

be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director of the Center and if such group has recommended to the Director that such period should be extended.

“(i) BIENNIAL REPORT.—The Director of the Center shall prepare biennial reports on the activities carried out or to be carried out by the Center, and shall submit each such report to the Director of NIH for inclusion in the biennial report under section 403.

“(j) AVAILABILITY OF RESOURCES.—After consultation with the Director of the Center, the Director of NIH shall ensure that resources of the National Institutes of Health, including laboratory and clinical facilities, fellowships (including research training fellowship and junior and senior clinical fellowships), and other resources are sufficiently available to enable the Center to appropriately and effectively carry out its duties as described in subsection (a).

“(k) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1998 through 2002. Amounts appropriated under this subsection for fiscal year 1998 are available for obligation through September 30, 2000. Amounts appropriated under this subsection for fiscal year 1999 are available for obligation through September 30, 2000.

“SEC. 485D. OFFICE OF DIETARY SUPPLEMENTS.

“(a) IN GENERAL.—There is established within the Center an office to be known as the Office of Dietary Supplements (in this section referred to as the ‘Office’). The Office shall be headed by a director, who shall be appointed by the Director of the Center. The Director of the Center shall carry out the functions specified in this section acting through the Director of the Office.

“(b) DUTIES.—

“(1) IN GENERAL.—The Director of the Office shall—

“(A) expand the activities of the national research institutes with respect to the potential role of dietary supplements as a significant part of the efforts of the United States to improve health care; and

“(B) promote scientific study of the benefits of dietary supplements in maintaining health and preventing chronic disease and other health-related conditions.

“(2) CERTAIN DUTIES.—The Director of the Office shall—

“(A) conduct and coordinate scientific research within the National Institutes of Health relating to dietary supplements and the extent to which the use of dietary supplements can limit or reduce the risk of diseases such as heart disease, cancer, birth defects, osteoporosis, cataracts, or prostatism;

“(B) collect and compile the results of scientific research relating to dietary supplements, including scientific data from foreign sources or other offices of the Center;

“(C) serve as the principal advisor to the Secretary and to the Assistant Secretary for Health and provide advice to the Director of NIH, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs on issues relating to dietary supplements including—

“(i) dietary intake regulations;

“(ii) the safety of dietary supplements;

“(iii) claims characterizing the relationship between dietary supplements and the prevention of disease or other health-related conditions;

“(iv) claims characterizing the relationship between dietary supplements and the maintenance of health; and

“(v) scientific issues arising in connection with the labeling and composition of dietary supplements;

“(D) compile a database of scientific research on dietary supplements and individual nutrients; and

“(E) coordinate funding relating to dietary supplements for the National Institutes of Health.

“(c) BIENNIAL REPORT.—The Director of the Office shall prepare biennial reports on the activities carried out or to be carried out by the Office, and shall submit each such report to the Director of the Center for inclusion in the biennial report under section 485C(i).

“(d) DEFINITION.—For purposes of this section, the term ‘dietary supplement’ has the meaning given such term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act.”.

(b) SAVINGS PROVISIONS.—

(1) NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE.—All officers and employees employed in the Office of Alternative Medicine on the day before the date of the enactment of this Act (pursuant to section 404E of the Public Health Service Act, as in effect on such day) are transferred to the National Center for Complementary and Alternative Medicine. Such transfer does not affect the status of any such officer or employee (except to the extent that the amendments made by subsection (a) affect the authority to make appointments to employment positions). All funds available on such day for such Office are transferred to such Center, and the transfer does not affect the availability of funds for the purposes for which the funds were appropriated (except that such purposes shall apply with respect to the Center to the same extent and in the same manner as the purposes applied with respect to the Office). All other legal rights and duties with respect to the Office are transferred to the Center, and continue in effect in accordance with their terms.

