

sensitivity and insight into the complexity of the marine and coastal environment that few members could challenge. This insight has served him well as a Chairman of the former House Merchant Marine and Fisheries Committee, and in his present capacity as ranking member on the House Subcommittee on Fisheries, Wildlife and Oceans. Let there be no mistake: GERRY STUDDS' mark on national environmental policy, especially in the marine environment, has been profound.

Section 11 of H.R. 543 formally changes the name of the existing Stellwagen Bank sanctuary off the coast of Massachusetts to the "Gerry E. Studs Stellwagen Bank National Marine Sanctuary." I realize after having worked closely with Congressman STUDDS on the designation of Stellwagen Bank in 1992 how deeply he feels about this very special place. It is a fitting tribute that this unique marine resource, which he worked so hard to protect for future generations, should bear his name. His knowledge, his expertise and his humor will all be missed. I will miss him as a friend and colleague in the Congress. But the Gerry E. Studs Stellwagen Bank National Marine Sanctuary will remain a constant reminder of his impressive environmental legacy.

In closing, Mr. President, I have worked closely this Congress with my friend, the Chairman of the Oceans and Fisheries Subcommittee, Senator STEVENS, to pass strong, positive marine resources legislation that reflects and reaffirms the importance of ocean and coastal resources to our Nation and ensures they are treated as the priceless and essential natural resources they are. Not unlike the Sustainable Fisheries Act (S. 39), the Antarctica bill (H.R. 3060), and the reauthorization of the Coastal Zone Management Act (H.R. 1965), this bill is another positive step toward ensuring that our Nation's vital marine and coastal resources are conserved and sensibly managed for the benefit of all. I wholeheartedly support this bill and urge my colleagues to do the same.

Mrs. MURRAY. Mr. President, I thank the distinguished chairman and ranking member of the Commerce Committee, as well as Senator GORTON and Congressman METCALF, for their work on this bill.

We have reached an agreement on the provisions regarding the Northwest Straits of Washington State which I think will serve everyone's best interest. My amendment to the House passed bill deletes language establishing a local advisory committee under the control of NOAA, while retaining the requirement that final designation of a marine sanctuary in the Northwest Straits occur only via congressional authorization.

I was concerned that the creation of a NOAA-controlled advisory committee would undermine the very intent of bringing local community members together to consider the resource protec-

tion needs of the Northwest Straits in an objective and open forum. Many members of the local communities have serious concerns about the performance of NOAA over the last several years with regard to the proposed sanctuary. To establish a new advisory committee under NOAA's control would only perpetuate those concerns. I think it is much better if such local commissions or committees develop on their own, independent from the NOAA process, much as the Marine Resources Committee in the San Juan Islands has done.

It is my understanding that as NOAA continues with its assessment of the resource protection needs of the Northwest Straits, it will provide personnel and technical expertise and information to any local advisory committees or commissions that may develop and will include any recommendations put forward by such committees or commissions in NOAA's assessment.

My amendment will allow us to move this important bill forward with bipartisan consensus. I appreciate the significant role the Marine Sanctuaries Program plays in the protection of our Nation's ocean resources. The protection of marine life and marine habitat is a worthy goal. Marine sanctuaries may not only protect the marine environment but may also support regional economies by creating recreational and tourism opportunities and enhancing commercial fisheries and associated industries by providing refuges for fish and other marine life. I fully support this legislation, and I urge my colleagues to support our agreement.

Mr. NICKLES. Mr. President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid on the table, and any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 543) was deemed read the third time and passed.

ORDER FOR COMMITTEES TO FILE SPECIAL REPORTS

Mr. NICKLES. Mr. President, I ask unanimous consent that on November 21, 1996, between the hours of 10 a.m. and 2 p.m. committees have the authority to file special reports on non-legislative matters only. This does not include executive matters such as treaties or nominations, nor does it allow committees to report bills or resolutions after the sine die adjournment.

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

FORT PECK RURAL COUNTY WATER SUPPLY SYSTEM ACT OF 1996

Mr. NICKLES. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on (S. 1467) to authorize the construc-

tion of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1467) entitled "An Act to authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes", do pass with the following amendment:

Strike out all after the enacting clause, and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fort Peck Rural County Water Supply System Act of 1996".

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) *CONSTRUCTION*.—The term "construction" means such activities associated with the actual development or construction of facilities as are initiated on execution of contracts for construction.

(2) *DISTRICT*.—The term "District" means the Fort Peck Rural County Water District, Inc., a nonprofit corporation in Montana.

(3) *FEASIBILITY STUDY*.—The term "feasibility study" means the study entitled "Final Engineering Report and Alternative Evaluation for the Fort Peck Rural County Water District", dated September 1994.

(4) *PLANNING*.—the term "planning" means activities such as data collection, evaluation, design, and other associated preconstruction activities required prior to the execution of contracts for construction.

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

(6) *WATER SUPPLY SYSTEM*.—The term "water supply system" means the Fort Peck Rural County Water Supply System, to be established and operated substantially in accordance with the feasibility study.

SEC. 3. FEDERAL ASSISTANCE FOR WATER SUPPLY SYSTEM.

(a) *IN GENERAL*.—Upon request of the District, the Secretary shall enter into a cooperative agreement with the District for the planning, design, and construction by the District of the water supply system. Title to this project shall remain in the name of the District.

(b) *SERVICE AREA*.—The water supply system shall provide for safe and adequate rural water supplies under the jurisdiction of the District in Valley County, north-eastern Montana (as described in the feasibility study).

(c) *AMOUNT OF FEDERAL CONTRIBUTION*.—

(1) *IN GENERAL*.—Subject to paragraph (3), under the cooperative agreement, the Secretary shall pay the Federal share of—

(A) costs associated with the planning, design, and construction of the water supply system (as identified in the feasibility study); and

(B) such sums as are necessary to defray increases in the budget.

(2) *FEDERAL SHARE*.—The Federal share referred to in paragraph (1) shall be 75 percent and shall not be reimbursable.

(3) *TOTAL*.—The amount of Federal funds made available under the cooperative agreement shall not exceed the amount of funds authorized to be appropriated under section 4.

(4) *LIMITATIONS*.—Not more than 5 percent of the amount of Federal funds made available to the Secretary under section 4 may be used by the Secretary for activities associated with—

(A) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) oversight of the planning, design, and construction by the District of the water supply system.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS

There are authorized to be appropriated to carry out this Act \$5,800,000. This authorization shall terminate after a period of 5 complete fiscal years after the date of enactment of this Act unless the Congress has appropriated funds for the construction purposes of this Act. This authorization shall be extended 1 additional year if the Secretary has requested such appropriation. The funds authorized to be appropriated may be increased or decreased by such amounts as are justified by reason of ordinary fluctuations in development costs incurred after October 1, 1994, as indicated by engineering cost indices applicable to the type of construction project authorized under this Act. All costs which exceed the amounts authorized by this Act, including costs associated with the ongoing energy needs, operation, and maintenance of this project shall remain the responsibility of the District.

SEC. 5. CACHUMA PROJECT, BRADBURY DAM, CALIFORNIA.

The prohibition against obligating funds for construction until 60 days from the date that the Secretary of the Interior transmits a report to the Congress in accordance with section 5 of the Reclamation Safety of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is waived for the Cachuma Project, Bradbury Dam, California.

Mr. NICKLES. Mr. President, I ask unanimous consent the Senate concur in the House amendment.

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

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 1996

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 633, H.R. 3815.

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

The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3815) to make technical corrections and miscellaneous amendments to trade laws.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Finance, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Miscellaneous Trade and Technical Corrections Act of 1996".

SEC. 2. PAYMENT OF DUTIES AND FEES.

(a) INTEREST ACCRUAL.—Section 505(c) of the Tariff Act of 1930 (19 U.S.C. 1505(c)) is amended in the second sentence by inserting after "duties, fees, and interest" the following: "or, in a case in which a claim is made under section 520(d), from the date on which such claim is made,".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to claims made pursuant to section 520(d) of the Tariff Act of 1930 (19 U.S.C. 1520(d)) on or after June 7, 1996.

SEC. 3. OTHER TECHNICAL AND CONFORMING AMENDMENTS.

(a) IN GENERAL.—

(1) EXAMINATION OF BOOKS AND WITNESSES.—Section 509(a)(2) of the Tariff Act of 1930 (19 U.S.C. 1509(a)(2)) is amended by striking "(c)(1)(A)" and inserting "(d)(1)(A)".

(2) REQUIREMENT FOR CERTIFICATE FOR IM-

(5) DEPRIVATION OF LAWFUL DUTIES, TAXES, OR FEES.—Section 592(d) of the Tariff Act of 1930 (19 U.S.C. 1592(d)) is amended by striking "or fees be restored" and inserting "and fees be restored".

(6) RECONCILIATION TREATED AS ENTRY FOR RECORDKEEPING.—

(A) Section 401(s) of the Tariff Act of 1930 (19 U.S.C. 1401(s)) is amended by inserting "record-keeping," after "reliquidation,".

(B) Section 508(c)(1) of such Act (19 U.S.C. 1508(c)(1)) is amended by inserting " , filing of a reconciliation," after "entry".

(7) EXTENSION OF LIQUIDATION.—Section 504(d) of the Tariff Act of 1930 (19 U.S.C. 1504(d)) is amended—

(A) in the first sentence, by inserting " , unless liquidation is extended under subsection (b)," after "shall liquidate the entry"; and

(B) in the second sentence, by inserting "(other than an entry with respect to which liquidation has been extended under subsection (b))" after "Any entry".

(8) EXEMPTION FROM DUTY FOR PERSONAL AND HOUSEHOLD GOODS ACCOMPANYING RETURNING RESIDENTS.—Section 321(a)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1321(a)(2)(B)) is amended by inserting " , 9804.00.65," after "9804.00.30".

(9) DEBT COLLECTION.—Section 631(a) of the Tariff Act of 1930 (19 U.S.C. 1631(a)) is amended by adding at the end the following new subsection:

"(c) PAYMENT OF COSTS.—The debtor shall be assessed and pay any and all costs associated with collection efforts pursuant to this section. Notwithstanding section 3302(b) of title 31, United States Code, any sum so collected shall be used to pay the costs of debt collection services."

(10) DESIGNATION OF CUSTOMS OFFICER.—Section 509(b) of the Tariff Act of 1930 (19 U.S.C. 1509(b)) is amended in paragraphs (3) and (4) by striking "appropriate regional commissioner" and inserting "officer designated pursuant to regulations".

(11) REVIEW OF PROTESTS.—Section 515(d) of the Tariff Act of 1930 (19 U.S.C. 1515(d)) is amended by striking "district director" and inserting "port director".

(12) ADMINISTRATIVE EXEMPTIONS.—Section 321(a) of the Tariff Act of 1930 (19 U.S.C. 1321(a)) is amended—

(A) in paragraph (1), by striking "duties, fees, and taxes actually accruing" and inserting "duties, fees, taxes, and interest actually accruing"; and

(B) in paragraph (3)—
(i) by striking "and taxes" and inserting "taxes, and interest"; and
(ii) by striking "or taxes" and inserting "taxes, or interest".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply as of December 8, 1993.

SEC. 4. CLARIFICATION REGARDING THE APPLICATION OF CUSTOMS USER FEES.

(a) IN GENERAL.—Subparagraph (D) of section 13031(b)(8) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(8)(D)) is amended—

(1) in clause (iv)—
(A) by striking "subparagraph 9802.00.80 of such Schedules" and inserting "heading 9802.00.80 of such Schedule"; and
(B) by striking "and" at the end of clause (iv);

(2) by striking the period at the end of clause (v) and inserting " ; and"; and

(3) by inserting after clause (v) the following new clause:

"(vi) in the case of merchandise entered from a foreign trade zone (other than merchandise to which clause (v) applies), be applied only to the value of the privileged or nonprivileged foreign status merchandise under section 3 of the Act of June 18, 1934 (commonly known as the Foreign Trade Zones Act, 19 U.S.C. 81c)."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to—

(1) any entry made from a foreign trade zone on or after the 15th day after the date of the enactment of this Act; and

(2) any entry made from a foreign trade zone after November 30, 1986, and before such 15th day if liquidation of the entry was not final before such 15th day.

SEC. 6. CLARIFICATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) IN GENERAL.—Section 13031(b)(9)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(9)(A)) is amended—

(1) by striking "centralized hub facility or" in clause (i); and

(2) in clause (ii)—

(A) by striking "facility—" and inserting "facility or centralized hub facility—";

(B) by striking "customs inspectional" in subsection (I), and

(C) by striking "at the facility" in subclause (I) and inserting "for the facility".

(b) DEFINITIONS.—Section 13031(b)(9)(B)(i) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(9)(B)(i)) is amended—

(1) by striking " , as in effect on July 30, 1990", and

(2) by adding at the end thereof the following new sentence: "Nothing in this paragraph shall be construed as prohibiting the Secretary of the Treasury from processing merchandise that is informally entered or released at any centralized hub facility or express consignment carrier facility during the normal operating hours of the Customs Service, subject to reimbursement and payment under subparagraph (A)."

(c) CITATION.—Section 13031(b)(9)(B)(ii) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(9)(B)(ii)) is amended by striking "section 236 of the Tariff and Trade Act of 1984" and inserting "section 236 of the Trade and Tariff Act of 1984".

SEC. 7. SPECIAL RULE FOR EXTENDING TIME FOR FILING DRAWBACK CLAIMS.

Section 313(r) of the Tariff Act of 1930 (19 U.S.C. 1313(r)) is amended by adding at the end the following:

"(3)(A) The Customs Service may, notwithstanding the limitation set forth in paragraph (1), extend the time for filing a drawback claim for a period not to exceed 18 months, if—

"(i) the claimant establishes to the satisfaction of the Customs Service that the claimant was unable to file the drawback claim because of an event declared by the President to be a major disaster on or after January 1, 1994; and

"(ii) the claimant files a request for such extension with the Customs Service—

"(I) within 1 year from the last day of the 3-year period referred to in paragraph (1), or

"(II) within 1 year after the date of the enactment of this paragraph,

whichever is later.

"(B) If an extension is granted with respect to a request filed under this paragraph, the periods of time for retaining records set forth in subsection (t) of this section and section 508(c)(3) shall be extended for an additional 18 months or, in a case to which subparagraph (A)(ii) applies, for a period not to exceed 1 year from the date the claim is filed.

"(C) For purposes of this paragraph, the term 'major disaster' has the meaning given that term in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2))."

SEC. 8. TREATMENT OF ENTRIES OF CERTAIN TELEVISIONS.

(a) IN GENERAL.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520), or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of the enactment of this Act, liquidate or reliquidate those entries made at New York, New York, which are listed in subsection (c), in accordance with the final results of the administrative review, covering the period from May 1, 1984, through March 31, 1985, conducted by the International Trade Administration of the Department of Commerce for such entries (case number A-580-008).

(b) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following: