

H.R. 1732: Mr. SANDERS, Ms. CHRISTIAN-GREEN, Mr. FILNER, and Mr. GUTIERREZ.

H.R. 1764: Mr. PAUL.

H.R. 1773: Mrs. MEEK of Florida and Mr. CUNNINGHAM.

H.R. 1776: Mr. FRELINGHUYSEN and Mr. SANFORD.

H.R. 1812: Mr. BURTON of Indiana and Mr. ROHRBACHER.

H.J. Res. 47: Mr. LAMPSON, Mr. BERMAN, and Mr. REYES.

H.J. Res. 79: Mr. GIBBONS, Mr. HOSTETTLER, and Mr. BURTON of Indiana.

H. Con. Res. 10: Mr. MILLER of Florida, Mr. HINCHEY, and Mr. STUPAK.

H. Con. Res. 13: Mr. EWING, Mrs. EMERSON, Mr. TURNER, Mr. WAXMAN, and Mr. SCOTT.

H. Con. Res. 60: Mr. PALLONE, Mr. SENSENBRENNER, Mr. WELLER, Mr. HASTERT, Mr. FOX of Pennsylvania, Mr. ETHRIDGE, Mr. LARGENT, Mr. FROST, Mr. ANDREWS, and Mr. HUTCHINSON.

H. Con. Res. 88: Mr. MENENDEZ.

H. Con. Res. 89: Mr. McDERMOTT, Mr. OLVER, and Mr. HOUGHTON.

H. Con. Res. 91: Mr. DAVIS of Illinois.

H. Res. 15: Mr. EVANS.

H. Res. 122: Mr. FOX of Pennsylvania.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1559: Mrs. LINDA SMITH of Washington and Mrs. EMERSON.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

17. The SPEAKER presented a petition of the Board of Supervisors, County of Santa Barbara, California, relative to a vote of support for S.615 by Senator John H. CHAFEE and H.R.761 by Representative Barney Frank at their regular session; jointly to the Committees on Ways and Means and Agriculture.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 437

OFFERED BY: Mr. SAXTON

(Amendment in the Nature of a Substitute)

AMENDMENT No. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Sea Grant College Program Reauthorization Act of 1997".

SEC. 2. AMENDMENT OF NATIONAL SEA GRANT COLLEGE PROGRAM ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SEC. 3. AMENDMENTS TO DEFINITIONS.

(a) SEA GRANT INSTITUTION.—Section 203 (33 U.S.C. 1122) is amended by adding at the end the following new paragraph:

"(16) The term 'sea grant institution' means—

"(A) any sea grant college or sea grant regional consortium, and

"(B) any institution of higher education, institute, laboratory, or State or local agency conducting a sea grant program with amounts provided under this Act."

(b) FIELD RELATED TO OCEAN, COASTAL, AND GREAT LAKES RESOURCES.—Section 203(4) (33 U.S.C. 1122(4)) is amended to read as follows:

"(4) The term 'field related to ocean, coastal, and Great Lakes resources' means any discipline or field, including marine affairs, resource management, technology, education, or science, which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean, coastal, and Great Lakes resources."

(c) SECRETARY.—

(1) IN GENERAL.—Section 203(13) (33 U.S.C. 1122(13)) is amended to read as follows:

"(13) The term 'Secretary' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere."

(2) CONFORMING AMENDMENTS.—The Act is amended—

(A) by striking section 203(15) (33 U.S.C. 1122(15));

(B) in section 209(b) (33 U.S.C. 1128(b)), as amended by this Act, by striking ", the Under Secretary,"; and

(C) by striking "Under Secretary" every other place it appears and inserting "Secretary".

SEC. 4. CONSULTATIONS REGARDING LONG-RANGE PLANNING GUIDELINES AND PRIORITIES AND EVALUATION.

Section 204(a) (33 U.S.C. 1123(a)) is amended in the last sentence by inserting after "The Secretary" the following: ", in consultation with the sea grant institutions and the panel established under section 209,".

SEC. 5. DUTIES OF DIRECTOR.

