and second time by unanimous consent, and referred as indicated:

By Mr. THOMPSON (for himself, Mr. FRIST, Mr. DEWINE, Mr. VOINOVICH, and Mr. SMITH of Oregon):

S. 440. A bill to provide support for certain institutes and schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SARBANES (for himself and Ms. MIKULSKI):

S. 441. A bill to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system; to the Committee on Energy and Natural Resources.

By Mr. KERREY:

S. 442. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel LOOKING GLASS; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself, Mr. SCHUMER, and Mr. DURBIN):

S. 443. A bill to regulate the sale of firearms at gun shows; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself and Mr. BURNS):

S. 444. A bill to deem the application submitted by the Dodson Public Schools District for Impact Aid payments for fiscal year 1998 as timely submitted; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JEFFORDS (for himself, Mr. SPECTER, Mr. ROCKEFELLER, Mr. MCCAIN, Mr. THURMOND, Mr. MURKOWSKI, Mr. CAMPBELL, Mr. CRAIG, Mr. HUTCHINSON, Ms. SNOWE, Mr. DASCHLE, Mr. GRAHAM, Mr. AKAKA, Mr. WELLSTONE, Mrs. MURRAY, Mr. HOLLINGS, Mr. LEAHY, Mr. CLELAND, Ms. LANDRIEU, and Mr. JOHNSON):

S. 445. A bill to amend title XVIII of the Social Security Act to require the Secretary of Veterans Affairs and the Secretary of Health and Human Services to carry out a demonstration project to provide the Department of Veterans Affairs with medicare reimbursement for medicare healthcare services provided to certain medicare-eligible veterans; to the Committee on the Judiciary.

By Mrs. BOXER (for herself, Mr. KERRY, and Mr. TORRICELLI):

S. 446. A bill to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; to the Committee on Energy and Natural Resources.

By Mr. BURNS:

S. 447. A bill to deem as timely filed, and process for payment, the applications submitted by the Dodson School Districts for certain Impact Aid payments for fiscal year 1999; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH of New Hampshire:

S.J. Res. 11. A joint resolution prohibiting the use of funds for military operations in the Federal Republic of Yugoslavia (Serbia and Montenegro) unless Congress enacts specific authorization in law for the conduct of those operations; read the first time.

By Mr. SPECTER:

S.J. Res. 12. A joint resolution authorizing the conduct of air operations and missile strikes as part of a larger NATO operation against the Federal Republic of Yugoslavia (Serbia and Montenegro); to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HUTCHISON (for herself and Ms. MIKULSKI):

S. Res. 48. A resolution designating the week beginning March 7, 1999, as ''National Girl Scout Week''; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMPSON (for himself, Mr. FRIST, Mr. DEWINE, Mr. VOINOVICH, and Mr. SMITH of Oregon):

S. 440. A bill to provide support for certain institutes and schools; to the Committee on Health, Education, Labor, and Pensions.

LEGISLATION TO PROVIDE SUPPORT FOR CERTAIN INSTITUTES AND SCHOOLS

● Mr. THOMPSON. Mr. President, today Senator FRIST and I are introducing a bill to establish the Howard Baker School of Government on the campus of the University of Tennessee, Knoxville.

The University of Tennessee has a long and proud tradition of providing the highest quality education to students from Tennessee and around the world. The Howard Baker School of Government would be but the latest installment in this institution's ongoing commitment to preparing its student body by giving them the tools and knowledge necessary to succeed in the pursuit of their dreams.

With this said, I can think of no greater tribute to our friend and colleague, the former Majority Leader of this body, Senator Howard Baker, than to further his legacy of promoting the best in our political system by establishing this School in his honor.

In many ways, Senator Baker's entire life has been a lesson in public service. Those of us from his home state of Tennessee have matured in his shadow and have been inspired by his vision. His positive influence has not, however, been limited by Tennessee's borders. Senator Baker is one of those rare individuals whose leadership has lifted the entire nation. Creating this School of Government in his name would not only be a tribute to a man but a logical extension of that man's continuing lifework.

In 1966, Senator Baker became the first Republican popularly elected to the United States Senate in Tennessee's history. This was not because of a great rise in Tennessee's Republican population, but rather was an indication of Senator Baker's unique ability to reach out to people of different backgrounds with diverging views and spark in them that all-encompassing common vision—that we live together in a great nation that has an even greater future.

Senator Baker served in this body from 1967 until January 1985, as Minority Leader from 1977 until 1981, and then as Majority Leader until his retirement. After leaving the Senate, Senator Baker served admirably as Chief of Staff to President Ronald Reagan and he continues to this day to provide us with a keen insight into the principles of true leadership.

Throughout each phase of Senator Baker's life he has clearly demonstrated that statesmanship is not something relegated to our history books. It is alive and well. His continuing example is a call to each of us that we can and should rise to the challenge of citizenship in a way that brings us together as a nation and further strengthens this great experiment called the United States.

I can think of no better union than the ideals and example of Senator Howard Baker with the dedication to higher education of the University of Tennessee. The Howard Baker School of Government will be an institution each of us can be proud to have supported and one that will further the principles of good government to which each of us is committed.●

● Mr. FRIST. Mr. President, I rise today to introduce legislation to establish the Howard Baker School of Government at the University of Tennessee, Knoxville. I am proud to introduce this legislation with my colleague, Senator THOMPSON. Although the Senate passed this legislation last year, unfortunately it was not signed into law before the completion of the 105th Congress.

The bill we are introducing today would create a new academic program at the University of Tennessee, and authorize the appropriation of $10 million to establish the school and its endowment fund to provide long-term funding for personnel and operations. I am pleased that this school is to be named in honor of Senator Howard Baker, who is a University of Tennessee alumnus. Senator Baker has enjoyed a distinguished career in public service. He served in the U.S. Senate for 18 years, held the positions of Minority and Majority Leader, was a presidential candidate, and has served as White House Chief of Staff to President Reagan. Senator Baker has been a long supporter of the University of Tennessee, working diligently to raise funds for various fellowships and scholarships. He has served his State and country with pride and integrity, and it is therefore fitting that we establish a School of Government in his name.

The Howard Baker School of Government would comprise the existing political science, public administration, regional planning, and social science research programs, house manuscript collections from important public figures such as Tennessee's three presidents and leading twentieth-century

political figures, and institute a lecture series on public issues. In addition, the school will establish a professorship to improve the teaching, research, and understanding of democratic institutions, establish a fellowship program for students interested in pursuing a career in public affairs, and support the professional development of elected officials at all government levels. The School of Government will be housed in the renovated former Hoskins Library, and will be dedicated to advancing the principles of democratic citizenship, civic duty, and public responsibility through the education and training of informed citizenry and public officials.

Again, I am proud to introduce this legislation which I believe will bring greater prominance to the University of Tennessee, Knoxville, while simultaneously honoring one of our State's most distinguished public servants.●

● Mr. DEWINE. Mr. President, I rise today in support of important legislation that would create an endowment for a public-policy institute in Columbus. This institute will embody the spirit of our recently-retired U.S. Senator, the Honorable John Glenn.

The bill would create an endowment fund for the John Glenn Institute for Public Service and Public Policy at the Ohio State University in Columbus, Ohio. The bill also creates endowment funds for the Mark O. Hatfield School of Government at Portland State University, the Paul Simon Public Policy Institute at Southern Illinois University, and the Howard Baker School of Government at the University of Tennessee.

Mr. President, I have long believed that the study of politics would benefit greatly if more statesmen were to contribute their hands-on expertise. And not only that; it is the example of their supremely practical idealism that we really need if we are to understand and solve the problems confronting tomorrow's America.

We in Ohio are proud to host the Glenn Institute, which will serve many purposes: (1) ''To sponsor classes, internships, community service activities, and research projects to stimulate student participation in public service, in order to foster America's next generation of leaders.''

(2) ''To conduct scholarly research in conjunction with public officials on significant issues facing society and to share the results of such research with decision-makers and legislators as the decision-makers and legislators address such issues.''

(3) ''To offer opportunities to attend seminars on such topics as budgeting and finance, ethics, personnel management, policy evaluations, and regulatory issues that are designed to assist public officials in learning more about the political process and to expand the organizational skills and policy-making abilities of such officials.''

(4) ''To educate the general public by sponsoring national conferences, seminars, publications, and forums on important public issues.''

(5) ''To provide access to Senator John Glenn's extensive collection of papers, policy decisions, and memorabilia, enabling scholars at all levels to study the Senator's work.''

All of these, Mr. President, are valuable goals. I understand the center plans to address specifically the consequences of media coverage on public service; analyze the effectiveness of civics education classes in our K–12 schools; design training programs for public officials on issues such as policy evaluation, communications strategies and ethics; and create an undergraduate major in public policy.

Senator Glenn himself recently underscored the mission of the Institute, saying, and I quote: ''What we do today will determine what kind of country our kids will live in tomorrow. And that's worth working for.'' He also said, ''You can go to the National Archives in Washington, D.C., and it's almost a religious experience to look at the U.S. Constitution. But that piece of paper is not worth a thing without people to make it real. I look at public service as being the personnel department for the Constitution. People in public service are the ones who make it work.''

