

**EXPRESSING THE SENSE OF THE SENATE THAT JOSEPH JEFFERSON "SHOELESS JOE" JACKSON SHOULD BE APPROPRIATELY HONORED FOR HIS OUTSTANDING BASEBALL ACCOMPLISHMENTS**

**THURMOND AMENDMENT NO. 2800**

Ms. COLLINS (for Mr. THURMOND) proposed an amendment to the resolution (S. Res. 134) expressing the sense of the Senate that Joseph Jefferson "Shoeless Joe" Jackson should be appropriately honored for his outstanding baseball accomplishments; as follows:

Strike all after the *Resolved* clause and insert the following:

**SECTION 1. SENSE OF THE SENATE THAT "SHOELESS JOE" JACKSON SHOULD BE RECOGNIZED FOR HIS BASEBALL ACCOMPLISHMENTS.**

(a) FINDINGS.—The Senate finds the following:

(1) In 1919, the infamous "Black Sox" scandal erupted when an employee of a New York gambler allegedly bribed 8 players of the Chicago White Sox, including Joseph Jefferson "Shoeless Joe" Jackson, to throw the 1919 World Series against the Cincinnati Reds.

(2) In 1921, a criminal court acquitted "Shoeless Joe" Jackson of charges brought against him as a consequence of his participation in the 1919 World Series.

(3) Despite the acquittal, Commissioner Landis banned "Shoeless Joe" Jackson from playing Major League Baseball for life without conducting a hearing, receiving evidence of Jackson's alleged activities, or giving Mr. Jackson a forum to rebut the allegations, issuing a summary punishment that fell far short of due process standards.

(4) During the 1919 World Series, Jackson's play was outstanding—his batting average was .375, the highest of any player from either team; he had 12 hits, setting a World Series record; he did not commit any errors; and he hit the only home run of the Series.

(5) Not only was Jackson's performance during the 1919 World Series unmatched, but his accomplishments throughout his 13-year career in professional baseball were outstanding as well—he was 1 of only 7 Major League Baseball players to ever top the coveted mark of a .400 batting average for a season, and he earned a lifetime batting average of .356, the third highest of all time.

(6) "Shoeless Joe" Jackson's career record clearly makes him one of our Nation's top baseball players of all time.

(7) Because of his lifetime ban from Major League Baseball, "Shoeless Joe" Jackson has been excluded from consideration for admission to the Major League Baseball Hall of Fame.

(8) "Shoeless Joe" Jackson passed away in 1951, and 80 years have elapsed since the 1919 World Series scandal erupted.

(9) Recently, Major League Baseball Commissioner Bud Selig took an important step by agreeing to investigate whether "Shoeless Joe" Jackson was involved in a conspiracy to alter the outcome of the 1919 World Series and whether he should be eligible for inclusion in the Major League Baseball Hall of Fame.

(10) Courts have exonerated "Shoeless Joe" Jackson, the 1919 World Series box score stands as a witness of his record setting play, and 80 years have passed since the scandal erupted; therefore, Major League Baseball should appropriately honor the outstanding baseball accomplishments of Joseph Jefferson "Shoeless Joe" Jackson.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Joseph Jefferson "Shoeless Joe" Jackson should be appropriately honored for his outstanding baseball accomplishments.

**GLACIER BAY FISHERIES ACT**

**BINGAMAN AMENDMENT NO. 2801**

Mr. DASCHLE (for Mr. BINGAMAN) proposed an amendment to the bill (S. 501) to address resource management issues in Glacier Bay National Park, Alaska; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Glacier Bay National Park Resource Management Act of 1999".

**SEC. 2. DEFINITIONS.**

As used in this Act—

(1) the term "local residents" means those persons living within the vicinity of Glacier Bay National Park and Preserve, including but not limited to the residents of Hoonah, Alaska, who are descendants of those who had an historic and cultural tradition of sea gull egg gathering within the boundary of what is now Glacier Bay National Park and Preserve;

(2) the term "outer waters" means all of the marine waters within the park outside of Glacier Bay proper;

(3) the term "park" means Glacier Bay National Park;

(4) the term "Secretary" means the Secretary of the Interior; and

(5) the term "State" means the State of Alaska.

**SEC. 3. COMMERCIAL FISHING.**

(a) IN GENERAL.—The Secretary shall allow for commercial fishing in the outer waters of the park in accordance with the management plan referred to in subsection (b) in a manner that provides for the protection of park resources and values.

(b) MANAGEMENT PLAN.—The Secretary shall cooperate in the development of a management plan for the regulation of commercial fisheries in the outer water of the park in accordance with existing Federal and State laws and any applicable international conservation and management treaties.

(c) SAVINGS.—(1) Nothing in this Act shall alter or affect the provisions of section 123 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1999 (Public Law 105-277), as amended by section 501 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31).

(2) Nothing in this Act shall enlarge or diminish Federal or State title, jurisdiction, or authority with respect to the waters of the State of Alaska, the waters within Glacier Bay National Park and Preserve, or tidal or submerged lands.

(d) STUDY.—(1) Not later than one year after the date funds are made available, the Secretary, in consultation with the State, the National Marine Fisheries Service, the International Pacific Halibut Commission and other affected agencies shall develop a plan for a comprehensive multi-agency research and monitoring program to evaluate the health of fisheries resources in the park's marine waters, to determine the effect, if any, of commercial fishing on—

(A) the productivity, diversity, and sustainability of fishery resources in such waters; and

(B) park resources and values.

(2) The Secretary shall promptly notify the Committee on Energy and Natural Resources

of the United States Senate and the Committee on Resources of the United States House of Representatives upon the completion of the plan.

(3) The Secretary shall complete the program set forth in the plan not later than seven years after the date the Congressional Committees are notified pursuant to paragraph (2), and shall transmit the results of the program to such Committees on a biennial basis.

**SEC. 4. SEA GULL EGG COLLECTION STUDY**

(a) STUDY.—The Secretary, in consultation with local residents, shall undertake a study of sea gulls living within the park to assess whether sea gull eggs can be collected on a limited basis without impairing the biological sustainability of the sea gull population in the park. The study shall be completed no later than two years after the date funds are made available.

(b) RECOMMENDATIONS.—If the study referred to in subsection (a) determines that the limited collection of sea gull eggs can occur without impairing the biological sustainability of the sea gull population in the park, the Secretary shall submit recommendations for legislation to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated such sums as are necessary to carry out this Act".

**NATIONAL OILHEAT RESEARCH ALLIANCE ACT OF 1999**

**MURKOWSKI AMENDMENT NO. 2802**

Mr. LOTT (for Mr. MURKOWSKI) proposed an amendment to the bill (S. 348) to authorize and facilitate a program to enhance training, research and development, energy conservation and efficiency, and consumer education in the oilheat industry for the benefit of oilheat consumers and the public, and for other purposes; as follows:

On page 2, after line 2, insert the following:

**"TITLE I—NATIONAL OIL HEAT RESEARCH ALLIANCE ACT OF 1999"**

On page 6, after line 18, insert the following:

"(15) STATE.—The term "State" means the several states, except the State of Alaska."

On page 30, after line 11, insert the following:

**"TITLE II—SMALL HYDROELECTRIC PROJECTS IN ALASKA**

**"SEC. 201. ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS.**

"Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

**"SEC. 32. ALASKA STATE JURISDICTION OVER SMALL HYDROELECTRIC PROJECTS.**

"(a) DISCONTINUANCE OF REGULATION BY THE COMMISSION.—

Notwithstanding sections 4(e) and 23(b), the Commission shall discontinue exercising licensing and regulatory authority under this Part over qualifying project works in the State of Alaska, effective on the date on which the commission certifies that the State of Alaska has in place a regulatory program for water-power development that—

"(1) protects the public interest, the purposes listed in paragraph (2), and the environment to the same extent provided by licensing and regulation by the Commission

under this Part and other applicable Federal laws, including the endangered Species Act (16 U.S.C. 1531 et seq.) and the fish and wildlife Coordination Act (16 U.S.C. 661 et seq.);

“(2) gives equal consideration to the purposes of—

“(A) energy conservation;

“(B) the protection, mitigation of damage to, and enhancement of, fish and wildlife (including related spawning grounds and habitat);

“(C) the protection of recreational opportunities;

“(D) the preservation of other aspects of environmental quality;

“(E) the interests of Alaska Natives; and

“(F) other beneficial public uses, including irrigation, flood control, water supply, and navigation; and

“(3) requires, as a license for any project works—

“(A) the construction, maintenance, and operation by a licensee at its own expense of such lights and signals as may be directed by the Secretary of the Department in which the Coast Guard is operating, and such fishways as may be prescribed by the Secretary of the Interior or the Secretary of Commerce, as appropriate;

“(B) the operation of any navigation facilities which may be constructed as part of any project to be controlled at all times by such reasonable rules and regulations as may be made by the Secretary of the Army; and

“(C) conditions for the protection, mitigation, and enhancement of fish and wildlife based on recommendations received pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) from the National Marine Fisheries Service, the United States Fish and Wildlife Service, and State fish and wildlife agencies.

“(b) DEFINITION OF “QUALIFYING PROJECT WORKS.”—For purposes of this section, the term “qualifying project works” means project works—

“(1) that are not part of a project licensed under this Part or exempted from licensing under this Part or section 405 of the Public Utility Regulatory Policies Act of 1978 prior to the date of enactment of this section;

“(2) for which a preliminary permit, a license application, or an application for an exemption from licensing has not been accepted for filing by the Commission prior to the date of enactment of subsection (c) (unless such application is withdrawn at the election of the applicant);

“(3) that are part of a project that has a power production capacity of 5,000 kilowatts or less;

“(4) that are located entirely within the boundaries of the State of Alaska; and

“(5) that are not located in whole or in part on any Indian reservation, a conservation system unit (as defined in section 102(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102(4))), or segment of a river designated for study for addition to the Wild and Scenic Rivers System.

“(c) ELECTION OF STATE LICENSING.—In the case of nonqualifying project works that would be a qualifying project works but for the fact that the project has been licensed (or exempted from licensing) by the Commission prior to the enactment of this section, the licensee of such project may in its discretion elect to make the project subject to licensing and regulation by the State of Alaska under this section.

“(d) PROJECT WORKS ON FEDERAL LANDS.—With respect to projects located in whole or in part on a reservation, a conservation system unit, or the public lands, a State license or exemption from licensing shall be subject to—

“(1) the approval of the Secretary having jurisdiction over such lands; and

“(2) such conditions as the Secretary may prescribe.

“(e) CONSULTATION WITH AFFECTED AGENCIES.—The Commission shall consult with the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce before certifying the State of Alaska’s regulatory program.

“(f) APPLICATION OF FEDERAL LAWS.—Nothing in this section shall preempt the application of Federal environmental, natural resources, or cultural resources protection laws according to their terms.

“(g) OVERSIGHT BY THE COMMISSION.—The State of Alaska shall notify the Commission not later than 30 days after making any significant modification to its regulatory program. The Commission shall periodically review the State’s program to ensure compliance with the provisions of this section.

“(h) RESUMPTION OF COMMISSION AUTHORITY.—Notwithstanding subsection (a), the Commission shall reassert its licensing and regulatory authority under this part if the Commission finds that the State of Alaska has not complied with one or more of the requirements of this section.

“(i) DETERMINATION BY THE COMMISSION.—

“(1) Upon application by the Governor of the State of Alaska, the Commission shall within 30 days commence a review of the State of Alaska’s regulatory program for water-power development to determine whether it complies with the requirements of subsection (a).

“(2) The Commission’s review required by paragraph (1) shall be completed within one year of initiation, and the Commission shall within 30 days thereafter issue a final order determining whether or not the State of Alaska’s regulatory program for water-power development complies with the requirements of subsection (a).

“(3) If the Commission fails to issue a final order in accordance with paragraph (2), the State of Alaska’s regulatory program for water-power development shall be deemed to be in compliance with subsection (a).

#### “TITLE III—HYDROELECTRIC PROJECTS IN HAWAII

##### “SEC. 301. PROJECTS ON FRESH WATERS IN THE STATE OF HAWAII

“Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended in the first sentence by striking “several States, or upon” and inserting “several States (except fresh waters in the State of Hawaii, unless a license would be required under section 23), or upon”.

#### “TITLE IV—ARROWROCK DAM HYDROELECTRIC PROJECT

##### “SEC. 501. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT.

“Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 4656, the Commission may, at the request of the licensee for the project and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission’s procedures under that section, extend until March 26, 2005, the time period during which the licensee is required to commence construction of the project.”

#### ARIZONA NATIONAL FOREST IMPROVEMENT ACT OF 1999

##### KYL AMENDMENT NO. 2803

Mr. LOTT (for Mr. KYL) proposed an amendment to the bill (S. 1088) to au-

thorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the city of Sedona, Arizona for a wastewater treatment facility, and for other purposes; as follows:

On page 5, line 15, strike the period at the end and insert “, reduced by the total amount of special use permit fees for wastewater treatment facilities paid by the City to the Forest Service during the period beginning on January 1, 1999, and ending on the earlier of—

(A) the date that is 270 days after the date of enactment of this Act; or

(B) the date on which the full payment is made by the City under paragraph (3)(A) or the date on which first installment payment is made under paragraph (3)(B), depending on the election made by the City under paragraph (3).”

On page 5, lines 18 and 19, strike “the amount determined under paragraph (1)” and insert “the consideration required under paragraph (1)”.

#### OMNIBUS PARKS TECHNICAL CORRECTIONS ACT OF 1999

##### MURKOWSKI AMENDMENT NO. 2804

Mr. LOTT (for Mr. MURKOWSKI) proposed an amendment to the bill (H.R. 149) to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996; as follows:

To the bill as reported:

On page 5, strike lines 4 through 11 and redesignate the subsequent paragraphs accordingly.

On page 5 at the end of section 101 add the following new paragraphs:

“(11) Section 103(c)(2) (110 Stat. 4099) is amended by striking “consecutive terms.” and inserting “consecutive terms, except that upon the expiration of his or her term, an appointed member may continue to serve until his or her successor has been appointed.

“(12) Section 103(c)(9) (110 Stat. 4100) is amended by strike “properties administered by the Trust” and insert in lieu thereof “properties administered by the Trust and all interest created under leases, concessions, permits and other agreements associated with the properties”;

“(13) Section 104(d) (110 Stat. 4102) is amended as follows:

(1) by inserting “(1)” after Financial Authorities.”;

(2) by striking “(1) The authority” and inserting in lieu thereof “(A) The authority”;

(3) by striking “(A) the terms” and inserting in lieu thereof “(i) the terms”;

(4) by striking “(B) adequate” and inserting in lieu thereof “(ii) adequate”;

(5) by striking “(C) such guarantees” and inserting in lieu thereof “(iii) such guarantees”;

(6) by striking “(2) The authority” and inserting in lieu thereof “(B) The authority”;

(7) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3) respectively;

(8) in paragraph (2) (as redesignated by this section)—

(A) by striking “The authority” and inserting in lieu thereof “The Trust shall also have the authority”;

(B) by striking “after determining that the projects to be funded from the proceeds thereof are creditworthy and that a repayment schedule is established and only”, and

(C) by inserting after “and subject to such terms and conditions,” the words “including