

Texas [Mrs. HUTCHISON], the Senator from Alaska [Mr. STEVENS], the Senator from Tennessee [Mr. THOMPSON], the Senator from New Hampshire [Mr. SMITH], the Senator from Texas [Mr. GRAMM], the Senator from Wyoming [Mr. SIMPSON], the Senator from Delaware [Mr. ROTH], the Senator from Colorado [Mr. CAMPBELL], the Senator from Ohio [Mr. DEWINE], the Senator from Indiana [Mr. LUGAR], the Senator from Mississippi [Mr. LOTT], the Senator from Missouri [Mr. ASHCROFT], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Arizona [Mr. MCCAIN], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Colorado [Mr. BROWN], the Senator from Wyoming [Mr. THOMAS], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Montana [Mr. BURNS], the Senator from Alabama [Mr. SHELBY], the Senator from New Hampshire [Mr. GREGG], the Senator from South Dakota [Mr. PRESSLER], and the Senator from Arizona [Mr. KYL] were added as cosponsors of S. 959, a bill to amend the Internal Revenue Code of 1986 to encourage capital formation through reductions in taxes on capital gains, and for other purposes.

S. 1039

At the request of Mr. ABRAHAM, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 1039, a bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes.

S. 1115

At the request of Mr. THURMOND, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 1115, a bill to prohibit an award of costs, including attorney's fees, or injunctive relief, against a judicial officer for action taken in a judicial capacity.

SENATE CONCURRENT RESOLUTION 11

At the request of Ms. SNOWE, the names of the Senator from Pennsylvania [Mr. SANTORUM] and the Senator from Georgia [Mr. NUNN] were added as cosponsors of Senate Concurrent Resolution 11, a concurrent resolution supporting a resolution to the longstanding dispute regarding Cyprus.

SENATE RESOLUTION 149

At the request of Mr. AKAKA, the names of the Senator from Alaska [Mr. STEVENS] and the Senator from Oregon [Mr. HATFIELD] were added as cosponsors of Senate Resolution 149, a resolution expressing the sense of the Senate regarding the recent announcement by the Republic of France that it intends to conduct a series of underground nuclear test explosions despite the current international moratorium on nuclear testing.

SENATE RESOLUTION 152

At the request of Mr. ABRAHAM, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of Senate Resolution 152, a resolution

to amend the Standing Rules of the Senate to require a clause in each bill and resolution to specify the constitutional authority of the Congress for enactment, and for other purposes.

AMENDMENT NO. 2280

At the request of Mr. DOLE the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of amendment No. 2280 proposed to H.R. 4, a bill to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence.

AMENDMENT NO. 2296

At the request of Mr. WELLSTONE his name was added as a cosponsor of amendment No. 2296 proposed to H.R. 1977, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

AMENDMENTS SUBMITTED

THE DEPARTMENT OF THE INTERIOR APPROPRIATIONS ACT FOR FISCAL YEAR 1996

CRAIG (AND BURNS) AMENDMENT NO. 2308

Mr. CRAIG (for himself and Mr. BURNS) proposed an amendment to the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. .
Section 1864 of title 18, United States Code, is amended—

(1) in subsection (b)—
(A) in paragraph (2), by striking "twenty" and inserting "40";
(B) in paragraph (3), by striking "ten" and inserting "20";

(C) in paragraph (4), by striking "if damage exceeding \$10,000 to the property of any individual results," and inserting "if damage to the property of any individual results or if avoidance costs have been incurred exceeding \$10,000, in the aggregate,"; and

(D) in paragraph (4), by striking "ten" and inserting "20";

(2) in subsection (c) by striking "ten" and inserting "20";

(3) in subsection (d), by—
(A) striking "and" at the end of paragraph (2);

(B) striking the period at the end of paragraph (3) and inserting "and"; and
(C) adding at the end the following:

"(4) the term 'avoidance costs' means costs incurred by any individual for the purpose of—

"(A) detecting a hazardous or injurious device; or

"(B) preventing death, serious bodily injury, bodily injury, or property damage likely to result from the use of a hazardous or injurious device in violation of subsection (a)."; and
(4) by adding at the end thereof the following:

"(e) Any person injured as the result of a violation of subsection (a) may commence a

civil action on his own behalf against any person who is alleged to be in violation of subsection (a). The district courts shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, in such civil actions. The court may award, in addition to monetary damages for any injury resulting from an alleged violation of subsection (a), costs of litigation, including reasonable attorney and expert witness fees, to any prevailing or substantially prevailing party, whenever the court determines such award is appropriate."