Mr. President, I could not agree more, and that is why I'm backing this bill. The bill provides an authorization of $10 million for the Glenn Institute, and the Ohio State University must match that endowment with an amount equal to one third the endowment.

It's a good investment in the future of our public life.●

By Mr. SARBANES (for himself, and Ms. MIKULSKI):

S. 441. A bill to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system; to the Committee on Energy and Natural Resources.

THE STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL STUDY ACT OF 1999

Mr. SARBANES. Mr. President, today I am introducing legislation, together with my colleague Senator MIKULSKI, which will help commemorate and preserve significant sites associated with America's Second War of Independence, the War of 1812. My legislation, entitled ''The Star-Spangled Banner National Historic Trail Study Act of 1999,'' directs the Secretary of the Interior to initiate a study to assess the feasibility and desirability of designating the route of the British invasion of Washington, D.C. and their subsequent defeat at Baltimore, Maryland, as a National Historic Trail. A similar companion bill is being sponsored by Congressmen BEN CARDIN and WAYNE GILCHREST in the House of Representatives.

Since the passage of the National Trail Systems Act of 1968, the National Park Service has recognized historically significant routes of exploration, migration and military action through its National Historic Trails Program. Routes such as the Juan Bautista de Anza, Lewis and Clark, Pony Express and Selma to Montgomery National Historic Trails cross our country and represent important episodes of our nation's history, episodes which were influential in shaping the very future of this country. It is my view that the inclusion of the Star-Spangled Banner Trail will give long overdue recognition to another of these important events.

The War of 1812, and the Chesapeake Campaign in particular, mark a turning point in the development of the United States. Faced with the possibility of losing the independence for which they struggled so valiantly, the citizens of this country were forced to assert themselves on an international level.

From the period of the arrival of the British forces at Benedict, in Charles County, Maryland, on August 18, 1814, to the American victory at Fort McHenry in Baltimore, on September 14, 1814, the war took a dramatic turn. The American forces, largely comprised of Maryland's citizens, were able to slow the British advance through the state and successfully defended Baltimore, leading to the retreat of the British.

The more than 30 sites along this trail mark some of the most historically important events of the War of 1812. The Star-Spangled Banner Trail, commemorating the only combined naval and land attack on the United States, begins with the June, 1814 battles between the British Navy and the American Chesapeake Flotilla at St. Leonard's Creek in Calvert County, Maryland. It continues to the site of the British landing at Benedict, Maryland the starting point of the British march to the nation's capital, Washington, D.C. The trail follows the defeat of the Americans at the Battle of Bladensburg, the evacuation of the United States Government, the burning of the nation's capital, including the White House and the Capitol Building, the battle at North Point and the bombardment of Fort McHenry, site of the composition of our National Anthem, the Star-Spangled Banner, and the ultimate defeat of the British.

The route will also serve to bring awareness to several lesser known, but equally important sites of the war, including St. Leonard's Creek in Calvert County, where Commodore Joshua Barney's Chesapeake Flotilla managed to successfully beat back two larger and more heavily armed British ships, the Upper Chesapeke Bay and related skirmishes there, Brookeville, Maryland, which served as the nation's capital for one day, and Todd's Inheritance, the signal station for the American defenders at Fort McHenry. These sites, and

many like them, will only enrich the story told along the trail. Additionally, the attention given to these sites should prove beneficial in terms of efforts to preserve and restore them. Mr. President, at this time I ask unanimous consent that a more detailed list of these sites, as well as a copy of this legislation and a letter of support from Governor Parris Glendening, be included in the RECORD.

Mr. President, the designation of the route of the British invasion of Washington and American defense of Baltimore as a National Historic Trail will serve as a reminder of the importance of the concept of liberty to all who experience the Star-Spangled Banner Trail. It will also give long overdue recognition to those patriots whose determination to stand firm against enemy invasion and bombardment preserved this liberty for future generations of Americans.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 441

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Star-Spangled Banner National Historic Trail Study Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the British invasion of Maryland and Washington, District of Columbia, during the War of 1812 marks a defining period in the history of our Nation, the only occasion on which the United States of America has been invaded by a foreign power;

(2) the Star-Spangled Banner National Historic Trail traces the route of the British naval attack on the Chesapeake Flotilla at St. Leonard's Creek, the landing of the British forces at Benedict, Maryland, the American defeat at the Battle of Bladensburg, the siege of the Nation's capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), the British expedition to and subsequent skirmishes within the upper Chesapeake Bay, the route of the American troops between Washington and Baltimore, the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry, on September 14, 1814, where a distinguished Maryland lawyer and poet, Francis Scott Key, wrote the words that captured the essence of our national struggle for independence, words that now serve as our national anthem, the Star-Spangled Banner; and

(3) the designation of this route as a national historic trail—

(A) would serve as a reminder of the importance of the concept of liberty to all who experience the Star-Spangled Banner National Historic Trail; and

(B) would give long overdue recognition to the patriots whose determination to stand firm against enemy invasion and bombardment preserved this liberty for future generations of Americans.

SEC. 3. DESIGNATION OF TRAIL FOR STUDY.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended—

(1) by redesignating paragraph (36) (as added by section 3 of the El Camino Real Para Los Texas Study Act of 1993 (107 Stat. 1497)) as paragraph (37);

(2) by designating the paragraphs relating to the Old Spanish Trail and the Great Western Scenic Trail as paragraphs (38) and (39), respectively; and

(3) by adding at the end the following:

''(40) STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL.—

''(A) IN GENERAL.—The Star-Spangled Banner National Historic Trail, tracing the War of 1812 route of the British naval attack on the Chesapeake Flotilla at St. Leonard's Creek, the landing of the British forces at Benedict, Maryland, the American defeat at the Battle of Bladensburg, the siege of the Nation's capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), actions between the British and American forces in the upper Chesapeake Bay, the route of the American troops between Washington and Baltimore, the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry, on September 14, 1814.

''(B) AFFECTED AREAS.—The trail crosses more than 6 Maryland counties, the city of Baltimore, and Washington, District of Columbia.''.

STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL

The Proposed Star-Spangled Banner National Historic Trail traces the route of the War of 1812 British Invasion of our Nation's Capital and the American Defense of Baltimore.

Possible sites for inclusion along the proposed Star-Spangled Banner National Historic Trail:

CALVERT COUNTY

St. Leonard's Creek—Battles of St. Leonard's Creek.

Lower Marlboro Fishing Pier—Site of British war graves; British Generals Conference.

Prince Frederick—British destruction of County Seat.

CHARLES COUNTY

Benedict—Site of the British Landing.

Oldfields Chapel—Burial site of British soldiers.

Mattingly Memorial Park—Site of U.S. Navy delay of British retreat from Washington, D.C.

PRINCE GEORGE'S COUNTY

Bladensburg—Site of the Battle of Bladensburg.

Ft. Washington—Formerly Fort Washburton.

Belair Mansion, Bostwick House, Riversdale, Mount Welby—Historic Homes occupied in 1814.

Pig's Point—Scuttling of Chesapeake Flotilla by Commodore Barney to prevent British advance.

WASHINGTON, D.C.

White House, Capitol, Treasury Department, Sewell-Belmont House—Burned by the British.

The Octagon—Madison's residence after invasion.

MONTGOMERY COUNTY

Brookeville—U.S. Capital for one day.

Rockville—Site of British Encampments.

HOWARD COUNTY

Ellicott City—American march to Baltimore.

Savage—Home of Commodore Barney.

BALTIMORE COUNTY

North Point—Battle of North Point.

Todd's Inheritance—American Signal Station.

Methodist Meeting House—American Camp.

North Point Road—Route of British March.

BALTIMORE CITY

Ft. McHenry—Site of the American Victory.

Star-Spangled Banner Flag House & War of 1812 Museum—Birthplace Star-Spangled Banner.

Federal Hill—Site where citizens viewed battle.

KENT COUNTY

Caulk's Field—Site of the Battle of Caulk's Field.

Cedar Point—Site of log boom which prevented British advancement.

STATE OF MARYLAND,
OFFICE OF THE GOVERNOR,
Annapolis, MD, February 18, 1999.

The Hon. PAUL SARBANES,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR SARBANES: Thank you for your letter of support to the American Battlefield Protection Program regarding the grant application submitted by the Maryland Tourism Development Board. While reading your letter, I was reminded of how far we can go as a State if we combine our efforts and work together to achieve our goals.

Additionally, I am aware of and very interested in the National Historic Trail legislation you are re-introducing to Congress this session. The designation of a multi-jurisdictional National Historic Trail would have significant impact on Maryland's War of 1812 Heritage Tourism Initiative. My staff and I are ready to assist in the designation process in anyway you deem necessary.

As always, it was a pleasure to hear from you, I look forward to seeing you soon.

Sincerely,

PARRIS N. GLENDENING,
Governor.

