) transfer the license to the town.

(c) HYDROELECTRIC INCENTIVES.—Project No. 2696 shall be entitled to the full benefit of any Federal law that—

(1) promotes hydroelectric development; and

(2) that is enacted within 2 years before or after the date of enactment of this Act.

(d) CO-LICENSEE.—Notwithstanding the issuance of a preliminary permit to the town and any consideration of municipal preference, the town may at any time add as a co-licensee to the reinstated license a private or public entity.

(e) PROJECT FINANCING.—The town may receive loans under sections 402 and 403 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2702, 2703) or similar programs for the reimbursement of the costs of any feasibility studies and project costs incurred during the period beginning on January 1, 2001 and ending on December 31, 2006.

(f) ENERGY CREDITS.—Any power produced by the project shall be deemed to be incremental hydropower for purposes of qualifying for energy credits or similar benefits.

**SA 1722.** Mr. SANTORUM (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 51, line 13, insert before the period: “: *Provided*, That from the funds made available under this heading for transfer to the National Institute for Occupational Safety and Health for epidemiological research, \$7.5 million shall be transferred to include projects to conduct epidemiological research and carry out other activities to establish the scientific link between radiation exposure and the occurrence of chronic lymphocytic leukemia;

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, September 17, 2003, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 420, a bill to provide for the acknowledgement of the Lumbee Tribe of North Carolina, and for other purposes.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

### SUBCOMMITTEE ON WATER AND POWER

Ms. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that the hearing before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources on September 18, at 2:30 p.m. has been rescheduled.

The hearing will now be held on Tuesday, September 23, at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 213, a bill to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, and for other purposes; S. 1236, a bill directing the Secretary of the Interior to establish a program to control or eradicate Tamarisk in the Western United States, and for other purposes; S. 1516, a bill to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to assess potential increases in water availability for Bureau of Reclamation projects and other uses through control of salt cedar and Russian olive; H.R. 856, a bill authorizing the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, and for other purposes; and H.R. 961, a bill to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi

River Basin, and for other purposes. (Contact: Shelly Randel 202-224-7933, Erik Webb 202-224-4756 or Meghan Beal at 202-224-7556).

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150.

### COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, September 24, 2003 to conduct a hearing on S. 1601, the Indian Child Protection and Family Violence Prevention Act of 2003.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 16, 2003, at 10 a.m. to conduct a hearing on the nominations of Mr. Harvey S. Rosen, of New Jersey, and Ms. Kristen J. Forbes, of Massachusetts, to be a member of the Council of Economic Advisors, Executive Office of the President; Ms. Julie L. Myers, of Kansas, to be Assistant Secretary of Commerce for Export Enforcement; and Mr. Peter Lichtenbaum, of Virginia, to be Assistant Secretary of Commerce for Export Administration.

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

### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Tuesday, September 16, 2003, at 9:30 a.m. for a hearing titled “Oversight of GAO: What Lies Ahead for Congress’ Watchdog?”

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

### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Tuesday, September 16, 2003, at approximately 11 a.m. for a hearing to consider the nomination of C. Suzanne Mencer to be Director, Office of Domestic Preparedness, Department of Homeland Security.

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

### COMMITTEE ON THE JUDICIARY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, September 16, 2003, at 9:30 a.m., in the Russell Senate Office Building Room 325 on “Ensuring the Continuity of the United States Government: The Presidency.”

Witness List: Prof. Akhil Amar, Soutmayd Professor of Law and Political Science, Yale Law School, New Haven, CT; Dr. John C. Fortier, Executive Director, Continuity of Government Commission, Research Associate, American Enterprise Institute, Washington, DC; Mr. M. Miller Baker, Esq., McDermott, Will & Emery, Washington, DC; and Prof. Howard M. Wasserman, Assistant Professor of Law, Florida International University College of Law, Miami, FL.

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

### COMMITTEE ON THE JUDICIARY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, September 16, 2003, at 2:30 p.m., in the Dirksen Senate Office Building Room 226 on “Examining the Importance of the H-1 Visa to the American Economy.”

Stephen Yale-Loehr, Business Committee Chair, American Immigration Lawyers Association, Adjunct professor, Cornell University Law School; Elizabeth Dickson, Advisor, Immigration Services, Ingersoll-Rand Corporation; John Steadman, President-Elect, IEEE-USA; and Patrick Duffy, Human Resources Attorney, Intel Corporation.

The PRESIDING OFFICER. With objection, it is so ordered.

### COMMITTEE ON RULES AND ADMINISTRATION

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Rules and Administration and the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, September 16, 2003, at 9:30 a.m., to conduct a joint hearing on Ensuring the Continuity of the United States Government: The Presidency.

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

### COMMITTEE ON VETERANS’ AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on Tuesday, September 16, 2003, for a joint hearing with the House of Representatives’ Committee on Veterans’ Affairs, to hear the legislative presentation of The American Legion.

The hearing will take place in room 216 of the Hart Senate Office Building at 10 a.m.

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

### SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. CRAIG. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Wildlife, and