importance of supporting breast cancer patients and their family members and friends who are all meeting the challenges of this disease at the side of their loved one.

In 1997, it is estimated that 1 out of every 8 women will develop breast cancer in her lifetime and nearly 44,000 individuals will die of the disease this year. In New Hampshire alone there are 12,700 women living with breast cancer, and 230 women are expected to die of this terrible disease in 1997. With each of these individuals come loved ones who are also impacted. It is imperative to have a strong support system not only for individuals with breast cancer but for the family and friends who make up their support system. Our recognition of the millions of people who are dealing with similar struggles can help both the breast cancer patients and their loved ones to stay strong during their times of need.

With this resolution, we hope to encourage an environment in New Hampshire, and across the Nation, where support is provided to both the individuals with breast cancer as well as their family and friends through public awareness and education, and where family members and loved ones of individuals with breast cancer support each other in along with the individual facing breast cancer.

AMENDMENTS SUBMITTED

THE GOVERNMENT SHUTDOWN PREVENTION ACT SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT OF 1997

CONRAD AMENDMENT NO. 175

(Ordered to lie on the table.)

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

In lieu of the matter to be inserted by said amendment, insert: On page 31, line 22, after the word ''facilities,'' insert the following: '': *Provided further,* That of the funds made available under this heading, up to $20,000,000 may be transferred to the Disaster Assistance Direct Loan Program for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further,* That such transfer may be made to subsidize gross obligations for the principal amount of direct loans not to exceed $21,000,000 under section 417 of the Stafford Act: *Provided further,* That any such transfer of funds shall be made only upon certification by the Director of the Federal Emergency Management Agency that all requirements of section 417 of the Stafford Act will be complied with: *Provided further,* That the entire amount of the preceding proviso shall be available only to the extent that an official budget request for a specific dollar amount, 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, as amended, is transmitted by the President to Congress''.

DORGAN AMENDMENT NO. 176

(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:

At the appropriate place, insert the following: ''*Provided further,* That, notwithstanding the provisions of section 903(a)(2) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3243(a)(2)), the Secretary of Commerce may make a grant to restore electrical and gas service to areas damaged by flooding and other natural disasters: *Provided further,* That a project funded by a grant made under the preceding proviso shall, for purposes of section 704(e)(1) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3214(e)(1)), be considered to be an authorized project.''

HUTCHISON AMENDMENT NO. 177

Mrs. HUTCHISON proposed an amendment to the bill, S. 672, supra; as follows:

Strike out ''September 30, 1997'' and insert in lieu thereof ''June 30, 1998.''

HUTCHISON AMENDMENTS NOS. 178–179

(Ordered to lie on the table.)

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

AMENDMENT NO. 178

Strike out ''September 30, 1997'' and insert in lieu thereof ''June 30, 1998.''

AMENDMENT NO. 179

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, 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.''.

LUGAR AMENDMENTS NOS. 180–81

(Ordered to lie on the table.)

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

AMENDMENT NO. 180

Strike all after **''SEC. ———''** and insert the following: **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 on 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. 181

''Strike all after **''SEC. ———''** and insert the following: **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.

CRAIG AMENDMENTS NOS. 182–195

(Ordered to lie on the table.)

Mr. CRAIG submitted 14 amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 182

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

AMENDMENT NO. 183

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

AMENDMENT NO. 184

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

AMENDMENT NO. 185

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

AMENDMENT NO. 186

In lieu of the matter proposed to be inserted, insert the following:

SEC. 331. COMPLIANCE WITH THE ENDANGERED SPECIES ACT OF 1973 IN CONNECTION WITH FLOOD CONTROL PROJECTS.

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 and 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

AMENDMENT NO. 187

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

AMENDMENT NO. 188

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997;

''(B) to address a catastrophic natural event that occurred during 1996 or 1997; or

''(C) to comply with a Federal, State, or local public health or safety requirement that was violated during 1996 or 1997 as a result of a threat or event referred to in subparagraph (A) or (B).''.

AMENDMENT NO. 189

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

AMENDMENT NO. 190

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

AMENDMENT NO. 191

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

AMENDMENT NO. 192

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

AMENDMENT NO. 193

In lieu of the matter proposed to be inserted, insert the following:

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

(A) CONSULATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

''(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

AMENDMENT NO. 194

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

AMENDMENT NO. 195

In lieu of the matter proposed to be inserted, insert the following:

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

(a) CONSULTATION AND CONFERENCING.—Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)) is amended by adding at the end the following:

''(5) FLOOD CONTROL PROJECTS.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL PROJECTS.—For purposes of this subsection, an activity of a Federal or non-Federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a Federal or non-Federal flood control project, facility, or structure—

''(A) to address a critical, imminent threat to public health or safety that arose during 1996 or 1997; or

''(B) to address a catastrophic natural event that occurred during 1996 or 1997.''.

GORTON AMENDMENT NO. 196

(Ordered to lie on the table.)

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

In lieu of the matter proposed to be inserted, insert the following on page 21, after line 15:

''For an additional amount for 'Resource Management', $5,000,000, to remain available until September 30, 1999, for payments to private landowners for the voluntary use of private land to store water in restored wetlands.''