(2) OFFICE OF DIETARY SUPPLEMENTS.—With respect to the Office of Dietary Supplements established in section 485D of the Public Health Service Act (as added by subsection (a)), such establishment shall be construed to constitute a transfer of such Office to the National Center for Complementary and Alternative Medicine from the Office of the Director of the National Institutes of Health (in which the Office of Dietary Supplements was located pursuant to section 485C of the Public Health Service Act, as such section was in effect on the day before the date of the enactment of this Act). Such transfer does not affect the status of any individual as an officer or employee in the Office of Dietary Supplements (except to the extent that the amendments made by subsection (a) affect the authority to make appointments to employment positions), does not affect the availability of funds of the Office for the purposes for which the funds were appropriated, and does not affect any other rights or duties with respect to the Office.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Part A of title IV of the Public Health Service Act (42 U.S.C. 281 et seq.), as amended by subsection (a), is amended—

(1) in section 401(b)(2), by amending subparagraph (E) to read as follows:

“(E) The National Center for Complementary and Alternative Medicine.”; and

(2) in section 402, by redesignating subsections (g) through (k) as subsections (f) through (j), respectively.

THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

DeWINE AMENDMENT NO. 1194

(Ordered to lie on the table.)

Mr. DeWINE submitted an amendment intended to be proposed by him to amendment No. 1186 intended to be proposed by Mrs. HUTCHISON to the bill (H.R. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes; as follows:

At the end, insert the following:

(g)(1) In awarding or expending grant funds under this section, the Chairperson of the National Endowment for the Arts, the Secretary, and each State, territory, group, or institution that receives funds under this section shall ensure that priority is given to supporting projects, productions, workshops, or programs that serve underserved populations or children.

(2) In this section:

(A) The term “child” means an individual under the age of 19.

(B) The term “underserved population” means a population of individuals who have historically been outside the purview of arts and humanities programs due to a high incidence of income below the poverty line or to geographic isolation.

(C) The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

HUTCHINSON AMENDMENT NO. 1195

(Ordered to lie on the table.)

Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill, H.R. 2107, supra; as follows:

On page 127, between lines 15 and 16, insert the following:

SEC. . MAN AND THE BIOSPHERE PROGRAM.

None of the funds appropriated or otherwise made available by this Act shall be made available for the United States Man and the Biosphere program or any related project.

HUTCHINSON AMENDMENT NO. 1196

Mr. HUTCHINSON proposed an amendment to the bill, H.R. 2107, supra; as follows:

On page 152, between lines 13 and 14, insert the following:

TITLE VII—AMERICAN HERITAGE RIVERS INITIATIVE

SEC. 701. AMERICAN HERITAGE RIVERS INITIATIVE.

(a) IN GENERAL.—During fiscal year 1998 and each fiscal year thereafter, the President and other officers of the executive branch may implement the American Heritage Rivers Initiative under Executive Order 13061 (62 Fed. Reg. 48445) only in accordance with this section.

(b) DESIGNATION BY CONGRESS.—

(1) NOMINATIONS.—The President, acting through the Chair of the Council on Environmental Quality shall submit to Congress nominations of the 10 rivers that are proposed for designation as American Heritage Rivers.

(2) **PRIORITIZATION.**—The nominations shall be subject to the prioritization process established by the Clean Water Act (42 U.S.C. 7401 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), and other applicable Federal law.

(3) **CONSULTATION WITH PROPERTY OWNERS.**—To ensure the protection of private property owners along a river proposed for nomination, all property owners holding title to land directly abutting river bank shall be consulted and asked to offer letters of support for or opposition to the nomination.

(3) **DESIGNATION.**—The American Heritage Rivers Initiative may be implemented only with respect to rivers that are designated as American Heritage Rivers by Act of Congress.

(c) **DEFINITION OF RIVER COMMUNITY.**—For the purposes of the American Heritage River Initiative, as used in Executive Order 13061, the term "river community" shall include all persons that own property, reside, or regularly conduct business within 10 miles of the river.

CAMPBELL AMENDMENT NO. 1197

Mr. CAMPBELL proposed an amendment to the bill, H.R. 2107, *supra*; as follows:

On page 52 beginning on line 16, strike all through page 54, line 22, and insert in lieu thereof the following:

SEC. 118. Any funds made available in this Act or any other Act for tribal priority allocations (hereinafter in this section "TPA") in excess of the funds expended for TPA in fiscal year 1997 (adjusted for fixed costs, internal transfers pursuant to other law, and proposed increases to formula driven programs not included in tribes' TPA base,) shall only be available for distribution—

(1) to each Tribe to the extent necessary to provide that Tribe the minimum level of funding recommended by the Joint/Tribal/BIA/DOI Task Force on Reorganization of the Bureau of Indian Affairs Report of 1994 (hereafter "the 1994 Report") not to exceed \$160,000 per Tribe; and

(2) to the extent funds remain, such funds will be allocated according to the recommendations of a Task Force comprised of two (2) representatives from each BIA area. These representatives shall be selected by the Secretary with the participation of the tribes following procedures similar to those used in establishing the Joint/Tribal/BIA/DOI Task Force on Reorganization of the Bureau of Indian Affairs. In determining the allocation of remaining funds, the Task Force shall consider the recommendations and principles contained in the 1994 Report. If the Task Force cannot agree on a distribution by January 31, 1998, the Secretary shall distribute the remaining funds based on the recommendations of a majority of Task Force members no later than February 28, 1998.

ABRAHAM AMENDMENTS NOS. 1198–1199

(Ordered to lie on the table.)

Mr. ABRAHAM submitted two amendments intended to be proposed by him to the bill, H.R. 2107, *supra*; as follows:

AMENDMENT No. 1198

On page 17, line 8, strike "\$167,694,000, to remain available until expended" and insert "\$201,048,000, to remain available until expended, of which \$8,000,000 shall be transferred to the Smithsonian Institution and made available for restoration of the Star Span-

gled Banner, \$8,000,000 shall be transferred to the National Endowment for the Humanities and made available for the preservation of papers of former Presidents of the United States, of which \$9,000,000 shall be available for the replacement of the wastewater treatment system at Mount Rushmore National Memorial, of which \$2,000,000 shall be available for the stabilization of the hospital wards, crematorium, and immigrant housing on islands 2 and 3 of Ellis Island, and of which \$5,000,000 shall be transferred to the Smithsonian Institution and made available for the preservation of manuscripts and original works of great American composers".

On page 96, line 16, strike "\$83,300,000" and insert "\$55,533,000".

On page 96, line 25, strike "\$16,760,000" and insert "\$11,173,000".

At the end of title III, insert the following:

SEC. . Notwithstanding any other provision of law, not more than \$10,044,000 of the funds appropriated for the National Endowment for the Arts under this Act may be available for private fundraising activities for the endowment.

AMENDMENT No. 1199

At the end of title III, insert the following:

SEC. . (a) Congress makes the following findings:

(1) The arts play an important part in American culture and should continue to be supported.

(2) The National Endowment for the Arts has been plagued by controversy by those questioning the use of tax dollars for certain projects and by artists who fear their work will be censored.

(3) The private funding for the arts has been increasing consistently since 1965 and the American people generously gave a record high \$10,960,000,000 in 1996.

(4) Private giving to the arts increased 40 percent during the same years that Federal funding for the arts decreased from \$170,000,000 to \$99,500,000.

(5) The National Endowment for the Arts contributes less than 5 percent of total Federal support for the arts and humanities.

(6) Local governments gave a total of \$650,000,000 in 1996 and State governments spent a total of \$250,000,000 in 1996 for the arts.

(7) The total receipts for performance arts events have increased and are quickly approaching the total receipts for spectator sports.

(8) One-third of direct National Endowment for the Arts grant funds go to 6 large cities. Those cities are New York, Boston, San Francisco, Chicago, Los Angeles, and Washington, D.C.

(9) One-fifth of direct National Endowment for the Arts grant funds go to multimillion dollar arts organizations.