JEFFORDS (AND OTHERS)

AMENDMENT NO. 2304

Mr. JEFFORDS (for himself, Mr. LEAHY, Mr. SIMPSON, Mr. PELL, Mr. BUMPERS, Mr. KENNEDY, Mr. DODD, Mr. LAUTENBERG, Mr. AKAKA, and Ms. MOSELEY-BRAUN) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 2, line 11, strike "\$565,936,000" and insert "\$564,938,000".

On page 2, line 24, strike "\$27,650,000" and insert "\$27,273,000".

On page 3, line 5, strike "\$565,936,000" and insert "\$564,938,000".

On page 3, line 11, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$44,879,000 of the total amount appropriated under this heading shall be used for administrative support for work force and organizational support".

On page 9, line 23, strike "\$496,978,000" and insert "\$496,792,000".

On page 10, line 19, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$13,442,000 of the total amount appropriated under this heading shall be used for general administration and for the Central Office Administration of the Fish and Wildlife Service".

On page 16, line 13, strike "\$145,965,000" and insert "\$145,762,000".

On page 17, line 14, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$14,655,000 of the total amount appropriated under this heading shall be used for the administration of the Natural Resource Science Agency".

On page 21, line 22, strike "\$577,503,000" and insert "\$577,157,000".

On page 24, line 13, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$25,027,000 of the total amount appropriated for the United States Geological Survey shall be used for the general administration of the United States Geological Survey".

On page 24, line 23, strike "\$182,169,000" and insert "\$181,725,000".

On page 26, line 14, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$32,099,000 of the amount appropriated shall be used for administrative operations and general administration and for the Minerals Management Service".

On page 27, line 10, strike "\$132,507,000" and insert "\$132,216,000".

On page 28, line 6, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$21,024,000 of the amount appropriated shall be used for the general administration of the Bureau of Mines".

On page 28, line 14, strike "\$95,470,000" and insert "\$95,316,000".

On page 29, line 6, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$11,135,000 of the amount appropriated under this heading shall be used for the general administration of the Office of Surface Mining Reclamation and Enforcement".

On page 29, line 12, strike "\$170,441,000" and insert "\$170,374,000".

On page 30, line 17, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$4,820,000 of the amount appropriated under this heading shall be used for the general administration of the Abandoned Mine Reclamation Fund".

On page 66, line 15, strike "\$1,256,043,000" and insert "\$1,252,291,000".

On page 67, line 3, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$271,248,000 of the amount appropriated under this heading shall be used for the general administration of the National Forest System for the Department of Agriculture".

On page 77, line 9, strike "\$376,181,000" and insert "\$376,027,000".

On page 77, line 12, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$11,167,000 of the amount appropriated under this heading shall be used for headquarters program direction and fossil energy research and development for the Department of Energy".

On page 78, line 3, strike "\$146,028,000" and insert "\$135,938,000".

On page 78, line 7, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$6,510,000 of the amount appropriated under this heading shall be used for the program direction of the Naval Petroleum Reserve for the Department of Energy".

On page 78, line 10, strike "\$576,976,000" and insert "\$576,661,000".

On page 79, line 2, insert before the period at the end thereof the following: "": *Provided further*, That not more than \$22,741,000 of the amount appropriated under this heading shall be used for the technical and financial assistance management for energy conservation for the Department of Energy".

On page 95, line 19, strike "\$82,259,000" and insert "\$92,753,000".

On page 96, line 23, strike "\$96,494,000" and insert "\$92,000,000".

On page 97, line 21, strike "\$21,000,000" and insert "\$22,000,000".

At the appropriate place, add the following:

"SEC. . Notwithstanding any other provision of law, none of the funds authorized to be appropriated pursuant to this Act may be used to promote, disseminate, sponsor or produce materials or performances which denigrate the objects or beliefs of the adherents of a particular religion."

At the appropriate place, add the following:

"SEC. . Notwithstanding any other provision of law, none of the funds made available to the National Endowment for the Arts under this Act may be used to promote, disseminate, sponsor, or produce materials or performances that depict or describe, in a patently offensive way, sexual or excretory activities or organs."

BINGAMAN (AND OTHERS) AMENDMENT NO. 2305

Mr. BINGAMAN (for himself, Mr. PELL, and Mr. SIMON) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 135, line 25, insert before the period at the end thereof the following: "": National Heritage Fellowship, or American Jazz Masters Fellowship".

SIMON (AND OTHERS) AMENDMENT NO. 2306

Mr. SIMON (for himself, Mr. MCCAIN, Ms. MOSELEY-BRAUN, and Mr. PELL)

proposed an amendment to the bill H.R. 1977, supra; as follows:

AMENDMENT 2306

At the end of the bill, insert the following:

TITLE ____—NATIONAL AFRICAN AMERICAN MUSEUM

SEC. ____01. SHORT TITLE.

This title may be cited as the "National African American Museum Act".

SEC. ____02. FINDINGS.

The Congress finds that—

(1) the presentation and preservation of African American life, art, history, and culture within the National Park System and other Federal entities are inadequate;

(2) the inadequate presentation and preservation of African American life, art, history, and culture seriously restrict the ability of the people of the United States, particularly African Americans, to understand themselves and their past;

(3) African American life, art, history, and culture include the varied experiences of Africans in slavery and freedom and the continued struggles for full recognition of citizenship and treatment with human dignity;

(4) in enacting Public Law 99-511, the Congress encouraged support for the establishment of a commemorative structure within the National Park System, or on other Federal lands, dedicated to the promotion of understanding, knowledge, opportunity, and equality for all people;

(5) the establishment of a national museum and the conducting of interpretive and educational programs, dedicated to the heritage and culture of African Americans, will help to inspire and educate the people of the United States regarding the cultural legacy of African Americans and the contributions made by African Americans to the society of the United States; and

(6) the Smithsonian Institution operates 15 museums and galleries, a zoological park, and 5 major research facilities, none of which is a national institution devoted solely to African American life, art, history, or culture.

SEC. ____03. ESTABLISHMENT OF THE NATIONAL AFRICAN AMERICAN MUSEUM.

(a) ESTABLISHMENT.—There is established within the Smithsonian Institution a Museum, which shall be known as the "National African American Museum".

(b) PURPOSE.—The purpose of the Museum is to provide—

(1) a center for scholarship relating to African American life, art, history, and culture;

(2) a location for permanent and temporary exhibits documenting African American life, art, history, and culture;

(3) a location for the collection and study of artifacts and documents relating to African American life, art, history, and culture;

(4) a location for public education programs relating to African American life, art, history, and culture; and

(5) a location for training of museum professionals and others in the arts, humanities, and sciences regarding museum practices related to African American life, art, history, and culture.

SEC. ____04. LOCATION AND CONSTRUCTION OF THE NATIONAL AFRICAN AMERICAN MUSEUM.

The Board of Regents is authorized to plan, design, reconstruct, and renovate the Arts and Industries Building of the Smithsonian Institution to house the Museum.

SEC. ____05. BOARD OF TRUSTEES OF THE MUSEUM.

(a) ESTABLISHMENT.—There is established in the Smithsonian Institution the Board of Trustees of the National African American Museum.

(b) COMPOSITION AND APPOINTMENT.—The Board of Trustees shall be composed of 23 members as follows:

(1) The Secretary of the Smithsonian Institution.

(2) An Assistant Secretary of the Smithsonian Institution, designated by the Board of Regents.

(3) Twenty-one individuals of diverse disciplines and geographical residence who are committed to the advancement of knowledge of African American art, history, and culture, appointed by the Board of Regents, of whom 9 members shall be from among individuals nominated by African American museums, historically black colleges and universities, and cultural or other organizations.

(c) TERMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), members of the Board of Trustees shall be appointed for terms of 3 years. Members of the Board of Trustees may be reappointed.

(2) STAGGERED TERMS.—As designated by the Board of Regents at the time of initial appointments under paragraph (3) of subsection (b), the terms of 7 members shall expire at the end of 1 year, the terms of 7 members shall expire at the end of 2 years, and the terms of 7 members shall expire at the end of 3 years.

(d) VACANCIES.—A vacancy on the Board of Trustees shall not affect its powers and shall be filled in the manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of the member was appointed shall be appointed for the remainder of the term.

(e) NONCOMPENSATION.—Except as provided in subsection (f), members of the Board of Trustees shall serve without pay.

(f) EXPENSES.—Members of the Board of Trustees shall receive per diem, travel, and transportation expenses for each day, including travel time, during which such members are engaged in the performance of the duties of the Board of Trustees in accordance with section 5703 of title 5, United States Code, with respect to employees serving intermittently in the Government service.

(g) CHAIRPERSON.—The Board of Trustees shall elect a chairperson by a majority vote of the members of the Board of Trustees.

(h) MEETINGS.—The Board of Trustees shall meet at the call of the chairperson or upon the written request of a majority of its members, but shall meet not less than 2 times each year.

(i) QUORUM.—A majority of the Board of Trustees shall constitute a quorum for purposes of conducting business, but a lesser number may receive information on behalf of the Board of Trustees.

(j) VOLUNTARY SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the chairperson of the Board of Trustees may accept for the Board of Trustees voluntary services provided by a member of the Board of Trustees.

SEC. ____06. DUTIES OF THE BOARD OF TRUSTEES OF THE MUSEUM.

The Board of Trustees shall—

(1) recommend annual budgets for the Museum;

(2) consistent with the general policy established by the Board of Regents, have the sole authority to—

(A) loan, exchange, sell, or otherwise dispose of any part of the collections of the Museum, but only if the funds generated by such disposition are used for additions to the collections of the Museum or for additions to the endowment of the Museum;

(B) subject to the availability of funds and the provisions of annual budgets of the Museum, purchase, accept, borrow, or otherwise

acquire artifacts and other property for addition to the collections of the Museum;

(C) establish policy with respect to the utilization of the collections of the Museum; and

(D) establish policy regarding programming, education, exhibitions, and research, with respect to the life and culture of African Americans, the role of African Americans in the history of the United States, and the contributions of African Americans to society;

(3) consistent with the general policy established by the Board of Regents, have authority to—

(A) provide for restoration, preservation, and maintenance of the collections of the Museum;

(B) solicit funds for the Museum and determine the purposes to which such funds shall be used;

(C) approve expenditures from the endowment of the Museum, or of income generated from the endowment, for any purpose of the Museum; and

(D) consult with, advise, and support the Director in the operation of the Museum;

(4) establish programs in cooperation with other African American museums, historically black colleges and universities, historical societies, educational institutions, and cultural and other organizations for the education and promotion of understanding regarding African American life, art, history, and culture;

(5) support the efforts of other African American museums, historically black colleges and universities, and cultural and other organizations to educate and promote understanding regarding African American life, art, history, and culture, including—

(A) the development of cooperative programs and exhibitions;

(B) the identification, management, and care of collections;

(C) the participation in the training of museum professionals; and

(D) creating opportunities for—

(i) research fellowships; and
(ii) professional and student internships;

(6) adopt bylaws to carry out the functions of the Board of Trustees; and

(7) report annually to the Board of Regents on the acquisition, disposition, and display of African American objects and artifacts and on other appropriate matters.

SEC. 07. DIRECTOR AND STAFF.

(a) IN GENERAL.—The Secretary of the Smithsonian Institution, in consultation with the Board of Trustees, shall appoint a Director who shall manage the Museum.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Secretary of the Smithsonian Institution may—

(1) appoint the Director and 5 employees of the Museum, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(2) fix the pay of the Director and such 5 employees, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

SEC. 08. DEFINITIONS.

For purposes of this title:

(1) ARTS AND INDUSTRIES BUILDING.—The term "Arts and Industries Building" means the building located on the Mall at 900 Jefferson Drive, S.W. in Washington, the District of Columbia.

(2) BOARD OF REGENTS.—The term "Board of Regents" means the Board of Regents of the Smithsonian Institution.

(3) BOARD OF TRUSTEES.—The term "Board of Trustees" means the Board of Trustees of the National African American Museum established in section 05(a).

(4) MUSEUM.—The term "Museum" means the National African American Museum established under section 03(a).

SEC. 09. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary only for costs directly relating to the operation and maintenance of the Museum.

SNOWE (AND COHEN) AMENDMENT NO. 2307

(Ordered to lie on the table.)

Ms. SNOWE (for herself and Mr. COHEN) submitted an amendment intended to be proposed by her to the bill H.R. 1977, supra; as follows:

On page 18, line 17, strike "\$38,051,000" and insert "\$38,093,500".

On page 19, line 26, strike "\$43,230,000" and insert "\$43,187,500".

REID (AND OTHERS) AMENDMENT NO. 2308

Mr. REID (for himself, Mr. CHAFEE, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mrs. BOXER) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 9, lines 23 through 25, strike "\$496,978,000, to remain available for obligation until September 30, 1997," and insert "\$501,478,000, to remain available for obligation until September 30, 1997, of which not less than \$3,800,000 shall be made available for prelisting activities, \$18,297,000 shall be made available for consultation activities, and \$36,500,000 shall be made available for recovery activities, and".