STEVENS AMENDMENTS NOS. 197–207

(Ordered to lie on the table.)

Mr. STEVENS submitted 11 amendments intended to be proposed by him to the bill, S. 672, supra; as follows:

AMENDMENT NO. 197

At the end of the amendment add the following: ''*Provided further,* That additional amounts made available may not be obligated pursuant to the reprogramming approval procedure specified in section 605 of Public Law 104–208.''

AMENDMENT NO. 198

At the end of the amendment add the following: ''*Provided further,* That additional amounts made available may not be obligated pursuant to the reprogramming approval procedure specified in section 605 of Public Law 104–208.''

AMENDMENT NO. 199

At the end of the amendment add the following: ''*Provided further,* That additional amounts made available may not be obligated pursuant to the reprogramming approval procedure specified in section 605 of Public Law 104–208.''

AMENDMENT NO. 200

At the end of the amendment add the following: ''*Provided further,* That additional amounts made available may not be obligated pursuant to the reprogamming approval procedure specified in section 605 of Public Law 104–208.''

AMENDMENT NO. 210

AT the end of the amendment add the following: ''*Provided further,* That additional amounts made available may not be obligated pursuant to the reprogramming approval procedure specified in section 605 of Public Law 104–208.

AMENDMENT NO. 202

At the end of the amendment add the following: ''*Provided further,* That additional amounts made available may not be obligated pursuant to the reprogamming approval procedure specified in section 605 of Public Law 104–208.''

AMENDMENT NO. 203

At the end of the amendment add the following: ''*Provided further,* That additional amounts made available may not be obligated pursuant to the reprogamming approval procedure specified in section 605 of Public Law 104–208.''

AMENDMENT NO. 204

At the end of the amendment add the following: ''*Provided further,* that additional amounts made available may not be obligated pursuant to the reprogramming approval procedure specified in section 605 of Public Law 104–208.''

AMENDMENT NO. 205

In lieu of the matter proposed insert the following:

SEC. . None of the funds made 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 or any other statistical method [(including any statistical adjustment)] in taking the 2000 decennial census of population for purposes of the apportionment of Representatives in Congress among the several States that cannot be reversed by future congressional action.

AMENDMENT NO. 206

In lieu of the matter proposed insert the following:

SEC. . None of the funds made 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 or any other statistical method [(including any statistical adjustment)] in taking the 2000 decennial census of population for purposes of the apportionment of Representatives in Congress among the several States that cannot be reversed by future congressional action.

AMENDMENT NO. 207

In lieu of the matter proposed insert the following:

SEC. . None of the funds made 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 or any other statistical method [(including any statistical adjustment)] in taking the 2000 decennial census of population for purposes of the apportionment of Representatives in Congress among the several States that cannot be reversed by future congressional action.

STEVENS AMENDMENT NO. 208

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

At the appropriate place in the bill insert the following:

None of the funds made available in the Foreign Operations, Export Financing, and Related Programs, 1997, (as contained in Public Law 104–208) may be made available for assistance to Uruguay unless the Secretary of State certifies to the Committees

on Appropriations that all cases involving seizure of U.S. business assets have been resolved.

GRAMS AMENDMENT NO. 209

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the amendment No. 78 proposed by Mr. SPECTER to the bill, S. 672, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. ___. MARKET TRANSITION CONTRACTS FOR MILK PRODUCERS; TERMINATION OF CURRENT MILK MARKETING ORDERS AND MILK PRICE SUPPORT PROGRAM.

(a) IN GENERAL.—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended to read as follows:

"SEC. 141. MARKET TRANSITION CONTRACTS FOR MILK PRODUCERS.

''(a) DEFINITION OF MILK PRODUCER.—In this section:

''(1) IN GENERAL.—The term 'milk producer' means a person that was engaged in the production of cow's milk in the 48 contiguous States on September 15, 1996, and that received a payment during the 45-day period before that date for cow's milk marketed for commercial use.

''(2) INCLUSIONS.—The term 'milk producer' includes a person considered to be a producer-handler that satisfies the requirements of paragraph (1).

''(b) MARKET TRANSITION CONTRACTS AUTHORIZED.—The Secretary shall offer to enter into a contract (referred to in this section as a 'market transition contract') with willing milk producers, under which the milk producers agree, in exchange for payments under the contract, to comply with applicable—

''(1) conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.); and

''(2) wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.).

''(c) TIME FOR CONTRACTING; TERM.—

''(1) TIME FOR CONTRACTING.—The Secretary shall begin to offer to enter into market transition contracts as soon as practicable after the date of enactment of this paragraph.

''(2) TERM.—The term of each market transition contract shall extend through December 31, 2001.

''(d) ESTIMATION OF PAYMENTS.—At the time the Secretary enters into a market transition contract, the Secretary shall provide an estimate of the payments anticipated to be made under the contract for calendar year 1997.

''(e) TIME FOR PAYMENTS.—

''(1) INITIAL PAYMENT.—The Secretary shall make the payment for calendar year 1997 under a market transition contract as soon as practicable after the date of enactment of the Supplemental Appropriations and Rescissions Act of 1997.

''(2) SUBSEQUENT PAYMENTS.—The Secretary shall make subsequent payments under a market transition contract not later than January 15 of each of calendar years 1998 through 2002.

''(f) PAYMENT RATE.—The Secretary shall calculate payments under a market transition contract for a calendar year based on the maximum rate that the Secretary determines may be paid using savings derived for the calendar year from the termination of Federal milk marketing orders, and the milk price support program, by amendments made by the Supplemental Appropriations and Rescissions Act of 1997.

''(g) CONTRACT PAYMENTS BASED ON PRODUCTION HISTORY.—

''(1) IN GENERAL.—

''(A) HISTORIC PRODUCTION.—The Secretary shall determine the historic annual milk production for each milk producer that enters into a market transition contract on the basis of milk checks reflecting payments for commercial marketings of cow's milk or such other records of commercial marketings or product sales as may be acceptable to the Secretary.

''(B) HUNDREDWEIGHTS.—Each milk producer's historic annual milk production shall be expressed in terms of hundredweights of milk.

''(2) PRODUCERS WITH 3 OR MORE YEARS OF PRODUCTION.—In the case of a milk producer that has been engaged in the production of milk for at least 3 calendar years during the period from 1992 through 1996, the milk producer's historic annual milk production shall be equal to the average quantity of milk marketed by the milk producer during the 3 years of the period in which the largest quantities of milk were marketed by the milk producer.

''(3) PRODUCERS WITH FEWER YEARS OF PRODUCTION.—

''(A) IN GENERAL.—In the case of a milk producer not covered by paragraph (2), the Secretary shall assign the milk producer a historic annual milk production equal to an annualized average of the monthly quantity of milk marketed by the milk producer during the period in which the milk producer has been engaged in milk production.

''(B) ENDING DATE.—The Secretary shall not consider months of production after December 31, 1996.

''(h) CALCULATION OF PAYMENT AMOUNT.—The total amount to be paid to a milk producer under a market transition contract for a fiscal year shall be equal to the product of—

''(1) the payment rate in effect for that fiscal year under subsection (f); and

''(2) the historic annual milk production for the milk producer determined under subsection (g).

''(i) ASSIGNMENT OF PAYMENTS.—

''(1) IN GENERAL.—The right of a milk producer to a payment under a market transition contract shall be freely assignable by the milk producer.

''(2) NOTICE.—The milk producer or assignee shall provide the Secretary with notice, in such manner as the Secretary may require in the market transition contract, of any assignment made under this subsection.

''(j) EFFECT OF VIOLATION.—

''(1) TERMINATION OF CONTRACT.—

''(A) IN GENERAL.—If a milk producer subject to a market transition contract violates any requirement described in subsection (b), the Secretary may terminate the producer's market transition contract.

''(B) FORFEITURE AND REFUND.—On the termination, the milk producer shall—

''(i) forfeit all rights to receive future payments under the contract; and

''(ii) refund to the Secretary any payment under the contract received by the producer after notification of the violation, together with interest on the payment as determined by the Secretary.

''(2) REFUND OR ADJUSTMENT.—If the Secretary determines that a violation of a market transition contract does not warrant termination of the contract under paragraph (1), the Secretary may require the milk producer subject to the contract to—

''(A) refund to the Secretary any payment under the contract received by the producer after notification of the violation, together with interest on the payment as determined by the Secretary; or

''(B) accept an adjustment in the amount of future payments otherwise required under the contract.

''(k) MARKET TRANSITION CONTRACTS.—Notwithstanding any other provision of law, no order issued for any fiscal year under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall affect any payment under any market transition contract.''.

(b) TERMINATION OF MILK MARKETING ORDERS.—

(1) IN GENERAL.—Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(A) in the first sentence of paragraph (2)—

(i) in subparagraph (A), by striking ''Milk, fruits'' and inserting ''Fruits''; and

(ii) in subparagraph (B), by inserting ''milk,'' after ''honey,''; and

(B) by striking paragraphs (5) and (18).

(2) CONFORMING AMENDMENTS.—

(A) Section 2(3) of the Agricultural Adjustment Act (7 U.S.C. 602(3)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking '', other than milk and its products,''.

(B) Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(i) in paragraph (6), by striking '', other than milk and its products,'';

(ii) in paragraph (7)(B), by striking ''(except for milk and cream to be sold for consumption in fluid form)'';

(iii) in paragraph (11)(B), by striking ''Except in the case of milk and its products, orders'' and inserting ''Orders'';

(iv) in paragraph (13)(A), by striking '', except to a retailer in his capacity as a retailer of milk and its products''; and

(v) in the first sentence of paragraph (17), by striking the second proviso.

(C) Section 8d(2) of the Agricultural Adjustment Act (7 U.S.C. 608d(2)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking the second sentence.

(D) Section 10(b)(2) of the Agricultural Adjustment Act (7 U.S.C. 610(b)(2)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(i) by striking clause (i);

(ii) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(iii) in the first sentence of clause (i) (as so redesignated), by striking ''other commodity'' and inserting ''commodity''.

(E) Section 11 of the Agricultural Adjustment Act (7 U.S.C. 611), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first sentence by striking ''and milk, and its products,''.

(F) Section 715 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994 (Public Law 103–111; 107 Stat. 1079; 7 U.S.C. 608d note), is amended by striking the third proviso.

(3) EFFECTIVE DATE.—The amendments made by this subsection take effect on the date that is 1 year after the date of enactment of this Act.

GRAMS AMENDMENT NO. 210

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the amendment No. 77 proposed by Mr. SPECTER to the bill, S. 672, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. ___. MARKET TRANSITION CONTRACTS FOR MILK PRODUCERS; TERMINATION OF CURRENT MILK MARKETING ORDERS AND MILK PRICE SUPPORT PROGRAM.

(a) IN GENERAL.—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended to read as follows:

"SEC. 141. MARKET TRANSITION CONTRACTS FOR MILK PRODUCERS.

''(a) DEFINITION OF MILK PRODUCER.—In this section:

''(1) IN GENERAL.—The term 'milk producer' means a person that was engaged in the production of cow's milk in the 48 contiguous States on September 15, 1996, and that received a payment during the 45-day period before that date for cow's milk marketed for commercial use.

''(2) INCLUSIONS.—The term 'milk producer' includes a person considered to be a producer-handler that satisfies the requirements of paragraph (1).

''(b) MARKET TRANSITION CONTRACTS AUTHORIZED.—The Secretary shall offer to enter into a contract (referred to in this section as a 'market transition contract') with willing milk producers, under which the milk producers agree, in exchange for payments under the contract, to comply with applicable—

''(1) conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.); and

''(2) wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.).

''(c) TIME FOR CONTRACTING; TERM.—

''(1) TIME FOR CONTRACTING.—The Secretary shall begin to offer to enter into market transition contracts as soon as practicable after the date of enactment of this paragraph.

''(2) TERM.—The term of each market transition contract shall extend through December 31, 2001.

''(d) ESTIMATION OF PAYMENTS.—At the time the Secretary enters into a market transition contract, the Secretary shall provide an estimate of the payments anticipated to be made under the contract for calendar year 1997.

''(e) TIME FOR PAYMENTS.—

''(1) INITIAL PAYMENT.—The Secretary shall make the payment for calendar year 1997 under a market transition contract as soon as practicable after the date of enactment of the Supplemental Appropriations and Rescissions Act of 1997.

''(2) SUBSEQUENT PAYMENTS.—The Secretary shall make subsequent payments under a market transition contract not later than January 15 of each of calendar years 1998 through 2002.

''(f) PAYMENT RATE.—The Secretary shall calculate payments under a market transition contract for a calendar year based on the maximum rate that the Secretary determines may be paid using savings derived for the calendar year from the termination of Federal milk marketing orders, and the milk price support program, by amendments made by the Supplemental Appropriations and Rescissions Act of 1997.

''(g) CONTRACT PAYMENTS BASED ON PRODUCTION HISTORY.—

''(1) IN GENERAL.—

''(A) HISTORIC PRODUCTION.—The Secretary shall determine the historic annual milk production for each milk producer that enters into a market transition contract on the basis of milk checks reflecting payments for commercial marketings of cow's milk or such other records of commercial marketings or product sales as may be acceptable to the Secretary.

''(B) HUNDREDWEIGHTS.—Each milk producer's historic annual milk production shall be expressed in terms of hundredweights of milk.

''(2) PRODUCERS WITH 3 OR MORE YEARS OF PRODUCTION.—In the case of a milk producer that has been engaged in the production of milk for at least 3 calendar years during the period from 1992 through 1996, the milk producer's historic annual milk production shall be equal to the average quantity of milk marketed by the milk producer during the 3 years of the period in which the largest quantities of milk were marketed by the milk producer.

''(3) PRODUCERS WITH FEWER YEARS OF PRODUCTION.—

''(A) IN GENERAL.—In the case of a milk producer not covered by paragraph (2), the Secretary shall assign the milk producer a historic annual milk production equal to an annualized average of the monthly quantity of milk marketed by the milk producer during the period in which the milk producer has been engaged in milk production.

''(B) ENDING DATE.—The Secretary shall not consider months of production after December 31, 1996.

''(h) CALCULATION OF PAYMENT AMOUNT.—The total amount to be paid to a milk producer under a market transition contract for a fiscal year shall be equal to the product of—

''(1) the payment rate in effect for that fiscal year under subsection (f); and

''(2) the historic annual milk production for the milk producer determined under subsection (g).

''(i) ASSIGNMENT OF PAYMENTS.—

''(1) IN GENERAL.—The right of a milk producer to a payment under a market transition contract shall be freely assignable by the milk producer.

''(2) NOTICE.—The milk producer or assignee shall provide the Secretary with notice, in such manner as the Secretary may require in the market transition contract, of any assignment made under this subsection.

''(j) EFFECT OF VIOLATION.—

''(1) TERMINATION OF CONTRACT.—

''(A) IN GENERAL.—If a milk producer subject to a market transition contract violates any requirement described in subsection (b), the Secretary may terminate the producer's market transition contract.

''(B) FORFEITURE AND REFUND.—On the termination, the milk producer shall—

''(i) forfeit all rights to receive future payments under the contract; and

''(ii) refund to the Secretary any payment under the contract received by the producer after notification of the violation, together with interest on the payment as determined by the Secretary.

''(2) REFUND OR ADJUSTMENT.—If the Secretary determines that a violation of a market transition contract does not warrant termination of the contract under paragraph (1), the Secretary may require the milk producer subject to the contract to—

''(A) refund to the Secretary any payment under the contract received by the producer after notification of the violation, together with interest on the payment as determined by the Secretary; or

''(B) accept an adjustment in the amount of future payments otherwise required under the contract.

''(k) MARKET TRANSITION CONTRACTS.—Notwithstanding any other provision of law, no order issued for any fiscal year under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall affect any payment under any market transition contract.''.

(b) TERMINATION OF MILK MARKETING ORDERS.—

(1) IN GENERAL.—Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(A) in the first sentence of paragraph (2)—

(i) in subparagraph (A), by striking ''Milk, fruits'' and inserting ''Fruits''; and

(ii) in subparagraph (B), by inserting ''milk,'' after ''honey,''; and

(B) by striking paragraphs (5) and (18).

(2) CONFORMING AMENDMENTS.—

(A) Section 2(3) of the Agricultural Adjustment Act (7 U.S.C. 602(3)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking '', other than milk and its products,''.

(B) Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(i) in paragraph (6), by striking '', other than milk and its products,'';

(ii) in paragraph (7)(B), by striking ''(except for milk and cream to be sold for consumption in fluid form)'';

(iii) in paragraph (11)(B), by striking ''Except in the case of milk and its products, orders'' and inserting ''Orders'';

(iv) in paragraph (13)(A), by striking '', except to a retailer in his capacity as a retailer of milk and its products''; and

(v) in the first sentence of paragraph (17), by striking the second proviso.

(C) Section 8d(2) of the Agricultural Adjustment Act (7 U.S.C. 608d(2)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking the second sentence.

(D) Section 10(b)(2) of the Agricultural Adjustment Act (7 U.S.C. 610(b)(2)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(i) by striking clause (i);

(ii) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(iii) in the first sentence of clause (i) (as so redesignated), by striking ''other commodity'' and inserting ''commodity''.

(E) Section 11 of the Agricultural Adjustment Act (7 U.S.C. 611), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first sentence by striking ''and milk, and its products,''.

(F) Section 715 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994 (Public Law 103–111; 107 Stat. 1079; 7 U.S.C. 608d note), is amended by striking the third proviso.

(3) EFFECTIVE DATE.—The amendments made by this subsection take effect on the date that is 1 year after the date of enactment of this Act.

GRAMS AMENDMENT NO. 211

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the amendment No. 76 proposed by Mr. SPECTER to the bill, S. 672, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. ___. MARKET TRANSITION CONTRACTS FOR MILK PRODUCERS; TERMINATION OF CURRENT MILK MARKETING ORDERS AND MILK PRICE SUPPORT PROGRAM.

(a) IN GENERAL.—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended to read as follows:

"SEC. 141. MARKET TRANSITION CONTRACTS FOR MILK PRODUCERS.

''(a) DEFINITION OF MILK PRODUCER.—In this section:

''(1) IN GENERAL.—The term 'milk producer' means a person that was engaged in the production of cow's milk in the 48 contiguous

States on September 15, 1996, and that received a payment during the 45-day period before that date for cow's milk marketed for commercial use.

''(2) INCLUSIONS.—The term 'milk producer' includes a person considered to be a producer-handler that satisfies the requirements of paragraph (1).

''(b) MARKET TRANSITION CONTRACTS AUTHORIZED.—The Secretary shall offer to enter into a contract (referred to in this section as a 'market transition contract') with willing milk producers, under which the milk producers agree, in exchange for payments under the contract, to comply with applicable—

''(1) conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.); and

''(2) wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.).

''(c) TIME FOR CONTRACTING; TERM.—

''(1) TIME FOR CONTRACTING.—The Secretary shall begin to offer to enter into market transition contracts as soon as practicable after the date of enactment of this paragraph.

''(2) TERM.—The term of each market transition contract shall extend through December 31, 2001.

''(d) ESTIMATION OF PAYMENTS.—At the time the Secretary enters into a market transition contract, the Secretary shall provide an estimate of the payments anticipated to be made under the contract for calendar year 1997.

''(e) TIME FOR PAYMENTS.—

''(1) INITIAL PAYMENT.—The Secretary shall make the payment for calendar year 1997 under a market transition contract as soon as practicable after the date of enactment of the Supplemental Appropriations and Rescissions Act of 1997.

''(2) SUBSEQUENT PAYMENTS.—The Secretary shall make subsequent payments under a market transition contract not later than January 15 of each of calendar years 1998 through 2002.

''(f) PAYMENT RATE.—The Secretary shall calculate payments under a market transition contract for a calendar year based on the maximum rate that the Secretary determines may be paid using savings derived for the calendar year from the termination of Federal milk marketing orders, and the milk price support program, by amendments made by the Supplemental Appropriations and Rescissions Act of 1997.

''(g) CONTRACT PAYMENTS BASED ON PRODUCTION HISTORY.—

''(1) IN GENERAL.—

''(A) HISTORIC PRODUCTION.—The Secretary shall determine the historic annual milk production for each milk producer that enters into a market transition contract on the basis of milk checks reflecting payments for commercial marketings of cow's milk or such other records of commercial marketings or product sales as may be acceptable to the Secretary.

''(B) HUNDREDWEIGHTS.—Each milk producer's historic annual milk production shall be expressed in terms of hundredweights of milk.

''(2) PRODUCERS WITH 3 OR MORE YEARS OF PRODUCTION.—In the case of a milk producer that has been engaged in the production of milk for at least 3 calendar years during the period from 1992 through 1996, the milk producer's historic annual milk production shall be equal to the average quantity of milk marketed by the milk producer during the 3 years of the period in which the largest quantities of milk were marketed by the milk producer.

''(3) PRODUCERS WITH FEWER YEARS OF PRODUCTION.—

''(A) IN GENERAL.—In the case of a milk producer not covered by paragraph (2), the Secretary shall assign the milk producer a historic annual milk production equal to an annualized average of the monthly quantity of milk marketed by the milk producer during the period in which the milk producer has been engaged in milk production.

''(B) ENDING DATE.—The Secretary shall not consider months of production after December 31, 1996.

''(h) CALCULATION OF PAYMENT AMOUNT.—The total amount to be paid to a milk producer under a market transition contract for a fiscal year shall be equal to the product of—

''(1) the payment rate in effect for that fiscal year under subsection (f); and

''(2) the historic annual milk production for the milk producer determined under subsection (g).

''(i) ASSIGNMENT OF PAYMENTS.—

''(1) IN GENERAL.—The right of a milk producer to a payment under a market transition contract shall be freely assignable by the milk producer.

''(2) NOTICE.—The milk producer or assignee shall provide the Secretary with notice, in such manner as the Secretary may require in the market transition contract, of any assignment made under this subsection.

''(j) EFFECT OF VIOLATION.—

''(1) TERMINATION OF CONTRACT.—

''(A) IN GENERAL.—If a milk producer subject to a market transition contract violates any requirement described in subsection (b), the Secretary may terminate the producer's market transition contract.

''(B) FORFEITURE AND REFUND.—On the termination, the milk producer shall—

''(i) forfeit all rights to receive future payments under the contract; and

''(ii) refund to the Secretary any payment under the contract received by the producer after notification of the violation, together with interest on the payment as determined by the Secretary.

''(2) REFUND OR ADJUSTMENT.—If the Secretary determines that a violation of a market transition contract does not warrant termination of the contract under paragraph (1), the Secretary may require the milk producer subject to the contract to—

''(A) refund to the Secretary any payment under the contract received by the producer after notification of the violation, together with interest on the payment as determined by the Secretary; or

''(B) accept an adjustment in the amount of future payments otherwise required under the contract.

''(k) MARKET TRANSITION CONTRACTS.—Notwithstanding any other provision of law, no order issued for any fiscal year under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall affect any payment under any market transition contract.''.

(b) TERMINATION OF MILK MARKETING ORDERS.—

(1) IN GENERAL.—Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(A) in the first sentence of paragraph (2)—

(i) in subparagraph (A), by striking ''Milk, fruits'' and inserting ''Fruits''; and

(ii) in subparagraph (B), by inserting ''milk,'' after ''honey,''; and

(B) by striking paragraphs (5) and (18).

(2) CONFORMING AMENDMENTS.—

(A) Section 2(3) of the Agricultural Adjustment Act (7 U.S.C. 602(3)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking '', other than milk and its products,''.

(B) Section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(i) in paragraph (6), by striking '', other than milk and its products,'';

(ii) in paragraph (7)(B), by striking ''(except for milk and cream to be sold for consumption in fluid form)'';

(iii) in paragraph (11)(B), by striking ''Except in the case of milk and its products, orders'' and inserting ''Orders'';

(iv) in paragraph (13)(A), by striking '', except to a retailer in his capacity as a retailer of milk and its products''; and

(v) in the first sentence of paragraph (17), by striking the second proviso.

(C) Section 8d(2) of the Agricultural Adjustment Act (7 U.S.C. 608d(2)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking the second sentence.

(D) Section 10(b)(2) of the Agricultural Adjustment Act (7 U.S.C. 610(b)(2)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(i) by striking clause (i);

(ii) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(iii) in the first sentence of clause (i) (as so redesignated), by striking ''other commodity'' and inserting ''commodity''.

(E) Section 11 of the Agricultural Adjustment Act (7 U.S.C. 611), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first sentence by striking ''and milk, and its products,''.

(F) Section 715 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994 (Public Law 103–111; 107 Stat. 1079; 7 U.S.C. 608d note), is amended by striking the third proviso.

(3) EFFECTIVE DATE.—The amendments made by this subsection take effect on the date that is 1 year after the date of enactment of this Act.

GRAMS AMENDMENT NO. 212

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the amendment No. 78 proposed by Mr. SPECTER to the bill, S. 672, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . REPEAL OF CONSENT OF CONGRESS FOR NORTHEAST INTERSTATE DAIRY COMPACT.

Section 147 of the Agricultural Market Transition Act (7 U.S.C. 7256) is repealed.

GRAMS AMENDMENT NO. 213

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the amendment No. 76 proposed by Mr. SPECTER to the bill, S. 672, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . REPEAL OF CONSENT OF CONGRESS FOR NORTHEAST INTERSTATE DAIRY COMPACT.