(10) Americans volunteer approximately 2,600,000,000 hours for the arts a year, estimated to be worth \$25,600,000,000 annually.

(11) The average household contribution (from households that do contribute to the arts) was \$216 in 1996. This amount represents a 55 percent increase from 1993.

(12) Certain individuals feel there needs to be a national entity for the arts.

(b) It is the sense of the Senate that—

(1) the National Endowment for the Arts should continue to be phased out during 1998 and 1999;

(2) in 1998 and 1999, the National Endowment for the Arts should be allowed to use a portion of the funds that are appropriated for the endowment, for private fundraising efforts;

(3) there should be a private, nonprofit organization established, to be known as the

"American Foundation for the Arts", where generous Americans can contribute their funds to a national arts entity that promotes the arts throughout the United States without the intrusion of the Federal government; and

(4) additional tax incentives for charitable donations should be established, such as charitable tax deduction for nonitemizers, the elimination of the cap on charitable deductions, and specific tax credit for donations to the private, nonprofit organization described in paragraph (3).

MACK (AND GRAHAM) AMENDMENT NO. 1200

Mr. GORTON (for Mr. MACK, for himself and Mr. GRAHAM) proposed an amendment to the bill, H.R. 2107, *supra*; as follows:

On page 19, line 2, strike the colon and insert in lieu thereof of "": *Provided further*, That the Secretary may provide such funds to the State of Florida for acquisitions within Stormwater Treatment Area 1-E, including reimbursement for lands or water, or interests therein, within Stormwater Treatment Area 1-E acquired by the State of Florida prior to the enactment of this Act."

MURKOWSKI AMENDMENT NO. 1201

Mr. GORTON (for Mr. MURKOWSKI) proposed an amendment to the bill, H.R. 2107, *supra*; as follows:

SEC. . (a) **PRIORITY OF BONDS.**—Section 3 of Public Law 94-392 (90 Stat. 1193, 1195) is amended—

(1) by striking "priority for payment" and inserting "a parity lien with every other issue of bonds or other obligations issued for payment"; and

(2) by striking "in the order of the date of issue".

(b) **APPLICATION.**—The amendments made by subsection (a) shall apply to obligations issued on or after the date of enactment of this section.

(c) **SHORT-TERM BORROWING.**—Section 1 of Public Law 94-392 (90 Stat. 1193) is amended by adding the following new subsection at the end thereof:

"(d) The legislature of the government of the Virgin Islands may cause to be issued notes in anticipation of the collection of the taxes and revenues for the current fiscal year. Such notes shall mature and be paid within one year from the date they are issued. No extension of such notes shall be valid and no additional notes shall be issued under this section until all notes issued during a preceding year shall have been paid."

GORTON (AND BYRD) AMENDMENTS NOS. 1202–1203

Mr. GORTON (for himself and Mr. BYRD) proposed two amendments to the bill, H.R. 2107, *supra*; as follows:

AMENDMENT No. 1202

On page 6, line 20, strike "Any" and insert in lieu thereof "The Federal share of".

AMENDMENT No. 1203

On page 32, beginning with the colon on line 13, strike all thereafter through "funds" on line 18 and insert in lieu thereof the following: "": *Provided further*, That tribes may use tribal priority allocations funds for the replacement and repair of school facilities which are in compliance with 25 U.S.C. 2005(a) so long as such replacement or repair is approved by the Secretary and completed with non-Federal tribal and/or tribal priority allocations funds".

NOTICES OF HEARINGS
COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing on the Federal agency energy management provisions of the Energy Policy Act of 1992, has been scheduled before the full Committee on Energy and Natural Resources.

The hearing will take place Thursday, September 25, 1997, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

For further information, please call Karen Hunsicker, counsel to the committee, at (202) 224-3543 or Betty Nevitt, staff assistant at (202) 224-0765.