On page 27, line 10, strike "\$132,507,000" and insert "\$128,007,000".

On page 27, line 11, before the period, insert the following: "Provided, That none of the reduction below the FY 1996 budget request shall be applied to the health and safety budget activity".

HELMS AMENDMENT NO. 2309

Mr. HELMS proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 10, line 19, strike the word "Act." and insert: "Act: Provided, That no monies appropriated under this act shall be used to implement and carry out the Red Wolf re-introduction program and that the amount appropriated under this paragraph shall be reduced by \$968,000."

BINGAMAN (AND OTHERS) AMENDMENT NO. 2310

Mr. BINGAMAN (for himself, Mr. INOUE, and Mr. WELLSTONE) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 89, line 8, strike "\$54,660,000" and insert "\$81,341,000".

On page 136, between lines 12 and 13, insert the following:

SEC. 3 . PRO RATA REDUCTION.

The amounts provided in this Act, not required for payments by law, are reduced by 2 percent on a pro rata basis. The reduction required by this section shall be made in a uniform manner for each program, project, or activity provided in this Act.

BYRD AMENDMENT NO. 2311

Mr. GORTON (for Mr. BYRD) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 30, line 17, before the period, insert the following: "Provided further, That funds made available to States under Title IV of Public Law 95-87 may be used, at their discretion, for any required non-Federal share of the cost of projects funded by the Federal government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act".

CRAIG AMENDMENT NO. 2312

Mr. GORTON (for Mr. CRAIG) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 118, between lines 2 and 3, insert the following:

"(7) On the signing of a record of decision or equivalent document making an amendment for the Clearwater National Forest pursuant to paragraph (2), the requirement for revision referred to in the Stipulation of Dismissal dated September 13, 1993, applicable to the Clearwater National Forest is deemed to be satisfied, and the interim management direction provisions contained in the Stipulation of Dismissal shall be of no further effect with respect to the Clearwater National Forest."

JEFFORDS AMENDMENT NO. 2313

Mr. GORTON (for Mr. JEFFORDS) proposed an amendment to the bill H.R. 1977, supra; as follows:

At the appropriate place (end of p. 136) add the following new section:

Public Law 94-158 is modified to extend the scope of the Arts and Artifacts Indemnity Act to include exhibitions originating in the United States and touring the United States for indemnification subject to the availability of funds.

KYL AMENDMENT NO. 2314

Mr. GORTON (for Mr. KYL) proposed an amendment to the bill, H.R. 1977, supra; as follows:

On page 31, line 15, strike "\$997,221,000" and insert "\$997,534,000".

On page 31, line 16, after "which" insert the following: "\$962,000 shall be used for the continued operation of the Indian Arts and Crafts Board and an amount".

On page 43, line 1, strike "\$58,109,000" and insert "\$57,796,000".

MCCAIN AMENDMENT NO. 2315

Mr. GORTON (for Mr. MCCAIN) proposed an amendment to the bill, H.R. 1977, supra; as follows:

On page 77, line 12, before the period, insert the following: "Provided further, That any new project start funded under this heading shall be substantially cost-shared with a private entity to the extent determined appropriate by the Secretary of Energy".

SNOWE (AND COHEN) AMENDMENT NO. 2316

Mr. GORTON (for Ms. SNOWE, for herself and Mr. COHEN) proposed an amendment to the bill, H.R. 1977, supra; as follows:

On page 18, line 17, strike "\$38,051,000" and insert "\$38,094,000".

On page 19, line 26, strike "\$43,230,000" and insert "\$43,187,000".

HUTCHISON AMENDMENT NO. 2317

Mr. GORTON (for Mrs. HUTCHISON) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 16, line 17, strike the word "surveys" and insert the following: "surveys, including new aerial surveys."

SPECTER AMENDMENT NO. 2318

Mr. GORTON (for Mr. SPECTER) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 69, line 11, after "expended" insert the following: "Provided, That of the amounts made available for acquisition management, \$1,000,000 may be made available for the purchase of subsurface rights in the Kane Experimental Forest".

BAUCUS (AND BURNS)
AMENDMENT NO. 2319

Mr. GORTON (for Mr. BAUCUS for himself and Mr. BURNS) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 69, line 11, insert " , of which \$275,000 may be made available from the cash equalization account for the acquisition of Mt. Jumbo in the Lolo National Forest, Montana" before the period.

DOMENICI (AND BINGAMAN)
AMENDMENT NO. 230

Mr. GORTON (for Mr. DOMENICI, for himself and Mr. BINGAMAN) proposed an amendment to the bill, H.R. 1977, supra; as follows:

On page 19, line 26, strike "\$43,230,000" and insert "\$45,230,000".

On page 2, line 11, strike "\$565,936,000" and insert "\$563,936,000".

On page 3, line 5, strike "\$565,936,000" and insert "\$563,936,000".

MURKOWSKI AMENDMENTS NOS.
2321-2322

Mr. GORTON (for Mr. MURKOWSKI) proposed two amendments to the bill H.R. 1977, supra; as follows:

AMENDMENT NO. 2321

At the appropriate place in the bill insert the following section:

"SEC. . The National Park Service shall, within existing funds, conduct a Feasibility Study for a northern access route into Denali National Park and Preserve in Alaska, to be completed within one year of the enactment of this Act and submitted to the Senate Committee on Energy and Natural Resources and the House Committee on Resources. The Feasibility Study shall ensure that resource impacts from any plan to create such access route are evaluated with accurate information and according to a process that takes into consideration park values, visitor needs, a full range of alternatives, the viewpoints of all interested parties, including the tourism industry and the State of Alaska, and potential needs for compliance with the National Environmental Policy Act. The Study shall also address the time required for development of alternatives and identify all associated costs.

This Feasibility Study shall be conducted solely by National Park Service planning personnel permanently assigned to National Park Service offices located in the State of Alaska in consultation with the State of Alaska Department of Transportation."

AMENDMENT NO. 2322

At the appropriate place in the bill insert the following section:

"SEC. . Consistent with existing law and policy, the National Park Service shall, within the funds provided by this Act, at the request of the University of Alaska Fairbanks, enter into negotiations regarding a memorandum of understanding for the continued use of the Stampede Creek Mine property consistent with the length and terms of prior memorandum of understanding between the National Park Service and the University of Alaska Fairbanks: *Provided*, That within the funds provided, the National Park Service shall undertake an assessment of damage and provide the appropriate committees of the Senate and House of Representatives, no later than May 1, 1996, cost estimates for the reconstruction of those facilities and equipment which were damaged or destroyed as a result of the incident that occurred on April 30, 1987 at Stampede Creek within the boundaries of Denali National Park and Preserve; *Provided further*, That the National Park Service shall work with the University of Alaska Fairbanks to winterize equipment and materials, located on the Stampede Creek mine property in Denali National Park, exposed to the environment as a result of the April 30, 1987 incident."

MCCONNELL (AND OTHERS)
AMENDMENTS NO. 2323

Mr. MCCONNELL (for himself, Mr. HARKIN, Mr. GRASSLEY, Mr. FORD, Mr. MURKOWSKI, Mr. LOTT, Mrs. HUTCHISON, and Mr. GRAMM) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 128, strike section 320, and insert the following: "None of the funds made available in this Act shall be used by the Department of Energy in implementing the Codes and Standards Program to propose, issue, or prescribe any new or amended standard, *Provided*, That this section shall expire on September 30, 1996; *Provided further*, That nothing in this section shall preclude the Federal Government from promulgating rules concerning energy efficiency standards for the construction of new Federally owned commercial and residential buildings."

LEAHY (AND OTHERS)
AMENDMENT NO. 2324

Mr. GORTON (for Mr. LEAHY for himself, Mr. BURNS, Mr. CRAIG, Mrs. MURRAY, Mr. JEFFORDS, Mr. LAUTENBERG, Mr. BOND, Mr. MCCONNELL, Mr. LIEBERMAN, Ms. SNOWE, and Mr. COHEN) proposed an amendment to the bill H.R. 1977, supra; as follows:

On page 66, lines 3 and 4, strike "\$128,294,000, to remain available until expended, as authorized by law" and insert "\$136,794,000, to remain available until expended, as authorized by law, of which not less than \$16,100,000 shall be made available for cooperative lands fire management and not less than \$7,500,000 shall be made available for the stewardship incentive program".

On page 66, line 15, strike "\$1,256,043,000" and insert "1,247,543,000".

BINGAMAN AMENDMENTS NOS.
2325-2327

Mr. GORTON (for Mr. BINGAMAN) proposed three amendments to the bill H.R. 1977, supra; as follows:

AMENDMENT NO. 2325

At the appropriate place, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) REDUCTION IN FACILITIES ENERGY COSTS.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from fiscal year 1995 levels, in the energy costs of the facilities used by the agency.

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measure at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 1996, the head of each agency described in subsection (a) shall submit a report to Congress specifying the results of the actions taken under subsection (a) and providing any recommendations concerning how to further reduce energy costs and energy consumption in the future.

(2) CONTENTS.—Each report shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved; and

(C) specify the actions that resulted in the reductions.

At the appropriate place, insert the following new section:

SEC. . DISTRIBUTION OF INDIAN HEALTH SERVICE PROFESSIONALS.

(a) IN GENERAL.—To ensure that the Secretary of Health and Human Services (hereafter in this section referred to as the "Secretary"), acting through the Indian Health Service, is making efforts to meet the health care needs of Indian tribes (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)) in an equitable manner, the Secretary shall, not later than April 30, 1996, submit to the Congress a report that meets the requirements of subsection (b).

(b) CONTENTS OF REPORT.—The report prepared by the Secretary under this section shall—

(1) contain a comparative analysis of the Indian Health Service staffing that includes comparisons of health care facilities (including clinics) and service units (as defined in section 4(j) of the Indian Health Care Improvement Act (25 U.S.C. 1603(j)));

(2) for each health care facility of the Indian Health Service (as determined by the Secretary), determine, for each health profession (as defined in section 4(n) of the Indian Health Care Improvement Act (25 U.S.C. 1603(n))), the ratio of—

(A) the number of members of that health profession that provide health services in that facility; to

(B) the number of patients served by the members of that health profession in that facility;

(3) provide a comparative nationwide analysis of health care facilities of the Indian Health Service based on the ratios determined under paragraph (2) in order to ascertain whether each service area (as defined in

section 4(m) of the Indian Health Care Improvement Act (25 U.S.C. 1603(m) is providing an equitable level of health services; and)

(4) provide an analysis of—

(A) the overall levels of staffing of all types of health professions, support staff, and administrative staff at facilities referred to in paragraph (3); and

(B) the distribution of the staffing referred to in subparagraph (A) by service unit.

At the appropriate place, insert the following new section:

SEC. . HIV-AIDS PREVENTION AND TREATMENT PLAN.

(a) REPORT.—Not later than March 1, 1996, the Secretary of Health and Human Services (hereafter in this section referred to as the "Secretary"), acting through the Indian Health Service and in consultation with Indian tribes (as defined in section 4(d) of the Indian Health Care Improvement Act (25 U.S.C. 1603(d)), shall prepare and submit to the Congress a report that evaluates,

(1) the incidences of HIV and AIDS among Indian tribes;

(2) the services provided under title XXVI of the Public Health Service Act to members of Indian tribes living with HIV and AIDS;

(3) the unmet needs, including preventive educational needs, of members of Indian tribes living with HIV and AIDS who use the Indian Health Service for their primary health care;

(4) the internal capacity of each service unit of the Indian Health Service to meet the existing need; and

(5) the resources, including education, needed to meet existing and projected need.

(b) SERVICE PLAN.—The Secretary, acting through the Indian Health Service and in consultation with Indian tribes, shall develop and implement a plan of action for meeting the existing and projected needs, which based on the evaluation conducted pursuant to subsection (a), are determined to be unmet.

THE TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

**SPECTER (AND SANTORUM)
AMENDMENT NO. 2328**

Mr. SPECTER (for himself and Mr. SANTORUM) proposed an amendment to the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

On page 30, line 16, strike "\$985,000,000" and insert "\$1,025,000,000".

On page 30, line 17, strike "\$2,105,850,000" and insert "\$2,145,850,000".

On page 30, line 20, strike "\$400,000,000" and insert "\$440,000,000".

On page 2, line 6, strike "\$56,500,000" and insert "\$55,400,000".

On page 3, line 6, strike "\$9,710,000" and insert "\$6,336,667".

On page 6, line 13, strike "\$139,689,000" and insert "\$134,689,000".

On page 16, line 22, strike "\$215,886,000" and insert "\$205,886,000".

On page 16, line 14, strike "\$70,000,000" and insert "\$86,000,000".

On page 30, line 12, strike "\$42,000,000" and insert "\$39,260,000".

On page 54, line 5, strike "\$5,000,000" and insert "\$10,000,000".

On page 54, line 8, strike "\$99,364,000" and insert "\$94,364,000".

HARKIN AMENDMENT NO. 2329

Mr. HARKIN proposed an amendment to the bill H.R. 2002, supra; as follows:

At an appropriate place in the bill, add the following new section:

SEC. . Section 201 of the Railway Labor Act (45 U.S.C. 181) is amended by adding at the end the following: "As used in this title, the term 'foreign commerce' includes flight operations (excluding ground operations performed by persons other than flight crew members) conducted in whole or in part outside the United States (as defined by section 40102(a)(41) of title 49, United States Code) by an air carrier (as defined by section 40102(a)(2) of such title)."

EMPLOYEE

Section 202 of such Act (45 U.S.C. 182) is amended by adding at the end the following: "As used in this title, the term 'employee' also includes flight crew members employed by an air carrier (as defined by section 40102(a)(2) of title 49, United States Code) while such flight crew members perform work in whole or in part outside the United States (as defined by section 40102(a)(41) of such title)."

BINGAMAN AMENDMENT NO. 2330

Mr. BINGAMAN proposed an amendment to the bill H.R. 2002, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) REDUCTION IN FACILITIES ENERGY COSTS.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from fiscal year 1995 levels, in the energy costs of the facilities used by the agency.

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 1996, the head of each agency described in subsection (a) shall submit a report to Congress specifying the results of the actions taken under subsection (a) and providing any recommendations concerning how to further reduce energy costs and energy consumption in the future.

(2) CONTENTS.—Each report shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved; and

(C) specify the actions that resulted in the reductions.

**DORGAN (AND OTHERS)
AMENDMENT NO. 2331**

Mr. HATFIELD (for Mr. DORGAN, for himself, Ms. SNOWE, Mr. DOLE, and Mr. CONRAD) proposed an amendment to the bill H.R. 2002, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . STUDY OF AIR FARES.

(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) ADJUSTED AIR FARES.—The term "adjusted air fare" means an actual air fare that is adjusted for distance traveled by a passenger.

(2) AIR CARRIER.—The term—

(A) "air carrier" has the same meaning as in section 40102(a)(2) of title 49, United States Code; and

(B) the terms "regional commuter air carrier", and "major air carrier" shall have the meanings provided those terms of the Secretary.

(3) AIRPORT.—The term "airport" has the same meaning as in section 40102(9) of title 49, United States Code.

(4) COMMERCIAL AIR CARRIER.—The term "commercial air carrier" means an air carrier that provides air transportation for commercial purposes (as determined by the Secretary).

(5) HUB AIRPORT.—The term "hub airport" has the same meaning as in section 41731(a)(2) of title 49, United States Code.

(6) LARGE HUB AIRPORT.—The term "large hub airport"—

(A) shall have the meaning provided that term by the Secretary; and

(B) does not include a small hub airport (as such term is defined in section 41731(a)(5) of title 49, United States Code).

(7) NONHUB AIRPORT.—The term "nonhub airport" has the same meaning as in section 41731(a)(4) of title 49, United States Code.

(8) SECRETARY.—The term "Secretary" means the Secretary of Transportation.

(b) STUDY OF AIR FARES.—

(1) IN GENERAL.—The Secretary shall conduct a study to—

(A) compare air fares paid (calculated as both actual and adjusted air fares) for air transportation on flights conducted by commercial air carriers—

(i) between—

(I) nonhub airports located in small communities; and

(II) large hub airports; and

(ii) between large hub airports; and

(B) analyze—

(i) the extent to which passenger service that is provided from nonhub airports is provided on—

(I) regional commuter commercial air carriers; or

(II) major air carriers;

(ii) the type of aircraft employed in providing passenger service at nonhub airports; and

(iii) whether there is competition among commercial air carriers with respect to the provision of air service to passengers from nonhub airports.

(2) FINDINGS.—The Secretary shall include in the study conducted under this subsection findings made by the Secretary concerning—

(A) whether passengers who use commercial air carriers to and from rural areas (as defined by the Secretary) pay a disproportionately greater price for that transportation than do passengers who use commercial air carriers between urban areas (as defined by the Secretary);

(B) the nature of competition, if any in rural markets (as defined by the Secretary) for commercial air carriers;

(C) whether a relationship exists between higher air fares and competition among commercial air carriers for passengers travelling on jet aircraft from small communities (as defined by the Secretary) and, if such relationship exists, the nature of that relationship;

(D) the number of small communities that have lost air service as a result of the deregulation of commercial air carriers with respect to air fares;