S. 474

At the request of Mr. KYL, the names of the Senator from Missouri [Mr. ASHCROFT] and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 474, a bill to amend sections 1081 and 1084 of title 18, United States Code.

S. 657

At the request of Mr. DASCHLE, the names of the Senator from Washington [Mrs. MURRAY], the Senator from Maine [Ms. COLLINS], the Senator from Florida [Mr. MACK], and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of S. 657, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation.

S. 852

At the request of Mr. LOTT, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

S. 1021

At the request of Mr. HAGEL, the names of the Senator from Arizona [Mr. MCCAIN] and the Senator from Delaware [Mr. BIDEN] were added as cosponsors of S. 1021, a bill to amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes.

S. 1050

At the request of Mr. JEFFORDS, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1050, a bill to assist in implementing the Plan of Action adopted by the World Summit for Children.

S. 1089

At the request of Mr. SPECTER, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1089, a bill to terminate the effectiveness of certain amendments to the foreign repair station rules of the Federal Aviation Administration, and for other purposes.

S. 1177

At the request of Mr. WARNER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1177, a bill to prohibit the exhibition of B–2 and F–117 aircraft in public air shows not sponsored by the Armed Forces.

SENATE RESOLUTION 94

At the request of Mr. WARNER, the names of the Senator from Mississippi [Mr. LOTT] and the Senator from Michigan [Mr. ABRAHAM] were added as cosponsors of Senate Resolution 94, A resolution commending the American Medical Association on its 150th anniversary, its 150 years of caring for the United States, and its continuing effort to uphold the principles upon which Nathan Davis, M.D. and his colleagues founded the American Medical Association to ''promote the science and art of medicine and the betterment of public health.''

AMENDMENT NO. 1196

At the request of Mr. HUTCHINSON, the names of the Senator from Alabama [Mr. SHELBY], the Senator from Oregon [Mr. SMITH], the Senator from Colorado [Mr. ALLARD], and the Senator from Idaho [Mr. KEMPTHORNE] were added as cosponsors of Amendment No. 1196 proposed to H.R. 2107, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

AMENDMENT NO. 1218

At the request of Mr. TORRICELLI, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of amendment No. 1218 proposed to H.R. 2107, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

AMENDMENTS SUBMITTED

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

STEVENS (AND DODD) AMENDMENT NO. 1219

Mr. STEVENS (for himself and Mr. DODD) proposed an amendment 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 appropriate place, insert the following:

SEC. 3 . It is the sense of the Senate that, inasmuch as there is disagreement as to what extent, if any, Federal funding for the arts is appropriate, and what modifications to the mechanism for such funding may be necessary; and further, inasmuch as there is a role for the private sector to supplement the Federal, State and local partnership in support of the arts, hearings should be conducted and legislation addressing these issues should be brought before the full Senate for debate and passage during this Congress.

ENZI (AND OTHERS) AMENDMENT NO. 1220

(Ordered to lie on the table.)

Mr. ENZI (for himself, Mr. BROWNBACK, and Mr. COATS) submitted an amendment intended to be proposed by them to an amendment intended to be the bill, H.R. 2107, supra; as follows:

At the end of the amendment, insert the following new section:

SEC. . LIMITATIONS ON CERTAIN INDIAN GAMING OPERATIONS.

(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) CLASS III GAMING.—The term ''class III gaming'' has the meaning provided that term in section 4(8) of the Indian Gaming Regulatory Act (25 U.S.C. 2703(8)).

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning provided that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450(e)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Department of the Interior.

(4) TRIBAL-STATE COMPACT.—The term ''Tribal-State compact'' means a Tribal-State compact referred to in section 11(d) of the Indian Gaming Regulatory Act (25 U.S.C. 2710(d)).

(b) CLASS III GAMING COMPACTS.—

(1) IN GENERAL.—

(A) PROHIBITION.—During fiscal year 1998, the Secretary may not expend any funds made available under this Act to review or approve any initial Tribal-State compact for class III gaming entered into on or after the date of enactment of this Act except for a Tribal-State compact which has been approved by the State's Governor and State Legislature.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to prohibit the review or approval by the Secretary of a renewal or revision of, or amendment to a Tribal-State compact that is not covered under subparagraph (A).

(2) TRIBAL-STATE COMPACTS.—During fiscal year 1998, notwithstanding any other provision of law, no Tribal-State compact for class III gaming shall be considered to have been approved by the Secretary by reason of the failure of the Secretary to approve or disapprove that compact. This provision shall not apply to any Tribal-State compact which has been approved by the State's Governor and State Legislature.

ENZI (AND OTHERS) AMENDMENT NO. 1221

Mr. ENZI (for himself, Mr. BROWNBACK, Mr. COATS, Mr. LUGAR, Mr. BRYAN, Mr. BOND, Mr. SESSIONS, and Mr. ASHCROFT) proposed an amendment to the bill, H.R. 2107, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . LIMITATIONS ON CERTAIN INDIAN GAMING OPERATIONS.

(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) CLASS III GAMING.—the term ''class III gaming'' has the meaning provided that term in section 4(8) of the Indian Gaming Regulatory Act (25 U.S.C. 2703(8)).

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning provided that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450(e)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Department of the Interior.

(4) TRIBAL-STATE COMPACT.—The term ''Tribal-State compact'' means a Tribal-State compact referred to in section 11(d) of the Indian Gaming Regulatory Act (25 U.S.C. 2710(d)).

(b) CLASS III GAMING COMPACTS.—

(1) IN GENERAL.—

(A) PROHIBITED.—During fiscal year 1998, the Secretary many not expend any funds made available under this Act to review or approve any initial Tribal-State compact for class III gaming entered into on or after the date of enactment of this Act except for a Tribal-State compact or form of compact which has been approved by the State's Governor and State Legislature.

(B) RULE CONSTRUCTION.—Nothing in this paragraph may be construed to prohibit the review or approval by the Secretary of a renewal or revision of, or amendment to a

Tribal-State compact that is not covered under subparagraph (A).

(2) TRIBAL-STATE COMPACTS.—During fiscal year 1998, notwithstanding any other provision of law, no Tribal-State compact for class III gaming shall be considered to have been approved by the Secretary by reason of the failure of the Secretary to approve or disapprove that compact. This provision shall not apply to any Tribal-State compact or form of compact which has been approved by the State's Governor and State Legislature.

BRYAN (AND REID) AMENDMENT NO. 1222

Mr. BRYAN (for himself and Mr. REID) proposed an amendment to amendment No. 1221 proposed by Mr. ENZI to the bill, H.R. 2107, supra; as follows:

At the end of the amendment, add the following new section:

"SEC. . SENSE OF THE SENATE CONCERNING INDIAN GAMING.

''It is the Sense of the Senate that the United States Department of Justice should vigorously enforce the provisions of the Indian Gaming Regulatory Act requiring an approved Tribal-State gaming impact prior to the initiation of class III gaming on Indian lands.''

KYL (AND OTHERS) AMENDMENT NO. 1223

Mr. KYL (for himself, Mr. CAMPBELL, and Mr. HATCH) proposed an amendment to the bill, H.R. 2107, supra; as follows:

At the appropriate place in title I, insert the following:

''SEC. 1 . In addition to the amounts made available to the Bureau of Indian Affairs under this title, $4,840,000 shall be made available to the Bureau of Indian Affairs to be used for Bureau of Indian Affairs special law enforcement efforts to reduce gang violence.

On page 96, line 9, strike ''$5,840,000'' and insert ''$1,000,000''.

BUMPERS (AND OTHERS) AMENDMENT NO. 1224

Mr. BUMPERS (for himself, Mr. GREGG, and Ms. LANDRIEU) proposed an amendment to the bill, H.R. 2107, supra, as follows:

Add the following at the end of the pending Committee amendment as amended:

''(c)(1) Each person producing locatable minerals (including associated minerals) from any mining claim located under the general mining laws, or mineral concentrates derived from locatable minerals produced from any mining claim located under the general mining laws, as the case may be, shall pay a royalty of 5 percent of the net smelter return from the production of such locatable minerals or concentrates, as the case may be.

''(2) Each person responsible for making royalty payments under this section shall make such payments to the Secretary of the Interior not later than 30 days after the end of the calendar month in which the mineral or mineral concentrates are produced and first place in marketable condition, consistent with prevailing practices in the industry.

''(3) All persons holding mining claims located under the general mining laws shall provide to the Secretary such information as determined necessary by the Secretary to ensure compliance with this section, including, but not limited to, quarterly reports, records, documents, and other data. Such reports may also include, but not be limited to, pertinent technical and financial data relating to the quantity, quality, and amount of all minerals extracted from the mining claim.

''(4) The Secretary is authorized to conduct such audits of all persons holding mining claims located under the general mining laws as he deems necessary for the purposes of ensuring compliance with the requirements of this subsection.

''(5) Any person holding mining claims located under the general mining laws who knowingly or willfully prepares, maintains, or submits false, inaccurate, or misleading information required by this section, or fails or refuses to submit such information, shall be subject to a penalty imposed by the Secretary.

''(6) This subsection shall take effect with respect to minerals produced from a mining claim in calendar months beginning after enactment of this Act.

''(d)(1) Any person producing hardrock minerals from a mine that was within a mining claim that has subsequently been patented under the general mining laws shall pay a reclamation fee to the Secretary under this subsection. The amount of such fee shall be equal to a percentage of the net proceeds from such mine. The percentage shall be based upon the ratio of the net proceeds to the gross proceeds related to such production in accordance with the following table:

Net proceeds as percentage of gross proceeds:	*Rate*[1]
Less than 10	2.00
10 or more but less than 18	2.50
18 or more but less than 26	3.00
26 or more but less than 34	3.50
34 or more but less than 42	4.00
42 or more but less than 50	4.50
50 or more	5.00

[1]Rate of fee as percentage of net proceeds.

''(2) Gross proceeds of less than $500,000 from minerals produced in any calendar year shall be exempt from the reclamation fee under this subsection for that year if such proceeds are from one or more mines located in a single patented claim or on two or more contiguous patented claims.

''(3) The amount of all fees payable under this subsection for any calendar year shall be paid to the Secretary within 60 days after the end of such year.

''(e) Receipts from the fees collected under subsections and (d) shall be paid into an Abandoned Minerals Mine Reclamation Fund.

''(f)(1) There is established on the books of the Treasury of the United States an interest-bearing fund to be known as the Abandoned Minerals Mine Reclamation Fund (hereinafter referred to in this section as the ''Fund''). The Fund shall be administered by the Secretary.

''(2) The Secretary shall notify the Secretary of the Treasury as to what portion of the Fund is not, in his judgement, required to meet current withdrawals. The Secretary of the Treasury shall invest such portion of the Fund in public debt securities with maturities suitable for the needs of such Fund and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketplace obligations of the United States of comparable maturities. The income on such investments shall be credited to, and form a part of, the Fund.

''(3) The Secretary is, subject to appropriations, authorized to use moneys in the Fund for the reclamation and restoration of land and water resources adversely affected by past mineral (other than coal and fluid minerals) and mineral material mining, including but not limited to, any of the following:

''(A) Reclamation and restoration of abandoned surface mined areas.

''(B) Reclamation and restoration of abandoned milling and processing areas.

''(C) Sealing, filling, and grading abandoned deep mine entries.

''(D) Planting of land adversely affected by past mining to prevent erosion and sedimentation.

''(E) Prevention, abatement, treatment and control of water pollution created by abandoned mine drainage.

''(F) Control of surface subsidence due to abandoned deep mines.

''(G) Such expenses as may be necessary to accomplish the purposes of this section.

''(4) Land and waters eligible for reclamation expenditures under this section shall be those within the boundaries of States that have lands subject to the general mining laws—

''(A) which were mined or processed for minerals and mineral materials or which were affected by such mining or processing, and abandoned or left in an inadequate reclamation status prior to the date of enactment of this title;

''(B) for which the Secretary makes a determination that there is no continuing reclamation responsibility under State or Federal laws; and

''(C) for which it can be established that such lands do not contain minerals which could economically be extracted through the reprocessing or remining of such lands.

''(5) Sites and areas designated for remedial action pursuant to the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7901 and following) or which have been listed for remedial action pursuant to the Comprehensive Environmental Response Compensation and Liability Act of 1980 (42 U.S.C. 9601 and following) shall not be eligible for expenditures from the Fund under this section.

''(g) As used in this Section:

''(1) The term ''gross proceeds'' means the value of any extracted hardrock mineral which was:

(A) sold;

(B) exchanged for any thing or service;

(C) removed from the country in a form ready for use or sale; or

(D) initially used in a manufacturing process or in providing a service.

''(2) The term ''net proceeds'' means gross proceeds less the sum of the following deductions:

(A) The actual cost of extracting the mineral.

(B) The actual cost of transporting the mineral to the place or places of reduction, refining and sale.

(C) The actual cost of reduction, refining and sale.

(D) The actual cost of marketing and delivering the mineral and the conversion of the mineral into money.

(E) The actual cost of maintenance and repairs of:

(i) All machinery, equipment, apparatus and facilities used in the mine.

(ii) All milling, refining, smelting and reduction works, plants and facilities.

(iii) All facilities and equipment for transportation.

(F) The actual cost of fire insurance on the machinery, equipment, apparatus, works, plants and facilities mentioned in subsection (E).

(G) Depreciation of the original capitalized cost of the machinery, equipment, apparatus, works, plants and facilities mentioned in subsection (E).

(H) All money expended for premiums for industrial insurance, and the actual cost of hospital and medical attention and accident benefits and group insurance for all employees.

(I) The actual cost of developmental work in or about the mine or upon a group of mines when operated as a unit.

(J) All royalties and severance taxes paid to the Federal government or State governments.

''(3) The term ''hardrock minerals'' means any mineral other than a mineral that would be subject to disposition under any of the following if located on land subject to the general mining laws:

(A) the Mineral Leasing Act (30 U.S.C. 181 and following);

(B) the Geothermal Steam Act of 1970 (30 U.S.C. 100 and following);

(C) the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 and following); or

(D) the Mineral Leasing for Acquired Lands Act (30 U.S.C. 351 and following).

''(4) The term ''Secretary'' means the Secretary of the Interior.

''(5) The term ''patented mining claim'' means an interest in land which has been obtained pursuant to sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36 and 37) for placer claims, or section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims.

''(6) The term ''general mining laws'' means those Acts which generally comprise Chapters 2, 12A, and 16, and sections 161 and 162 of title 30 of the United States Code.''

BENNETT (AND HATCH) AMENDMENT NO. 1225

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

On page 5, line 17, strike ''$9,400,000'' and insert ''$8,600,000'' and on page 65, line 18, strike ''$160,269,000,'' and insert ''$161,069,000,'' and on page 65, line 23, after ''205'' insert '', of which $800,000 shall be available for the design and engineering of the Trappers Loop Connector Road in the Wasatch-Cache National Forest''.

DEWINE AMENDMENT NO. 1226

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

At the end of title III, insert the following:

SEC. . (a) In providing services of awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

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

(2) 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.

GRAHAM AMENDMENT NO. 1227

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

On page 63, between liens 8 and 9, insert the following:

SEC. . YOUTH ENVIRONMENTAL SERVICE PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Secretary of Interior, in consultation with the Attorney General, shall—

(1) submit to Congress a report identifying at least 20 sites on Federal land that are potentially suitable and promising for activities of the Youth Environmental Service program to be administered in accordance with the Memorandum of Understanding signed by the Secretary of the Interior and the Attorney General in February 1994; and

(2) provide a copy of the report to the appropriate State and local law enforcement agencies in the States and localities in which the 20 prospective sites are located.

REID (AND BRYAN) AMENDMENT NO. 1228

Mr. REID (for himself and Mr. BRYAN) proposed an amendment to the bill, H.R. 2107, supra; as follows:

At the appropriate place insert the following: No funds provided in this or any other Act may be expended to develop a rulemaking process relevant to amending the National Indian Gaming Commission's definition regulations located at 25 CFR 502.7 and 502.8.

BINGAMAN (AND MURKOWSKI) AMENDMENT NO. 1229

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

On page 80, strike line 14 and all that follows through page 81, line 6 and insert the following:

''STRATEGIC PETROLEUM RESERVE

''(INCLUDING TRANSFER OF FUNDS)

''for necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy and Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $207,500,000, to remain available until expended, of which $207,500,000 shall be repaid from the ''SPR Operating Fund'' from amounts made available from sales under this heading: *Provided*, That, consistent with Public Law 104–106, proceeds in excess of $2,000,000,000 from the sale of the Naval Petroleum Reserve Numbered 1 shall be deposited into the ''SPR Operating Fund'', and are hereby appropriated, to remain available until expended, for repayments under this heading and for operations of, or acquisition, transportation, and injection of petroleum products into, the Strategic Petroleum Reserve: *Provided further*, That if the Secretary of Energy finds that the proceeds from the sale of the Naval Petroleum Reserve Numbered 1 will not be at least $2,207,500,000 in fiscal year 1998, the Secretary, notwithstanding section 161 of the Energy Policy and Conservation Act of 1975, shall draw down and sell oil from the Strategic Petroleum Reserve in fiscal year 1998, and deposit the proceeds into the ''SPR Operating Fund'', in amounts sufficient to make deposits into the fund total $207,500,000 in that fiscal year: *Provided further*, That the amount of $2,000,000,000 in the first proviso and the amount of $2,207,500,000 in the second proviso shall be adjusted by the Director of the Office of Management and Budget to amounts not to exceed $2,415,000,000 and $2,622,500,000, respectively, only to the extent that an adjustment is necessary to avoid a sequestration, or any increase in a sequestration due to this section, under the procedures prescribed in the Budget Enforcement Act of 1990, as amended. *Provided further*, That the Secretary of Energy, notwithstanding section 161 of the Energy Policy and Conservation Act of 1975, shall draw down and sell oil from the Strategic Petroleum Reserve in fiscal year 1998 sufficient to deposit $15,000,000 into the General Fund of the Treasury of the United States, and shall transfer such amount to the General Fund: *Provided further*, That proceeds deposited into the ''SPR Operating Fund'' under this heading shall, upon receipt, be transferred to the Strategic Petroleum Reserve account for operations and activities of the Strategic Petroleum Reserve and to satisfy the requirements specified under this heading.''

MURRAY (AND OTHERS) AMENDMENT NO. 1230

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

At the end of Title III, add the following:

SEC. . Within 90 days of enactment of this legislation, the Forest Service shall complete its export policy and procedures on the use of Alaskan Western Red Cedar. In completing this policy, the Forest Service shall evaluate the costs & benefits of a pricing policy that offers any Alaskan Western Red Cedar in excess of domestic processing needs in Alaska first to United States domestic processors.

MCCAIN (AND OTHERS) AMENDMENT NO. 1231

Mr. MCCAIN (for himself, Mr. STEVENS, and Mr. MURKOWSKI) proposed an amendment to the bill, H.R. 2107, supra; as follows:

On page 63, between lines 8 and 9, insert the following:

SEC. . DISPOSITION OF CERTAIN OIL LEASE REVENUE.

(a) DEPOSIT IN FUND.—One half of the amounts awarded by the Supreme Court to the United States in the case of United States of America v. State of Alaska (117 S. Ct. 1888) shall be deposited in a fund in the Treasury of the United States to be known as the ''National Parks and Environmental Improvement Fund'' (referred to in this section as the ''Fund'').

(b) INVESTMENTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest amounts in the Fund in interest bearing obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) CREDITS TO FUND.—The interest earned from investments of the Fund shall be covered into and form a part of the Fund.

(c) TRANSFER AND AVAILABILITY OF AMOUNTS EARNED.—Each year, interest earned and covered into the Fund in the previous fiscal year shall be available for appropriation, to the extent provided in subsequent appropriations bills, as follows:

(1) 40 percent of such amounts shall be available for National Park capital projects in the National Park System that comply with the criteria stated in subsection (d); and

(2) 40 percent of such amounts shall be available for the state-side matching grant under section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8); and

(3) 20 percent of such amounts shall be made available to the Secretary of Commerce for the purpose of carrying out marine research activities in accordance with subsection (e).

(d) CAPITAL PROJECTS.—

(1) IN GENERAL.—Funds available under subsection (c)(2) may be used for the design, construction, repair or replacement of high priority National Park Service facilities directly related to enhancing the experience of park visitors, including natural, cultural, recreational and historic resources protection projects.

(2) LIMITATION.—A project referred to in paragraph (1) shall be consistent with—

(A) the laws governing the National Park System;

(B) any law governing the unit of the National Park System in which the project is undertaken; and

(C) the general management plan for the unit.

(3) NOTIFICATION OF CONGRESS.—The Secretary shall submit with the annual budget submission to Congress a list of high priority projects proposed to be funded under paragraph (1) during the fiscal year covered by such budget submission.

(e) MARINE RESEARCH ACTIVITIES.—(1) Funds available under subsection (c)(3) shall be used by the Secretary of Commerce according to this subsection to provide grants to federal, state, private or foreign organizations or individuals to conduct research activities on or relating to the fisheries or marine ecosystems in the north Pacific Ocean, Bering Sea, and Arctic Ocean (including any lesser related bodies of water).

(2) Research priorities and grant requests shall be reviewed and recommended for Secretarial approval by a board to be known as the North Pacific Research Board (referred to in this subsection as the ''Board''). The Board shall seek to avoid duplicating other research activities, and shall place a priority on cooperative research efforts designed to address pressing fishery management or marine ecosystem information needs.

(3) The Board shall be comprised of the following representatives or their designees:

(A) the Secretary of Commerce, who shall be a co-chair of the Board;

(B) the Secretary of State;

(C) the Secretary of the Interior;

(D) the Commandant of the Coast Guard;

(E) the Director of the Office of Naval Research;

(F) the Alaska Commissioner of Fish and Game, who shall also be a co-chair of the Board;

(G) the Chairman of the North Pacific Fishery Management Council;

(H) the Chairman of the Arctic Research Commission;

(I) the Director of the Oil Spill Recovery Institute;

(J) the Director of the Alaska SeaLife Center;

(K) five members nominated by the Governor of Alaska and appointed by the Secretary of Commerce, one of whom shall represent fishing interests, one of whom shall represent Alaska Natives, one of whom shall represent environmental interests, one of whom shall represent academia, and one of whom shall represent oil and gas interests; and

(L) three members nominated by the Governor of Washington and appointed by the Secretary of Commerce; and

(M) one member nominated by the Governor of Oregon and appointed by the Secretary of Commerce.

The members of the Board shall be individuals knowledgeable by education, training, or experience regarding fisheries or marine ecosystems in the north Pacific Ocean, Bering Sea, or Arctic Ocean. Three nominations shall be submitted for each member to be appointed under subparagraphs (K), (L), and (M). Board members appointed under subparagraphs (K), (L), and (M) shall serve for three year terms, and may be reappointed.

(4)(A) The Secretary of Commerce shall review and administer grants recommended by the Board. If the Secretary does not approve a grant recommended by the Board, the Secretary shall explain in writing the reasons for not approving such grant, and the amount recommended to be used for such grant shall be available only for other grants recommended by the Board.

(B) Grant recommendations and other decisions of the Board shall be by majority vote, with each member having one vote. The Board shall establish written criteria for the submission of grant requests through a competitive process and for deciding upon the award of grants. Grants shall be recommended by the Board on the basis of merit in accordance with the priorities established by the Board. The Secretary shall provide the Board such administrative and technical support as is necessary for the effective functioning of the Board. The Board shall be considered an advisory panel established under section 302(g) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) for the purposes of section 302(i)(1) of such Act, and the other procedural matters applicable to advisory panels under section 302(i) of such Act shall apply to the Board to the extent practicable. Members of the Board may be reimbursed for actual expenses incurred in performance of their duties for the Board. Not more than 5 percent of the funds provided to the Secretary of Commerce under paragraph (1) may be used to provide support for the Board and administer grants under this subsection.

MURKOWSKI (AND THOMAS) AMENDMENT NO. 1232

Mr. MURKOWSKI (for himself and Mr. THOMAS) proposed an amendment to amendment No. 1231 proposed by Mr. MCCAIN to the bill, H.R. 2107, supra; as follows:

In the amendment proposed by the Senator from Arizona strike all after ''(a) DEPOSIT IN FUND.—'' and insert in lieu thereof:

''All of the amounts awarded by the Supreme Court to the United States in the case of *United States of America* v. *State of Alaska* (117 S. Ct. 1888) shall be deposited in a fund in the Treasury of the United States to be known as the ''Parks and Environmental Improvement Fund'' (referred to in this section as the ''Fund'').

(b) INVESTMENTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest amounts in the Fund in interest bearing obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) CREDITS TO FUND.—The interest earned from investments of the Fund shall be covered into, and form a part of, the Fund.

(c) TRANSFER AND AVAILABILITY OF AMOUNTS EARNED.—Each year, interest earned and covered into the Fund in the previous fiscal year shall be available for appropriation, to the extent provided in subsequent appropriations bills, as follows:

(1) 40 percent of such amounts shall be available for National Park capital projects in the National Park System that comply with the criteria stated in subsection (d);

(2) 40 percent shall be available for the state-side matching grant program under section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8); and

(3) 20 percent shall be made available to the Secretary of Commerce for the purpose of carrying out marine research activities in accordance with subsection (e).

(d) CAPITAL PROJECTS.—

(1) IN GENERAL.—Funds available under subsection (c)(1) may be used for the design, construction, repair or replacement of high priority National Park Service facilities directly related to enhancing the experience of park visitors, including natural, cultural, recreation and historic resources protection projects.

(2) LIMITATION.—A project referred to in paragraph (1) shall be consistent with—

(A) the laws governing the National Park System;

(B) any law governing the unit of the National Park System in which the project is undertaken; and

(C) the general management plan for the unit.

(3) NOTIFICATION OF CONGRESS.—The Secretary shall submit with the annual budget submission to Congress a list of high priority projects to be funded under paragraph (1) during the fiscal year covered by such budget submission.

(e) MARINE RESEARCH ACTIVITIES.—

(1) Funds available under subsection (c)(3) shall be used by the Secretary of Commerce according to this subsection to provide grants to federal, state, private or foreign organizations or individuals to conduct research activities on or relating to the fisheries or marine ecosystems in the north Pacific Ocean, Bering Sea, and Arctic Ocean (including any lesser related bodies of water).

(2) Research priorities and grant requests shall be reviewed and recommended for Secretarial approval by a board to be known as the North Pacific Research Board (the Board). The Board shall seek to avoid duplicating other research activities, and shall place a priority on cooperative research efforts designed to address pressing fishery management or marine ecosystem information needs.

(3) The Board shall be comprised of the following representatives or their designees:

(A) the Secretary of Commerce, who shall be a co-chair of the Board;

(B) the Secretary of State;

(C) the Secretary of the Interior;

(D) the Commandant of the Coast Guard;

(E) the Director of the Office of Naval Research;

(F) the Alaska Commissioner of Fish and Game, who shall also be a co-chair of the Board;

(G) the Chairman of the North Pacific Fishery Management Council;

(H) the Chairman of the Arctic Research Commission;

(I) the Director of the Oil Spill Recovery Institute;

(J) the Director of Alaska SeaLife Center; and

(K) five members appointed by the Governor of Alaska and appointed by the Secretary of Commerce, one of whom shall represent fishing interests, one of whom shall represent Alaska Natives, one of whom shall represent environmental interests, one of whom shall represent academia, and one of whom shall represent oil and gas interests.

The members of the Board shall be individuals knowledgeable by education, training, or experience regarding fisheries or marine ecosystems in the north Pacific Ocean, Bering Sea, or Arctic Ocean. The Governor of Alaska shall submit three nominations for member appointed under subparagraph (K). Board members appointed under subparagraph (K) shall serve for a three year term and may be reappointed.

(4)(A) The Secretary of Commerce shall review and administer grants recommended by the Board. If the Secretary does not approve a grant recommended by the Board, the Secretary shall explain in writing the reasons for not approving such grant, and the amount recommended to be used for such grant shall be available only for grants recommended by the Board.

(B) Grant recommendations and other decisions of the Board shall be by majority vote, with each member having one vote. The Board shall establish written criteria for the submission of grant requests through a competitive process and for deciding upon the award of grants. Grants shall be recommended by the Board on the basis of merit in accordance with priorities established by the Board. The Secretary shall provide the Board with such administrative and technical support as is necessary for the effective functioning of the Board. The Board shall be considered an advisory panel established under section 302(g) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) for the purposes of section 302(i)(1) of such Act, and the other procedural matters applicable to advisory panels under section 302(i) of such Act shall apply to the Board to the extent practicable. Members of the Board may be reimbursed for actual expenses incurred in performance of their duties for the Board. Not more than 5 percent of the funds provided to the Secretary of Commerce under paragraph (1) may be used to provide support for the Board and administer grants under this subsection.

(f) FINANCIAL ASSISTANCE TO THE STATES.—Section 6(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8(b)) is amended—

(1) APPORTIONMENT AMONG STATES; NOTIFICATION.—

(A) By striking paragraphs (1), (2), and (3) and inserting the following:

''(1) Sixty percent shall be apportioned equally among the several States;

''(2) Twenty percent shall be apportioned on the basis of the proportion which the population of each State bears to the total population of the United States; and

''(3) Twenty percent shall be apportioned on the basis of the urban population in each State (as defined by Metropolitan Statistical Areas).''

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively, and inserting after paragraph (3) the following:

''(4) The total allocation to an individual State under paragraphs (1) through (3) shall not exceed 10 percent of the total amount allocated to the several States in any one year.

(g) FUNDS FOR INDIAN TRIBES.—Section 6(b)(6) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8(b)(6)) (as so redesignated) is amended—

(1) by inserting ''(A)'' after ''(6)''; and

(2) by adding at the end the following new subparagraph:

''(B) For the purposes of paragraph (1), all federally recognized Indian tribes and Alaska Native Corporations (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602) shall be treated collectively as one State, and shall receive shares of the apportionment under paragraph (1) in accordance with a competitive grant program established by the Secretary by rule. Such rule shall ensure that in each fiscal year no single tribe or Alaska Native Corporation receives more than 10 percent of the total amount made available to all Indian tribes and Alaska Native Corporations pursuant to the apportionment under paragraph (1). Funds received by an Indian tribe or Alaska Native Corporation under this subparagraph may be expended only for the purposes specified in subsection (a). Receipt in any given year of an apportionment under this section shall not prevent an Indian tribe or Alaska Native Corporation from receiving grants for other purposes under than regular apportionment of the State in which it is located.''

THE PUBLIC HOUSING REFORM AND RESPONSIBILITY ACT OF 1997

MACK AMENDMENT NO. 1233

(Ordered to lie on the table.)

Mr. MACK submitted an amendment intended to be proposed by him to the bill (S. 462) A bill to reform and consolidate the public and assisted housing programs of the United States, and to redirect primary responsibility for these programs from the Federal Government to States and localities, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Public Housing Reform and Responsibility Act of 1997''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) there exists throughout the Nation a need for decent, safe, and affordable housing;

(2) the inventory of public housing units owned and operated by public housing agencies, an asset in which the Federal Government has invested approximately $90,000,000,000, has traditionally provided