SUBCOMMITTEE ON WATER AND POWER

Mr. KYL. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources to receive testimony on various measures pending before the subcommittee. The measures are:

S. 725—To direct the Secretary of the Interior to convey the Collbran Reclamation Project to the Ute Water Conservancy District and the Collbran Conservancy District;

S. 777—To authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system, and for other purposes;

H.R. 848—To extend the deadline under the Federal Power Act applicable to the construction of the AuSable hydroelectric project in New York, and for other purposes;

H.R. 1184—To extend the deadline under the Federal Power Act for the construction of the Bear Creek hydroelectric project in the State of Washington, and for other purposes; and

H.R. 1217—To extend the deadline under the Federal Power Act for the construction of a hydroelectric project in the State of Washington, and for other purposes;

The hearing will begin at 2 p.m. on Tuesday, October 7, 1997, in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Persons interested in testifying or submitting material for the record should contact Betty Nevitt of the subcommittee staff at (202) 224-0765 or write to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, September 16, 1997, at 10 a.m. in open session, to consider the nominations of Gen. Michael E. Ryan, USAF, to be Chief of Staff, U.S. Air Force; Adm. Harold W. Gehman, Jr., USN, to be Commander in Chief, U.S. Atlantic Command; and Lt. Gen. Charles E. Wilhelm, USMC, to be commander in chief, U.S. Southern Command and for appointment to the grade of general.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, September 16, 1997, at 9:30 a.m. on tobacco advertising and youth.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. JEFFORDS. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee Special Investigation to meet on Tuesday, September 16, 1997, at 10 a.m. for a hearing on campaign financing issues.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on: Tuesday, September 16, 1997, at 4 p.m. to hold a closed conference on the fiscal year 1998 Intelligence Authorization bill; Thursday, September 18, 1997 at 10 a.m. to hold an open hearing on China; and Thursday, September 18, 1997 at 2:30 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON FINANCIAL SERVICES AND TECHNOLOGY

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Subcommittee on Financial Services and Technology of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, September 16, 1997, to conduct a hearing on financial instrument fraud.

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

ADDITIONAL STATEMENTS

INTERMODAL TRANSPORTATION ACT OF 1997

• Mr. LEVIN. Mr. President, tomorrow, the Senate Committee on Environment and Public Works will conduct a markup of S. 1173, the Intermodal Transportation Act of 1997. It is time that a bill be reported to the Senate for thorough and careful consideration, as the expiration of ISTEA is only 2 weeks away. So far, we have very little information about the impact of this recently introduced bill. The committee's report to accompany the bill, and analyses from the U.S. Department of Transportation, should be very helpful to Senators in estimating the bill's merits. I look forward to reviewing that report in detail.

Some proponents of the bill say that States will be guaranteed 90 percent of their contributions into the highway trust fund. There were statements like this just before ISTEA was enacted, and which never materialized, so my colleagues will understand if I reserve judgment. The committee, with the help of the Federal Highway Administration, will hopefully show us that that 90 percent is actual. For the moment however, the information available now should concern all donor States.

According to technical assistance provided by the U.S. Department of Transportation, it seems that paying for a 90 percent of contributions guarantee would cause the ITA bill to exceed the amount allotted in the 5-year budget agreement by approximately \$10.059 billion. Yet, committee staff have indicated that the bill is just within the budget targets. There seems to be a contradiction there somewhere.

Fiscal years—						
	1998	1999	2000	2001	2002	2003
Budg. Auth. in Budget Agreement	24.695	23.196	23.701	24.198	24.711
Budg. Auth. to get 90% of Contrib	20.291	30.374	26.085	26.654	27.156	27.655
Difference	-4.404	+7.178	+2.384	+2.456	+2.445

According to general information provided thus far by the committee, estimating the State-by-State average return from ITA, Michigan would see about \$696 million annually over 6

years. However, according to Federal Highway Administration projected gas tax receipts, Michigan will contribute and would receive the following at a 90

percent guaranteed rate of return on contributions: