His efforts are a classic American story of how one person with a cause can make a difference. I am pleased to see democracy work in such a commendable manner. This is indeed how our Government was set up to work and I am pleased to support his efforts, and those of SPAN, on behalf of so many Americans.

It is time to lift the veil of secrecy and begin the effort to heal the wounds and take the steps to prevent unnecessary loss of life.

It is time to continue the effort for mental health parity and ensure all who need assistance, get the assistance they need, without stigma.

The resolution I submit today with my colleagues I hope will be the first step in focussing awareness on the need for suicide prevention and addressing the need for a national strategy. No life should be lost when there is an opportunity to prevent its loss.

Not one of the nearly 31,000 lives lost to suicide annually is insignificant. These are the children, parents, grandparents, brothers, sisters, friends, coworkers, and neighbors of each and every one of us.

Few of us can say we do not know someone who has been personally touched by this tragedy.

I lost my father to suicide many years ago. I also know of several others who have just recently experienced the loss of a loved one to suicide.

Mr. President, I am honored to submit this resolution today and hope my colleagues will join me in taking the first step to making a difference in this very preventable public health tragedy.

I intend to offer legislation this session which will be vital in taking a necessary first step by calling for the establishment of injury control research centers which will deal exclusively with the subject of suicide. We need a focal point where we can develop expertise on suicide and share this expertise with others interested in getting involved.

I am pleased to lend my voice to this worthy cause and I am very happy to have Senator's MURRAY, WELLSTONE, and COVERDELL joining me in this effort.

I would also like to thank Jerry Weyrauch from SPAN and Dr. Lanny Berman from the American Association of Suicidology and Dr. Jane Pearson from the National Institute of Mental Health for their leadership in this field.

I also want to acknowledge the countless professionals and volunteers across America who staff the crisis call lines; facilitate the workshops and support groups determined to help survivors go forward after such a loss; organize and implement prevention programs; conduct the research and evaluation to understand the causes of suicidal behavior; provide the treatment and support; and the many brave families and survivors who go on helping others to put the pieces back together again.

Mr. President, we have before us today an opportunity to take the critical first step. I hope my colleagues will join me by overwhelmingly supporting this Senate resolution.

SENATE RESOLUTION 84—RECOGNIZING SUICIDE AS A NATIONAL PROBLEM

Mr. REID (for himself, Mrs. MURRAY, Mr. WELLSTONE, Mr. COVERDELL, Mr. BREAUX, and Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

S. RES. 84

Whereas suicide, the ninth leading cause of all deaths in the United States and the third such cause for young persons ages 15 through 24, claims over 31,000 lives annually, more than homicide;

Whereas suicide attempts, estimated to exceed 750,000 annually, adversely impact the lives of millions of family members;

Whereas suicide completions annually cause over 200,000 family members to grieve over and mourn a tragic suicide death for the first time, thus creating a population of over 4,000,000 such mourners in the United States;

Whereas the suicide completion rate per 100,000 persons has remained relatively stable over the past 40 years for the general population, and that rate has nearly tripled for young persons;

Whereas that suicide completion rate is highest for adults over 65;

Whereas the stigma associated with mental illness works against suicide prevention by keeping persons at risk of completing suicide from seeking lifesaving help;

Whereas the stigma associated with suicide deaths seriously inhibits surviving family members from regaining meaningful lives;

Whereas suicide deaths impose a huge unrecognized and unmeasured economic burden on the United States in terms of potential years of life lost, medical costs incurred, and work time lost by mourners;

Whereas suicide is a complex, multifaceted biological, sociological, psychological, and societal problem;

Whereas even though many suicides are currently preventable, there is still a need for the development of more effective suicide prevention programs;

Whereas suicide prevention opportunities continue to increase due to advances in clinical research, in mental disorder treatments, and in basic neuroscience, and due to the development of community-based initiatives that await evaluation; and

Whereas suicide prevention efforts should be encouraged to the maximum extent possible: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes suicide as a national problem and declares suicide prevention to be a national priority;

(2) acknowledges that no single suicide prevention program or effort will be appropriate for all populations or communities;

(3) encourages initiatives dedicated to—

(A) preventing suicide;

(B) responding to people at risk for suicide and people who have attempted suicide;

(C) promoting safe and effective treatment for persons at risk for suicidal behavior;

(D) supporting people who have lost someone to suicide; and

(E) developing an effective national strategy for the prevention of suicide; and

(4) encourages the development, and the promotion of accessibility and affordability, of mental health services, to enable all persons at risk for suicide to obtain the services, without fear of any stigma.

AMENDMENTS SUBMITTED

SUPPLEMENTAL APPROPRIATIONS ACT

WELLSTONE AMENDMENT NO. 57

Mr. WELLSTONE proposed an amendment to the bill (S. 672) making supplemental appropriations and rescissions for the fiscal year ending September 30, 1997, and for other purposes; as follows:

Beginning on page 47, strike line 19 and all that follows through page 48, line 12.

WESSSTONE AMENDMENT NO. 58

Mr. WELLSTONE proposed an amendment to the bill, S. 672, supra; as follows:

At the end of title III, add the following:

SEC. 326. The Secretary of Health and Human Services shall—

(1) make available under section 2604(g) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(g)), $45,000,000 in assistance described in such Act to victims of flooding and other natural disasters in Minnesota, North Dakota, and South Dakota, for fiscal year 1997; and

(2) make the assistance available from funds appropriated to carry out such Act prior to the date of enactment of this section.

BYRD AMENDMENT NO. 59

(Ordered to lie on the table.)

Mr. BYRD submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 81, beginning with line 1, strike all through page 85, line 9.

STEVENS AMENDMENT NO. 60

Mr. STEVENS proposed an amendment to the bill, S. 672, supra; as follows:

On line 1, page 37 of the bill, after the colon, strike all through ''1997'' on line 15 of page 37, and insert the following: ''*Provided further,* That notwithstanding any other provision of law, such additional authority shall be distributed to ensure that States receive amounts that they would have received had the Highway Trust Fund fiscal year 1994 income statement not been understated prior to the revision on December 24, 1996; and that notwithstanding any other provision of law, an amount of obligational authority in addition to the amount distributed above, shall be made available by this Act and shall be distributed to assure that States receive obligational authority that they would have received had the Highway Trust Fund fiscal year 1995 income statement not been revised on December 24, 1996: *Provided further,* That such additional authority shall be distributed to ensure that no State shall receive an amount in fiscal year 1997 that is less than the amount a State received in fiscal year 1996''

FAIRCLOTH AMENDMENT NO. 61

(Ordered to lie on the table.)

Mr. FAIRCLOTH submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 57, between lines 3 and 4, insert the following:

SEC. 326.(a)(1) Notwithstanding any other provision of law, the Federal Communications Commission shall grant to Orion Communications of Asheville, North Carolina, a temporary authorization to operate an FM radio station in the vicinity of Asheville, North Carolina.

(2) Subject to subsection (b), the scope of the temporary authorization under this subsection shall be identical to the scope of the temporary authorization of Orion Communications to operate the radio station that was rescinded as a result of the actions taken by the Commission upon the remand of Bechtel v. Federal Communications Commission, 10 F.3d 875 (D.C. Cir. 1993).

(b) The temporary authorization granted under subsection (a) shall expire 6 months after the date of enactment of this Act.

HUTCHISON (AND GRAMM) AMENDMENT NO. 62

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself and Mr. GRAMM) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

SEC. . ENROLLMENT FLEXIBILITY.

(a) IN GENERAL.—Notwithstanding any other provision of law, any State plan (including any subsequent technical, clerical, and clarifying corrections submitted by the State) relating to the integration of eligibility determinations and enrollment procedures for Federally-funded public health and human services programs administered by the Department of Health and Human Services and the Department of Agriculture through the use of automated data processing equipment or services which was submitted by a State to the Secretary of Health and Human Services and to the Secretary of Agriculture prior to October 18, 1996, and which provides for a request for offers described in subsection (b), is deemed approved and is eligible for Federal financial participation in accordance with the provisions of law applicable to the procurement, development, and operation of such equipment or services.

(b) REQUEST FOR OFFERS DESCRIBED.—A request for offers described in this subsection is a public solicitation for proposals to integrate the eligibility determination functions for various Federally and State funded programs within a State that utilize financial and categorical eligibility criteria through the development and operation of automated data processing systems and services.

HUTCHISON AMENDMENT NO. 63

(Ordered to lie on the table)

Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. AGREEMENTS UNDER THE ENDANGERED SPECIES ACT OF 1973.

(a) LISTING.—Section 4(b)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(1)) is amended by adding at the end the following:

''(C) AGREEMENTS.—In determining whether a species is an endangered species or a threatened species, the Secretary shall take into full consideration any—

''(i) conservation agreement;

''(ii) pre-listing agreement;

''(iii) memorandum of agreement;

''(iv) memorandum of understanding; or

''(v) any other agreement designed to promote the conservation of any species;

agreed to by the Secretary and any other Federal agency, State, State agency, political subdivision of a State, or other person, including the reasonably expected future beneficial effects to the species of every provision of the agreement that has been implemented or is reasonably likely to be implemented.''.

(b) RECOVERY PLANS.—Section 4(f) of the Endangered Species Act of 1973 (16 U.S.C. 1533(f)) is amended by adding at the end the following:

''(6) AGREEMENTS.—The Secretary shall—

''(A) give the highest priority to development and implementation of a recovery plan for a species for which the Secretary has entered into a—

''(i) conservation agreement;

''(ii) pre-listing agreement;

''(iii) memorandum of agreement;

''(iv) memorandum of understanding; or

''(v) any other agreement designed to promote the conservation of any species;

(whether before or after the listing of the species as endangered or threatened) with any other Federal agency, State, State agency, political subdivision of a State, or other person; and

''(B) ensure that the commitments made by the Secretary in the agreement are fulfilled before funds are expended on the development and implementation of any other recovery plan.''.

BUMPERS AMENDMENT NO. 64

(Ordered to lie on the table.)

Mr. BUMPERS submitted an amendment intended to be proposed by himself to the bill, S. 672, supra; as follows:

On page 50, strike lines 1 through 11.

WARNER (AND OTHERS) AMENDMENT NOS. 65–66

(Ordered to lie on the table.)

Mr. WARNER (for himself, Mr. GRAHAM, and Mr. ABRAHAM) submitted two amendments intended to be proposed by them to the bill, S. 672, supra; as follows:

AMENDMENT NO. 65

On page 39, strike ''and fiscal'' on line 12 and all that follows through line 18 and insert ''income statement not been understated prior to the revision on December 24, 1996: *Provided further,* That the additional authority shall be distributed to ensure that States shall receive an additional amount of authority in fiscal year 1997 and that the authority be distributed in the manner provided in section 310 of Public Law 104–205 (110 Stat. 2969):''.

AMENDMENT NO. 66

At the appropriate place add the following:

''Notwithstanding any other provision of this act, the language on page 39, lines 12 through 18 is deemed to read, ''had the Highway Trust Fund fiscal year 1994 income statements not been understated prior to the revision on December 24, 1996: *Provided further,* That the additional authority shall be distributed to ensure that States shall receive an additional amount of authority in fiscal year 1997 and that the authority be distributed in the manner provided in section 310 of Public Law 104–205 (110 Stat. 2969):''.

COCHRAN AMENDMENT NO. 67

Mr. COCHRAN proposed an amendment to the bill, S. 672, supra; as follows:

On page 9, line 25, strike '', to remain available until expended'' after ''ters,'' and insert '', to remain available until expended'' after ''$18,000,000''.

On page 11, line 25, after ''disasters'' insert ''subject to a Presidential or Secretarial declaration''.

On page 11, strike all between the word ''similar'' on line 25 and the word ''to'' on line 26.

On page 12, line 4, strike ''the eligibility'' and insert in lieu thereof ''gross income and payment limitations''.

On page 13, line 13, strike ''cropland'' and insert in lieu thereof ''agricultural land''.

On page 16, line 2, strike ''$3,000,000,'' and insert in lieu thereof ''$6,500,000.''

WELLSTONE AMENDMENT NO. 68

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 16, between lines 10 and 11, insert the following:

FOOD AND CONSUMER SERVICE

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For additional amount to carry out the special supplemental nutrition program under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $76,000,000, to remain available through September 30, 1998: *Provided,* That notwithstanding subsections (g) through (i) of that section, the Secretary shall allocate the amount through the formula in existence on the date of enactment of this Act or any other method the Secretary considers necessary.

BINGAMAN AMENDMENT NO. 69

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follow:

On page 48, strike lines 13 and 14.

JOHNSON (AND DASCHLE) AMENDMENT NO. 70

(Ordered to lie on the table.)

Mr. JOHNSON (for himself and Mr. DASCHLE) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

On page 19, line 6, before the period, insert the following: '': *Provided further,* That, of the funds appropriated under this paragraph, $10,000,000 shall be used for the project consisting of channel restoration and improvements on the James River authorized by section 401(b) of the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4128)''.

GREGG AMENDMENTS NOS. 71–72

(Ordered to lie on the table.)

Mr. GREGG submitted two amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 71

At the appropriate place, insert the following:

SEC. . MODIFICATION OF REQUIREMENTS REGARDING RECOMMENDATIONS TO ENSURE THE SOLVENCY OF THE SOCIAL SECURITY TRUST FUNDS.

Section 709(a) of the Social Security Act (42 U.S.C. 910(a)) is amended—

(1) by striking ''for any calendar year'' and inserting ''for any of the succeeding 75 calendar years'';

(2) by striking ''recommendations for statutory adjustments'' and inserting ''recommendations for specific statutory provisions''; and

(3) by inserting ''in each of the succeeding 75 calendar years'' after ''not less than 20 percent''.

AMENDMENT NO. 72

On page 57, between lines 3 and 4, insert the following:

SEC. 326. SENSE OF THE SENATE.

(a) FINDINGS.—Congress finds that—

(1)(A) the officers of the Federal Government and the members of the European Union have had lengthy negotiations with regard to the establishment of a mutual recognition agreement with respect to good manufacturing practice (GMP) inspections of medical devices and pharmaceuticals and the processes of approving medical devices;

(B) in December 1996, the President urged the officers of the Federal Government and the members of the European Union to resolve the issues with respect to the negotiations, and enter into and implement the mutual recognition agreements;

(C) the officers of the Federal Government and the members of the European Union have not resolved the issues;

(D) the mutual recognition agreement would enhance the trade relationships between the United States and the European Union and generate regulatory savings with respect to medical devices and pharmaceuticals; and

(2) the harmonization of international standards is also necessary to facilitate commerce between the United States and foreign countries.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1)(A) the officers of the Federal Government and the members of the European Union should, on an expedited bases, conclude negotiations, enter into, and implement a mutual recognition agreement with respect to—

(i) good manufacturing practice inspections for medical devices and pharmaceuticals; and

(ii) the processes of approving medical devices; and

(B) the Secretary of Health and Human Services, in consultation with the Secretary of Commerce and other appropriate agencies, should facilitate the conclusion of negotiations between the members of the European Union and the officers of the Federal Government and accept the mutual recognition agreement;

(2) the Secretary of Health and Human Services should regularly participate in meetings with foreign governments to discuss and reach agreement on methods and approaches to harmonize key regulatory requirements and to utilize international standards; and

(3) the Office of International Relations of the Department of Health and Human Services (as established under section 803 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 383)) should have the responsibility of ensuring that the process, established by the Secretary of Health and Human Services and foreign countries, to harmonize international standards is continuous and productive.

HOLLINGS AMENDMENTS NOS. 73–74

(Ordered to lie on the table.)

Mr. HOLLINGS submitted two amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 73

At the appropriate place, insert the following: ''*Provided further* that $400,000 be appropriated to renovate thirty-three miles of open channel and repair access road in the Willow Swamp Watershed caused by extended periods of heavy rainfall.''.

AMENDMENT NO. 74

At the appropriate place insert the following:

''FOOD AND CONSUMER SERVICES

''The Emergency Food Assistance Program Notwithstanding section 27(a) of the Food Stamp Act, the amount specified for allocation under such section for fiscal year 1997 shall be $99,600,000.''.

CHAFEE AMENDMENT NO. 75

(Ordered to lie on the table.)

Mr. CHAFEE submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

Beginning on page 50, line 15, strike all through page 51 and insert the following:

''The policy issued on February 19, 1997, by the United States Fish and Wildlife Service implementing the emergency provisions of the Endangered Species Act (16 U.S.C. 1531) and applying to 46 counties in California that were declared Federal disaster areas shall apply to—

''(a) all counties nationwide heretofore and hereafter declared Federal disaster areas at any time during 1996 or 1997, and

''(b) repair activities on flood control facilities in response to an imminent threat to human lives and property at any time during 1996 or 1997,

and in each instance shall remain in effect until the Assistant Secretary of the Army for Civil Works determines that 100 percent of emergency repairs have been completed, but shall not remain in effect later than December 31, 1998.''.

SPECTER AMENDMENTS NOS. 76–78

(Ordered to lie on the table.)

Mr. SPECTER submitted three amendments intended to be proposed by him to the bill, S. 672, surpa; as follows:

AMENDMENT NO. 76

At the appropriate place, insert the following:

SEC. . COLLECTION AND DISSEMINATION OF INFORMATION ON PRICES RECEIVED FOR BULK CHEESE.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall collect and disseminate, on a weekly basis, statistically reliable information, obtained from cheese manufacturing areas in the United States on prices received and terms of trade involving bulk cheese, including information on the national average price for bulk cheese sold through spot and forward contract transactions. To the maximum extent practicable, the Secretary shall report the prices and terms of trade for spot and forward contract transactions separately.

(b) CONFIDENTIALITY.—All information provided to, or acquired by, the Secretary under subsection (a) shall be kept confidential by each officer and employee of the Department of Agriculture except that general weekly statements may be issued that are based on the information and that do not identify the information provided by any person.

(c) REPORT.—Not later than 150 days after the date of enactment of this Act, the Secretary shall report to the Committee on Agriculture, and the Committee on Appropriations, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Appropriations, of the Senate, on the rate of reporting compliance by cheese manufacturers with respect to the information collected under subsection (a). At the time of the report, the Secretary may submit legislative recommendations to improve the rate of reporting compliance.

(d) TERMINATION OF EFFECTIVENESS.—The authority provided by subsection (a) terminates effective April 5, 1999.

AMENDMENT NO. 77

At the appropriate place, insert the following:

SEC. . BASIC FORMULA PRICE.

Section 143(a) of the Agricultural Market Transition Act (7 U.S.C. 7253(a)) is amended by adding at the end the following:

''(5) BASIC FORMULA PRICE.—In carrying out this subsection and section 8c(5) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary shall use as factors that are used to determine the basic formula price for milk and any other milk price regulated by the Secretary—

''(A) the price of feed grains, including the cost of concentrates, byproducts, liquid whey, hay, silage, pasture, and other forage; and

''(B) other cash expenses, including the cost of hauling, artificial insemination, veterinary services and medicine, bedding and litter, marketing, custom services and supplies, fuel, lubrication, electricity, machinery and building repairs, labor, association fees, and assessments.''.

AMENDMENT NO. 78

Ordered to lie on the table to be printed Amendment intended to be proposed by Mr. SPECTER

At the appropriate place, insert the following:

SEC. . COLLECTION AND DISSEMINATION OF INFORMATION ON PRICES RECEIVED FOR CHEESE, BUTTER, AND NONFAT DRY MILK.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall collect and disseminate, on a weekly basis, statistically reliable information, obtained from cheese manufacturing areas in the United States on prices received and terms of trade involving bulk cheese, including information on the national average price for bulk cheese sold through spot and forward contract transactions. To the maximum extent practicable, the Secretary shall report the prices and terms of trade for spot and forward contract transactions separately.

(b) REPORTING.—The Secretary may require dairy product manufacturing plants in the United States to report to the Secretary on a weekly basis the price they receive for cheese, butter, and nonfat dry milk sold through spot sales arrangements, forward contracts, or other sales arrangements.

(c) CONFIDENTIALITY.—All information provided to, or acquired by, the Secretary under subsections (a) and (b) shall be kept confidential by each officer and employee of the Department of Agriculture except that general weekly statements may be issued that are based on the information and that do not identify the information provided by any person.

COATS AMENDMENT NO. 79

(Ordered to lie on the table.)

Mr. COATS submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 85, between lines 9 and 10, insert the following:

TITLE VIII—MISCELLANEOUS

SEC. 801. IMPLEMENTATION OF RATING SYSTEMS FOR TELEVISION PROGRAMMING.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following:

''SEC. 337. RATING SYSTEMS FOR TELEVISION PROGRAMMING.

''(a) SYSTEM REQUIRED FOR GRANT OR RENEWAL OF BROADCAST TELEVISION LICENSE.—The Commission shall not grant or renew a license for a broadcast television station unless the person applying for the license submits to the Commission with the application evidence of—

''(1) in the case of an application for the grant of a license, a plan for the implementation of a system for rating the content of television programming to be broadcast by the station under the license; or

''(2) in the case of an application for the renewal of a license, evidence of the implementation as of the date of the application of a system for rating the content of television programming broadcast by the station.

''(b) SYSTEM REQUIRED FOR ASSIGNMENT OF TRANSITIONAL DIGITAL TELEVISION FREQUENCIES.—The Commission shall not assign transitional digital television frequencies to a broadcast television station unless the person licensed to operate the station submits to the Commission with the request for assignment evidence of the implementation as of the date of the request of a system for rating the content of television programming broadcast by the station.

''(c) RECOVERY OF CERTAIN TRANSITIONAL FREQUENCIES.—The Commission shall require a person assigned transitional digital television frequencies before the date of enactment of this section to surrender such frequencies to the Commission if the person does not submit to the Commission, before commencement of the use of such frequencies, evidence of the implementation of a system for rating the content of television programming to be broadcast using such frequencies.

''(d) SYSTEM ELEMENTS.—

''(1) IN GENERAL.—Each system for rating the content of television programming under this section shall provide a rating of the specific content of each pre-recorded program broadcast by the television station concerned.

''(2) SPECIFIC ELEMENTS.—The rating of a television program under such system shall—

''(A) include information regarding language content, sexual content, violent content, and any other element that the person implementing the system considers appropriate; and

''(B) be broadcast so as—

''(i) to appear in both visible and audible form;

''(ii) to appear at the beginning of the program, and every 30 minutes thereafter in the case of a program in excess of 30 minutes in length; and

''(iii) to permit the automatic blocking of display of the program using a feature to block display of programs with a common rating required under section 303(x).

''(e) REVIEW BY COMMISSION.—

''(1) PURPOSE OF REVIEW.—The Commission shall review each system for rating the content of television programming submitted under this section solely for the purpose of assuring that such system meets the requirements of subsection (d).

''(2) SCOPE OF AUTHORITY.—Nothing in this section may be construed to authorize or require the Commission to establish or require a specific system for rating television programming.

''(3) APPLICABILITY OF CONTENT-BASED STANDARDS.—Nothing in this section may be construed to limit the applicability to television programs covered by a system for rating television programming under this section of any content-based standards otherwise applicable to such programs under any other provision of law.

''(f) DEFINITION.—As used in this section:

''(1) ADVANCED TELEVISION SERVICES.—The term 'advanced television services' has the meaning given such term in section 336(g)(1).

''(2) TRANSITIONAL DIGITAL TELEVISION FREQUENCIES.—The term 'transitional digital television frequencies' means television frequencies allotted by the Commission for use by broadcast television stations for the transition of such stations from the broadcast of analog television services to the broadcast of advanced television services.''.

SNOWE (AND KERRY) AMENDMENT NO. 80

(Ordered to lie on the table.)

Ms. SNOWE (for herself and Mr. KERRY) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

SEC. . DISENTANGLEMENT OF MARINE MAMMALS.

Section 101(c) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371(c)) is amended by inserting a comma and ''to free a marine mammal from entanglement in fishing gear or debris,'' after ''self-defense''.

SNOWE AMENDMENTS NOS. 81–82

(Ordered to lie on the table.)

Ms. SNOWE submitted two amendments intended to be proposed by her to the bill, S. 672, supra; as follows:

AMENDMENT NO. 81

At the appropriate place, insert the following:

SEC. . TAKE-REDUCTION PLAN.

(a) Notwithstanding any other provision of law, or any decision by a Federal court to the contrary, the Secretary of Commerce may not issue a regulation to implement a take-reduction plan for Atlantic Large Whales pursuant to section 118 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1387) before May 1, 1998, except as provided in subsection (b) and (c).

(b)(1) The Secretary may, after consultation with the fishing industry, the States, whale scientists, whale disentanglement specialists, and conservation organizations, issue a regulation to implement a take-reduction plan for Atlantic large whales before May 1, 1998, if that plan is limited to any combination of the following—

(A) a program designed to obtain information on the movements and distribution, and on the incidence of fishing gear entanglement, injury, or mortality, of Atlantic large whales;

(B) a program providing for the disentanglement of Atlantic whales that have been entangled in fishing gear;

(C) a program to inform and educate the fishing industry and the public about the current status of Atlantic large whales, the threats of injury and mortality to such whales, including ship strikes, voluntary actions that can be taken by the fishing industry and the public to reduce the risk of fishing gear entanglement, injury, and mortality of such whales, and any other information that the Secretary deems appropriate;

(D) research on modifications to fishing gear, and new types of fishing gear, that reduce the risk of entanglement, serious injury, and mortality to Atlantic large whales, and the development and testing of prototypes of such fishing gear;

(E) the marking of fishing gear to identify the type of fishing gear involved in the entanglement of a marine mammal, and the location in which the gear was fished;

(F) the inspection of gear for the purpose of determining compliance with any gear marking requirement approved under subparagraph (E); and

(G) a program to reduce inactive fishing gear that poses a significant risk of entanglement, serious injury, or mortality to Atlantic large whales.

(2) For the purposes of this subsection, the term ''inactive fishing gear'' means fishing gear that remains in the waters of the United States but is no longer used in a viable fishing operation.

(c) the Secretary may, after consultation with the fishing industry, the states, whale scientists, whale disentanglement specialists, and conservation organizations, issue a regulation to implement that part of a take reduction plan for Atlantic large whales covering only areas designated as critical habitat for the Northern Right Whale before May 1, 1998. The issuance of a regulation under this subsection shall not constitute the implementation of a take reduction plan for the purposes of Section 118(f)(2) and 118(f)(5).

(d)(1)(A) Notwithstanding any other provision of law, the Secretary of Commerce shall, within 30 days after the enactment of this Act, reconvene the take-reduction team for Atlantic large whales.

(B) In reconvening the team referred to in subparagraph (A), the Secretary shall ensure that the membership of the team adequately reflects any significant regional differences in operating conditions within commercial fisheries and gear types that incidentally take Atlantic large whales, including, if necessary, the appointment of additional members to the team to reflect such regional differences.

(2)(A) Not later than 4 months after the date that the take-reduction team for Atlantic large whales has been reconvened, the team shall submit a draft take-reduction plan to the Secretary, consistent with the other provisions, of section 118 of the Marine Mammal Protection Act (16 U.S.C. 1387).

(B) The take-reduction team shall meet no less than 4 times before the end of the 4-month period referred to in subparagraph (A).

(C) After the take-reduction has been reconvened, the team and the Secretary shall follow the procedures set forth in section 118(f)(7) of the Marine Mammal Protection Act.

(e) A permit pursuant to section 101(a)(5)(E) of the Marine Mammal Protection Act (16 U.S.C. 1371) shall be deemed granted for commercial fisheries interacting with Atlantic Large Whales, and listed under section 118(c), until May 1, 1998.

(f) Section 101(c) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371(c)) is amended by inserting a comma and ''to free a marine mammal from entanglement in fishing gear or debris,'' after ''self-defense''.

AMENDMENT NO. 82

At the appropriate place, insert the following:

SEC. . TAKE-REDUCTION PLAN.

(a) Notwithstanding any other provision of law, or any decision by a Federal court to the contrary, the Secretary of Commerce may not issue a regulation to implement a take-reduction plan for Atlantic Large Whales pursuant to section 118 of the Marine Mammal Protection Act of 1972 (16 U.S.C.

1387) before February 1, 1998, except as provided in subsection (b).

(b)(1) The Secretary may, after consultation with the fishing industry, the States, whale scientists, whale disentanglement specialists, and conservation organizations, issue a regulation to implement a take-reduction plan for Atlantic large whales before February 1, 1998, if that plan is limited to any combination of the following—

(A) a program designed to obtain information on the movements and distribution, and on the incidence of fishing gear entanglement, injury, or mortality, of Atlantic large whales;

(B) a program providing for the disentanglement of Atlantic large whales that have been entangled in fishing gear;

(C) a program to inform and educate the fishing industry and the public about the current status of Atlantic large whales, the threats of injury and mortality to such whales, including ship strikes, voluntary actions that can be taken by the fishing industry and the public to reduce the risk of fishing gear entanglement, injury, and mortality of such whales, and any other information that the Secretary deems appropriate;

(D) research on modifications to fishing gear, and new types of fishing gear, that reduce the risk of entanglement, serious injury, and mortality to Atlantic large whales, and the development and testing of prototypes of such fishing gear;

(E) the marking of fishing gear to identify the type of fishing gear involved in the entanglement of a marine mammal, and the location in which the gear was fished;

(F) the inspection of gear for the purpose of determining compliance with any gear marking requirement approved under subparagraph (E); and

(G) a program to reduce inactive fishing gear that poses a significant risk of entanglement, serious injury, or mortality to Atlantic large whales.

(2) For the purposes of this subsection, the term ''inactive fishing gear'' means fishing gear that remains in the waters of the United States but is no longer used in a viable fishing operation.

(c)(1)(A) Notwithstanding any other provision of law, the Secretary of Commerce shall, within 30 days after the enactment of this Act, reconvene the take-reduction team for Atlantic large whales.

(B) In reconvening the team referred to in subparagraph (A), the Secretary shall ensure that the membership of the team adequately reflects any significant regional differences in operating conditions within commercial fisheries and gear types that incidentally take Atlantic large whales, including, if necessary, the appointment of additional members to the team to reflect such regional differences.

(2)(A) Not later than 3 months after the date that the take-reduction team for Atlantic large whales has been reconvened, the team shall submit a draft take-reduction plan to the Secretary, consistent with the other provisions, of section 118 of the Marine Mammal Protection Act (16 U.S.C. 1387).

(B) The take-reduction team shall meet no less than 4 times before the end of the 3-month period referred to in subparagraph (A).

(C) After the take-reduction has been reconvened, the team and the Secretary shall follow the procedures set forth in section 118(f)(7) of the Marine Mammal Protection Act.

(d) A permit pursuant to section 101(a)(5)(E) of the Marine Mammal Protection Act (16 U.S.C. 1371) shall be deemed granted for commercial fisheries interacting with Atlantic Large Whales, and listed under section 118(c), until February 1, 1998.

(e) Section 101(e) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371(c)) is amended by inserting a comma and ''to free a marine mammal from entanglement in fishing gear or debris,'' after ''self-defense''.

FEINGOLD AMENDMENTS NOS. 83–84

(Ordered to lie on the table.)

Mr. FEINGOLD submitted two amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 83

On page 7, line 24, insert before the period, the following: '': *Provided further,* That none of the funds made available under this Act may be obligated or expended for operations or activities of the Armed Forces relating to Bosnia ground deployment after September 30, 1997''.

AMENDMENT NO. 84

On page 9, between line 2 and 3, insert the following:

(c) PROHIBITION.—(1) Congress makes the following findings:

(A) On November 27, 1995, the President affirmed that United States participation in the multinational military Implementation Force (known as IFOR) would terminate in one year.

(B) The President declared the expiration date of the mandate for IFOR to be December 20, 1996.

(C) The Secretary of Defense and the Chairman of the Joint Chiefs of Staff likewise expressed their confidence that IFOR would complete its mission in one year.

(D) The exemplary performance of the United States Armed Forces has significantly contributed to the accomplishment of the military mission of IFOR, and the courage, dedication, and professionalism of such personnel have permitted the separation of the belligerent parties to the conflict in Bosnia and Herzegovina and have resulted in a significant mitigation of the violence and suffering in Bosnia and Herzegovina.

(E) On October 3, 1996, the Chairman of the Joint Chiefs of Staff announced the intention of the President to delay the removal of the United States Armed Forces personnel from Bosnia and Herzegovina until March 1997 for operational reasons.

(F) Notwithstanding the assurances given to Congress by the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff of their resolve to end the mission of United States Armed Forces in Bosnia and Herzegovina by December 20, 1996, the President in November 1996 announced his intention to further extend the deployment of the United States Armed Forces in Bosnia and Herzegovina until June 1998 to participate in the multinational military Stabilization Force (known as SFOR).

(G) Before the announcement of the new policy referred to in subparagraph (F), the President did not request authorization by Congress of the policy that would result in the further deployment of United States Armed Forces in Bosnia and Herzegovina until June 1998.

(H) Although the cost of the United States Armed Forces deployment in Bosnia and Herzegovina was initially estimated at $2,000,000,000, the estimate has been revised upward to $6,500,000,000, more than three times the initial projected cost.

(I) Unless an end date for the deployment of United States Armed Forces in Bosnia and Herzegovina is established, the length of the deployment and the cost of the operation is likely to continue to increase.

(2) No funds appropriated or otherwise made available by this or any other Act for the Department of Defense or any other agency of the Federal Government may be obligated or expended for the deployment of the Armed Forces of the United States on the ground in Bosnia and Herzegovina after September 30, 1997.

(3) The prohibition in paragraph (2) does not apply to obligations and expenditures necessary to support the safe and timely withdrawal of the Armed Forces from Bosnia and Herzegovina.

(4) If requested by the President and authorized in a law enacted after the date of the enactment of this Act, obligations and expenditures otherwise prohibited under paragraph (2) after the date specified in that paragraph may be made during the 90-day period beginning on the day after that date.

HOLLINGS AMENDMENTS NOS. 85–87

(Ordered to lie on the table.)

Mr. HOLLINGS submitted three amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 85

On page 47, strike lines 14 through 18 and insert the following:

SEC. 303. (a) None of the funds available in any appropriations Act for fiscal year 1997 may be used by the Department of Commerce to plan or otherwise prepare for the use of sampling in taking the 2000 census in a manner that cannot be reversed should Congress determine that only a direct enumeration 2000 census may be performed;

(b) The Senate Committee on Governmental Affairs shall review the current plans of the Bureau of the Census for conducting the decennial census in the year 2000 and it shall report back to the Senate not later than July 15, 1997, on the accuracy, objectivity, and cost effectiveness of employing statistical sampling in the conduct of the decennial census.

AMENDMENT NO. 86

On page 47, strike lines 14 through 18 and insert the following:

SEC. 303. None of the funds available in any appropriations Act for fiscal year 1997 may be used by the Department of Commerce to plan or otherwise prepare for the use of sampling in taking the 2000 census in a manner that cannot be reversed should Congress determine that only a direct enumeration 2000 census may be performed.

AMENDMENT NO. 87

On page 47 of the bill, strike lines through 18.

GRAHAM AMENDMENT NO. 88

(Ordered to lie on the table.)

Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

Beginning on page 75, strike line 11 and all that follows through page 80, line 22, and insert the following:

TITLE VI—SOCIAL SECURITY ADMINISTRATION—SUPPLEMENTAL SECURITY INCOME

None of the funds appropriated or otherwise made available by this Act or any other Act for the Social Security Administration for fiscal year 1997 may be used to implement any termination or suspension of benefits under the supplemental security income program under title XVI of the Social Security

Act (42 U.S.C. 1381 et seq.) pursuant to section 402(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)).

DASCHLE AMENDMENTS NOS. 89–91

(Ordered to lie on the table.)

Mr. DASCHLE submitted three amendments intended to be proposed by him to the bill. S. 672, surpa; as follows:

AMENDMENT NO. 89

At the appropriate place, insert the following:

FEDERAL EMERGENCY MANAGEMENT AGENCY

GRANT FOR THE CONSTRUCTION OF A PIPELINE TO CONNECT THE TOWN OF GETTYSBURG, SOUTH DAKOTA, TO THE MID-DAKOTA RURAL WATER SYSTEM

For the funding of a grant to the town of Gettysburg, South Dakota, to be used to pay the Bureau of Reclamation of the construction of a pipeline to connect the town to the Mid-Dakota Rural Water System, $1,500,000.

DEPARTMENT OF AGRICULTURE

CONSOLIDATED FARM SERVICES AGENCY

For the funding of an emergency community water assistance grant to the town of Gettysburg, South Dakota, under section 306A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a), $1,500,000.

AMENDMENT NO. 90

At the appropriate place, insert the following:

UNITED STATES FISH AND WILDLIFE SERVICE PARTNERS FOR WILDLIFE PROGRAM

For the Partners of Wildlife Program of the United States Fish and Wildlife Service, $5,000,000 to pay private landowners for the voluntary use of private land to store water in restored wetlands.

AMENDMENT NO. 91

At the appropriate place, insert the following new section:

SEC. . EMERGENCY ASSISTANCE FOR THE CROW CREEK SIOUX TRIBE.

(a) DEFINITIONS.—In this section:

(1) BAD NATION COMMUNITY.—The term ''Bad Nation Community'' means the Bad Nation Community of the Crow Creek Indian Reservation, South Dakota.

(2) FORT THOMPSON COMMUNITY.—The term ''Fort Thompson Community'' means the Fort Thompson Community of the Crow Creek Indian Reservation, South Dakota.

(3) TRIBAL ADMINISTRATION BUILDING.—The term ''Tribal Administration Building'' means the administration building of the Tribe.

(4) TRIBAL FARM.—The term ''Tribal Farm'' means the Crow Creek Tribal Farm, located in the Crow Creek Indian Reservation, South Dakota.

(5) TRIBE.—The term ''Tribe'' means the Crow Creek Sioux Tribe of Indians, a band of the Great Sioux Nation recognized by the United States of America.

(b) EMERGENCY ASSISTANCE.—

(1) IN GENERAL.—In addition to the amounts appropriated under this Act for the Bureau of Indian Affairs of the Department of the Interior, there are appropriated to the Department of the Interior for use by the Bureau of Indian Affairs $1,200,000. The amount appropriated under this paragraph shall be used for the emergency response activities specified in paragraphs (2) through (5) to address damage to the Crow Creek Indian Reservation, South Dakota, caused by natural disasters.

(2) ROAD REPAIRS.—Of the amount appropriated under paragraph (1), $725,000 shall be used for road repairs, of which—

(A) $125,000 shall be used to make repairs to roads that service the Fort Thompson Community; and

(B) $600,000 shall be used to make repairs to roads that service the Bad Nation Community.

(3) MONITORING AND CLEANUP OF SEWAGE.—Of the amount appropriated under paragraph (1), $40,000 shall be used for the monitoring and cleanup of sewage discharges.

(4) TRIBAL FARM.—Of the amount appropriated under paragraph (1), $350,000 shall be used to repair damage to the irrigation pump on the Tribal Farm.

(5) TRIBAL ADMINISTRATION BUILDING.—Of the amount appropriated under paragraph (1), $85,000 shall be used to repair the Tribal Administration Building.

LEAHY AMENDMENT NO. 92

(Ordered to lie on the table.)

Mr. LEAHY submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 68, below line 24, add the following:

SEC. 406. Notwithstanding any other provision of law, funds appropriated for Dual Use Applications Programs in Public Law 104–208 (110 Stat. 3009–84) under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' may be obligated by the Secretary of Defense for the Commercial Operations and Support Savings Initiative.

REID (AND BAUCUS) AMENDMENT NO. 93

(Ordered to lie on the table.)

Mr. REID (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

Beginning on page 50, strike line 15 and all that follows through page 51 and insert the following:

The policy issued on February 19, 1997, by the United States Fish and Wildlife Service implementing emergency provisions of the Endangered Species Act and applying to 46 California counties that were declared Federal disaster areas shall apply to all counties nationwide heretofore or hereafter declared Federal disaster areas at any time during 1997 and shall apply to repair activities on flood control facilities in response to an imminent threat to human lives and property and shall remain in effect until the Assistant Secretary of the Army for Civil Works determines that 100 percent of emergency repairs have been completed, but shall not remain in effect later than December 31, 1998.

REID AMENDMENT NO. 94

(Ordered to lie on the table.)

Mr. REID submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

Beginning on page 50, strike line 15 and all that follows through page 51 and insert the following:

The policy issued on February 19, 1997, by the United States Fish and Wildlife Service implementing emergency provisions of the Endangered Species Act and applying to 46 California counties that were declared Federal disaster areas shall—

(1) apply to all counties nationwide heretofore or hereafter declared Federal disaster areas at any time during 1997; or

(2) apply to repair activities on flood control facilities in response to an imminent threat to human lives and property; and

(3) remain in effect for the purposes of paragraphs (1) and (2) until the Assistant Secretary of the Army for Civil Works determines that 100 percent of emergency repairs have been completed, but shall not remain in effect later than December 31, 1998.

KERREY (AND DORGAN) AMENDMENTS NOS. 95–96

(Ordered to lie on the table.)

Mr. KERREY (for himself and Mr. DORGAN) submitted two amendments intended to be proposed by them to the bill, S. 672, supra; as follows:

AMENDMENT NO. 95

On page 55, strike lines 11 through 13 and insert in lieu thereof the following new language: ''within that other contiguous country; (B) that exempts similar categories of flights operated by citizens of the United States and (C) the total amount to be collected in FY 1998 and each year thereafter from overflight fees is at least $50,000,000 per year.''

AMENDMENT NO. 96

On page 55, strike lines 3 through 13 and insert in lieu thereof the following:

SEC. 320. (a) Section 45301(a)(1) of title 49, United States Code, is amended by—

(1) striking ''government or of a foreign government'' and inserting ''government, a foreign government, or general aviation aircraft''.

(b) Section 45301 of title 49, United States Code, is amended by adding at the end thereof the following new subsection:

''(d) REBATES TO CERTAIN AIRLINES.—Out of the Airport and Airways Trust Fund, the Administrator shall make funds available to make payments to airlines providing domestic air service originating or terminating in States other than the 48 contiguous States of the United States that are charged overflight fees by a foreign country contiguous to the United States. The payments to any air carrier shall not exceed the amount such carrier was charged for overflight rights by that foreign country. The total payments made per year to airlines by the Administrator under this subsection shall not exceed $3,000,000.''.

BUMPERS (AND OTHERS) AMENDMENT NO. 97

(Ordered to lie on the table.)

Mr. BUMPERS (for himself, Mr. BOND and Mr. WARNER) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

At the appropriate place add the following new section:

''SEC. . EXPANDING SMALL BUSINESS PARTICIPATION IN DREDGING.

''Section 722(a) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended by striking 'September 30, 1996' and inserting 'September 30, 1997'.''

GRAHAM AMENDMENT NO. 98

(Ordered to lie on the table.)

Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 57, between lines 3 and 4, insert the following:

SEC. 326. It is the sense of the Senate that funds provided by this Act for highways

should be distributed in a manner that ensures fairness and equity.

WELLSTONE AMENDMENT NO. 99

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 33, line 22, strike ''$58,000,000'' and insert ''$76,000,000''.

MOSELEY-BRAUN AMENDMENT NO. 100

(Ordered to lie on the table.)

Ms. MOSELEY-BRAUN submitted an amendment intended to be proposed by her to the bill, S. 672, supra; as follows:

On page 40, line 21, after the word ''County'', insert the following: '': *Provided further,* That $400,000 of the additional allocation for the State of Illinois shall be provided for costs associated with the replacement of Gaumer's Bridge in Vermilion County, Illinois''.

McCAIN AMENDMENTS NOS. 101–113

(Ordered to lie on the table.)

Mr. MCCAIN submitted 13 amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 101

SEC. . Sections 4041(c)(3)(B), 4081(d)(2)(B), 4091(b)(3)(A)(1)(ii), 4261(g)(1)(ii), and 4271(d)(1)(A)(ii) of the Internal Revenue Code of 1986 are each amended by striking ''September 30, 1997.'' and inserting ''the date on which the Secretary and the Secretary of Transportation jointly determine that the aviation-related taxes imposed under section 4041, 4081, 4091, 4261, and 4271 of this title have been replaced by an alternative funding system.''.

AMENDMENT NO. 102

SEC. . Section 4091(a)(3)(A) of the Internal Revenue Code of 1986 is amended to read as follows:

''(A) The rate of tax specified in paragraph (1) shall be 4.3 cents per gallon after December 31, 1996, and before the date which is 7 days after the date of the enactment of the Airport and Airway Trust Fund Tax Reinstatement Act of 1997.''.

(b) Section 4081(d)(2) of such Code is amended to read as follows:

''(2) AVIATION GASOLINE.—The rate of tax specified in subsection (a)(2)(A)(ii) shall be 4.3 cents per gallon after December 31, 1996, and before the date which is 7 days after the date of the enactment of the Airport and Airway Trust Fund Tax Reinstatement Act of 1997.''.

(c) Section 4041(c)(3) of such Code is amended to read as follows:

''(3) APPLICATION.—The rate of the taxes imposed by paragraph (1) shall be 4.3 cents per gallon after December 31, 1996, and before the date which is 7 days after the date of the enactment of the Airport and Airway Trust Fund Tax Reinstatement Act of 1997.''.

(d) Section 4261(g) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The taxes imposed by this section shall apply to transportation beginning after the seventh day after the date of the enactment of the Airport and Airway Trust Fund Tax Reinstatement Act of 1997 and amounts paid for transportation beginning after that day.''; and

(2) by striking ''under paragraph (1)(B)'' in paragraph (2).

(e) Section 4261(d) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The tax imposed by subsection (a) shall apply to transportation beginning after the seventh day after the date of the enactment of the Airport and Airway Trust Fund Tax Reinstatement Act of 1997 and amounts paid for transportation beginning after that day.''; and

(2) by striking ''under paragraph (1)(B)'' in paragraph (2).

AMENDMENT NO. 103

On page 41, strike lines 1 through 18.

On page 47, strike lines 6 through 13.

AMENDMENT NO. 104

On page 25, on line 11, strike all that appears after the phrase ''as amended'', through line 16, and insert in lieu thereof''.''.

AMENDMENT NO. 105

On page 37, strike lines 4 through 18.

AMENDMENT NO. 106

On page 36, starting on line 18, strike all that appears through page 37, line 3.

AMENDMENT NO. 107

On page 39, starting on line 22, strike all that appears after ''1997'' through page 40, line 21, and insert in lieu thereof''.''.

On page 42, starting on line 11, strike all that appears through page 43, line 4.

AMENDMENT NO. 108

On page 32, strike lines 1 through 18.

AMENDMENT NO. 109

On page 15, beginning on line 11, strike all after the phrase ''as amended'' through line 16, and insert in lieu thereof''.''.

AMENDMENT NO. 110

On page 50, before the period at the end of line 11, add the following new provisos: ''*Provided,* That, within 60 days of the date of enactment of this Act, the Secretary of the Interior, in consultation with State and local government officials, shall submit to Congress a proposal to establish a process for recognizing and determining the validity or management of any right of way established pursuant to Revised Statutes 2477 (43 U.S.C. 932).''

AMENDMENT NO. 111

Strike title VII of the Act, and insert in lieu thereof the following:

''SEC. 701. SHORT TITLE.

This title may be cited as the ''Government Shutdown Prevention Act.''.

SEC. 702. AMENDMENT TO TITLE 31.

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

''§ 1311. Continuing appropriations

''(a)(1) If any regular appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year or a joint resolution making continuing appropriations is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to continue any project or activity for which funds were provided in the preceding fiscal year—

''(A) in the corresponding regular appropriation Act for such preceding fiscal year; or

''(B) if the corresponding regular appropriation bill for such preceding fiscal year did not become law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

''(2) Appropriations and funds made available, and authority granted, for a project or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

''(A) the rate of operations provided for in the regular appropriation Act providing for such project or activity for the preceding fiscal year,

''(B) in the absence of such an Act, the rate of operations provided for such project or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year,

''(C) the rate of operations provided for in the House or Senate passed appropriation bill for the fiscal year in question, except that the lower of these two versions shall be ignored for any project or activity for which there is a budget request if no funding is provided for that project or activity in either version,

''(D) the rate provided in the budget submission of the President under section 1105(a) of title 31, United States Code, for the fiscal year in question, or

''(E) the annualized rate of operations provided for in the most recently enacted joint resolution making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this Act.

''(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a project or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

''(A) the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such project or activity) or a continuing resolution making appropriations becomes law, as the case may be, or

''(B) the last day of such fiscal year.

''(d) An appropriation or funds made available, or authority granted, for a project or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such project or activity under current law.

''(c) Appropriations and funds made available, and authority granted, for any project or activity for any fiscal year pursuant to this section shall cover all obligations or expenditures incurred for such project or activity during the portion of such fiscal year for which this section applies to such project or activity.

''(d) Expenditures made for a project or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such project or activity for such period becomes law.

''(c) This section shall not apply to a project or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

''(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period, or

''(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

''(f) For purposes of this section, the term 'regular appropriation bill' means any annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of projects and activities:

''(1) Agriculture, rural development, and related agencies programs.

''(2) The Departments of Commerce, Justice, and State, the Judiciary, and related agencies.

''(3) The Department of Defense.

''(4) The government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.

''(5) The Departments of Labor, Health and Human Services, and Education, and related agencies.

''(6) The Department of Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.

''(7) Energy and water development.

''(8) Foreign assistance and related programs.

''(9) The Department of the Interior and related agencies.

''(10) Military construction.

''(11) The Department of Transportation and related agencies.

''(12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.

''(13) The legislative branch.''.

(b) CLERICAL AMENDMENT.—The analysis of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

''1311. Continuing appropriations.''.

(c) PROTECTION OF OTHER OBLIGATIONS.—Nothing in the amendments made by this section shall be construed to effect Government obligations mandated by other law, including obligations with respect to Social Security, Medicare, and Medicaid.

SEC. 703. EFFECTIVE DATE.

(a) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to fiscal years beginning with fiscal year 1998.

AMENDMENT NO. 112

On page 81, line 19, strike ''98'' and insert in lieu thereof ''100''.

AMENDMENT NO. 113

Beginning on page 50, strike line 12 and all that follows through page 51, line 25, and insert the following:

SEC. 311. COMPLIANCE WITH THE ENDANGERED SPECIES ACT OF 1973 IN CONNECTION WITH FLOOD CONTROL PROJECTS.

The policy issued on February 19, 1997, by the United States Fish and Wildlife Service that implements emergency provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and applies to 46 California counties declared by the President to be major disaster areas under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) shall—

(1) apply to all counties nationwide with respect to which such a declaration is made at any time during 1997;

(2) apply to repair activities on flood control facilities in response to an imminent threat to human lives and property; and

(3) remain in effect until the Assistant Secretary of the Army having responsibility for civil works determines that 100 percent of emergency repairs have been completed, except that the policy shall not remain in effect after December 31, 1998.

TORRICELLI (AND LAUTENBERG) AMENDMENT NO. 114

(Ordered to lie on the table.)

Mr. TORRICELLI (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

On page 57, between lines 3 and 4, insert the following:

SEC. . MICHAEL GILLICK CHILDHOOD CANCER RESEARCH.

(a) FINDINGS.—Congress finds that—

(1) during the period from 1980 to 1988, Ocean County, New Jersey, had a significantly higher rate of childhood cancer than the rest of the United States, including a rate of brain and central nervous system cancer that was nearly 70 percent above the rate of other States;

(2) during the period from 1979 to 1991—

(A) there were 230 cases of childhood cancer in Ocean County, of which 56 cases were in Dover Township, and of those 14 were in Toms River alone;

(B) the rate of brain and central nervous system cancer of children under 20 in Toms River was 3 times higher than expected, and among children under 5 was 7 times higher than expected; and

(C) Dover Township, which would have had a nearly normal cancer rate if Toms River was excluded, had a 49 percent higher cancer rate than the rest of the State and an 80 percent higher leukemia rate than the rest of the State; and

(3)(A) according to New Jersey State averages, a population the size of Toms River should have 1.6 children under age 19 with cancer; and

(B) Toms River currently has 5 children under the age of 19 with cancer.

(b) STUDY.—

(1) IN GENERAL.—The Administrator of the Agency for Toxic Substances and Disease Registry shall conduct does-reconstruction modeling and an epidemiological study of childhood cancer in Dover Township, New Jersey, which may also include the high incidence of neuroblastomas in Ocean County, New Jersey.

(2) GRANT TO NEW JERSEY.—The Administrator may make 1 or more grants to the State of New Jersey to carry out paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act $6,000,000 for fiscal years 1998 through 2000.

BOXER AMENDMENT NO. 115

(Ordered to lie on the table.)

Mrs. BOXER submitted an amendment intended to be proposed by her to the bill, S. 672, supra; as follows:

Strike title VI and insert the following:

TITLE VI—EXTENSION OF SSI FOR CERTAIN ALIENS

SEC. 601. EXTENSION OF SSI REDETERMINATION PROVISIONS.

(a) IN GENERAL.—Subject to subsection (d), in the case of the specified Federal program defined in section 402(a)(3)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 Act (8 U.S.C. 1612(a)(3)(A)), section 402(a)(2)(D)(i) of such Act (8 U.S.C. 1612(a)(2)(D)(i) is applied—

(1) in subclause (I), by substituting ''September 30, 1997'' for ''the date which is 1 year after such date of enactment''; and

(2) in subclause (III), by substituting ''September 30, 1997'' for ''the date of the redetermination with respect to such individual''.

(b) NOTICE AND REDETERMINATION.—The Commissioner of Social Security shall notify any individual described in section 402(A)(2)(D)(i) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D)(i)), as applied by subsection (a), who, on or after August 22, 1996, has been determined to be ineligible for the specified Federal program defined in section 402(a)(3)(A) of such Act (8 U.S.C. 1612(a)(3)(A)) solely on the basis of the application of section 402 of such Act (8 U.S.C. 1612), as in effect on the day before the date of enactment of this Act, that the individual's eligibility for such program shall be redetermined, and shall conduct such redetermination in a timely manner. Subject to subsection (d), any benefits that such an individual should have received under any such program during the period beginning on the date of the determination described in the preceding sentence and ending on September 30, 1997, were it not for the enactment of the Personal Responsibility and Work Opportunity Reconciliation act of 1996, shall be restored to that individual.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for payment of benefits resulting from the application of subsection (a) an amount not to exceed $125,000,000 for fiscal year 1997, to remain available without fiscal year limitation.

(d) LIMITATION OF APPLICATION.—If the total amount of additional benefits to be paid as a result of the application of subsection (a) exceeds the amount appropriated pursuant to subsection (c), then the benefits payable to each individual made eligible by the application of subsection (a) shall be reduced on a pro rata basis.

GRAMM AMENDMENTS NOS. 116-119

(Ordered to lie on the table.)

Mr. GRAMM submitted four amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 116

At the appropriate place, insert the following:

SEC. 501. (a) Notwithstanding any other provision of this Act, each amount of budget authority provided in a nonexempt discretionary spending nondefense account for fiscal year 1997 for a program, project, or activity is reduced by the uniform percentage necessary to offset nondefense budget authority provided in this Act. The reductions required by this subsection shall be implemented generally in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Notwithstanding any other provision of this Act only that portion of non-defense budget authority provided in this Act that is obligated during fiscal year 1997 shall be designated as an emergency requirement pursuant to section 251(b)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. All remaining nondefense budget authority provided in this Act shall not be available for obligation until October 1, 1997.

AMENDMENT NO. 117

At the appropriate place, insert the following:

SEC. 501. Notwithstanding any other provision of this Act or only that portion of nondefense budget authority provided in this Act that is obligated during fiscal year 1997 shall be designated as an emergency requirement pursuant to section 251(b)(2)(D)(i) if the Balanced Budget and Emergency Deficit Control Act of 1985. All remaining nondefense budget authority provided in this Act shall not be available for obligation until October 1, 1997.

AMENDMENT NO. 118

At the appropriate place, insert the following:

SEC. . (a) Notwithstanding any other provision of this Act or any other law, each amount of budget authority provided in a nonexempt discretionary spending nondefense account for fiscal year 1997 for a program, project, or activity is reduced by the uniform percentage necessary to offset nondefense budget authority provided in this Act. The reductions required by this subsection shall be implemented generally in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Notwithstanding any other provision of this Act or any other provision of law, only that portion of nondefense budget authority provided in this Act that is obligated during fiscal year 1997 shall be designated as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. All remaining nondefense budget authority provided in this Act shall not be available for obligation until October 1, 1997.

AMENDMENT NO. 119

At the appropriate place, insert the following:

SEC. . Notwithstanding any other provision of this Act or any other provision of law, only that portion of nondefense budget authority provided in this Act that is obligated during fiscal year 1997 shall be designated as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. All remaining nondefense budget authority provided in this Act shall not be available for obligation until October 1, 1997.

FEINSTEIN (AND COVERDELL) AMENDMENT NO. 120

(Ordered to lie on the table.)

Mrs. FEINSTEIN (for herself and Mr. COVERDELL) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

SEC. . CUSTOMS INSPECTIONS OF CERTAIN CARRIERS.

(a) DEFINITIONS.—In this section:

(1) CARRIER.—The term ''carrier'' includes every description of carriage or other contrivance used, or capable of being used, as a means of transporting cargo on land, but does not include automobiles or aircraft.

(2) HARD NARCOTIC.—The term ''hard narcotic'' means—

(A) a depressant or stimulant substance as defined in section 102(9) of the Controlled Substances Act (21 U.S.C. 802(9));

(B) marihuana as defined in section 102(16) of such Act (21 U.S.C. 802(16));

(C) a narcotic drug as defined in section 102(17) of such Act (21 U.S.C. 802(17)); and

(D) an immediate precursor to a hard narcotic described in subparagraph (A) or (C), as defined in section 102(23) of such Act (21 U.S.C. 802(23)).

(3) PERSON.—The term ''person'' includes partnerships, associations, and corporations.

(4) RELATED PERSON.—A person is related to another person if—

(A) the person bears a relationship to such other person specified in section 267(b) or 707(b)(1) of the Internal Revenue Code of 1986; or

(B) the person and such other person are engaged in trades or businesses under common control (within the meaning of subsections (a) and (b) of section 52 of the Internal Revenue Code of 1986).

For purposes of subparagraph (A), ''10 percent'' shall be substituted for ''50 percent'' in applying sections 267(b)(1) and 707(b)(1) of such Code.

(b) LIST OF CARRIERS, SHIPPERS, AND IMPORTERS.—

(1) IN GENERAL.—Not later than January 1, 1998, the Secretary of the Treasury shall compile a list of all persons (including all related persons) who are carriers, shippers, or importers and with respect to whom property or funds have been seized by or otherwise forfeited to the United States in connection with hard narcotics-related activity within the 10 years preceding publication of the list.

(2) UPDATES.—The Secretary of the Treasury shall update the list described in paragraph (1) every 30 days.

(c) INSPECTION BY CUSTOMS.—The Commissioner of Customs shall direct customs officers to conduct inspections of all carriers and cargo entered into the customs territory of the United States if—

(1) the carrier, shipper, or importer of such cargo is a person who is on the list compiled pursuant to subsection (b); or

(2) after consultation with the Administrator of the Drug Enforcement, the carrier, shipper, or importer of such cargo is a person whom the Administrator determines warrants inspection.

FEINSEIN AMENDMENT NO. 121

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

SEC. . REPORT AND CERTIFICATION REQUIRED.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation shall not approve the application of any Mexican motor carrier of property to provide service across the United States-Mexico international boundary line or by a Mexican owned or controlled enterprise established in the United States to transport international cargo in foreign commerce, until the report and certification described in subsection (b) are submitted to Congress and a joint resolution described in subsection (c) is enacted into law.

(b) REPORT AND CERTIFICATION DESCRIBED.—

(1) REPORT.—The report described in this subsection means a written statement submitted to Congress not later than September 1, 1997, by the President describing the following:

(A) The extent of any significant and demonstrable progress made by the Government of the United States and the Government of Mexico, respectively, during the period beginning on March 1, 1997, and ending on the date of the report in achieving the following objectives relating to counterdrug cooperation:

(i) The investigation and dismantlement of the principal organizations responsible for drug trafficking and related crimes in both Mexico and the United States, including the prevention and elimination of their activities, the prosecution or extradition and incarceration of their leaders, and the seizure of their assets.

(ii) The development and strengthening of permanent working relationships between the United States and Mexico law enforcement agencies, with particular reference to law enforcement directed against drug trafficking and related crimes, including full funding and deployment of the Binational Border Task Forces as agreed upon by both governments.

(iii) The strengthening of bilateral border enforcement, including more effective screening for and seizure of contraband.

(iv) The denial of safe havens to persons and organizations responsible for drug trafficking and related crimes and the improvement of cooperation on extradition matters between both countries.

(v) The simplification of evidentiary requirements for narcotics crimes and related crimes and for violence against law enforcement officers.

(vi) The full implementation of effective laws and regulations for banks and other financial institutions to combat money laundering, including the enforcement of penalties for non-compliance by such institutions, and the prosecution of money launderers and seizure of their assets.

(vii) The eradication of crops destined for illicit drug use in Mexico and in the United States in order to minimize and eventually eliminate the production of such crops.

(viii) The establishment and implementation of a comprehensive screening process to assess the suitability and financial and criminal background of all law enforcement and other officials involved in the fight against organized crime, including narcotics trafficking.

(ix) The rendering of support to Mexico in its efforts to identify, remove, and prosecute corrupt officials at all levels of government, including law enforcement and military officials.

(x) The augmentation and strengthening of bilateral cooperation.

(B) The extent of any significant and demonstrable progress made by the Government of the United States during the period beginning on March 1, 1997, and ending on the date of the report in—

(i) implementing a comprehensive antidrug education effort in the United States targeted at reversing the rise in drug use by America's youth;

(ii) implementing a comprehensive international drug interdiction and enforcement strategy; and

(iii) deploying 1,000 additional active-duty, full-time patrol agents within the Immigration and Naturalization Service in fiscal year 1997 as required by section 101 of division C of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104–208).

(2) CERTIFICATION.—The certification described in this subsection means a written statement submitted to Congress by the Secretary of Transportation certifying that—

(A) the operating authority described in subsection (a) shall not be granted to any Mexican motor carrier, driver, enterprise, or broker unless such carrier, driver, enterprise, or broker is aware of and is complying, while operating in the United States, with the Federal motor carrier safety rules;

(B) the Department of Transportation or the States in which the carrier will operate have in place a full-time enforcement program with respect to the requirements described in subparagraph (A); and

(C) the Department of Transportation or the States in which the carrier will operate have in place an on-going program of monitoring and evaluating the requirements described in subparagraph (A).

(c) JOINT RESOLUTION DESCRIBED; PROCEDURAL REQUIREMENTS.—

(1) IN GENERAL.—For purposes of subsection (a), a joint resolution is described in this subsection if it is a joint resolution of the 2 Houses of Congress and the matter after the resolving clause of such joint resolution is as follows: ''That Congress authorizes the Secretary of Transportation to approve applications submitted by Mexican motor carriers of property, drivers, enterprises, and brokers to operate across the United States-Mexico international boundary line and by Mexican owned or controlled enterprises to transport international cargo in the United States, if

the Secretary is satisfied that the carrier, driver, enterprise, or broker, as the case may be, meets United States safety, health, and operating standards, and any other applicable standard, for such operations.''.

(2) PROCEDURAL PROVISIONS.—The requirements of this subsection are met if Congress adopts and transmits the joint resolution described in paragraph (1) to the President at any time after Congress receives the report and certification described in subsection (b).

HUTCHISON AMENDMENTS NOS. 122–125

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted four amendments intended to be proposed by her to the bill, S. 672, supra; as follows:

AMENDMENT NO. 122

Beginning on page 76, line 7 strike ''0.2'' and insert ''0.1''.

AMENDMENT NO. 123

Beginning on page 76, line 7 strike ''0.2'' and insert ''0.05''.

AMENDMENT NO. 124

Beginning on page 75, strike line 17 and all that follows through page 78, line 15 and insert the following:

''(a) STATE ENTITLEMENT.—

''(1) IN GENERAL.—In addition to any other payment under this title, subject to the amount appropriated under subsection (g) for a fiscal year and paragraph (3), each State described in paragraph (2) shall, for the purpose of providing assistance to an eligible individual, as defined in subsection (e)(1), be entitled to a grant under this section for that fiscal year in an amount that bears the same ratio to the amount appropriated under subsection (g) as the number of individuals described in subsection (e)(1) bears to the total number of such individuals in all such States as of June 1, 1997, as determined by the Secretary.

''(2) STATE DESCRIBED.—A State described in this paragraph is a State in which at least 5000 noncitizens received benefits under the Federal program described in subsection (e)(2) in December 1996, according to the census population estimate as of July 1, 1996.

''(3) PRO RATA REDUCTIONS.—If the amount appropriated pursuant to subsection (g) is insufficient to pay the total amount of funds required to be paid to a State described in paragraph (2) under this section, then such funds shall be reduced on a pro rata basis.

''(4) REDISTRIBUTION.—

''(A) IN GENERAL.—With respect to any fiscal year, if the Secretary determines (in accordance with subparagraph (B)) that amounts under any grant awarded to a State under this section for such fiscal year will not be used by such State during such fiscal year, the Secretary shall make such amounts available in the subsequent fiscal year to 1 or more States described in paragraph (2) which apply for such funds to the extent the Secretary determines that such States will be able to use such additional amounts for the purpose of providing assistance to an eligible individual, as defined in subsection (e)(1). Such available amounts shall be redistributed among such States in the same manner as funds are distributed under paragraph (1).

''(B) TIME OF DETERMINATION AND DISTRIBUTION.—The determination of the Secretary under subparagraph (A) for a fiscal year shall be made not later than the end of the first quarter of the subsequent fiscal year. The redistribution of amounts under subparagraph (A) shall be made as close as practicable to the date on which such determination is made. Any amount made available to a State from an appropriation for a fiscal year in accordance with this paragraph shall be regarded as part of such State's payment for the fiscal year in which the redistribution is made.

AMENDMENT NO. 125

At the appropriate place, insert the following:

SEC. . AGREEMENTS UNDER THE ENDANGERED SPECIES ACT OF 1973.

(a) LISTING.—Section 4(b)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(1)) is amended by adding at the end the following:

''(C) AGREEMENTS.—In determining whether a species is an endangered species or a threatened species, the Secretary shall take into full consideration any—

''(i) conservation agreement;

''(ii) pre-listing agreement;

''(iii) memorandum of agreement;

''(iv) memorandum of understanding; or

''(v) any other agreement designated to promote the conservation of any species;

agreed to by the Secretary and any other Federal agency, State, State agency, political subdivision of a State, or other person, including the reasonably expected future beneficial effects to the species of every provision of the agreement that has been implemented or is reasonably likely to be implemented.''.

(b) RECOVERY PLANS.—Section 4(f) of the Endangered Species Act of 1973 (16 U.S.C. 1533(f)) is amended by adding at the end the following:

''(6) AGREEMENTS.—The Secretary shall—

''(A) give the highest priority to development and implementation of a recovery plan for a species for which the Secretary has entered into a—

''(i) conservation agreement;

''(ii) pre-listing agreement;

''(iii) memorandum of agreement;

''(iv) memorandum of understanding; or

''(v) any other agreement designed to promote the conservation of any species;

(whether before or after the listing of the species as endangered or threatened) with any other Federal agency, State, State agency, political subdivision of a State, or other person; and

''(B) ensure that the commitments made by the Secretary in the agreement are fulfilled before funds are expended on the development and implementation of any other recovery plan.''.

CONRAD (AND DORGAN) AMENDMENT NO. 126

(Ordered to lie on the table.)

Mr. CONRAD (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 9, between lines 9 and 10, insert the following:

SEC. 108. (a) The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff and the National Defense Panel established under section 924 of Public Law 104–201 (110 Stat. 2626), shall take immediate action to ensure that a thorough assessment of the capabilities of all 94 of the B–52H bomber aircraft in active service in fiscal year 1997 is conducted.

(b) The report required by paragraph (1) of section 924(e) of Public Law 104–201 (110 Stat. 2627) shall include the assessment of capabilities required by subsection (a). The Secretary of Defense shall include the Secretary's views, and the views of the Chairman of the Joint Chiefs of Staff, on the assessment in the submission required by paragraph (2) of that section.

COVERDELL (AND FEINSTEIN) AMENDMENTS NOS. 127–128

(Ordered to lie on the table.)

Mr. COVERDELL (for himself and Mrs. FEINSTEIN) submitted two amendments intended to be proposed by them to the bill, S. 672, supra; as follows:

AMENDMENT NO. 127

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

TITLE —COUNTERDRUG ACTIVITIES

SEC. . REPORT ON COOPERATION BETWEEN UNITED STATES AND MEXICO IN COUNTERDRUG ACTIVITIES.

Not later than September 1, 1997, the President shall submit to Congress a report describing the following:

(1) The extent of any significant and demonstrable progress made by the Government of the United States and the Government of Mexico, respectively, during the period beginning on March 1, 1997, and ending on the date of the report in achieving the following objectives relating to counterdrug cooperation:

(A) The investigation and dismantlement of the principal organizations responsible for drug trafficking and related crimes in both Mexico and the United States, including the prevention and elimination of their activities, the prosecution or extradition and incarceration of their leaders, and the seizure of their assets.

(B) The development and strengthening of permanent working relationships between the United States and Mexico law enforcement agencies, with particular reference to law enforcement directed against drug trafficking and related crimes, including full funding and deployment of the Binational Border Task Forces as agreed upon by both governments.

(C) The strengthening of bilateral border enforcement, including more effective screening for and seizure of contraband.

(D) The denial of safe havens to persons and organizations responsible for drug trafficking and related crimes and the improvement of cooperation on extradition matters between both countries.

(E) The simplification of evidentiary requirements for narcotics crimes and related crimes and for violence against law enforcement officers.

(F) The full implementation of effective laws and regulations for banks and other financial institutions to combat money laundering, including the enforcement of penalties for non-compliance by such institutions, and the prosecution of money launderers and seizure of their assets.

(G) The eradication of crops destined for illicit drug use in Mexico and in the United States in order to minimize and eventually eliminate the production of such crops.

(H) The establishment and implementation of a comprehensive screening process to assess the suitability and financial and criminal background of all law enforcement and other officials involved in the fight against organized crime, including narcotics trafficking.

(I) The rendering of support to Mexico in its efforts to identify, remove, and prosecute corrupt officials at all levels of government, including law enforcement and military officials.

(J) The augmentation and strengthening of bilateral cooperation.

(2) The extent of any significant and demonstrable progress made by the Government of the United States during the period

beginning on March 1, 1997, and ending on the date of the report in—

(A) implementing a comprehensive anti-drug education effort in the United States targeted at reversing the rise in drug use by America's youth;

(B) implementing a comprehensive international drug interdiction and enforcement strategy; and

(C) deploying 1,000 additional active-duty, full-time patrol agents within the Immigration and Naturalization Service in fiscal year 1997 as required by section 101 of division C of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104–208).

SEC. . REPORT ON AN ALLIANCE AGAINST NARCOTICS TRAFFICKING IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS ON DISCUSSIONS FOR ALLIANCE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the President should discuss with the democratically-elected governments of the Western Hemisphere, during the President's trips in the region in 1997 and through other consultations, the prospect of forming a multilateral alliance to address problems relating to international drug trafficking in the Western Hemisphere.

(2) CONSULTATIONS.—In the consultations on the prospect of forming an alliance described in paragraph (1), the President should seek the input of such governments on the possibility of forming one or more structures within the alliance—

(A) to develop a regional, multilateral strategy to address the threat posed to nations in the Western Hemisphere by drug trafficking; and

(B) to establish a new mechanism for improving multilateral coordination of drug interdiction and drug-related law enforcement activities in the Western Hemisphere.

(b) REPORT.—

(1) REQUIREMENT.—Not later than October 1, 1997, the President shall submit to Congress a report on the proposal discussed under subsection (a). The report shall include the following:

(A) An analysis of the reactions of the governments concerned to the proposal.

(B) An assessment of the proposal, including an evaluation of the feasibility and advisability of forming the alliance.

(C) A determination in light of the analysis and assessment whether or not the formation of the alliance is in the national interests of the United States.

(D) If the President determines that the formation of the alliance is in the national interests of the United States, a plan for encouraging and facilitating the formation of the alliance.

(E) If the President determines that the formation of the alliance is not in the national interests of the United States, an alternative proposal to improve significantly efforts against the threats posed by narcotics trafficking in the Western Hemisphere, including an explanation of how the alternative proposal will—

(i) improve upon current cooperation and coordination of counter-drug efforts among nations in the Western Hemisphere;

(ii) provide for the allocation of the resources required to make significant progress in disrupting and disbanding the criminal organizations responsible for the trafficking of illegal drugs in the Western Hemisphere; and

(iii) differ from and improve upon past strategies adopted by the United States Government which have failed to make sufficient progress against the trafficking of illegal drugs in the Western Hemisphere.

(2) UNCLASSIFIED FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

AMENDMENT NO. 128

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

TITLE ___—COUNTERDRUG ACTIVITIES

SEC. ___. REPORT ON COOPERATION BETWEEN UNITED STATES AND MEXICO IN COUNTERDRUG ACTIVITIES.

Not later than September 1, 1997, the President shall submit to Congress a report describing the following:

(1) The extent of any significant and demonstrable progress made by the Government of the United States and the Government of Mexico, respectively, during the period beginning on March 1, 1997, and ending on the date of the report in achieving the following objectives relating to counterdrug cooperation:

(A) The investigation and dismantlement of the principal organizations responsible for drug trafficking and related crimes in both Mexico and the United States, including the prevention and elimination of their activities, the prosecution or extradition and incarceration of their leaders, and the seizure of their assets.

(B) The development and strengthening of permanent working relationships between the United States and Mexico law enforcement agencies, with particular reference to law enforcement directed against drug trafficking and related crimes, including full funding and deployment of the Binational Border Task Forces as agreed upon by both governments.

(C) The strengthening of bilateral border enforcement, including more effective screening for and seizure of contraband.

(D) The denial of safe havens to persons and organizations responsible for drug trafficking and related crimes and the improvement of cooperation on extradition matters between both countries.

(E) The simplification of evidentiary requirements for narcotics crimes and related crimes and for violence against law enforcement officers.

(F) The full implementation of effective laws and regulations for banks and other financial institutions to combat money laundering, including the enforcement of penalties for non-compliance by such institutions, and the prosecution of money launderers and seizure of their assets.

(G) The eradication of crops destined for illicit drug use in Mexico and in the United States in order to minimize and eventually eliminate the production of such crops.

(H) The establishment and implementation of a comprehensive screening process to assess the suitability and financial and criminal background of all law enforcement and other officials involved in the fight against organized crime, including narcotics trafficking.

(I) The rendering of support to Mexico in its efforts to identify, remove, and prosecute corrupt officials at all levels of government, including law enforcement and military officials.

(J) The augmentation and strengthening of bilateral cooperation.

(2) The extent of any significant and demonstrable progress made by the Government of the United States during the period beginning on March 1, 1997, and ending on the date of the report in—

(A) implementing a comprehensive anti-drug education effort in the United States targeted at reversing the rise in drug use by America's youth;

(B) implementing a comprehensive international drug interdiction and enforcement strategy; and

(C) deploying 1,000 additional active-duty, full-time patrol agents within the Immigration and Naturalization Service in fiscal year 1997 as required by section 101 of division C of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104–208).

SEC. ___. CUSTOMS INSPECTIONS OF CERTAIN CARRIERS.

(a) DEFINITIONS.—In this section:

(1) CARRIER.— The term ''carrier'' includes every description of carriage or other contrivance used, or capable of being used, as a means of transporting cargo on land, but does not include automobiles or aircraft.

(2) HARD NARCOTIC.—The term ''hard narcotic'' means—

(A) a depressant or stimulant substance as defined in section 102(9) of the Controlled Substances Act (21 U.S.C. 802(9));

(B) marihuana as defined in section 102(16) of such Act (21 U.S.C. 802(16));

(C) a narcotic drug as defined in section 102(17) of such Act (21 U.S.C. 802(17)); and

(D) an immediate precursor to a hard narcotic described in subparagraph (A) or (C), as defined in section 102(23) of such Act (21 U.S.C. 802(23)).

(3) PERSON.—The term ''person'' includes partnerships, associations, and corporations.

(4) RELATED PERSON.—A person is related to another person if—

(A) the person bears a relationship to such other person specified in section 267(b) or 707(b)(1) of the Internal Revenue Code of 1986; or

(B) the person and such other person are engaged in trades or businesses under common control (within the meaning of subsections (a) and (b) of section 52 of the Internal Revenue Code of 1986).

For purposes of subparagraph (A), ''10 percent'' shall be substituted for ''50 percent'' in applying sections 267(b)(1) and 707(b)(1) of such Code.

(b) LIST OF CARRIERS, SHIPPERS, AND IMPORTERS.—

(1) IN GENERAL.—Not later than January 1, 1998, the Secretary of the Treasury shall compile a list of all persons (including all related persons) who are carriers, shippers, or importers and with respect to whom property or funds have been seized by or otherwise forfeited to the United States in connection with hard narcotics-related activity within the 10 years preceding publication of the list.

(2) UPDATES.—The Secretary of the Treasury shall update the list described in paragraph (1) every 30 days.

(c) INSPECTION BY CUSTOMS.—The Commissioner of Customs shall direct customs officers to conduct inspections of all carriers and cargo entered into the customs territory of the United States if—

(1) the carrier, shipper, or importer of such cargo is a person who is on the list compiled pursuant to subsection (b); or

(2) after consultation with the Administrator of the Drug Enforcement, the carrier, shipper, or importer of such cargo is a person whom the Administrator determines warrants inspection.

SEC. ___. REPORT ON AN ALLIANCE AGAINST NARCOTICS TRAFFICKING IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS ON DISCUSSIONS FOR ALLIANCE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the President should discuss with the democratically-elected governments of the Western Hemisphere, during the President's trips in the region in 1997 and through other consultations, the prospect of forming a multilateral alliance to address problems relating to international drug trafficking in the Western Hemisphere.

(2) CONSULTATIONS.—In the consultations on the prospect of forming an alliance described in paragraph (1), the President should seek the input of such governments

on the possibility of forming one or more structures within the alliance—

(A) to develop a regional, multilateral strategy to address the threat posed to nations in the Western Hemisphere by drug trafficking; and

(B) to establish a new mechanism for improving multilateral coordination of drug interdiction and drug-related law enforcement activities in the Western Hemisphere.

(b) REPORT.—

(1) REQUIREMENT.—Not later than October 1, 1997, the President shall submit to Congress a report on the proposal discussed under subsection (a). The report shall include the following:

(A) An analysis of the reactions of the governments concerned to the proposal.

(B) An assessment of the proposal, including an evaluation of the feasibility and advisability of forming the alliance.

(C) A determination in light of the analysis and assessment whether or not the formation of the alliance is in the national interests of the United States.

(D) If the President determines that the formation of the alliance is in the national interests of the United States, a plan for encouraging and facilitating the formation of the alliance.

(E) If the President determines that the formation of the alliance is not in the national interests of the United States, an alternative proposal to improve significantly efforts against the threats posed by narcotics trafficking in the Western Hemisphere, including an explanation of how the alternative proposal will—

(i) improve upon current cooperation and coordination of counter-drug efforts among nations in the Western Hemisphere;

(ii) provide for the allocation of the resources required to make significant progress in disrupting and disbanding the criminal organizations responsible for the trafficking of illegal drugs in the Western Hemisphere; and

(iii) differ from and improve upon past strategies adopted by the United States Government which have failed to make sufficient progress against the trafficking of illegal drugs in the Western Hemisphere.

(2) UNCLASSIFIED FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

COVERDELL AMENDMENTS NOS. 129–130

(Ordered to lie on the table.)

Mr. COVERDELL submitted two amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 129

On page 85, between lines 9 and 10, insert the following:

TITLE VIII—MISCELLANEOUS

SEC. 801. REPORT ON AN ALLIANCE AGAINST NARCOTICS TRAFFICKING IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS ON DISCUSSIONS FOR ALLIANCE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the President should discuss with the democratically-elected governments of the Western Hemisphere, during the President's trips in the region in 1997 and through other consultations, the prospect of forming a multilateral alliance to address problems relating to international drug trafficking in the Western Hemisphere.

(2) CONSULTATIONS.—In the consultations on the prospect of forming an alliance described in paragraph (1), the President should seek the input of such governments on the possibility of forming one or more structures within the alliance—

(A) to develop a regional, multilateral strategy to address the threat posed to nations in the Western Hemisphere by drug trafficking; and

(B) to establish a new mechanism for improving multilateral coordination of drug interdiction and drug-related law enforcement activities in the Western Hemisphere.

(b) REPORT.—

(1) REQUIREMENT.—Not later than October 1, 1997, the President shall submit to Congress a report on the proposal discussed under subsection (a). The report shall include the following:

(A) An analysis of the reactions of the governments concerned to the proposal.

(B) An assessment of the proposal, including an evaluation of the feasibility and advisability of forming the alliance.

(C) A determination in light of the analysis and assessment whether or not the formation of the alliance is in the national interests of the United States.

(D) If the President determines that the formation of the alliance is in the national interests of the United States, a plan for encouraging and facilitating the formation of the alliance.

(E) If the President determines that the formation of the alliance is not in the national interests of the United States, an alternative proposal to improve significantly efforts against the threats posed by narcotics trafficking in the Western Hemisphere, including an explanation of how the alternative proposal will—

(i) improve upon current cooperation and coordination of counter-drug efforts among nations in the Western Hemisphere;

(ii) provide for the allocation of the resources required to make significant progress in disrupting and disbanding the criminal organizations responsible for the trafficking of illegal drugs in the Western Hemisphere; and

(iii) differ from and improve upon past strategies adopted by the United States Government which have failed to make sufficient progress against the trafficking of illegal drugs in the Western Hemisphere.

(2) UNCLASSIFIED FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

AMENDMENT NO. 130

On page 66, line 15, replace ''$2,000,000'' with ''$1,600,000''.

BIDEN (AND OTHERS) AMENDMENTS NOS. 131–133

(Ordered to lie on the table.)

Mr. BIDEN (for himself, Mr. REID, and Mr. ROTH) submitted three amendments intended to be proposed by them to the bill, S. 672, supra; as follows:

AMENDMENT NO. 131

On page 48, strike lines 15 through 23 and insert the following:

SEC. 306. DELAWARE RIVER BASIN COMMISSION; SUSQUEHANNA RIVER BASIN COMMISSION.

(a) COMPENSATION OF ALTERNATE MEMBERS.—During fiscal year 1997 and each fiscal year thereafter, compensation for the alternate members of the Delaware River Basin Commission appointed under the Delaware River Basin Compact (Public Law 87–328) and for the alternate members of the Susquehanna River Basin Commission appointed under the Susquehanna River Basin Compact (Public Law 91–575) shall be provided by the Secretary of the Interior.

(b) IMMEDIATE CONTRIBUTION.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall make a contribution to each of the Delaware River Basin Commission and the Susquehanna River Basin Commission for fiscal year 1997 an amount of funds that bears the same proportion to the amount of funds contributed for fiscal year 1996 as the number of days remaining in fiscal year 1997 as of the date of enactment of this Act bears to the number 365.

AMENDMENT NO. 132

On page 48, strike lines 15 through 23 and insert the following:

SEC. 306. DELAWARE RIVER BASIN COMMISSION; SUSQUEHANNA RIVER BASIN COMMISSION.

(a) COMPENSATION OF ALTERNATE MEMBERS.—During fiscal year 1997 and each fiscal year thereafter, compensation for the alternate members of the Delaware River Basin Commission appointed under the Delaware River Basin Compact (Public Law 87–328) and for the alternate members of the Susquehanna River Basin Commission appointed under the Susquehanna River Basin Compact (Public Law 91–575) shall be provided by the Secretary of the Interior.

AMENDMENT NO. 133

On page 48, strike lines 15 through 23.

MURRAY AMENDMENT NO. 134

(Ordered to lie on the table.)

Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

STATE OPTION TO ISSUE FOOD STAMP BENEFITS TO CERTAIN INDIVIDUALS MADE INELIGIBLE BY WELFARE REFORM

SEC. . Section 7 of the Food Stamp Act of 1977 (7 U.S.C. 2016) is amended by—

(a) inserting in subsection (a) after ''necessary, and'', ''except as provided in subsection (j),'' and

(b) inserting a new subsection (j) as follows—

''(j)(1) A State agency may, with the concurrence of the Secretary, issue coupons to individuals who are ineligible to participate in the food stamp program solely because of the provisions of section 6(o)(2) of this Act or sections 402 and 403 of the Personal Responsibility and Work Opportunity Act of 1996. A State agency that issues coupons under this subsection shall pay the Secretary the face value of the coupons issued under this subsection and the cost of printing, shipping, and redeeming the coupons, as well as any other Federal costs involved, as determined by the Secretary. A state agency shall pay the Secretary for coupons issued under this subsection and for the associated Federal costs issued under this subsection no later than the time the State agency issues such coupons to recipients. In making payments, the State agency shall comply with procedures developed by the Secretary. Notwithstanding 31 U.S.C. 3302(b), payments received by the Secretary for such coupons and for the associated Federal costs shall be credited to the food stamp program appropriation account or the account from which such associated costs were drawn, as appropriate, for the fiscal year in which the payment is received. The State agency shall comply with reporting requirements established by the Secretary.

''(2) A State agency that issues coupons under this subsection shall submit a plan, subject to the approval of the Secretary, describing the conditions under which coupons will be issued, including, but not limited to,

eligibility standards, benefit levels, and the methodology the State will use to determine amounts owed the Secretary.

''(3) A State agency shall not issue benefits under this subsection—

''(A) to individuals who have been made ineligible under any provision of section 6 of this Act other than section 6(o)(2); or

''(B) in any area of the State where an electronic benefit transfer system has been implemented.

''(4) The value of coupons provided under this subsection shall not be considered income or resources for any purpose under any Federal laws, including, but not limited to, laws relating to taxation, welfare, and public assistance programs.

''(5) Any sanction, disqualification, fine or other penalty prescribed in Federal law, including, but not limited to, sections 12 and 15 of this Act, shall apply to violations in connection with any coupon or coupons issued pursuant to this subsection.

''(6) Administrative and other costs associated with the provision of coupons under this subsection shall not be eligible for reimbursement or any other form of Federal funding under section 16 or any other provision of this Act.

''(7) That portion of a household's allotment issued pursuant to this subsection shall be excluded from any sample taken for purposes of making any determination under the system of enhanced payment accuracy established in section 16(c).''.

CONFORMING AMENDMENT

Sec. . Section 17(b)(I)(R)(iv) of the Food Stamp Act of 1977 is amended by—

(a) striking ''or'' in subclause (V);

(b) striking the period at the end of subclause (VI) and inserting ''; or''; and

(c) inserting a new subclause (VII) as follows—

''(VII) waives a provision of section 7(j).''.

DEWINE AMENDMENT NO. 135

(Ordered to lie on the table.)

Mr. DEWINE submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 34, between lines 2 and 3, insert the following:

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

ANIMAL DAMAGE CONTROL UNIT

For an additional amount for the eradication of rabies in the State of Ohio, $1,000,000.

MCCAIN AMENDMENT NO. 136

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 39, line 23, strike ''shall'' and insert ''may''.

On page 40, line 1, strike ''shall'' and insert ''may''.

On page 40, line 3, strike ''shall'' and insert ''may''.

On page 40, line 7, strike ''shall'' and insert ''may''.

On page 40, line 16, strike ''shall'' and insert ''may''.

On page 40, line 19, strike ''shall'' and insert ''may''.

COVERDELL AMENDMENT NO. 137

(Ordered to lie on the table.)

Mr. COVERDELL submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 85, between lines 9 and 10, insert the following:

TITLE VIII—SAVANNAH RIVER DEEPENING

SEC. 801. SAVANNAH RIVER DEEPENING.

Nothwithstanding section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231), the Secretary of the Army shall use amounts made available for fiscal year 1998 for the Federal share of the costs of the feasibility study for the project for deepening of the Savannah River, Georgia, to reimburse the State of Georgia for amounts expended by the State to carry out the study at such time as the Secretary of the Army approves the feasibility report.

KEMPTHORNE AMENDMENTS NOS. 138–139

(Ordered to lie on the table.)

Mr. KEMPTHORNE submitted two amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 138

At the appropriate place, insert the following:

''(a) CONSULTATION OR CONFERENCING.—Consultation or conferencing shall not be required under section 7(a)(2) or section 7(a)(4) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) for any action authorized, funded, or carried out by any Federal agency to repair a Federal or non-Federal flood control project, facility or structure, if the Federal agency authorizing, funding or carrying out the action determines that the repair is needed to address an imminent threat to public health or safety that has resulted, or that may result, from a catastrophic natural event in 1996 or 1997. For purposes of this section, the term repair shall include preventive measures to anticipate the impact of a catastrophic event and remedial measures to restore the project, facility, or structure to a condition that will provide for public health and safety.

''(b) MITIGATION.—In the event that the Secretary determines that an action to repair a flood control project, facility or structure under subsection (a) will result in the incidental take of an endangered species of fish or wildlife otherwise prohibited under section 9 of the Endangered Species Act, or a threatened species to which the incidental take prohibition of section 9 has been applied by regulation, the Secretary may propose reasonable and prudent measures to mitigate the impact of the action on the species. Any reasonable and prudent measures proposed under this subsection shall be related both in nature and in extent to the effect of the action taken to repair the flood control project, facility or structure. The costs of such reasonable and prudent measures shall be borne by the Federal agency authorizing, funding or carrying out the action.''

AMENDMENT NO. 139

At the appropriate place, insert the following:

''(a) CONSULTATION OR CONFERENCING.—Consultation or conferencing under section 7(a)(2) or section 7(a)(4) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) for any action authorized, funded, or carried out by any Federal agency to repair a Federal or non-Federal flood control project, facility or structure, may be deferred until after the completion of the action if the Federal agency authorizing, funding or carrying out the action determines that the repair is needed to address an imminent threat to public health or safety that has resulted, or that may result, from a catastrophic natural event in 1996 or 1997. For purposes of this section, the term repair shall include preventive measures to anticipate the impact of a catastrophic event and remedial measures to restore the project, facility, or structure to a condition that will prevent an imminent threat to public health or safety.

''(b) MITIGATION.—Any reasonable and prudent measures proposed under section 7 of the Endangered Species Act to mitigate the impact of an action taken under this section on an endangered species, or a threatened species to which the incidental take prohibition of Section 9 has been applied by regulation, shall be related both in nature and in extent to the effect of the action taken to repair the flood control project, facility or structure. The costs of such reasonable and prudent measures shall be borne by the Federal agency authorizing, funding or carrying out the action.''

BYRD AMENDMENT NO. 140

(Ordered to lie on the table.)

Mr. BYRD submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 28, line 8, strike the words ''in the Northern Plains states'' and insert ''in September 1996, and ''.

FORD AMENDMENT NO. 141

(Ordered to lie on the table.)

Mr. FORD submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 9, between lines 9 and 10, insert the following:

SEC. 108. AUTHORITY OF SECRETARY OF DEFENSE TO ENTER INTO LEASE OF BUILDING NO. 1, LEXINGTON BLUE GRASS STATION, LEXINGTON, KENTUCKY.

(a) AUTHORITY TO ENTER INTO LEASE.—Notwithstanding any other provision of law, the Secretary of Defense may enter into an agreement for the lease of Building No. 1, Lexington Blue Grass Station, Lexington, Kentucky, and any real property associated with the building, for purposes of the use of the building by the Defense Finance and Accounting Service. The agreement shall meet the requirements of this section.

(b) TERM.—(1) The agreement under this section shall provide for a lease term of not to exceed 50 years, but may provide for one or more options to renew or extend the term of the lease.

(2) The agreement shall include a provision specifying that, if the Secretary ceases to require the leased building for purpose of the use of the building by the Defense Finance and Accounting Service before the expiration of the term of the lease (including any extension or renewal of the term under an option provided for in paragraph (1)), the remainder of the lease term may, upon the approval of the lessor of the building, be satisfied by the Secretary or another department or agency of the Federal Government (including a military department) for another purpose similar to such purpose.

(c) CONSIDERATION.—(1) The agreement under this section may not require rental payments by the United States under the lease under the agreement.

(2) The Secretary or other lessee, if any, under subsection (b)(2) shall be responsible under the agreement for payment of any utilities associated with the lease of the building covered by the agreement and for maintenance and repair of the building.

(d) IMPROVEMENT.—The agreement under this section may provide for the improvement of the building covered by the agreement by the Secretary or other lessee, if any, under subsection (b)(2).

(e) *LIMITATION ON CERTAIN ACTIVITIES.*—The Secretary may not pay the costs of any utilities, maintenance and repair, or improvements under this lease under this section in any fiscal year unless funds are appropriated or otherwise made available for the Department of Defense for such payment in the such fiscal year.

HOLLINGS (AND OTHERS) AMENDMENT NO. 142

(Ordered to lie on the table.)

Mr. HOLLINGS (for himself, Mr. INOUYE, and Mr. DORGAN) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Children's Protection from Violent Programming Act''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Television influences children's perception of the values and behavior that are common and acceptable in society.

(2) Broadcast television, cable television, and video programming are—

(A) uniquely pervasive presences in the lives of all American children; and

(B) are readily accessible to all American children.

(3) Violent video programming influences children, as does indecent programming.

(4) There is empirical evidence that children exposed to violent video programming at a young age have a higher tendency to engage in violent and aggressive behavior later in life than those children not so exposed.

(5) Children exposed to violent video programming are prone to assume that acts of violence are acceptable behavior and therefore to imitate such behavior.

(6) Children exposed to violent video programming have an increased fear of becoming a victim of violence, resulting in increased self-protective behaviors and increased mistrust of others.

(7) There is a compelling governmental interest in limiting the negative influences of violent video programming on children.

(8) There is a compelling governmental interest in channeling programming with violent content to periods of the day when children are not likely to comprise a substantial portion of the television audience.

(9) Age-based ratings systems do not allow parents to block programming based solely on violent content thereby rendering ineffective any technology-based blocking mechanism designed to limit violent video programming.

(10) If programming is not rated specifically for violent content and therefore cannot be blocked solely on the basis of its violent content, then restricting the hours when violent video programming is shown is the least restrictive and most narrowly tailored means to achieve a compelling governmental interest.

(11) Studies show that warning labels based on age restrictions tend to encourage children's desire to watch restricted programming.

(12) Technology-based solutions may be helpful in protecting some children, but may not be effective in achieving the compelling governmental interest in protecting all children from violent programming when parents are only able to block programming based on the age of the child and not on the violent content of the programming.

(13) Absent the ability to block programming based specifically on the violent content of the programming, the channeling of violent programming is the least restrictive means to limit unsupervised children from the harmful influences of violent programming.

(14) Restricting the hours when violent programming can be shown protects the interests of children whose parents are unavailable, unable to supervise their children's viewing behavior, do not have the benefit of technology-based solutions, or unable to afford the costs of technology-based solutions.

SEC. 3. UNLAWFUL DISTRIBUTION OF VIOLENT VIDEO PROGRAMMING.

Title VII of the Communications Act of 1934 (47 U.S.C. 701 et seq.) is amended by adding at the end the following:

''SEC. 718. UNLAWFUL DISTRIBUTION OF VIOLENT VIDEO PROGRAMMING NOT SPECIFICALLY BLOCKABLE BY ELECTRONIC MEANS.

''(a) UNLAWFUL DISTRIBUTION.—It shall be unlawful for any person to distribute to the public any violent video programming not blockable by electronic means specifically on the basis of its violent content during hours when children are reasonably likely to comprise a substantial portion of the audience.

''(b) RULEMAKING PROCEEDING.—The Commission shall conduct a rulemaking proceeding to implement the provisions of this section and shall promulgate final regulations pursuant to that proceeding not later than 9 months after the date of enactment of the Children's Protection from Violent Programming Act. As part of that proceeding, the Commission—

''(1) may exempt from the prohibition under subsection (a) programming (including new programs and sporting events) whose distribution does not conflict with the objective of protecting children from the negative influences of violent video programming, as that objective is reflected in the findings in section 551(a) of the Telecommunications Act of 1996;

''(2) shall exempt premium and pay-per-view cable programming; and

''(3) shall define the term 'hours when children are reasonably likely to comprise a substantial portion of the audience' and the term 'violent video programming'.

''(c) REPEAT VIOLATIONS.—If a person repeatedly violates this section or any regulation promulgated under this section, the Commission shall, after notice and opportunity for hearing, immediately revoke any license issued to that person under this Act.

''(d) CONSIDERATION OF VIOLATIONS IN LICENSE RENEWALS.—The Commission shall consider, among the elements in its review of an application for renewal of a license under this Act, whether the licensee has complied with this section and the regulations promulgated under this section.

''(e) DEFINITIONS.—For purposes of this section—

''(1) BLOCKABLE BY ELECTRONIC MEANS.—The term 'blockable by electronic means' means blockable by the feature described in section 303(x).

''(2) DISTRIBUTE.—The term 'distribute' means to send, transmit, retransmit, telecast, broadcast, or cablecast, including by wire, microwave, or satellite.''.

SEC. 4. ASSESSMENT OF EFFECTIVENESS.

(a) REPORT.—The Federal Communications Commission shall—

(1) assess the effectiveness of measures undertaken under section 718 of the Communications Act of 1934 (47 U.S.C. 718) and under subsections (w) and (x) of section 303 of that Act (47 U.S.C. 303(w) and (x)) in accomplishing the purposes for which they were enacted; and

(2) report its findings to the Committee on Commerce, Science, and Transportation of the United States Senate and the Committee on Commerce of the United States House of Representatives,

within 18 months after the date on which the regulations promulgated under section 718 of the Communications Act of 1934 (as added by section 2 of this Act) take effect, and thereafter as part of the biennial review of regulations required by section 11 of that Act (47 U.S.C. 161).

(b) ACTION.—If the Commission finds at any time, as a result of its assessment under subsection (a), that the measures referred to in subsection (a)(1) are insufficiently effective, then the Commission shall initiate a rulemaking proceeding to prohibit the distribution of violent video programming during the hours when children are reasonably likely to comprise a substantial portion of the audience.

(c) DEFINITIONS.—Any term used in this section that is defined in section 718 of the Communications Act of 1934 (47 U.S.C. 718), or in regulations under that section, has the meaning as when used in that section or in those regulations.

SEC. 5. SEPARABILITY.

If any provision of this Act, or any provision of an amendment made by this Act, or the application thereof to particular persons or circumstances, is found to be unconstitutional, the remainder of this Act or that amendment, or the application thereof to other persons or circumstances shall not be affected.

SEC. 6. EFFECTIVE DATE.

The prohibition contained in section 718 of the Communications Act of 1934 (as added by section 2 of this Act) and the regulations promulgated thereunder shall take effect 1 year after the regulations are adopted by the Commission.

REID (AND STEVENS) AMENDMENT NO. 143

Mr. STEVENS (for Mr. REID for himself and Mr. STEVENS) proposed an amendment to the bill, S. 672, supra; as follows:

On page 18, line 15, following ''fund:'' insert the following: ''*Provided*, That the Secretary of the Army is directed to use from available balances of the funds appropriated herein to perform such emergency dredging and snagging and clearing of the Truckee River, Nevada, and the San Joaquin River channel, California, as the Secretary determines to be necessary as the result of the January 1997 flooding in Nevada and California; and dredging of shoaling which has occurred downstream from the Federal Chena River Flood Control Facility:''.

DOMENICI (AND OTHERS) AMENDMENT NO. 144

(Ordered to lie on the table.)

Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. BROWNBACK, and Mr. ROBERTS) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

At the appropriate place, add the following:

SEC. . TECHNICAL AMENDMENTS RELATING TO DISCLOSURES REQUIRED WITH RESPECT TO GRADUATION RATES.

(a) AMENDMENTS.—Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended—

(1) in subsection (a)(3)(B), by striking ''June 30'' and inserting ''August 31''; and

(2) in subsection (e)(9), by striking ''August 30'' and inserting ''August 31''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) are effective upon enactment.

(2) INFORMATION DISSEMINATION.—No institution shall be required to comply with the amendment made by subsection (a)(1) before July 1, 1998.

SEC. . DATE EXTENSION.

Section 1501(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491(a)(4)) is amended by striking ''January 1, 1998'' and inserting ''January 1, 1999''.

SEC. . TIMELY FILING OF NOTICE.

Notwithstanding any other provision of law, the Secretary of Education shall deem Kansas and New Mexico to have timely submitted under section 8009(c)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7709(c)(1)) the States' written notices of intent to consider payments described in section 8009(b)(1) of the Act (20 U.S.C. 7709(b)(1)) in providing State aid to local educational agencies for school year 1997–1998, except that the Secretary may require the States to submit such additional information as the Secretary may require, which information shall be considered part of the notices.

SEC. . HOLD HARMLESS PAYMENTS.

Section 8002(h)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(h)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' after the semicolon;

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

(3) by adding at the end the following:

''(C) for fiscal year 1997 and each succeeding fiscal year through fiscal year 2000 shall not be less than 85 percent of the amount such agency received for fiscal year 1996 under subsection (b).''.

SEC. . DATA.

(a) IN GENERAL.—Section 8003(f)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(f)(4)) is amended—

(1) in subparagraph (A)—

(A) by inserting ''expenditure,'' after ''revenue,''; and

(B) by striking the semicolon and inserting a period;

(2) by striking ''the Secretary'' and all that follows through ''shall use'' and inserting ''the Secretary shall use''; and

(3) by striking subparagraph (B).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to fiscal years after fiscal year 1997.

STEVENS (AND OTHERS) AMENDMENT NO. 145

(Ordered to lie on the table.)

Mr. STEVENS (for himself, Mr. CHAFEE, Mr. D'AMATO, Mr. DEWINE, and Mr. SPECTER) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

On page 44, strike all after line 19, through line 2 on page 45, and insert in lieu thereof the following:

''JOB OPPORTUNITIES AND BASIC SKILLS

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, there is rescinded an amount equal to the total of the funds within each State's limitation for fiscal year 1997 that are not necessary to pay such State's allowable claims for such fiscal year.

Section 403(k)(3)(F) of the Social Security Act (as in effect on October 1, 1996) is amended by adding after the '','' the following: ''reduced by an amount equal to the total of those funds that are within each State's limitation for fiscal year 1997 that are not necessary to pay such State's allowable claims for such fiscal year (except that such amount for such year shall be deemed to be $1,000,000,000 for the purpose of determining the amount of the payment under subsection (1) to which each State is entitled),''.''

On page 46, after line 25, insert the following:

''Public Law 104–208, under the heading titled ''Education For the Disadvantaged'' is amended by striking ''$1,298,386,000'' and inserting ''$713,386,000'' in lieu thereof.''

On page 75, strike all after line 10 through line 22 on page 80, and insert in lieu thereof the following:

''TITLE VI—SUPPLEMENTAL SECURITY INCOME AMENDMENT

''SEC. 601. EXTENSION OF SSI REDETERMINATION PROVISIONS.

(A) IN GENERAL—Section 402(a)(2)(D) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''the date which is 1 year after such date of enactment'' and inserting in lieu thereof ''September 30, 1997''; and

(B) in subclause (III), by striking ''the date of the redetermination with respect to such individual'' and inserting in lieu thereof ''September 30, 1997''; and

(b) EFFECTIVE DATE.—Subsection (a) takes effect as if included in the enactment of section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612).''

SANTORUM AMENDMENT NO. 146

(Ordered to lie on the table.)

Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

SEC. . REGARDING THE BUDGET TREATMENT OF FEDERAL DISASTER ASSISTANCE. SENSE OF THE SENATE.

The Senate shall find sufficient funding reductions to offset the costs of providing any federal disaster assistance.

DORGAN (AND OTHERS) AMENDMENTS NOS. 147–148

(Ordered to lie on the table.)

Mr. DORGAN (for himself, Mr. GRAMS, Mr. CONRAD, Mr. WELLSTONE, Mr. DASCHLE, and Mr. JOHNSON) submitted two amendments intended to be proposed by them to the bill, S. 672, supra; as follows:

AMENDMENT NO. 147

On page 30, line 11, strike ''$100,000,000'' and insert ''$400,000,000''.

On page 72, line 10, strike ''$3,650,000,000'' and insert ''$3,950,000,000''.

On page 72, line 13, strike ''$5,800,000,000'' and insert ''$6,100,000,000''.

On page 72, line 13, strike ''$5,800,000,000'' and insert ''$6,200,000,000''.

AMENDMENT NO. 148

On page 16, line 20, strike ''$54,700,000'' and insert ''$154,700,000''.

On page 30, line 11, strike ''$100,000,000'' and insert ''$400,000,000''.

On page 72, line 10, strike ''$3,650,000,000'' and insert ''$4,050,000,000''.

DORGAN AMENDMENTS NOS. 149–151

(Ordered to lie on the table.)

Mr. DORGAN submitted three amendments intended to be proposed by him to the bill, S. 672, supra, as follows:

AMENDMENT NO. 149

On page 30, line 11, strike ''$100,000,000'' and insert ''$400,000,000''.

On page 31, line 13, strike ''$3,500,000,000'' and insert ''$3,200,000,000''.

On page 31, line 17, strike ''$2,500,000,000'' and insert ''$2,200,000,000''.

AMENDMENT NO. 150

On page 30, line 11, strike 1''$100,000,000'' and insert ''$400,000,000''.

On page 72, line 10, strike ''$3,650,000,000'' and insert ''$3,950,000,000''.

On page 72, line 18, strike ''$2,150,000,000'' and insert ''$1,850,000,000''.

AMENDMENT NO. 151

At the appropriate place, insert the following:

SEC. . EMERGENCY USE OF CHILD CARE FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, during the period beginning on April 30, 1997, and ending on July 30, 1997, the Governors of the States described in paragraph (1) of subsection (b) may, subject to subsection (c), use amounts received for the provision of child care assistance or services under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9801 et seq.) and under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) to provide emergency child care services to individuals described in paragraph (2) of subsection (b).

(b) ELIGIBILITY.—

(1) OF STATES.—A State described in this paragraph is a State in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), has determined that a major disaster exists, or that an area within the State is determined to be eligible for disaster relief under other Federal law by reason of damage related to flooding in 1997.

(2) OF INDIVIDUALS.—An individual described in this subsection is an individual who—

(A) resides within any area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), has determined that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to flooding in 1997; and

(B) is involved in unpaid work activities (including the cleaning, repair, restoration, and rebuilding of homes, businesses, and schools) resulting from the flood emergency described in subparagraph (A).

(c) LIMITATIONS.—

(1) REQUIREMENTS.—With respect to assistance provided to individuals under this section, the quality, certification and licensure, health and safety, nondiscrimination, and other requirements applicable under the Federal programs referred to in subsection (a) shall apply to child care provided or obtained under this section.

(2) AMOUNT OF FUNDS.—The total amount utilized by each of the States under subsection (a) during the period referred to in such subsection shall not exceed the total amount of such assistance that, notwithstanding the enactment of this section, would otherwise have been expended by each such State in the affected region during such period.

(d) PRIORITY.—In making assistance available under this section, the Governors described in subsection (a) shall give priority

to eligible individuals who do not have access to income, assets, or resources as a direct result of the flooding referred to in subsection (b)(2)(A).

DORGAN (AND OTHERS) AMENDMENTS NOS. 152–153

(Ordered to lie on the table.)

Mr. DORGAN (for himself, Mr. DASCHLE, Mr. JOHNSON, and Mr. CONRAD) submitted two amendments intended to be proposed by them to the bill, S. 672, supra; as follows:

AMENDMENT NO. 152

At the appropriate place, insert the following:

SEC. . NONAPPLICABILITY TO EMERGENCY LOANS OF PROHIBITION ON LOANS FOR BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS.

Section 373(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008h(b)(1)) is amended by inserting after ''loan under this title'' the following: ''(other than subtitle C)''.

AMENDMENT NO. 153

On page 10, between lines 10 and 11, insert the following:

For guaranteed loans made to federally recognized Indian tribes under the business and industrial loan program established under section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) for the replacement of livestock lost during storms occurring during the winter season of 1995 and 1996 and the winter season of 1996 and 1997:

(1) For additional gross obligations for the principal amount of the guaranteed loans, to be available from funds in the Agricultural Credit Insurance Fund, $50,000,000.

(2) For the additional cost of the guaranteed loans (including the cost of modifying loans (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)), $465,000.

FOOD AND CONSUMER SERVICE

EMERGENCY FOOD ASSISTANCE PROGRAM

Notwithstanding section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2036(a)), the amount available for allocation under that section for fiscal year 1997 shall be $99,535,000.

DORGAN AMENDMENT NO. 154

(Ordered to lie on the table.)

Mr. DORGAN submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 85, after line 11, add the following:

TITLE VIII—ABATEMENT OF INTEREST ON UNDERPAYMENTS BY CERTAIN TAXPAYERS

SEC. 801. ABATEMENT OF INTEREST ON UNDERPAYMENTS BY TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.

(a) IN GENERAL.—Section 6404 of the Internal Revenue Code of 1986 (relating to abatements) is amended by adding at the end the following:

''(h) ABATEMENT OF INTEREST ON UNDERPAYMENTS BY TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—

''(1) IN GENERAL.—If the Secretary extends for any period the time for filing income tax returns under section 6081 and the time for paying income tax with respect to such returns under section 6161 for any taxpayer located in a Presidentially declared disaster area, the Secretary shall abate for such period the assessment of any interest prescribed under section 6601 on such income tax.

''(2) PRESIDENTIALLY DECLARED DISASTER AREA.—For purposes of paragraph (1), the term 'Presidentially declared disaster area' means, with respect to any taxpayer, any area which the President has determined warrants assistance by the Federal Government under the Disaster Relief and Emergency Assistance Act.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disasters declared after December 31, 1996.

CONRAD (AND OTHERS) AMENDMENTS NOS. 155–157

(Ordered to lie on the table.)

Mr. CONRAD (for himself, Mr. GRAMS, Mr. DORGAN, Mr. DASCHLE, Mr. WELLSTONE, and Mr. JOHNSON) submitted three amendments intended to be proposed by them to the bill, S. 672, supra; as follows:

AMENDMENT NO. 155

On page 16, line 20, strike ''$54,700,000'' and insert ''$154,700,000''.

On page 30, line 11, strike ''$100,000,000'' and insert ''$400,000,000''.

On page 31, line 13, strike ''$3,500,000,000'' and insert ''$3,100,000,000''.

On page 31, line 17, strike ''$2,500,000,000'' and insert ''$2,100,000,000''.

AMENDMENT NO. 156

On page 16, line 20, strike ''$54,700,000'' and insert ''$154,700,000''.

On page 31, line 13, strike ''$3,500,000,000'' and insert ''$3,400,000,000''.

On page 31, line 17, strike ''$2,500,000,000'' and insert ''$2,400,000,000''.

AMENDMENT NO. 157

On page 16, line 20, strike ''$54,700,000'' and insert ''$154,700,000''.

On page 72, line 10, strike ''$3,650,000,000'' and insert ''$3,750,000,000''.

On page 72, line 13, strike ''$5,800,000,000'' and insert ''$5,900,000,000''.

CONRAD (AND DORGAN) AMENDMENTS NOS. 158–159

(Ordered to lie on the table.)

Mr. CONRAD (for himself and Mr. DORGAN) submitted two amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 158

On page 45, between lines 7 and 8, insert the following:

For an additional amount under the heading ''CHILDREN AND FAMILIES SERVICES PROGRAMS (INCLUDING RESCISSIONS)'', $10,000,000, which shall be for making payments under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.) to pay for emergency expenses resulting from the flooding in the upper Midwest and other natural disasters in fiscal year 1997, to remain available until expended: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the $3,500,000,000 and $2,500,000,000 amounts under the heading ''DISASTER RELIEF'' under the heading ''FEDERAL EMERGENCY MANAGEMENT AGENCY'' under the heading ''INDEPENDENT AGENCY'' in chapter 6 of title II of this Act shall each be reduced by $10,000,000.

AMENDMENT NO. 159

At the appropriate place, insert the following:

SEC. . FLOOD INSURANCE.

Section 1306(c)(1) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)(1)) is amended by striking ''30'' and inserting ''15''.

CONRAD (AND OTHERS) AMENDMENT NO. 160

(Ordered to lie on the table.)

Mr. CONRAD (for himself, Mr. DORGAN, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 13, line 15, strike ''$10,000,000'' and insert ''$20,000,000''.

CONRAD (AND OTHERS) AMENDMENT NO. 161

(Ordered to lie on the table.)

Mr. CONRAD (for himself, Mr. DASCHLE, Mr. DORGAN, Mr. WELLSTONE, Mr. JOHNSON, and Mr. GRAMS) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

SECTION 1. ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES IN CASES OF CERTAIN DISASTERS.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding at the end the following:

''TITLE VIII—ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES IN CASES OF CERTAIN DISASTERS

''SEC. 801. ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES IN CASES OF CERTAIN DISASTERS.

''(a) ASSISTANCE.—

''(1) AUTHORITY.—The Director of the Federal Emergency Management Agency may provide the assistance described in paragraph (2) in any case in which the Director determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary school or secondary school age) that—

''(A) the agency serves in whole or in part an area with respect to which a major disaster has been declared by the President under section 401;

''(B) the Governor of the State in which the agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of the State, or of any political subdivision thereof, for the same or similar purposes with respect to the disaster;

''(C) the agency is utilizing or will utilize all State and other financial assistance available to the agency for the purpose of meeting the cost of providing free public education for the children attending the schools of the agency, but as a result of the disaster the agency is unable to obtain sufficient funds for such purpose and requires an amount of additional assistance equal to at least $10,000 or 5 percent of the agency's current expenditures during the fiscal year preceding the fiscal year in which the disaster occurred, whichever is less; and

''(D) in the case of any such disaster to the extent that the operation of private elementary schools and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by the disaster, the local educational

agency has made provisions for the conduct of educational programs under public auspices and administration in which children enrolled in the private elementary schools and secondary schools may attend and participate, except that nothing contained in this section shall be construed to authorize the making of any payment under this section for religious worship or instruction.

''(2) ASSISTANCE.—The assistance referred to in paragraph (1) is the assistance the Director determines necessary to pay the costs of emergency operating expenses incurred by the local educational agency in educating students in public and private elementary schools and secondary schools who have been displaced by the disaster, including—

''(A) providing transportation costs for busing students to alternative sites;

''(B) replacing instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of the disaster, making minor repairs, and leasing or otherwise providing (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily the facilities which have been made unavailable as a result of the disaster; and

''(C) providing educational services to children who, as a result of damage to schools that the children attended prior to the disaster, were required to attend other schools.

''(3) DURATION.—The Director may provide a local educational agency with assistance under this section for the period beginning on the date the disaster is declared by the President under section 401 with respect to an area served by the local educational agency and ending 18 months after the date.

''(4) PAYMENTS TO OTHER LOCAL EDUCATIONAL AGENCIES.—A local educational agency may use funds received under this section to make a payment to another local educational agency for the costs of emergency operating expenses incurred by such other local educational agency in educating students who are displaced by the disaster.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section. Pending such appropriation, the Director is authorized to expend (without regard for subchapter II of chapter 15 of title 31, United States Code) from any funds appropriated to the Federal Emergency Management Agency and at that time available to the Director, such sums as may be necessary for providing immediate assistance under this section. Expenditures pursuant to the preceding sentence—

''(1) shall be reported by the Director to the Committees on Appropriations and Education and the Workplace of the House of Representatives and the Committees on Appropriations and Labor and Human Resources of the Senate within 30 days of the expenditure; and

''(2) shall be reimbursed from the appropriations authorized by the first sentence of this subsection.

''(c) REPORT.—The report required under subsection (b)(1) shall constitute a budget estimate within the meaning of section 1109 of title 31, United States Code.

''(d) APPLICATION.—No payment may be made to any local educational agency under this section except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Director in accordance with the regulations prescribed by the Director. In determining the order in which such applications may be approved, the Director shall consider the relative educational and financial needs of the local educational agencies which have submitted approvable applications. The Director shall complete action of approval or disapproval of an application within 90 days of the filing of an application.

''(e) PAYMENTS.—Amounts paid by the Director to local educational agencies under this section may be paid in advance or by way of reimbursement and in such installments as the Director may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

''(f) SPECIAL RULE.—Funds available to carry out this section for any fiscal year shall also be available to carry out section 403 with respect to assistance for public and private elementary schools and secondary schools.

''(g) BUREAU FUNDED SCHOOLS.—The Director may provide assistance to the Bureau of Indian Affairs for Bureau funded schools that are located in an area with respect to which a major disaster has been declared by the President under section 401 in a manner similar to the manner in which local educational agencies receive assistance under this section.

''(h) DEFINITIONS.—In this section:

''(1) BUREAU FUNDED SCHOOL.—The term 'Bureau funded school' has the meaning given the term in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026).

''(2) CURRENT EXPENDITURES.—The term 'current expenditures' has the meaning given the term in section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713).

''(3) DIRECTOR.—The term 'Director' means Director of the Federal Emergency Management Agency.

''(4) ELEMENTARY SCHOOL; SECONDARY SCHOOL; LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms 'elementary school', 'secondary school', 'local educational agency', and 'State educational agency' have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).''.

CONRAD AMENDMENT NO. 162

(Ordered to lie on the table.)

Mr. CONRAD submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

At the end of title II, insert the following:

CHAPTER 6

COMMITTEE ON SMALL BUSINESS

SMALL BUSINESS INVESTMENT COMPANY ACT OF 1958 FEES

(a) IN GENERAL.—For fiscal year 1997 and 1998, $4,800,000, to pay fees required under section 503(b)(7)(A) and paragraphs (2) and (3) of section 503(d) of the Small Business Investment Act of 1958 in connection with assistance authorized under title V of that Act of a borrower located in an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), has determined that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North and its tributaries.

(b) CDC AND BORROWER EXEMPT FROM FEES.—For fiscal years 1997 and 1998, no borrower or certified development company shall be required to pay fees under section 503(b)(7)(A) and paragraphs (2) and (3) of section 503(b) of the Small Business Investment Act of 1958 that are paid by the funds appropriated under subsection (a) of this section.

CONRAD (AND DORGAN) AMENDMENT NO. 163

(Ordered to lie on the table.)

Mr. CONRAD (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

On page 10, between lines 10 and 11, insert the following:

For an additional amount for the ''Agricultural Credit Insurance Fund Program Account'' for the additional cost of providing assistance under the interest rate reduction program established under section 351 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1999) to agricultural producers that have been substantially affected by a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), to remain available until expended, $10,000,000: *Provided*, That the entire amount shall be available only to the extent that an official budget request for $10,000,000 that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is transmitted by the President to Congress: *Provided further*, That the amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of that Act (2 U.S.C. 901(b)(2)(D)(i)).

MURRAY AMENDMENT NO. 164

(Ordered to lie on the table.)

Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill, S. 672, supra; as follows:

On page 17, between lines 13 and 14, insert the following:

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount to continue the assistance implemented by the National Oceanic and Atmospheric Administration in Washington, Oregon, and California (commonly referred to as the ''Northwest Economic Aid Package'') to provide disaster assistance under section 312 of the Magnuson-Stevens Fishery Conservation and Management Act (relating to the transition to sustainable fisheries) to salmon fishers that continue to suffer from a fishery resource disaster, $25,000,000, to remain available until expended: *Provided*, That the entire amount shall be available only to the extent that an official budget request for $25,000,000, that includes the designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of such Act.

On page 72, line 10, strike ''$3,650,000,000'' and insert ''$3,675,000,000''.

On page 72, line 13, strike ''$5,800,000,000'' and insert ''$5,825,000,000''.

D'AMATO (AND CHAFEE) AMENDMENT NO. 165

(Ordered to lie on the table.)

Mr. D'AMATO (for himself and Mr. CHAFEE) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

Strike title VI and insert the following:

TITLE VI—EXTENSION OF SSI AND FOOD STAMPS FOR CERTAIN ALIENS

SEC. 601. EXTENSION OF SSI AND FOOD STAMP REDETERMINATION PROVISIONS.

(A) IN GENERAL.—Section 402(a)(2)(D) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D)), as amended by section 510 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–673), is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''the date which is 1 year after such date of enactment'' and inserting ''September 30, 1997''; and

(B) in subclause (III), by striking ''the date of the redetermination with respect to such individual'' and inserting ''September 30, 1997''; and

(2) in clause (ii)—

(A) in subclause (I)—

(i) by striking ''April 1, 1997,'' and all that follows through ''1977.'' and inserting ''October 1, 1997, to an alien who received benefits under such program on the date of enactment of this Act.''; and

(ii) by striking ''August 22, 1997'', and inserting ''September 30, 1997''; and

(B) in subclause (III), by striking ''the date of recertification'' and inserting ''September 30, 1997''.

(b) NOTICE AND REDETERMINATION.—The Commissioner of Social Security, in the case of the specified Federal program defined in section 402(a)(3)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(3)(A)), and the State agency, in the case of the specified Federal program defined in section 402(a)(3)(B) of such Act (8 U.S.C. 1612(a)(3)(B)), shall notify any individual described in section 402(a)(2)(D) of such Act (8 U.S.C. 1612(a)(2)(D)), as amended by subsection (a), who, on or after August 22, 1996, has been determined to be ineligible for any such specified Federal program solely on the basis of the application of section 402 of such Act (8 U.S.C. 1612), as in effect on the day before the date of enactment of this Act, that the individual's eligibility for such program shall be redetermined or recertified (as the case may be), and shall conduct such redetermination or recertification in a timely manner. Any benefits that such an individual should have received under any such specified Federal program during the period beginning on the date of the determination described in the preceding sentence and ending on September 30, 1997, were it not for the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, shall be restored to the individual.

(c) RESCISSION OF JOBS FUNDS.—

(1) IN GENERAL.—Of the funds made available under the heading ''JOB OPPORTUNITIES AND BASIC SKILLS'' in Public Law 104–208, there is rescinded an amount equal to the total of the funds within each State's limitation for fiscal year 1997 that are not necessary to pay such State's allowable claims for such fiscal year.

(2) CONFORMING AMENDMENT.—Section 403(k)(3)(F) of the Social Security Act (42 U.S.C. 603(k)(3)(F)) (as in effect on October 1, 1996) is amended by inserting ''reduced by an amount equal to the total of those funds that are within each State's limitation for fiscal year 1997 that are not necessary to pay such State's allowable claims for such fiscal year (except that such amount for such year shall be deemed to be $1,000,000,000 for the purpose of determining the amount of the payment under subsection (l) to which each State is entitled),'' after ''year,''.

(d) EFFECTIVE DATE.—Subsection (a) takes effect as if included in the enactment of section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612).

D'AMATO (AND OTHERS) AMENDMENT NO. 166

(Ordered to lie on the table.)

Mr. D'AMATO (for himself, Mr. CHAFEE, Mr. DEWINE, and Mr. SPECTER) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

On page 44, strike all after line 19, through line 2 on page 45, and insert in lieu thereof the following:

JOB OPPORTUNITIES AND BASIC SKILLS

(RESCISSION)

Of the funds made available under this heading in Public Law 104–208, there is rescinded an amount equal to the total of the funds within each State's limitation for fiscal year 1997 that are not necessary to pay such State's allowable claims for such fiscal year.

Section 403(k)(3)(F) of the Social Security Act (as in effect on October 1, 1996) is amended by adding after the '','' the following: ''reduced by an amount equal to the total of those funds that are within each State's limitation for fiscal year 1997 that are not necessary to pay such State's allowable claims for such fiscal year (except that such amount for such year shall be deemed to be $1,000,000,000 for the purpose of determining the amount of the payment under subsection (1) to which each State is entitled).''.

On page 46, after line 25, insert the following:

On page 75, strike all after line 10 through line 22 on page 80, and insert in lieu thereof the following:

Title VI—Supplemental Security Income Amendment

SEC. 601. EXTENSION OF SSI REDETERMINATION PROVISIONS.

(a) IN GENERAL.—Section 402(a)(2)(D) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(D) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''the date which is 1 year after such date of enactment'' and inserting in lieu thereof ''September 30, 1997''; and

(B) in subclause (III), by striking ''the date of the redetermination with respect to such individual'' and inserting in lieu thereof ''September 30, 1997''; and

(b) EFFECTIVE DATE.—Subsection (a) takes effect as if included in the enactment of section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612).

BOND (AND OTHERS) AMENDMENT NO. 167

(Ordered to lie on the table.)

Mr. BOND (for himself, Mr. LEVIN, and Mr. ABRAHAM) submitted an amendment intended to be proposed by them to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

SEC. . After the period for filing claims pursuant to the Uniform Relocation Act is closed, and from amounts previously appropriated for the Center for Ecology Research and Training (CERT), the Environmental Protection Agency (EPA) shall obligate the maximum amount of funds necessary to settle all outstanding CERT-related claims against it. To the extent that unobligated balances remain from such amounts previously appropriated, EPA is authorized beginning in fiscal year 1997 to make grants of such funds to the City of Bay City, Michigan, for the purpose of EPA-approved environmental remediation and rehabilitation of publicly owned real property included in the boundaries of the CERT project.

BOND AMENDMENTS NOS. 168–169

(Ordered to lie on the table.)

Mr. BOND submitted two amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 168

In Title III, Chapter 10, add the following new section.

SEC. . The funds appropriated in Public Law 104–204 to the Environmental Protection Agency under the State and Tribal Assistance Grants Account for grants to states and federally recognized tribes for multi-media or single media pollution prevention, control and abatement and related activities, $674,207,000, may also be used for the direct implementation by the Federal government of a program required by law in the absence of an acceptable State or tribal program.

AMENDMENT NO. 169

In Title III, Chapter 10, add the following new section.

SEC. . The first sentence of section 542(c)(4) of the Housing and Community Development Act of 1992 is amended by striking out ''on not more than 12,000 units during fiscal year 1996'' and inserting in lieu thereof: ''on not more than 12,000 units during fiscal year 1996 and not more than an additional 7,500 units during fiscal year 1997.''.

DASCHLE AMENDMENT NO. 170

(Ordered to lie on the table.)

Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill, s. 672, supra; as follows:

AMENDMENT NO. 170

At the appropriate place, insert the following:

FEDERAL EMERGENCY MANAGEMENT AGENCY

GRANT FOR THE CONSTRUCTION OF A PIPELINE TO CONNECT THE TOWN OF GETTYSBURG, SOUTH DAKOTA, TO THE MID-DAKOTA RURAL WATER SYSTEM

For the funding of a grant to the town of Gettysburg, South Dakota, to be used to pay the Bureau of Reclamation for the construction of a pipeline to connect the town to the Mid-Dakota Rural Water System, $1,500,000.

REID (AND BAUCUS) AMENDMENT NO. 171

Mr. REID (for himself and Mr. BAUCUS) proposed an amendment to the bill, S. 672, supra; as follows:

AMENDMENT NO. 171

Beginning on page 50, strike line 15 and all that follows through page 51 and insert the following:

The policy issued on February 19, 1997, by the United States Fish and Wildlife Service implementing emergency provisions of the Endangered Species Act and applying to 46 California counties that were declared Federal disaster areas shall apply to all counties nationwide heretofore or hereafter declared Federal disaster areas at any time during 1997 and shall apply to repair activities on

flood control facilities in response to an imminent threat to human lives and property and shall remain in effect until the Assistant Secretary of the Army for Civil Works determines that 100 percent of emergency repairs have been completed, but shall not remain in effect later than December 31, 1998.

D'AMATO (AND OTHERS) AMENDMENT NO. 172

(Ordered to lie on the table.)

Mr. D'AMATO (for himself, Ms. SNOWE, Mrs. FEINSTEIN, Mr. HOLLINGS, Mr. MOYNIHAN, Mr. DOMENICI, Mr. FAIRCLOTH, Ms. MOSELEY-BRAUN, Mr. BIDEN, Mr. INOUYE, Mr. MURKOWSKI, Mr. DODD, Mr. KERREY, Mr. HATCH, Mr. GREGG, Mr. SMITH of New Hampshire, and Mr. FORD) submitted an amendment intended to be proposed by him to the bill, S. 672, supra; as follows:

At the appropriate place, insert the following:

TITLE ___—WOMEN'S HEALTH AND CANCER RIGHTS

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Women's Health and Cancer Rights Act of 1997''.

SEC. ___2. FINDINGS.

Congress finds that—

(1) the offering and operation of health plans affect commerce among the States;

(2) health care providers located in a State serve patients who reside in the State and patients who reside in other States; and

(3) in order to provide for uniform treatment of health care providers and patients among the States, it is necessary to cover health plans operating in 1 State as well as health plans operating among the several States.

SEC. ___3. AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(a) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (as added by section 603(a) of the Newborns' and Mothers' Health Protection Act of 1996 and amended by section 702(a) of the Mental Health Parity Act of 1996) is amended by adding at the end the following new section:

''SEC. 713. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER, COVERAGE FOR RECONSTRUCTIVE SURGERY FOLLOWING MASTECTOMIES, AND COVERAGE FOR SECONDARY CONSULTATIONS.

''(a) INPATIENT CARE.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides medical and surgical benefits shall ensure that inpatient coverage with respect to the treatment of breast cancer is provided for a period of time as is determined by the attending physician, in consultation with the patient, to be medically appropriate following—

''(A) a mastectomy;

''(B) a lumpectomy; or

''(C) a lymph node dissection for the treatment of breast cancer.

''(2) EXCEPTION.—Nothing in this section shall be construed as requiring the provision of inpatient coverage if the attending physician and patient determine that a shorter period of hospital stay is medically appropriate.

''(b) RECONSTRUCTIVE SURGERY.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides medical and surgical benefits with respect to a mastectomy shall ensure that, in a case in which a mastectomy patient elects breast reconstruction, coverage is provided for—

''(1) all stages of reconstruction of the breast on which the mastectomy has been performed; and

''(2) surgery and reconstruction of the other breast to produce a symmetrical appearance;

in the manner determined by the attending physician and the patient to be appropriate, and consistent with any fee schedule contained in the plan.

''(c) PROHIBITION ON CERTAIN MODIFICATIONS.—In implementing the requirements of this section, a group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, may not modify the terms and conditions of coverage based on the determination by a participant or beneficiary to request less than the minimum coverage required under subsection (a) or (b).

''(d) NOTICE.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan shall provide notice to each participant and beneficiary under such plan regarding the coverage required by this section in accordance with regulations promulgated by the Secretary. Such notice shall be in writing and prominently positioned in any literature or correspondence made available or distributed by the plan or issuer and shall be transmitted—

''(1) in the next mailing made by the plan or issuer to the participant or beneficiary;

''(2) as part of any yearly informational packet sent to the participant or beneficiary; or

''(3) not later than January 1, 1998;

whichever is earlier.

''(e) SECONDARY CONSULTATIONS.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides coverage with respect to medical and surgical services provided in relation to the diagnosis and treatment of cancer shall ensure that full coverage is provided for secondary consultations by specialists in the appropriate medical fields (including pathology, radiology, and oncology) to confirm or refute such diagnosis. Such plan or issuer shall ensure that full coverage is provided for such secondary consultation whether such consultation is based on a positive or negative initial diagnosis. In any case in which the attending physician certifies in writing that services necessary for such a secondary consultation are not sufficiently available from specialists operating under the plan with respect to whose services coverage is otherwise provided under such plan or by such issuer, such plan or issuer shall ensure that coverage is provided with respect to the services necessary for the secondary consultation with any other specialist selected by the attending physician for such purpose at no additional cost to the individual beyond that which the individual would have paid if the specialist was participating in the network of the plan.

''(2) EXCEPTION.—Nothing in paragraph (1) shall be construed as requiring the provision of secondary consultations where the patient determines not to seek such a consultation.

''(f) PROHIBITION ON PENALTIES OR INCENTIVES.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, may not—

''(1) penalize or otherwise reduce or limit the reimbursement of a provider or specialist because the provider or specialist provided care to a participant or beneficiary in accordance with this section;

''(2) provide financial or other incentives to a physician or specialist to induce the physician or specialist to keep the length of inpatient stays of patients following a mastectomy, lumpectomy, or a lymph node dissection for the treatment of breast cancer below certain limits or to limit referrals for secondary consultations; or

''(3) provide financial or other incentives to a physician or specialist to induce the physician or specialist to refrain from referring a participant or beneficiary for a secondary consultation that would otherwise be covered by the plan or coverage involved under subsection (e).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of such Act, as amended by section 603 of the Newborns' and Mothers' Health Protection Act of 1996 and section 702 of the Mental Health Parity Act of 1996, is amended by inserting after the item relating to section 712 the following new item:

''Sec. 713. Required coverage for minimum hospital stay for mastectomies and lymph node dissections for the treatment of breast cancer, coverage for reconstructive surgery following mastectomies, and coverage for secondary consultations.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to plan years beginning on or after the date of enactment of this Act.

(2) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this section shall not apply to plan years beginning before the later of—

(A) the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act), or

(B) January 1, 1998.

For purposes of subparagraph (A), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

SEC. ___4. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT RELATING TO THE GROUP MARKET.

(a) IN GENERAL.—Subpart 2 of part A of title XXVII of the Public Health Service Act (as added by section 604(a) of the Newborns' and Mothers' Health Protection Act of 1996 and amended by section 703(a) of the Mental Health Parity Act of 1996) is amended by adding at the end the following new section:

''SEC. 2706. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER, COVERAGE FOR RECONSTRUCTION SURGERY FOLLOWING MASTECTOMIES, AND COVERAGE FOR SECONDARY CONSULTATIONS.

''(a) INPATIENT CARE.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides medical and surgical benefits shall ensure that inpatient coverage with respect to the treatment of breast cancer is provided for a period of time as is determined by the attending physician,

in consultation with the patient, to be medically appropriate following—

''(A) a mastectomy;

''(B) a lumpectomy; or

''(C) a lymph node dissection for the treatment of breast cancer.

''(2) EXCEPTION.—Nothing in this section shall be construed as requiring the provision of inpatient coverage if the attending physician and patient determine that a shorter period of hospital stay is medically appropriate.

''(b) RECONSTRUCTIVE SURGERY.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides medical and surgical benefits with respect to a mastectomy shall ensure that, in a case in which a mastectomy patient elects breast reconstruction, coverage is provided for—

''(1) all stages of reconstruction of the breast on which the mastectomy has been performed; and

''(2) surgery and reconstruction of the other breast to produce a symmetrical appearance;

in the manner determined by the attending physician and the patient to be appropriate, and consistent with any fee schedule contained in the plan.

''(c) PROHIBITION ON CERTAIN MODIFICATIONS.—In implementing the requirements of this section, a group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, may not modify the terms and conditions of coverage based on the determination by a participant or beneficiary to request less than the minimum coverage required under subsection (a) or (b).

''(d) NOTICE.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan shall provide notice to each participant and beneficiary under such plan regarding the coverage required by this section in accordance with regulations promulgated by the Secretary. Such notice shall be in writing and prominently positioned in any literature or correspondence made available or distributed by the plan or issuer and shall be transmitted—

''(1) in the next mailing made by the plan or issuer to the participant or beneficiary;

''(2) as part of any yearly informational packet sent to the participant or beneficiary; or

''(3) not later than January 1, 1998;

whichever is earlier.

''(e) SECONDARY CONSULTATIONS.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan that provides coverage with respect to medical and surgical services provided in relation to the diagnosis and treatment of cancer shall ensure that full coverage is provided for secondary consultations by specialists in the appropriate medical fields (including pathology, radiology, and oncology) to confirm or refute such diagnosis. Such plan or issuer shall ensure that full coverage is provided for such secondary consultation whether such consultation is based on a positive or negative initial diagnosis. In any case in which the attending physician certifies in writing that services necessary for such a secondary consultation are not sufficiently available from specialists operating under the plan with respect to whose services coverage is otherwise provided under such plan or by such issuer, such plan or issuer shall ensure that coverage is provided with respect to the services necessary for the secondary consultation with any other specialist selected by the attending physician for such purpose at no additional cost to the individual beyond that which the individual would have paid if the specialist was participating in the network of the plan.

''(2) EXCEPTION.—Nothing in paragraph (1) shall be construed as requiring the provision of secondary consultations where the patient determines not to seek such a consultation.

''(f) PROHIBITION ON PENALTIES OR INCENTIVES.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, may not—

''(1) penalize or otherwise reduce or limit the reimbursement of a provider or specialist because the provider or specialist provided care to a participant or beneficiary in accordance with this section;

''(2) provide financial or other incentives to a physician or specialist to induce the physician or specialist to keep the length of inpatient stays of patients following a mastectomy, lumpectomy, or a lymph node dissection for the treatment of breast cancer below certain limits or to limit referrals for secondary consultations; or

''(3) provide financial or other incentives to a physician or specialist to induce the physician or specialist to refrain from referring a participant or beneficiary for a secondary consultation that would otherwise be covered by the plan or coverage involved under subsection (e).''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to group health plans for plan years beginning on or after the date of enactment of this Act.

(2) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this section shall not apply to plan years beginning before the later of—

(A) the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act), or

(B) January 1, 1998.

For purposes of subparagraph (A), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

SEC. ___5. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT RELATING TO THE INDIVIDUAL MARKET.

(a) IN GENERAL.—Subpart 3 of part B of title XXVII of the Public Health Service Act (as added by section 605(a) of the Newborn's and Mother's Health Protection Act of 1996) is amended by adding at the end the following new section:

''SEC. 2752. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER AND SECONDARY CONSULTATIONS.

''The provisions of section 2706 shall apply to health insurance coverage offered by a health insurance issuer in the individual market in the same manner as they apply to health insurance coverage offered by a health insurance issuer in connection with a group health plan in the small or large group market.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market on or after the date of enactment of this Act.

SEC. ___6. AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.

(a) IN GENERAL.—Chapter 100 of the Internal Revenue Code of 1986 (relating to group health plan portability, access, and renewability requirements) is amended by redesignating sections 9804, 9805, and 9806 as sections 9805, 9806, and 9807, respectively, and by inserting after section 9803 the following new section:

''SEC. 9804. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER, COVERAGE FOR RECONSTRUCTIVE SURGERY FOLLOWING MASTECTOMIES, AND COVERAGE FOR SECONDARY CONSULTATIONS.

''(a) INPATIENT CARE.—

''(1) IN GENERAL.—A group health plan that provides medical and surgical benefits shall ensure that inpatient coverage with respect to the treatment of breast cancer is provided for a period of time as is determined by the attending physician, in consultation with the patient, to be medically appropriate following—

''(A) a mastectomy;

''(B) a lumpectomy; or

''(C) a lymph node dissection for the treatment of breast cancer.

''(2) EXCEPTION.—Nothing in this section shall be construed as requiring the provision of inpatient coverage if the attending physician and patient determine that a shorter period of hospital stay is medically appropriate.

''(b) RECONSTRUCTIVE SURGERY.—A group health plan that provides medical and surgical benefits with respect to a mastectomy shall ensure that, in a case in which a mastectomy patient elects breast reconstruction, coverage is provided for—

''(1) all stages of reconstruction of the breast on which the mastectomy has been performed; and

''(2) surgery and reconstruction of the other breast to produce a symmetrical appearance;

in the manner determined by the attending physician and the patient to be appropriate, and consistent with any fee schedule contained in the plan.

''(c) PROHIBITION ON CERTAIN MODIFICATIONS.—In implementing the requirements of this section, a group health plan may not modify the terms and conditions of coverage based on the determination by a participant or beneficiary to request less than the minimum coverage required under subsection (a) or (b).

''(d) NOTICE.—A group health plan shall provide notice to each participant and beneficiary under such plan regarding the coverage required by this section in accordance with regulations promulgated by the Secretary. Such notice shall be in writing and prominently positioned in any literature or correspondence made available or distributed by the plan and shall be transmitted—

''(1) in the next mailing made by the plan to the participant or beneficiary;

''(2) as part of any yearly informational packet sent to the participant or beneficiary; or

''(3) not later than January 1, 1998;

whichever is earlier.

''(e) SECONDARY CONSULTATIONS.—

''(1) IN GENERAL.—A group health plan that provides coverage with respect to medical and surgical services provided in relation to the diagnosis and treatment of cancer shall ensure that full coverage is provided for secondary consultations by specialists in the appropriate medical fields (including pathology, radiology, and oncology) to confirm or

refute such diagnosis. Such plan or issuer shall ensure that full coverage is provided for such secondary consultation whether such consultation is based on a positive or negative initial diagnosis. In any case in which the attending physician certifies in writing that services necessary for such a secondary consultation are not sufficiently available from specialists operating under the plan with respect to whose services coverage is otherwise provided under such plan or by such issuer, such plan or issuer shall ensure that coverage is provided with respect to the services necessary for the secondary consultation with any other specialist selected by the attending physician for such purpose at no additional cost to the individual beyond that which the individual would have paid if the specialist was participating in the network of the plan.

''(2) EXCEPTION.—Nothing in paragraph (1) shall be construed as requiring the provision of secondary consultations where the patient determines not to seek such a consultation.

''(f) PROHIBITION ON PENALTIES.—A group health plan may not—

''(1) penalize or otherwise reduce or limit the reimbursement of a provider or specialist because the provider or specialist provided care to a participant or beneficiary in accordance with this section;

''(2) provide financial or other incentives to a physician or specialist to induce the physician or specialist to keep the length of inpatient stays of patients following a mastectomy, lumpectomy, or a lymph node dissection for the treatment of breast cancer below certain limits or to limit referrals for secondary consultations; or

''(3) provide financial or other incentives to a physician or specialist to induce the physician or specialist to refrain from referring a participant or beneficiary for a secondary consultation that would otherwise be covered by the plan involved under subsection (e).''.

(b) CONFORMING AMENDMENTS.—

(1) Sections 9801(c)(1), 9805(b) (as redesignated by subsection (a)), 9805(c) (as so redesignated), 4980D(c)(3)(B)(i)(I), 4980D(d)(3), and 4980D(f)(1) of such Code are each amended by striking ''9805'' each place it appears and inserting ''9806''.

(2) The heading for subtitle K of such Code is amended to read as follows:

''Subtitle K—Group Health Plan Portability, Access, Renewability, and Other Requirements''.

(3) The heading for chapter 100 of such Code is amended to read as follows:

''CHAPTER 100—GROUP HEALTH PLAN PORTABILITY, ACCESS, RENEWABILITY, AND OTHER REQUIREMENTS''.

(4) Section 4980D(a) of such Code is amended by striking ''and renewability'' and inserting ''renewability, and other''.

(c) CLERICAL AMENDMENTS.—

(1) The table of contents for chapter 100 of such Code is amended by redesignating the items relating to sections 9804, 9805, and 9806 as items relating to sections 9805, 9806, and 9807, and by inserting after the item relating to section 9803 the following new item:

''Sec. 9804. Required coverage for minimum hospital stay for mastectomies and lymph node dissections for the treatment of breast cancer, coverage for reconstructive surgery following mastectomies, and coverage for secondary consultations.''.

(2) The item relating to subtitle K in the table of subtitles for such Code is amended by striking ''and renewability'' and inserting ''renewability, and other''.

(3) The item relating to chapter 100 in the table of chapters for subtitle K of such Code is amended by striking ''and renewability'' and inserting ''renewability, and other''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to plan years beginning on or after the date of enactment of this Act.

(2) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this section shall not apply to plan years beginning before the later of—

(A) the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act), or

(B) January 1, 1998.

For purposes of subparagraph (A), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

BOND AMENDMENT NO. 173

Mr. STEVENS (for Mr. BOND) proposed an amendment to the bill, S. 672, supra; as follows:

In title III, chapter 10, add the following new section:

SEC. . The funds appropriated in Public Law 104–204 to the Environmental Protection Agency under the State and Tribal Assistance Grants Account for grants to States and federally recognized tribes for multimedia or single media pollution prevention, control and abatement and related activities, $674,207,000, may also be used for the direct implementation by the Federal Government of a program required by law in the absence of an acceptable State or tribal program.

BOND (AND OTHERS) AMENDMENT NO. 174

Mr. STEVENS (for Mr. BOND, for himself, Mr. LEVIN, and Mr. ABRAHAM) proposed an amendment to the bill, S. 672, supra; as follows:

In title III, chapter 10, add the following new section:

SEC. . After the period for filing claims pursuant to the Uniform Relocation Act is closed, and from amounts previously appropriated for the Center for Ecology Research and Training (CERT), the Environmental Protection Agency (EPA) shall obligate the maximum amount of funds necessary to settle all outstanding CERT-related claims against it. To the extent that unobligated balances remain from such amounts previously appropriated, EPA is authorized beginning in fiscal year 1997 to make grants of such funds to the City of Bay City, Michigan, for the purpose of EPA-approved environmental remediation and rehabilitation of publicly owned real property included in the boundaries of the CERT project.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BURNS. 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 Tuesday, May 6, 1997, to conduct a markup on S. 462, the Public Housing Reform and Responsibility Act of 1997.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BURNS. 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 Tuesday, May 6, 1997, to conduct a hearing to examine the issues surrounding the shredding of Holocaust era documents by the Union Bank of Switzerland.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, May 6, for purposes of conducting a hearing before the Full Committee which is scheduled to begin at 9:30 a.m. The Purpose of this hearing is to consider the nomination of Elizabeth Anne Moler to be Deputy Secretary of Energy.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Human Resources be authorized to meet for a Public Health and Safety Subcommittee Hearing on Protecting Public Health: CDC Project Grants for Preventable Health Services during the session of the Senate on Tuesday, May 6, 1997, at 9:30 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BURNS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence by authorized to meet during the session of the Senate on Tuesday, May 6, 1997, at 10 a.m. to hold an open confirmation hearing on the nomination of George J. Tenet to be Director of Central Intelligence.

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

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Near Eastern and South Asian Affairs Subcommittee of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 6, 1997, at 10 a.m. to hold a hearing.

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

SUBCOMMITTEE ON YOUTH VIOLENCE

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Youth Violence, of the Committee on the Judiciary be authorized to meet during the session of the