Section 147 of the Agricultural Market Transition Act (7 U.S.C. 7256) is repealed.

GRAMS AMENDMENT NO. 214

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him

to the amendment No. 77 proposed by Mr. SPECTER to the bill, S. 672, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . REPEAL OF CONSENT OF CONGRESS FOR NORTHEAST INTERSTATE DAIRY COMPACT.

Section 147 of the Agricultural Market Transition Act (7 U.S.C. 7256) is repealed.

MCCAIN AMENDMENT NO. 215

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the amendment No. 113 proposed by Mr. MCCAIN to the bill, S. 672, supra; as follows:

On page 2, line 14, delete the period at the end of the sentence and insert in lieu thereof the following: ''. The Secretary of the Interior may apply the policy referred to in this section to all counties nationwide that were declared Federal Disaster Areas at any time prior to 1997.''.

D'AMATO (AND OTHERS) AMENDMENT NO. 216

(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 them to the bill, S. 672, supra; as follows:

At the end of the pending amendment, 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.

HOLLINGS AMENDMENTS NOS. 217–218

(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. 217

Strike all after the section number in the pending amendment and insert the following:

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 conduct of the year 2000 decennial census in a manner that is not the most cost effective and in a manner that will not provide for greater accuracy in estimating population than the year 1990 census.

AMENDMENT NO. 218

Strike all after the section number in the pending amendment and insert the following:

None of the funds made available in any appropriations Act for fiscal year 1997 may be used by the Department of Commerce to make plans irreversible plans or preparation for the use of sampling or any other statistical method (including any statistical adjustment) in taking the 2000 decennial census of population for purposes of the apportionment of Representatives in Congress among the States.

FEINGOLD AMENDMENT NO. 219

(Ordered to lie on the table.)

Mr. FEINGOLD submitted an amendment intended to be proposed by him to amendment No. 84 submitted by him to the bill, S. 672, supra; as follows:

On page 4, line 6, strike out ''September 30, 1997'' and insert in lieu thereof ''June 30, 1998''.

FEINGOLD AMENDMENT NO. 220

(Ordered to lie on the table.)

Mr. FEINGOLD submitted an amendment intended to be proposed by him to amendment No. 83 submitted by him to the bill, S. 672, supra; as follows:

Strike out ''September 30, 1997'' and insert in lieu thereof ''June 30, 1998''.

FEINGOLD AMENDMENT NO. 221

(Ordered to lie on the table.)

Mr. FEINGOLD submitted an amendment intended to be proposed by him to amendment No. 76 submitted by Mr. SPECTER to the bill, S. 672, supra; as follows:

On page 3, line 1, strike ''The authority provided by subsection'' and insert in lieu thereof ''Subsection''.

REID (AND BAUCUS) AMENDMENTS NOS. 222–223

(Ordered to lie on the table.)

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

AMENDMENT NO. 222

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.

AMENDMENT NO. 223

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.

STEVENS (AND DOMENICI) AMENDMENT NO. 224

Mr. STEVENS (for himself and Mr. DOMENICI) proposed an amendment to amendment No. 131 submitted by Mr. BIDEN to the bill, S. 672, supra; as follows:

Strike line 5 of amendment #131 and all thereafter and insert the following:

The Secretary of the Interior or his designee shall serve as the alternate member of the Susquehana River Basin Commission appointed under the Susquehana River Basin Compact (Public Law 91–575) and the alternate member of the Delaware River Basin Commission appointed under the Delaware River Basin Compact (Public Law 87–328).

STEVENS (AND DOMENICI) AMENDMENT NO. 225

Mr. STEVENS (for himself and Mr. DOMENICI) proposed an amendment to amendment No. 70 submitted by Mr. JOHNSON to the bill, S. 672, supra; as follows:

On line 7 of amendment #70, following ''(Public Law 99–662; 100 Stat. 4128)'', insert the following:

If the Secretary of the Army determines that the need for such restoration and improvements constitutes an emergency.

STEVENS (AND DOMENICI) AMENDMENT NO. 226

(Ordered to lie on the table.)

Mr. STEVENS (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by them to amendment No. 132 submitted by Mr. BIDEN to the bill, S. 672, supra; as follows:

Strike line 5 of amendment #132 and all thereafter and insert the following:

The Secretary of the Interior or his designee shall serve as the alternate member of the Susquehana River Basin Commission appointed under the Susquehana River Basin Compact (Public Law 91–575) and the alternate member of the Delaware River Basin Commission appointed under the Delaware River Basin Compact (Public Law 87–328).

HOLLINGS AMENDMENT NO. 227

(Ordered to lie on the table.)

Mr. HOLLINGS submitted an amendment intended to be proposed by him to amendment No. 79 submitted by Mr. COATS to the bill, S. 672, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . CHILDREN'S VIOLENCE PROTECTION.

(a) SHORT TITLE.—This section may be cited as the ''Children's Protection from Violent Programming Act''.

(b) 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.

(c) 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 news 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.''.

(d) ASSESSMENT OF EFFECTIVENESS.—

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

(A) 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

(B) 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 subsection (c) of this section) take effect, and thereafter as part of the biennial review of regulations required by section 11 of that Act (47 U.S.C. 161).