Section 204(c) (33 U.S.C. 1123(c)) is amended to read as follows:

"(c) DUTIES OF DIRECTOR.—

"(1) IN GENERAL.—The Director shall administer the National Sea Grant College Program subject to the supervision of the Secretary. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall—

"(A) advise the Secretary with respect to the expertise and capabilities which are available within or through the National Sea Grant College Program, and provide (as directed by the Secretary) those which are or could be of use to other offices and activities within the Administration;

"(B) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the National Sea Grant College Program, on a cooperative or other basis;

"(C) encourage cooperation and coordination with other Federal programs concerned with ocean, coastal, and Great Lakes resources conservation and usage;

"(D) advise the Secretary on the designation of sea grant institutions and, in appropriate cases, if any, on the termination or suspension of any such designation;

"(E) encourage the formation and growth of sea grant programs; and

"(F) oversee the operation of the National Sea Grant Office established under subsection (a).

"(2) DUTIES WITH RESPECT TO SEA GRANT INSTITUTIONS.—With respect to the sea grant institutions, the Director shall—

"(A) evaluate the programs of the institutions, using the guidelines and priorities established by the Secretary under subsection (a), to ensure that the objective set forth in section 202(b) is achieved;

"(B) subject to the availability of appropriations, allocate funding among the sea grant institutions so as to—

"(i) promote healthy competition among those institutions,

"(ii) promote successful implementation of the programs developed by the institutions under subsection (e), and

"(iii) to the maximum extent consistent with the other provisions of this subparagraph, provide a stable base of funding for the institutions; and

"(C) ensure compliance by the institutions with the guidelines for merit review published pursuant to section 207(b)(2)."

SEC. 6. DUTIES OF SEA GRANT INSTITUTIONS.

Section 204 (33 U.S.C. 1123) is amended by adding at the end the following new subsection:

"(e) DUTIES OF THE SEA GRANT INSTITUTIONS.—Subject to any regulations or guidelines promulgated by the Secretary, it shall be the responsibility of each sea grant institution to—

"(1) develop and implement, in consultation with the Secretary and the panel established under section 209, a program that is consistent with the guidelines and priorities developed under section 204(a); and

"(2) conduct merit review of all applications for project grants or contracts to be awarded under section 205."

SEC. 7. REPEAL OF SEA GRANT INTERNATIONAL PROGRAM.

(a) REPEAL.—Section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.

(b) CONFORMING AMENDMENT.—Section 209(b)(1) (33 U.S.C. 1128(b)(1)) is amended by striking "and section 3 of the Sea Grant Program Improvement Act of 1976".

SEC. 8. DESIGNATION OF SEA GRANT INSTITUTIONS.

Section 207 (33 U.S.C. 1126) is amended to read as follows:

"SEC. 207. SEA GRANT COLLEGES AND SEA GRANT REGIONAL CONSORTIA.

"(a) DESIGNATION.—The Secretary may designate an institution of higher learning as a sea grant college, and an association or alliance of two or more persons as a sea grant regional consortium, if the institution, association, or alliance—

"(1) is maintaining a balanced program of research, education, training, and advisory services in fields related to ocean, coastal, and Great Lakes resources;

"(2) will cooperate with other sea grant institutions and other persons to solve problems or meet needs relating to ocean, coastal, and Great Lakes resources;

"(3) will act in accordance with such guidelines as are prescribed under subsection (b)(2);

"(4) meets such other qualifications as the Secretary, in consultation with the sea grant review panel established under section 209, considers necessary or appropriate; and

"(5) is recognized for excellence in marine resources development and science.

"(b) REGULATIONS AND GUIDELINES.—

"(1) IN GENERAL.—The Secretary shall by regulation prescribe the qualifications required to be met under subsection (a)(4).

"(2) MERIT REVIEW.—Within 6 months after the date of enactment of the National Sea Grant College Program Reauthorization Act of 1997, the Secretary, after consultation with the sea grant institutions, shall establish guidelines for the conduct of merit review by the sea grant institutions of project proposals for grants and contracts to be awarded under section 205. The guidelines shall, at a minimum, provide for peer review of all research projects and require standardized documentation of all peer review.

"(c) SUSPENSION OR TERMINATION OF DESIGNATION.—The Secretary may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a)."

SEC. 9. AUTHORIZATIONS OF APPROPRIATIONS.

(a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—Section 212(a) (33 U.S.C. 1131(a)) is amended to read as follows:

"(a) AUTHORIZATION.—

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

"(A) \$54,300,000 for fiscal year 1998;

"(B) \$55,400,000 for fiscal year 1999; and

"(C) \$56,500,000 for fiscal year 2000.

"(2) ZEBRA MUSSEL AND OYSTER DISEASE RESEARCH.—Of the amount authorized for a fiscal year under paragraph (1)—

"(A) up to \$2,800,000 of the amount may be made available as provided in section 1301(b)(4)(A) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4741(b)(4)(A)) for competitive grants for university research on the zebra mussel; and

"(B) up to \$2,000,000 of the amount may be made available for competitive grants for university research on oyster disease."

(b) ADMINISTRATION.—Section 212(b) (33 U.S.C. 1131(b)) is amended—

(1) by striking so much as precedes paragraph (2) and inserting the following:

"(b) ADMINISTRATION.—

"(1) LIMITATION.—Of the amount appropriated for each fiscal year under subsection (a), an amount, not exceeding 5 percent of the lesser of the amount authorized under subsection (a) for the fiscal year or the amount appropriated under subsection (a) for the fiscal year, may be used for the administration of this Act, including section 209, by the National Sea Grant Office and the Administration."

(2) in paragraph (2)—

(A) by striking "subsections (a) and (c)" and inserting "subsection (a)"; and

(B) by striking "(2)" and inserting "(2) LIMITATION ON USE OF OTHER AMOUNTS.—"; and

(3) by moving paragraph (2) 2 ems to the right, so that the left margin of paragraph (2) is aligned with the left margin of paragraph (1), as amended by paragraph (1) of this subsection.

(c) REPEAL.—Section 212 (33 U.S.C. 1131) is amended by repealing subsection (c) and redesignating subsections (d) and (e) in order as subsections (c) and (d).

(d) PROHIBITION ON LOBBYING; NOTICE OF REPROGRAMMING OR REORGANIZATION.—Section 212 (33 U.S.C. 1131), as amended by subsection (c) of this section, is further amended by adding at the end the following:

"(e) PROHIBITION OF LOBBYING ACTIVITIES.—None of the funds authorized by this section shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

"(f) NOTICE OF REPROGRAMMING.—If any funds authorized by this section are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

"(g) NOTICE OF REORGANIZATION.—The Secretary shall provide notice to the Committees on Science, Resources, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the National Sea Grant College Program."

SEC. 10. CLERICAL, CONFORMING, AND TECHNICAL AMENDMENTS.

(a) CLERICAL AMENDMENTS.—

(1) Section 203(3) (33 U.S.C. 1122(3)) is amended by striking "the term" and inserting "The term".

(2) Section 203(6) (33 U.S.C. 1122(6)) is amended by moving subparagraph (F) 2 ems to the right, so that the left margin of subparagraph (F) is aligned with the left margin of subparagraph (E).

(3) The heading for section 204 (33 U.S.C. 1124) is amended to read as follows:

"SEC. 204. NATIONAL SEA GRANT COLLEGE PROGRAM."

(4) Section 209 (33 U.S.C. 1128) is amended by striking all of the matter that follows the first full sentence through "shall advise", and inserting "(b) DUTIES.—The panel shall advise".

(5) Section 205(b)(3) (33 U.S.C. 1124(b)(3)) is amended by striking "or section 206".

(6) Section 204(d)(1) (33 U.S.C. 1123(d)(1)) is amended—

(A) by striking "five positions" and inserting "one position"; and

(B) by striking "the maximum rate for GS-18 of the General Schedule under section 5332" and inserting "a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376".

(b) CONFORMING AMENDMENTS.—

(1) Section 204(b)(2) (33 U.S.C. 1123(b)(2)) is amended by striking "maximum rate for GS-18" and all that follows through the end of the sentence and inserting "maximum rate payable under section 5376 of title 5, United States Code".

(2) Section 209 (33 U.S.C. 1128) is amended—

(A) in subsection (b)(3) by striking "colleges and sea grant regional consortia" and inserting "institutions"; and

(B) in subsection (c)(1) in the last sentence in clause (A) by striking "college, sea grant regional consortium," and inserting "institution".

(c) TECHNICAL AMENDMENT.—Section 209(c)(5)(A) (33 U.S.C. 1128(c)(5)(A)) is amended by striking "the daily rate for GS-18 of the General Schedule under section 5332 of title 5, United States Code" and inserting "a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code".

H.R. 1757

OFFERED BY: MR. PAYNE

AMENDMENT NO. 7: At the end of the bill add the following (and conform the table of contents accordingly):

TITLE XVIII—MISCELLANEOUS PROVISIONS

SEC. 1801. ASSISTANCE TO THE DEMOCRATIC REPUBLIC OF CONGO.

Notwithstanding section 620(q) of the Foreign Assistance Act of 1961 or any other provision of law, assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance) and under chapter 10 of part I of such Act (relating to the Development Fund for Africa) may be made available for the Democratic Republic of Congo.

H.R. 1757

OFFERED BY: MR. SANDERS

AMENDMENT NO. 8: After title XVII insert the following new title:

TITLE XVIII—SENSE OF CONGRESS REGARDING THE IMPRISONMENT OF NGAWANG CHOEPHEL IN CHINA

SEC. 1801. SENSE OF CONGRESS REGARDING THE IMPRISONMENT OF NGAWANG CHOEPHEL IN CHINA.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Chinese Government sentenced Ngawang Choephel to an 18-year prison term plus 4 years subsequent deprivation of his political rights on December 26, 1996, following a secret trial.

(2) Mr. Choephel is a Tibetan national whose family fled Chinese oppression to live in exile in India in 1968.

(3) Mr. Choephel studied ethnomusicology at Middlebury College in Vermont as a Fulbright Scholar, and at the Tibetan Institute of Performing Arts in Dharamsala, India.

(4) Mr. Choephel returned to Tibet in July 1995 to prepare a documentary film about traditional Tibetan performing arts.

(5) Mr. Choephel was detained in August 1995 by the Chinese authorities and held incommunicado for over a year before the Government of the People's Republic of China admitted to holding him, and finally charged him with espionage in October 1996.

(6) There is no evidence that Mr. Choephel's activities in Tibet involved anything other than purely academic research.

(7) The Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the State Department's Country Reports on Human Rights Practices, and by human rights organizations, including Amnesty International and Human Rights Watch, Asia.

(8) The Government of the People's Republic of China is responsible for the destruction of much of Tibetan civilization since its invasion of Tibet in 1949.

(9) The arrest of a Tibetan scholar such as Mr. Choephel, who worked to preserve Tibetan culture, reflects the systematic attempt by the Government of the People's Republic of China to repress cultural expression in Tibet.

(10) The Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai, and have excluded Tibetans from participation in important policy decisions, which further threatens traditional Tibetan life.

(11) The Government of the People's Republic of China withholds meaningful participation in the governance of Tibet from Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans.

(12) The Dalai Lama of Tibet has stated his willingness to enter into negotiations with the Chinese and has repeatedly accepted the framework Deng Xiaoping proposed for such negotiations in 1979.

(13) The United States Government has not developed an effective plan to win support in international fora, such as the United States Commission on Human Rights, to bring international pressure to bear on the Government of the People's Republic of China to improve human rights and to negotiate with the Dalai Lama.

(14) The Chinese have displayed provocative disregard for the concerns of the United States by arresting and sentencing prominent dissidents in close proximity to visits to China by senior United States Government officials.

(15) The United States Government policy seeks to foster negotiations between the Governments of the People's Republic of China and the Dalai Lama, and processes China to respect Tibet's unique religious, linguistic, and cultural traditions.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) Ngawang Choephel and other prisoners of conscience in Tibet, as well as in China, should be released immediately and unconditionally;

(2) to underscore the gravity of this matter, in all official meetings with representatives of the Government of the People's Republic of China, United States officials

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should request Mr. Choephel's immediate and unconditional release;

(3) the United States Government should sponsor and promote a resolution at future meetings of the United Nations Commission on Human Rights and other appropriate international fora regarding China and Tibet which specifically political prisoners and ne-

gotiations with the Dalai Lama, until those situations in China and Tibet improve substantially;

(4) the United States Department of State should advise American citizens that Tibet is not currently a safe destination for American travelers;

(5) an exchange program should be established in honor of Ngawang Choephel, involv-

ing students of the Tibetan Institute of Performing Arts and appropriate educational institutions in the United States; and

(6) the United States Government should seek access for internationally recognized human rights groups to monitor human rights in Tibet.