(2) ACTION.—If the Commission finds at any time, as a result if its assessment under paragraph (1), that the measures referred to in paragraph (1)(A) 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.

(3) DEFINITIONS.—Any term used in this subsection 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 same meaning as when used in that section or in those regulations.

(e) SEPARABILITY.—If any provision of this section, or any provision of an amendment made by this Act, or the application thereof to particular persons or circumstances, if 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.

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

STEVENS AMENDMENT NO. 228

(Ordered to lie on the table.)

Mr. STEVENS submitted an amendment intended to be proposed by him to amendment No. 110 submitted by Mr. MCCAIN to the bill, S. 672, supra; as follows:

In amendment number 110, beginning with the word ''provisos:'' on line 2, strike all through ''proposal'' on line 6 and insert in lieu thereof ''sentence:

''Consistent with the restriction in the preceding sentence and within 90 days of the date of enactment of this Act, the Secretary of the Interior, in consultation with State and local government officials in each affected State, shall submit to Congress a proposal that defers to State law and incorporates the rules, regulations, and policies applicable to the Bureau of Land Management regarding rights of way established pursuant to Revised Statutes 2477 (43 U.S.C. 932), as such rules, regulations, and policies were in effect prior to October 1, 1993, and the recommendations of affected State and local government officials''.

GREGG AMENDMENT NO. 229

(Ordered to lie on the table.)

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

In lieu of the language proposed to be inserted, 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 agreement;

(C) the officers of the Federal Government and the European Union Commission are meeting to resolve 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 could 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 United States should continue to press its negotiating objectives in order to maintain both the high United States health and safety standards and to facilitate trade between the United States and the European Union.

(B) assuming the European Union Commission demonstrates the necessary flexibility, the officers of the Federal Government and the European Union Commission should on, an expedited basis, 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

(C) the Secretary of Health and Human Services, in coordination with the USTR and other appropriate agencies, should facilitate the conclusion of negotiations between the European Union Commission and the officers of the Federal Government with respect to the mutual recognition agreement;

(2) the Secretary of Health and Human Services should separately participate in meeting 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)), in coordination with USTR, 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.

(4) This section shall become effective one day after the date of enactment.

FEINSTEIN AMENDMENT NO. 230

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to amendment No. 171 submitted by Mr. REID to the bill, S. 672, supra; as follows:

On line 3, strike all that follows and insert the following:

''(5) FLOOD CONTROL LEVEES.—Consultation or conferencing under paragraph (2) or (4) is not required for an agency action that consists of operating, maintaining, repairing or reconstructing a federal or non-federal flood control levee for any area subject to flooding.''.

(b) TAKINGS.—Section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)) is amended by adding at the end the following:

''(3) FLOOD CONTROL LEVEES.—For purposes of this subsection, an activity of a federal or non-federal person is not a taking of a species if the activity consists of operating, maintaining, repairing, or reconstructing a federal or non-federal flood control levee for any area subject to flooding.''.

HOLLINGS (AND OTHERS) AMENDMENT NO. 231

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

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

SEC. 303. None of the funds made available in any appropriations Act for fiscal year 1997 may be used by the Department of Commerce to make irreversible plans or preparation for the use of sampling or any other statistical method (including any statistical adjustment) in taking the 2000 decennial census of population for purposes of the apportionment of Representatives in Congress among the States.

CONRAD AMENDMENTS NOS. 232–234

Mr. STEVENS (for Mr. CONRAD) proposed three amendments to the bill, S. 672, supra; as follows:

AMENDMENT NO. 232

On page 9, line 21, strike ''emergency insured'' and insert in lieu thereof ''direct and guaranteed''.

On page 9, line 25, strike ''$18,000,000, to remain available until expended'' and insert in lieu thereof ''$28,000,000, to remain available until expended, of which $18,000,000 shall be available for emergency insured loans and $10,000,000 shall be available for subsidized guaranteed operating loans''.

On page 10 line 3, strike ''$18,000,000'' and insert in lieu thereof ''$28,000,000''.

AMENDMENT NO. 233

On page 74, between lines 4 and 5, insert:

''FOOD AND CONSUMER SERVICE

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 $80,000,000.''

AMENDMENT NO. 234

On page 13, line 1, strike ''$161,000,000'' and insert ''$171,000,000''.

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

KERREY (AND DORGAN) AMENDMENT NO. 235

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

At the appropriate place in the bill insert the following new language:

SEC. . Section 45301(b)(1)(A) of title 49, United States Code, is amended by inserting before the semicolon ''and at least $50,000,000 in FY 1998 and every year thereafter''.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. WARNER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in SR–301, Russell Senate Office Building, on Wednesday, May 14, 1997, at 9:30 a.m. to receive testimony on the Campaign Finance System for Presidential Elections: The Growth of Soft Money and Other Effects on Political Parties and Candidates.

For further information concerning this hearing, please contact Stewart Verdery of the committee staff on 224–2204.

COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing entitled ''Oversight of SBA's Finance Programs—Part II.'' The hearing will be held on May 15, 1997, beginning at 9:30 a.m. in room 428A of the Russell Senate Office Building.

For further information, please contact Paul Cooksey at 224–5175.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 7, 1997, at 10 a.m. to hold a hearing.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent on behalf of the