By Mr. LAUTENBERG (for himself, Mr. SCHUMER, and Mr. DURBIN):

S. 443. A bill to regulate the sale of firearms at gun shows; to the Committee on the Judiciary.

THE GUN SHOW ACCOUNTABILITY ACT

Mr. LAUTENBERG. Mr. President, I rise to introduce legislation which will close the loophole in our gun laws which allows criminals to buy and sell firearms at gun shows.

Last year, there were more than 4,400 gun shows across America. While most of the citizens who participate in these gun shows are law-abiding, there is mounting evidence that criminals are using these events for more sinister purposes.

The problem is that current law allows unlicensed dealers to sell countless firearms without any background checks on the buyer or documentation of the sales. Criminals are aware of this loophole and exploit it. A study by the Illinois State Police showed at least 25 percent of illegally trafficked weapons came from gun shows. Militia members including Timothy McVeigh and Michael Fortier used gun shows to easily sell previously stolen guns and obtain a ready supply of firearms in undocumented transactions.

Additionally, the gun show loophole is unfair to law-abiding Federal Firearms Licensees. When they participate in a gun show, they must comply with all background checks and record-keeping, while an unlicensed dealer at the next table can make unlimited sales to any person without the same requirements. The ease of these sales

drains significant business from law-abiding gun store owners and other licensees, and penalizes them for following the law. Recognizing this problem, the National Alliance of Stocking Gun Dealers recently endorsed tighter regulations of gun shows: ''[W]e want to make it clear that persons attending Gun Shows to skirt laws and acquire guns for criminal use are unwelcome patrons of these events and diminish their purpose and quality.''

During the 105th Congress, I introduced the Gun Show Sunshine Act in an effort to address this issue. Subsequently, President Clinton directed the Attorney General to study gun show firearm transactions and make recommendations to crack down on illegal sales.

The Administration's recently released report confirmed what other law enforcement officials have been saying: gun shows are becoming illegal arms bazaars, where criminals buy and sell deadly weapons with impunity. The report looked at 314 recent Alcohol, Tobacco, and Firearms (ATF) investigations involving 54,000 firearms linked to gun shows. Nearly half of the investigations involved felons buying or selling firearms, and in more than one-third of the cases, the firearms in question were known to have been used in subsequent crimes.

Today, I am introducing legislation that proposes a simple approach to the gun show loophole—no background check, no gun, no exceptions. This measure incorporates the recommendations made by the Department of Justice and the Treasury Department and I appreciate the Administration's support.

This bill would take several steps designed to make it harder for criminals to buy and sell weapons at gun shows. It would require gun show promoters to register and notify ATF of all gun shows, maintain and report a list of vendors at the show, and ensure that all vendors acknowledge receipt of information about their legal obligations. Also, it would require that any firearms sales go through a Federal Firearms Licensee (FFL). The idea is that if an unlicensed person was selling a weapon, they would use a FFL at the gun show to complete the transaction. The FFL would be responsible for conducting a Brady check on the purchaser and maintaining records of the transactions. The FFL could charge a fee for the service.

In order to make it easier for law enforcement to bring criminals to justice, the bill would also require FFLs to submit information necessary to trace all firearms transferred at gun shows to ATF's National Tracing Center, including the manufacturer/importer, model, and serial number of the firearms.

These reasonable requirements will make our streets safer by making it harder for criminals to get guns. At the same time, these regulations will not unduly burden those law-abiding Americans who enjoy gun shows.

I urge my colleagues to join with me in this effort to close the gun show loophole. We must do more to prevent the easy access to firearms which fuels the gun violence across the country.

I ask unanimous consent that a copy of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 443

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Gun Show Accountability Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) more than 4,400 traditional gun shows are held annually across the United States, attracting thousands of attendees per show and hundreds of Federal firearms licensees and nonlicensed firearms sellers;

(2) traditional gun shows, as well as flea markets and other organized events, at which a large number of firearms are offered for sale by Federal firearms licensees and nonlicensed firearms sellers, form a significant part of the national firearms market;

(3) firearms and ammunition that are exhibited or offered for sale or exchange at gun shows, flea markets, and other organized events move easily in and substantially affect interstate commerce;

(4) in fact, even before a firearm is exhibited or offered for sale or exchange at a gun show, flea market, or other organized event, the gun, its component parts, ammunition, and the raw materials from which it is manufactured have moved in interstate commerce;

(5) gun shows, flea markets, and other organized events at which firearms are exhibited or offered for sale or exchange, provide a convenient and centralized commercial location at which firearms may be bought and sold anonymously, often without background checks and without records that enable gun tracing;

(6) at gun shows, flea markets, and other organized events at which guns are exhibited or offered for sale or exchange, criminals and other prohibited persons obtain guns without background checks and frequently use guns that cannot be traced to later commit crimes;

(7) many persons who buy and sell firearms at gun shows, flea markets, and other organized events cross State lines to attend these events and engage in the interstate transportation of firearms obtained at these events;

(8) gun violence is a pervasive, national problem that is exacerbated by the availability of guns at gun shows, flea markets, and other organized events;

(9) firearms associated with gun shows have been transferred illegally to residents of another State by Federal firearms licensees and nonlicensed firearms sellers, and have been involved in subsequent crimes including drug offenses, crimes of violence, property crimes, and illegal possession of firearms by felons and other prohibited persons; and

(10) Congress has the power, under the interstate commerce clause and other provisions of the Constitution of the United States, to ensure, by enactment of this Act, that criminals and other prohibited persons do not obtain firearms at gun shows, flea markets, and other organized events.

SEC. 3. EXTENSION OF BRADY BACKGROUND CHECKS TO GUN SHOWS.

(a) DEFINITIONS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(35) GUN SHOW.—The term 'gun show' means any event—

''(A) at which 50 or more firearms are offered or exhibited for sale, transfer, or exchange, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

''(B) at which 2 or more persons are offering or exhibiting 1 or more firearms for sale, transfer, or exchange.

''(36) GUN SHOW PROMOTER.—The term 'gun show promoter' means any person who organizes, plans, promotes, or operates a gun show.

''(37) GUN SHOW VENDOR.—The term 'gun show vendor' means any person who exhibits, sells, offers for sale, transfers, or exchanges 1 or more firearms at a gun show, regardless of whether or not the person arranges with the gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange 1 or more firearms.''

(b) REGULATION OF FIREARMS TRANSFERS AT GUN SHOWS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

''§ 931. Regulation of firearms transfers at gun shows

''(a) REGISTRATION OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

''(1) registers with the Secretary in accordance with regulations promulgated by the Secretary; and

''(2) pays a registration fee, in an amount determined by the Secretary.

''(b) RESPONSIBILITIES OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

''(1) not later that 30 days before commencement of the gun show, notifies the Secretary of the date, time, duration, and location of the gun show and any other information concerning the gun show as the Secretary may require by regulation;

''(2) not later than 72 hours before commencement of the gun show, submits to the Secretary an updated list of all gun show vendors planning to participate in the gun show and any other information concerning such vendors as the Secretary may require by regulation;

''(3) before commencement of the gun show, verifies the identity of each gun show vendor participating in the gun show by examining a valid identification document (as defined in section 1028(d)(1)) of the vendor containing a photograph of the vendor;

''(4) before commencement of the gun show, requires each gun show vendor to sign—

''(A) a ledger with identifying information concerning the vendor; and

''(B) a notice advising the vendor of the obligations of the vendor under this chapter; and

''(5) notifies each person who attends the gun show of the requirements of this chapter, in accordance with such regulations as the Secretary shall prescribe;

''(6) not later than 5 days after the last day of the gun show, submits to the Secretary a copy of the ledger and notice described in paragraph (4); and

''(7) maintains a copy of the records described in paragraphs (2) through (4) at the permanent place of business of the gun show promoter for such period of time and in such form as the Secretary shall require by regulation.

''(c) RESPONSIBILITIES OF TRANSFERORS OTHER THAN LICENSEES.—

''(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

''(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

''(A) shall not transfer the firearm to the transferee until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

''(B) notwithstanding subparagraph (A), shall not transfer the firearm to the transferee if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

''(d) RESPONSIBILITIES OF TRANSFEREES OTHER THAN LICENSEES.—

''(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to receive a firearm from another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

''(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

''(A) shall not receive the firearm from the transferor until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

''(B) notwithstanding subparagraph (A), shall not receive the firearm from the transferor if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

''(e) RESPONSIBILITIES OF LICENSEES.—A licensed importer, licensed manufacturer, or licensed dealer who agrees to assist a person who is not licensed under this chapter in carrying out the responsibilities of that person under subsection (c) or (d) with respect to the transfer of a firearm shall—

''(1) enter such information about the firearm as the Secretary may require by regulation into a separate bound record;

''(2) record the transfer on a form specified by the Secretary;

''(3) comply with section 922(t) as if transferring the firearm from the inventory of the licensed importer, licensed manufacturer, or licensed dealer to the designated transferee (although a licensed importer, licensed manufacturer, or licensed dealer complying with this subsection shall not be required to comply again with the requirements of section 922(t) in delivering the firearm to the nonlicensed transferor), and notify the nonlicensed transferor and the nonlicensed transferee—

''(A) of such compliance; and

''(B) if the transfer is subject to the requirements of section 922(t)(1), of any receipt by the licensed importer, licensed manufacturer, or licensed dealer of a notification from the national instant criminal background check system that the transfer would violate section 922 or would violate State law;

''(4) not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

''(A) shall be on a form specified by the Secretary by regulation; and

''(B) shall not include the name of or other identifying information relating to any person involved in the transfer who is not licensed under this chapter;

''(5) if the licensed importer, licensed manufacturer, or licensed dealer assists a person other than a licensee in transferring, at 1 time or during any 5 consecutive business days, 2 or more pistols or revolvers, or any combination of pistols and revolvers totaling 2 or more, to the same nonlicensed person, in addition to the reports required under paragraph (4), prepare a report of the multiple transfers, which report shall be—

''(A) prepared on a form specified by the Secretary; and

''(B) not later than the close of business on the date on which the transfer occurs, forwarded to—

''(i) the office specified on the form described in subparagraph (A); and

''(ii) the appropriate State law enforcement agency of the jurisdiction in which the transfer occurs; and

''(6) retain a record of the transfer as part of the permanent business records of the licensed importer, licensed manufacturer, or licensed dealer.

''(f) RECORDS OF LICENSEE TRANSFERS.—If any part of a firearm transaction takes place at a gun show, each licensed importer, licensed manufacturer, and licensed dealer who transfers 1 or more firearms to a person who is not licensed under this chapter shall, not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

''(1) shall be in a form specified by the Secretary by regulation;

''(2) shall not include the name of or other identifying information relating to the transferee; and

''(3) shall not duplicate information provided in any report required under subsection (e)(4).

''(g) FIREARM TRANSACTION DEFINED.—In this section, the term 'firearm transaction' includes the exhibition, sale, offer for sale, transfer, or exchange of a firearm.''.

(2) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

''(7)(A) Whoever knowingly violates section 931(a) shall be fined under this title, imprisoned not more than 5 years, or both.

''(B) Whoever knowingly violates subsection (b) or (c) of section 931, shall be—

''(i) fined under this title, imprisoned not more than 2 years, or both; and

''(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

''(C) Whoever willfully violates section 931(d), shall be—

''(i) fined under this title, imprisoned not more than 2 years, or both; and

''(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

''(D) Whoever knowingly violates subsection (e) or (f) of section 931 shall be fined under this title, imprisoned not more than 5 years, or both.

''(E) In addition to any other penalties imposed under this paragraph, the Secretary may, with respect to any person who knowingly violates any provision of section 931—

''(i) if the person is registered pursuant to section 931(a), after notice and opportunity for a hearing, suspend for not more than 6 months or revoke the registration of that person under section 931(a); and

''(ii) impose a civil fine in an amount equal to not more than $10,000.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(A) in the chapter analysis, by adding at the end the following:

''931. Regulation of firearms transfers at gun shows.''; and

(B) in the first sentence of section 923(j), by striking ''a gun show or event'' and inserting ''an event''; and

(c) INSPECTION AUTHORITY.—Section 923(g)(1) is amended by adding at the end the following:

''(E) Notwithstanding subparagraph (B), the Secretary may enter during business hours the place of business of any gun show promoter and any place where a gun show is held for the purposes of examining the records required by sections 923 and 931 and the inventory of licensees conducting business at the gun show. Such entry and examination shall be conducted for the purposes of determining compliance with this chapter by gun show promoters and licensees conducting business at the gun show and shall not require a showing of reasonable cause or a warrant.''.

(d) INCREASED PENALTIES FOR SERIOUS RECORDKEEPING VIOLATIONS BY LICENSEES.—Section 924(a)(3) of title 18, United States Code, is amended to read as follows:

''(3)(A) Except as provided in subparagraph (B), any licensed dealer, licensed importer, licensed manufacturer, or licensed collector who knowingly makes any false statement or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter, or violates section 922(m) shall be fined under this title, imprisoned not more than 1 year, or both.

''(B) If the violation described in subparagraph (A) is in relation to an offense—

''(i) under paragraph (1) or (3) of section 922(b), such person shall be fined under this title, imprisoned not more than 5 years, or both; or

''(ii) under subsection (a)(6) or (d) of section 922, such person shall be fined under this title, imprisoned not more than 10 years, or both.''.

(e) INCREASED PENALTIES FOR VIOLATIONS OF CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

(1) PENALTIES.—Section 924 of title 18, United States Code, is amended—

(A) in paragraph (5), by striking ''subsection (s) or (t) of section 922'' and inserting ''section 922(s)''; and

(B) by adding at the end the following:

''(8) Whoever knowingly violates section 922(t) shall be fined under this title, imprisoned not more than 5 years, or both.''.

(2) ELIMINATION OF CERTAIN ELEMENTS OF OFFENSE.—Section 922(t)(5) of title 18, United States Code, is amended by striking ''and, at the time'' and all that follows through ''State law''.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

By Mr. JEFFORDS (for himself, Mr. SPECTER, Mr. ROCKEFELLER, Mr. MCCAIN, Mr. THURMOND, Mr. MURKOWSKI, Mr. CAMPBELL, Mr. CRAIG, Mr. HUTCHINSON, Ms. SNOWE, Mr. DASCHLE, Mr. GRAHAM, Mr. AKAKA, Mr. WELLSTONE, Mrs. MURRAY, Mr. HOLLINGS, Mr. LEAHY, Mr.

CLELAND, Ms. LANDRIEU, and Mr. JOHNSON):

S. 445. A bill to amend title XVIII of the Social Security Act to require the Secretary of Veterans Affairs and the Secretary of Health and Human Services to carry out a demonstration project to provide the Department of Veterans Affairs with Medicare reimbursement for Medicare healthcare services provided to certain medicare-eligible veterans; to the Committee on the Judiciary.

Mr. JEFFORDS. Mr. President, I am proud to introduce the Veterans' Equal Access to Medicare Act. This bill will give all our nations' veterans the freedom to choose where they receive their medical care. I am joined by the Chairman and Ranking Member of the Veterans' Affairs Committee, Senators SPECTER and ROCKEFELLER, as well as Senators THURMOND, MURKOWSKI, CAMPBELL, CRAIG, HUTCHINSON, MCCAIN, SNOWE, DASCHLE, GRAHAM, AKAKA, WELLSTONE, MURRAY, HOLLINGS, CLELAND, LANDRIEU, JOHNSON, and my friend and colleague from Vermont, Senator LEAHY.

Known to some as ''Medicare Subvention,'' this legislation will authorize the Department of Veterans Affairs (VA) to set up 10 pilot sites around the country where Medicare-eligible Veterans could get Medicare-covered services at a Veterans hospital. The VA would then be reimbursed at a slightly reduced rate for provision of those services. Many Medicare-eligible veterans want to receive their care at a VA facility. This bill would allow certain veterans that option.

My legislation would implement a pilot project that is eagerly sought by both the Veterans Administration and the Veterans Service Organizations. Veterans want the right to choose where they get their Medicare-covered services. Many of them would like to go to a Veterans Administration facility where they would feel more comfortable. We want to make that option possible for those who have given so much of themselves in service to their country.

Our legislation starts with a 10-site demonstration project, limiting total Medicare reimbursements to $50 million annually. The VA is required to maintain its current level of effort, and provisions in the bill prevent it from shifting any current costs to the Medicare Trust Fund. In the event that the demonstration project in any way increased Medicare's costs, the VA would reimburse Medicare for these costs and suspend or terminate the program.

An independent auditor would monitor the demonstration project annually and make reports to Congress on its findings. A final report to Congress three and a half years after commencement of the project from the Secretaries of Veterans Affairs and Health and Human Services would recommend whether to terminate, continue or expand the program.

Almost two years ago, Senator ROCKEFELLER and I successfully included similar legislation in the 1997 Balanced Budget Reconciliation Act. The full Senate endorsed this measure. Unfortunately, our amendment was later dropped in conference.

But we feel strongly that now is the time to enact this legislation. Veterans want and deserve this option, and the VA should be allowed to become a Medicare provider. The Department of Health and Human Services and the Veterans Administration have already reached an agreement on how such a program would be implemented. It's time for us to give this project the green light.

In 1997 the Department of Defense Medicare Subvention program alleviated what our country's military retirees call a ''lockout'' from the military health care system. This bill will finish the job by allowing all our veterans access to the best and most appropriate health care facility of their choosing. Our nation's veterans deserve no less.

I look forward to working with the Senate Finance Committee, Secretary West and the Administration, the Veterans Service Organizations and my colleagues here and in the House to get this legislation signed into law this year.

Mr. SPECTER. Mr. President, along with all the Members of the Committee on Veterans' Affairs, I am pleased to be an original cosponsor of a bill, which my colleague and friend, Senator JIM JEFFORDS, is introducing today. Mr. President, this is a most welcome bill. When enacted, it would direct that the Department of Veterans Affairs (VA) and the Department of Health and Human Services (HHS) enter into an agreement establishing ten geographically dispersed demonstration projects under which VA would provide health care services to certain Medicare-eligible veterans, who would not have otherwise received care in VA, in exchange for reimbursement from the Medicare trust fund. Thus, VA would be able to occupy the same basic position as other health care providers which furnish care to Medicare-eligible patients: VA would be reimbursed by Medicare for providing this care, just as other providers may be reimbursed. The Department of Defense health care system is already authorized to provide such care for reimbursement on a demonstration project basis, and this authority should be extended to the VA as well.

Under the terms of this bill, VA is authorized to establish up to ten subvention sites or health plans, including a site near a closed military base and one that provides care predominately to rural veterans. These sites and plans would provide health care services to Medicare-eligible veterans. Medicare would reimburse VA for such services—similar to the way the Federal Health Care Financing Administration pays other providers in the private sector when they furnish health care services to Medicare-eligible persons—but subject to certain cost-saving conditions. First, while fees paid to VA would be based on those paid to other providers, they would be reduced, across the board, by 5%. Second, reimbursements to VA would be further reduced for subsidies paid by Medicare to private facilities to cover their capital expense and medical education costs, and costs incurred by such providers, if any, in serving a disproportionate number of low-income patients. Thus, Medicare would invariably save funds when care is provided to its patients by VA. In effect, VA would provide care to Medicare-eligible veterans at a discount to the Medicare trust fund.

The Department of Health and Human Services (HHS) would not, however, be required to refer Medicare-eligible patients to VA under this bill. Eligible veterans would continue to be free to select their own health care providers. It would be up to the VA ''demonstration program'' sites to entice Medicare-eligible patients to VA by offering services and care which are more attractive than those provided by community-care providers. One of the underlying purposes of this legislation is to test VA's contention that it can provide the kind of care which will attract veteran-patients who have other alternatives and, at the same time, provide care which is cost effective from the reimburser's, and VA's, viewpoints. Another purpose of the legislation will be to test the hypothesis that VA can meet the needs of its priority patients—veterans with service-connected disabilities and veterans who are poor—while, simultaneously positioning itself to attract other veteran-patients who, due to Medicare eligibility, have the wherewithal to go elsewhere for care.

Whether VA can succeed in providing cost-effective care which attracts patients without causing it to neglect its primary mission is the essence of the question that this bill is intended to answer. Indeed, time—and these demonstration projects—will tell whether providing such care to non-priority veterans for reimbursement will enhance VA's ability, due to an infusion of new Medicare funds, to provide better care to VA's mandated priority patients. Like the Department of Defense—which, as I have noted, already has authority from Congress to obtain reimbursement from Medicare—VA ought to have an opportunity to see if it can succeed in attracting and keeping patients by providing superior care. I can think of no better way to gauge VA quality than assessing the behavior of veterans who can ''vote with their feet.''

I hope that these VA ''demonstration project'' sites will show that VA can, in fact, fully serve its priority patients—veterans with service-connected disabilities and veterans who are poor—while also serving veteran-patients who are able to bring Medicare funding to the VA system. Budgetary constraints have required that VA operate under a ''flat-line'' medical

care appropriation for the past three years even as personnel and other inflationary costs continue to rise from year to year. VA has attempted to increase its collections from private sector, third-party insurers in order to supplement its funding base, but these collections have not been sufficient. I and my colleagues on the Committee on Veterans' Affairs believe that VA ought to have parallel authority to collect reimbursement from Medicare when it provides non-service-connected care to these patients. I ask that my colleagues give the Department this authority by approving this legislation.

Mr. President, I compliment my colleague and friend from Vermont for his leadership on establishing this innovative and crucial legislation that I believe will be an essential tool in the future for VA's care of veterans, and I urge my colleagues to give this bill high priority attention for early passage this year.

Mr. ROCKEFELLER. Mr. President, I am pleased to offer my support to the Veterans' Equal Access to Medicare Act. This bill will authorize a pilot project to allow VA to bill Medicare for health care services provided to certain dual beneficiaries. The legislation is known as VA Medicare subvention, which is a concept that has been discussed over the years by those of us in Congress, by veterans service organizations, and by virtually every advisory body that has studied the VA health care system. I join my colleague Senator JEFFORDS in this initiative.

In the past, many VA hospitals and clinics have been forced to turn away middle income, Medicare-eligible veterans who sought VA care. These hospitals simply did not have the resources to care for them. Now, with eligibility reform, all enrolled veterans will have access to a uniform, comprehensive benefit package. Yet, resources for veterans' health care have not increased, and, in fact, have remained flatlined.

During the first session of the 105th Congress, Senator JEFFORDS and I successfully pushed a similar proposal through the Senate Finance Committee and the full Senate. The basic tenets of the current bill remain the same. For veterans, enactment of the Veterans' Equal Access to Medicare Act would mean the infusion of new revenue and, thus, improved access to care. For the Health Care Financing Administration (HCFA), a VA subvention demonstration project will provide the opportunity to assess the effects of coordination on improving efficiency, access, and quality of care for dual-eligible beneficiaries in a selected number of sites. Finally, Congress would receive the results of this feasibility study, which, once and for all, would give us the necessary data to make rational policy decisions in the future about Medicare and VA's involvement.

The four VA medical centers in my own State of West Virginia spent nearly $5 million caring for Medicare-eligible veterans with middle incomes last year. Although this is telling information, I cannot provide my colleagues with the truly crucial piece of the story—that is, the number of these Medicare-eligible veterans who had been turned away over the years from the very facilities created to serve them because of lack of resources. This demonstration project would encourage these eligible veterans who have not previously received care from the Huntington, Beckley, Martinsburg, and Clarksburg VA Medical Centers to do so, while providing Medicare with cost-savings opportunities.

As in years past, the Veterans' Equal Access to Medicare Act is designed to be budget neutral. To that end, the VA would be required to maintain its current level of services to Medicare-eligible veterans already being served, and would be effectively limited to reimbursement for additional care provided to new users. Payments from Medicare would be at a reduced rate and would exclude Disproportionate Share Hospital adjustments, Graduate Medical Education payments, and a large percentage of capital-related costs. In effect, the VA would be providing health care to Medicare-eligible veterans at a deeply discounted rate. The Department of Health and Human Services and VA would have the ability to adjust payment rates, or to shrink or terminate the program if Medicare's costs increase. In the event that these safeguards included in the proposal fail—an event which the VA has declared unlikely—this proposal caps all Medicare payments to the VA at $50 million.

A HCFA representative testified before the last Congress and stated that this proposal will provide quality service to certain dual-eligible beneficiaries and, ''at the same time, preserve and protect the Medicare Trust Fund for all Americans.'' I believe this.

Although the VA subvention proposal is a small effort compared to the other recent changes made to the Medicare program and the changes yet to come, it is enormously important to our veterans and the health care system they depend upon. And regardless of any policy changes resulting from the Bipartisan Commission on the Future of Medicare, an excellent opportunity will remain to test the idea of Medicare subvention to VA.

Over the last couple of years, we have tried to enact this proposal. Unfortunately, we have continually met resistance. Others who favor the subvention concept have even tried to turn this Medicare-cost saving proposal into a way to make sweeping policy changes about the delivery of VA health care. My goal this session is to overcome this resistance and enact this proposal without any extraneous measures.

Truly, this VA/Medicare proposal is a way to provide quality health care to veterans who are also eligible for Medicare, while at the same time preserving and protecting the Medicare Trust Fund. With a signed Memorandum of Agreement between VA and HCFA, VA is ready to move ahead with this demonstration project. Finally, the Department of Defense Medicare Subvention test program—TRICARE Senior Prime—is progressing. Let us not delay VA any longer.

Mr. President, veterans deserve the opportunity to come to VA facilities for their care and bring their Medicare coverage with them. I look forward to working with my colleagues on the Committees on Finance and Veterans' Affairs to make this long sought-after proposal a reality.

Mr. MCCAIN. Mr. President, I am proud to be an original co-sponsor of the Veterans' Equal Access to Medicare Act, which would authorize a demonstration of Medicare subvention within the Department of Veterans Affairs (VA) health care system. Many of us supported similar legislation sponsored by Senator JEFFORDS and incorporated into the Senate version of the 1997 Budget Resolution. Unfortunately, this measure was removed by the conferees to the bill and did not become law. In the 105th Congress, separate legislation authorizing a test of Medicare subvention for veterans passed the House of Representatives but stalled in the Senate. The intervening period has only made more apparent the benefits of allowing Medicare-eligible veterans to use their Medicare entitlement for care at local VA medical facilities.

The Veterans' Equal Access to Medicare Act would establish a three-year demonstration project at up to 10 sites around the country, including a site near a military medical facility closed under the Base Realignment and Closure process and a site in an area where the target population is predominantly rural. The VA would bill Medicare for Medicare-covered services provided to eligible veterans at these sites. Veterans' participation would be voluntary, and participants would make the same Medicare co-payments to the VA as at non-VA facilities.

The legislation also contains important safeguards. The VA's Inspector General must certify the accounting and managerial capabilities of participating facilities; the VA must maintain its current level of effort to prevent cost shifting from the VA to the Medicare Trust Fund; the Comptroller General must audit the demonstration project annually to ensure that the Medicare Trust Fund does not incur any additional costs; and Medicare payments to the VA must be capped at $50 million annually. After three years, the Secretaries of Health and Human Services and Veterans Affairs would be required to submit recommendations to Congress on whether to extend or expand the project.

By permitting the VA to collect and retain Medicare payments for health care provided to eligible veterans, our legislation would demonstrate subvention's ability to enhance access to the VA medical system for veterans

and channel critical non-appropriated funding into the VA network without raising costs to the Medicare Trust Fund. But don't take my word for it. The Fiscal Year 2000 Independent Budget jointly proposed by AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars summarizes the virtues of VA Medicare subvention as follows:

Medicare subvention will benefit veterans, taxpayers, and ultimately VA. It would give veterans who currently do not have access to VA health care the option of choosing the VA system. VA believes it can deliver care to Medicare beneficiaries at a discounted rate, which would save money for the Medicare Trust Fund and stretch taxpayer dollars.

In other words, this is win-win legislation for all concerned parties. Veterans receive better access to quality health care; the VA benefits from an inflow of non-appropriated funding; and VA provides more efficient care than other Medicare providers, saving scarce resources in this era of balanced budgets.

Military retirees, but not veterans, currently qualify for an ongoing Medicare subvention demonstration project authorized by Congress in 1997. In 1996, I had introduced legislation to authorize Medicare reimbursement to the Department of Defense for care provided to Medicare-eligible retirees and their families. Although the Senate included this provision in its version of the Fiscal Year 1997 Defense Appropriations bill, it was dropped in conference with the House.

A year later, I supported the current Medicare subvention demonstration project for military retirees, which was included in the Balanced Budget Act of 1997. It is my hope that this project will demonstrate the potential for Medicare subvention to defray the escalating costs of the Military Health Service System, slow the depletion of the Medicare Trust Fund, and provide a more generous benefit to retired service members seeking the quality health care our government promised them.

I do not need to remind my colleagues that we also promised medical benefits to veterans who served for fewer than 20 years and are not entitled to retirement benefits. That the Department of Veterans Affairs manages the largest health care network in the United States is testament to our continuing effort to make good on that promise. But the quantity of health care providers for veterans is not at issue today; rather, the quality of care is among the most pressing items on the agenda of America's veterans and their advocates.

The veterans from whom I am honored to hear on my travels across the United States and in my Senate office frequently remind me that the VA health care system does not always offer them the quality of care they have clearly earned. Authorizing a test of Medicare subvention for veterans would hopefully demonstrate its ability to improve veterans' access to VA facilities and enhance the quality of service there.

For this reason, the Department of Veterans Affairs supports a Medicare subvention demonstration. So do the major veterans' service organizations whose membership comprises the very individuals who would be affected by this legislation. I would also note that a majority of both houses of the 105th Congress voted in favor of legislation to authorize a Medicare subvention demonstration for veterans, even though the specific terms of that legislation differed somewhat.

Mr. President, I wish to conclude my remarks by once again drawing from the wisdom of the veterans' service organizations' Independent Budget, which warns that Medicare subvention funding must be a supplement to, not a substitute for, an adequate VA appropriation. Veterans' care and benefits have been underfunded for years. Implementing a test of Medicare subvention for veterans is but one step in what must be a concerted campaign to honor the promises made to all who have answered their country's call through their military service. Let no one forget the sacrifices made by every veteran to secure our liberty in what has been, and remains, a very dangerous world.

Mr. HUTCHINSON. Mr. President. I would like to express my strong support for Senator JEFFORD's bill, the Veterans' Equal Access to Medicare Act. I am proud to be an original cosponsor of this important legislation which would allow the VA to establish a Medicare subvention demonstration project. At ten sites across the country, Medicare would reimburse the VA for Medicare-covered services provided to eligible veterans.

As a former member of the House Veterans' Affairs Committee, and a current member of the Senate Veterans' Affairs Committee, I have been and remain a strong advocate of the Medicare subvention concept. As a member of the House, I was cosponsor of Representative JOEL HEFLEY's bill to create a demonstration project of Medicare subvention. During the 105th Congress, I was a cosponsor of Senator JEFFORD's bill, S. 2054.

The last four years of flat-lined Administration budgets have demonstrated the critical need for this legislation. To treat new veteran patients, the VA must be creative in finding new revenue sources. The perpetual volatility of the health care marketplace has made it more and more difficult for VA to collect under the standard fee for service arrangements. Currently, 85% of all insured Americans are under some form of managed care, and many of these plans do not recognize the VA as a network provider eligible for reimbursement. In order for the VA to be able to collect the millions that it needs to adequately serve veterans and to survive under the budget proposed by the Administration for FY 2000, there must be a new revenue source. Medicare subvention legislation would be a step in the right direction.

Historically, higher income veterans have been locked out of the VA health care system because of a severe lack of resources. Under subvention legislation, the VA would potentially be able to open its doors to millions of veterans 65 years and older who want to choose VA as their primary care giver. Our legislation will be the first in truly saving the Private Ryan's of WWII and the Korean conflict. Now more than ever, the VA needs to be able to collect and compete in the health care marketplace as an equal partner with other health plans. Medicare subvention will allow it that opportunity. I am proud to again be a cosponsor of this important legislation.

By Mrs. BOXER (for herself, Mr. KERRY, and Mr. TORRICELLI):

S. 446. A bill to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; to the Committee on Energy and Natural Resources.

PERMANENT PROTECTION FOR AMERICA'S RESOURCES 2000 ACT

Mrs. BOXER. Mr. President, today, I am introducing the Permanent Protection for America's Resources 2000 Act—Resources 2000. This legislation is the most sweeping commitment to protecting America's natural heritage in more than a generation. It will establish a permanent, dedicated funding source for resource protection. I am honored to be working on this legislation with Congressman GEORGE MILLER in the House of Representatives, and my Senate Colleagues, Senator John KERRY and Senator ROBERT TORRICELLI.

As we embark upon the 21st Century, it is time to make a new commitment to our natural heritage—one that can take its place beside the legacy left by President Teddy Roosevelt as we began this century. That new commitment must go beyond a piecemeal approach to preserving our natural resources. It must be a comprehensive, long-term strategy that enables us to ensure that when our children's children enter the 22nd Century, they can herald our actions today, as we revere those of President Roosevelt.

Today our natural heritage is disappearing at an alarming rate. Each year, nearly 3 million acres of farmland and more than 170,000 acres of wetlands disappear. Each day, over 7,000 acres of open space are lost forever.

All across America, we now see parks closing, recreational facilities deteriorating, open space disappearing, historic structures crumbling.

Why is this happening? Because there is no dedicated fund for all these noble purposes—which can be used only for these noble purposes.

The legislation that I am introducing today will address this problem in a comprehensive Resources 2000 in a bold, historic initiative to provide substantial and permanent funding from

offshore oil resources for the acquisition, improvement and maintenance of public resources throughout the United States: public lands, parks, marine and coastal resources, historic preservation, fish and wildlife. Resources 2000 will provide permanent, annual funding for historically underfunded, high priority resources, preservation goals.

A major funding source for resource protection already exists. Each year, oil companies pay the federal government billions of dollars in rents, royalties, and other fees in connection with offshore drilling in federal waters. In 1998 alone, the government collected over $4.6 billion from oil and gas drilling on the Outer Continental Shelf.

My bill would allocate $1.4 billion every year for land acquisition, park and recreational development, historic preservation, land restoration, ocean conservation, farmland preservation, and endangered species recovery.

Resources 2000 will also mandate full funding of the Land and Water Conservation Fund. In 1965, Congress established this Fund, which was to receive $900 million a year from federal oil revenues for acquisition of sensitive lands and wetlands.

The good news is that Fund has collected over $21 billion since 1965. The bad news is that only $9 billion of this amount has been spent on its intended uses. More than $16 billion has been shifted into other federal accounts.

On the ground, this means that we have purchased some key tracts of land in the Golden Gate National Recreation Area, Redwood National Park, Tahoe National Forest, and Channel Islands National Park, among many others.

At the same time, however, we missed golden opportunities to buy critical open space because the Land and Water Conservation Fund was underfunded. Some of these parcels—in the Santa Monica Mountains, along the Pacific Crest Trail, and elsewhere throughout California—have since been lost. If we had been able to use the entire Fund, these areas would have been protected.

To preserve meaningful tracts of open space, we must spend the entire Fund to acquire land and water. Congress must move to take the Fund ''off budget'' and use it all for its intended purposes.

Resources 2000 would fund the Land and Water Conservation Fund at $900 million per year, the full level authorized by Congress. Half of this amount would be dedicated to federal acquisition of lands for our national parks, national forests, national wildlife refuges, and other public lands. The other half would go for matching grants to the states for land acquisition, planning, and development of outdoor recreation facilities.

Furthermore, this can be done without causing further harm to the environment. My bill does not contain any incentives for new offshore oil drilling. All of the revenue would have to come from already producing leases.

The bill contains eight titles as follows:

TITLE I—LAND AND WATER CONSERVATION FUND REVITALIZATION—$900 MILLION

Federal: $450 million

Stateside: $450 million

Summary of Title: Resources 2000 would take the Land and Water Conservation Fund (LWCF) ''off-budget'' and require the federal government to spend the entire $900 million for its designated purpose of land acquisition.

One-half of the annual $900 million allocation of the LWCF would be dedicated to federal land acquisition purposes. These funds would be used to acquire lands or interests in lands authorized by Congress for our national parks, national forests, national wildlife refuges, and public lands.

The other $450 million allocation of the LWCF would go for matching grants to the States for the acquisition of lands or interests in lands, planning, and development of outdoor recreation facilities. Of this $450 million, two-thirds will be allocated by formula of which 30 percent shall be distributed equally among the States, and 70 percent apportioned on the basis of the population each state bears to the total population of all states. The remaining one-third would be awarded on the basis of competitive grants.

TITLE II—URBAN PARKS AND RECREATIONAL RECOVERY PROGRAM AMENDMENTS—$100 MILLION

Summary of Title: Resources 2000 would provide a mandatory $100 million a year of OCS revenue for the Urban Parks and Recreational Recovery program (UPARR). This funding would be used by the Secretary of the Interior to provide competitive matching grants to local governments to rehabilitate recreation areas and facilities, provide for the development of improved recreation programs, and to acquire, develop, or construct new recreation sites and facilities.

This program is intended to encourage and stimulate local governments to revitalize their park and recreation systems and to make long-term commitments to continuing maintenance of these systems. UPARR is also designed to improve recreation facilities and expand recreation services in urban areas with a high incidence of crime and to help deter crime through the expansion of recreation opportunities for at-risk youth.

TITLE III—HISTORIC PRESERVATION FUND—$150 MILLION

Summary of Title: Your bill would take the Historic Preservation Fund ''off-budget'' and require the federal government to spend the entire $150 million a year of OCS revenue for the designated purposes of the Historic Preservation Fund. Your bill would also require that 50 percent of the funds provided be used for physically preserving historic properties (so-called ''brick and mortar'' activities).

Under current law, the National Historic Preservation Act established the Historic Preservation Fund (HPF) in 1977. The Act requires that $150 million in revenue from offshore oil drilling be placed in the HPF each year. Congress is authorized to appropriate money from the fund to carry out the National Historic Preservation Act. Such activities include grants to states, maintaining the National Register of Historic Places, and administering numerous historic preservation programs. The Act allows up to one-third of the funds for priority preservation projects of public and private entities, including preserving historic structures and sites, as well as, significant documents, photographs, works of art, etc.

TITLE IV—FARMLAND, RANCHLAND, OPEN SPACE, AND FORESTLAND PROTECTION—$150 MILLION

Summary of Title: Resources 2000 establishes the Farmland, Ranchland, Open Space, and Forestland Protection Fund to provide matching, competitive grants to state, local and tribal governments for purchase of conservation easements to protect privately owned farmland, ranchland and forests from encroaching development. To help communities grow in ways that maintain open space and viable agricultural sectors of their economies. Such grants could be used to match state or local long term bond initiatives approved by voters to preserve green spaces for conservation, recreation and other environmental goals.

The Fund has three basic sections. The first funds the Farmland Protection Program at $50 million a year. This funding would be used by the Secretary of Agriculture to provide matching grants to eligible entities to purchase permanent conservation easements in land so that it can be maintained as farmland or open space.

The second funds a new program—the Ranchland Protection Program—at $50 million a year. Modeled after the Farmland Protection Program, the Ranchland Protection Program would be used by the Secretary of the Interior to provide matching grants to eligible entities to purchase permanent conservation easements on ranchland that is in danger of conversion to non-agricultural uses and is pending offer for the preservation of open space and will yield a significant public benefit.

The third section funds the Forest Legacy Program at $50 million a year. The Forest Legacy Program is a similar program for protecting environmentally important forest areas that are threatened by conversion to non-forest uses. Under this program, the Secretary of Agriculture will provide matching grants to eligible entities to purchase conservation easements for forest lands.

For the purposes of this title an eligible entity is an agency of a State or local government, a federally recognized Indian tribe, or a non-profit environment/land trust organization.

TITLE V—FEDERAL AND INDIAN LANDS RESTORATION FUND—$250 MILLION

Summary of Title: Resources 2000 establishes a new fund to provide a mandatory $250 million a year to undertake

a coordinated program on Federal and Indian lands to restore degraded lands, protect resources that are threatened with degradation, and protect public health and safety.

$150 million of the funding will be available to the Secretary of the Interior to carry out restoration activities within the National Park System, National Wildlife Refuge System, and public lands administered by the Bureau of Land Management.

$75 million of the funding will be available to the Secretary of Agriculture to carry out restoration activities in National Forests.

$25 million of the funding will be available to the Secretary of the Interior to carry out a competitive grant program for Indian tribes to complete restoration activities on reservations.

TITLE VI—OCEAN FISH AND WILDLIFE CONSERVATION, RESTORATION, AND MANAGEMENT ASSISTANCE — $300 MILLION

Summary of Title: Resources 2000 establishes a new fund, entitled the Ocean Fish and Wildlife Conservation Fund, to provide a mandatory $300 million a year for the Department of Commerce to provide grants for the conservation, restoration and management of ocean fish and wildlife of the United States. The Fund would be allocated in two ways: (1) formula grants to States to develop and implement comprehensive state ocean fish and wildlife conservation plans, and (2) competitive grants to public and private persons to carry out projects for the conservation, restoration, or management of ocean fish and wildlife (Ocean Conservation Partnership grants).

a. State Ocean Fish and Wildlife Conservation Plans:

In order for states to be eligible for funding under this title, States would have to develop a comprehensive ''Ocean Fish and Wildlife Conservation Plan.'' The plan must be approved by the Secretary of Commerce. In order for the plan to be approved, the plan must provide for an inventory of the ocean fish and wildlife and their habitat; identification of any significant factors which may adversely affect ocean fish and wildlife species and their habitats; determination and implementation of conservation actions; monitoring of species and the effectiveness of conservation actions; periodic plan review and revision; and public input into plan development, revision and implementation. The State does not need to complete all of these activities for plan approval, it simply must have a plan in place that will show how the State proposes to meet the conservation objectives.

Two-thirds ($200 million) of the total would be available to coastal states (including Great Lakes States, territories, and possessions of the U.S.) for the development, revision, and implementation of the ''Ocean Fish and Wildlife Conservation Plans.'' Funds would be allocated to the states by a formula. Two-thirds (about $133 million) would be distributed to states based on the ratio of the population of the state to the population of all coastal states. One-third (about $66 million) would be distributed to states based on the ratio of the length of a state's shoreline to the length of the total shoreline of all coastal states. No state can receive less than ½ of one percent or more than 10 percent of the total funds allocated under this section.

b. Ocean Conservation Partnerships :

The remaining one-third ($100 million) of funds would be awarded by the Secretary of Commerce as competitive, peer-reviewed grants for living marine resource conservation. High priority would be given to proposals involving public/private conservation partnerships, but any person would be eligible to apply for a grant under this provision. Priority would also be given to proposals that assist in achieving the objectives of National Marine Sanctuaries, National Estuaries, or other federal or state marine protected areas. A maximum grant size (2 percent of funds available—about $2 million) will be established to ensure that a small number of large projects do not consume the bulk of the funding in a given fiscal year.

TITLE VII—FUNDING FOR STATE NATIVE FISH AND WILDLIFE CONSERVATION AND RESTORATION—$350 MILLION

Summary of Title: Resources 2000 provides a permanent appropriation of $350 for the conservation of native fish, wildlife and plants. It amends the Fish and Wildlife Conservation Act of 1980 (FWCA, 16 U.S.C. 2901 et seq.) to make funding available to the states for the development and implementation of comprehensive native wildlife conservation plans.

This title is similar to the Ocean Fish and Wildlife Conservation, Restoration and Management title, except this is for terrestrial fish and wildlife conservation efforts. States that choose to participate in the program would submit Fish and Wildlife Conservation Plans to the Secretary of the Interior for approval.

Funds are to be allocated on a formula. One-third of the funds would be allocated based on the area of a state relative to the total area of all the states and two-thirds on the relative population of a state.

States are eligible for reimbursement of 75 percent of the cost of developing and implementing state wildlife conservation plans. Federal funds are only available for plan development costs for the first 10 years. As an additional incentive, federal funds will pay for up to 90 percent of: plan development costs during the first three years; and conservation actions undertaken by two or more states. In addition, in the absence of an approved plan, the Secretary may reimburse a state for certain on-the-ground conservation actions during the first five years of the program.

TITLE VIII—ENDANGERED AND THREATENED SPECIES RECOVERY—$100 MILLION

Summary of Title: Resources 2000 establishes a new fund, entitled the Endangered and Threatened Species Recovery Fund, to provide a mandatory $100 million a year for the Fish and Wildlife Service and the National Marine Fisheries Service to implement a private landowners incentive program for the recovery of endangered and threatened species and the habitat that they depend on.

Monies would be used by the Secretaries to enter into ''endangered and threatened species recovery agreements'' with private landowners, providing grants to: (1) carry out activities and protect habitat (not otherwise required by the law) that would contribute to the recovery of a threatened or endangered species, or (2) to refrain from carrying out otherwise lawful activities that would inhibit the recovery of such species. Priority will be given to small landowners who would otherwise not have the resources to participate in such programs.

So it is time to act in a comprehensive way to permanently protect our heritage. It is time to heed the call that Teddy Roosevelt sent out so many years ago. It is time to build on the progress we have made and plan for the future.

Resources 2000 enjoys the enthusiastic support of major environmental, historic preservation, sporting, wildlife, and parks organizations throughout the nation.

I hope that my colleagues in the Senate take advantage of this historic opportunity by joining Senator TORRICELLI, Senator KERRY, and me in this effort to preserve America's heritage.

I ask unanimous consent that the full text of the bill be printed in the RECORD. I also ask unanimous consent that a list of groups who support the legislation, as well as letters from several conservation organizations be printed in the RECORD.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Resources 2000 Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

SEC. 3. FINDINGS AND PURPOSE.

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

(1) By establishing the Land and Water Conservation Fund in 1965, Congress determined that revenues generated by extraction of nonrenewable oil and gas resources on the Outer Continental Shelf should be dedicated to conservation and preservation purposes.

(2) The Land and Water Conservation Fund has been used for over three decades to protect and enhance national parks, national forests, national wildlife refuges, and other public lands throughout the Nation. In past years, the Land and Water Conservation Fund has also provided States with vital resources to assist with acquisition and development of local park and outdoor recreation projects.

(3) In 1978, the Congress amended the Land and Water Conservation Fund to authorize $900,000,000 of annual oil and gas receipts to be used for Federal land acquisition and State recreation projects. In recent years, however, the Congress has failed to appropriate funds at the authorized levels to meet Federal land acquisition needs, and has entirely eliminated State recreation funding, leaving an unallocated surplus of over $12,000,000,000 for fiscal year 1999.

(4) To better meet land acquisition needs and address growing public demands for outdoor recreation, the Congress should assure that the Land and Water Conservation Fund is used as it was intended to acquire conservation lands and, in partnership with State and local governments, to provide for improved parks and outdoor recreational opportunities.

(5) The premise of using oil and gas receipts to meet conservation and preservation objectives also underlies the National Historic Preservation Act (16 U.S.C. 470 et seq.). Revenues to the Historic Preservation Fund accumulate at a rate of $150,000,000 annually, but because the Congress has failed in recent years to appropriate the authorized amounts, the fund has an unallocated surplus of over $2,000,000,000 for fiscal year 1999. To reduce the growing backlog of preservation needs, the Congress should assure that the Historic Preservation Fund is used as was intended.

(6) Building upon the commitment to devote revenues from existing offshore leases to resource protection through the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4) and the National Historic Preservation Act (16 U.S.C. 470 et seq.), the Congress should also dedicate revenues from existing oil and gas leases to meet critical national, State, and local preservation and conservation needs.

(7) Suburban sprawl presents a growing threat to open space and farmland in many areas of the Nation, with an estimated loss of 7,000 acres of farmland and open space every day. Financial resources and incentives are needed to promote the protection of open space, farmland, ranchland, and forests.

(8) National parks, national forests, national wildlife refuges, and other public lands have significant unmet repair and maintenance needs for trails, campgrounds, and other existing recreational infrastructure, even as outdoor recreation and user demands on these resources are increasing.

(9) Urban park and recreation needs have been neglected, with resulting increases in crime and other inappropriate activity, in part because the Congress has failed in recent years to provide appropriations as authorized by the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.).

(10) Although the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) has prevented the extinction of many plants and animals, the recovery of most species listed under that Act has been hampered by a lack of financial resources and incentives to encourage States and private landowners to contribute to the recovery of protected species.

(11) Native fish and wildlife populations have declined in many parts of the Nation, and face growing threats from habitat loss and invasive species. Financial resources and incentives are needed for States to improve conservation and management of native species.

(12) Ocean and coastal ecosystems are increasingly degraded by loss of habitat, pollution, over-fishing, and other threats to the health and productivity of the marine environment. Coastal States should be provided with financial resources and incentives to better conserve, restore, and manage living marine resources.

(13) The findings of the 1995 National Biological Survey study entitled ''Endangered Ecosystems of the United States: A Preliminary Assessment of Loss and Degradation'', demonstrate the need to escalate conservation measures that protect our Nation's wildlands and habitats.

(b) PURPOSE.—The purpose of this Act is to expand upon the promises of the Land and Water Conservation Act of 1965 (16 U.S.C. 460l–4 et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) by providing permanent funding for the protection and enhancement of the Nations natural, historic, and cultural resources by a variety of means, including—

(1) the acquisition of conservation lands;

(2) improvement of State and urban parks;

(3) preservation of open space, farmland, ranchland, and forests;

(4) conservation of native fish and wildlife;

(5) recovery of endangered species; and

(6) restoration of coastal and marine resources.

SEC. 4. DEFINITIONS.

In this Act:

(1) COASTLINE.—The term ''coastline'' has the same meaning that term has in the Submerged Lands Act (43 U.S.C. 1301 et seq.).

(2) COASTAL STATE.—The term ''coastal State'' has the meaning given the term ''coastal state'' in the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

(3) LEASED TRACT.—The term ''leased tract'' means a tract, leased under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) for the purpose of drilling for, developing and producing oil and natural gas resources, which is a unit consisting of either a block, a portion of a block, a combination of blocks or portions of blocks (or both), as specified in the lease, and as depicted on an Outer Continental Shelf Official Protraction Diagram.

(4) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—The term ''qualified Outer Continental Shelf revenues''—

(A) except as provided in subparagraph (B)—

(i) means all moneys received by the United States from each leased tract or portion of a leased tract located in the Western or Central Gulf of Mexico, less such sums as may be credited to States under section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)) and amounts needed for adjustments and refunds as overpayments for rents, royalties, or other purposes; and

(ii) includes royalties (including payments for royalty taken in-kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases issued pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331) for such a lease tract or portion; and

(B) does not include any moneys received by the United States under—

(i) any lease issued on or after the date of the enactment of this Act; or

(ii) any lease under which no oil or gas production has occurred before January 1, 1999.

SEC. 5. REDUCTION IN DEPOSITS OF QUALIFIED OCS REVENUES FOR ANY FISCAL YEAR FOR WHICH THOSE REVENUES ARE REDUCED.

(a) REDUCTION IN DEPOSITS.—The amount of qualified Outer Continental Shelf revenues that is otherwise required to be deposited for a limited fiscal year into the Land and Water Conservation Fund, the Historic Preservation Fund, or any other fund or account established by this Act (including the amendments made by this Act) is hereby reduced, so that—

(1) the ratio that the amount deposited (after the reduction) bears to the amount that would otherwise be deposited, is equal to

(2) the ratio that the amount of qualified Outer Continental Shelf Revenues for the fiscal year bears to—

(A) $2,050,000 for fiscal years 2000 and 2001;

(B) $2,150,000 for fiscal years 2002, 2003, and 2004; and

(C) $2,300,000 for fiscal year 2005 and each fiscal year thereafter.

(b) NO REDUCTION IN DEPOSITS OF INTEREST.—Subsection (a) shall not apply to deposits of interest earned from investment of amounts in a fund or other account.

(c) LIMITED FISCAL YEAR DEFINED.—In this section, the term ''limited fiscal year'' means a fiscal year in which the total amount received by the United States as qualified Outer Continental Shelf revenues is less than—

(1) $2,050,000, for fiscal years 2000 and 2001;

(2) $2,150,000, for fiscal years 2002, 2003, and 2004; and

(3) $2,300,000, for fiscal year 2005 and each fiscal year thereafter.

SEC. 6. LIMITATION ON USE OF AVAILABLE AMOUNTS FOR ADMINISTRATION.

Notwithstanding any other provision of law, of amounts made available by this Act (including the amendments made by this Act) for a particular activity, not more than 2 percent may be used for administrative expenses of that activity.

SEC. 7. BUDGETARY TREATMENT OF RECEIPTS AND DISBURSEMENTS.

Notwithstanding any other provision of law, the receipts and disbursements of funds under this Act and the amendments made by this Act—

(1) shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(A) the budget of the United States Government as submitted by the President;

(B) the congressional budget (including allocations of budget authority and outlays provided therein); or

(C) the Balanced Budget and Emergency Deficit Control Act of 1985; and

(2) shall be exempt from any general budget limitation imposed by statute on expenditures and net lending (budget outlays) of the United States Government.

TITLE I—LAND AND WATER CONSERVATION FUND REVITALIZATION

SEC. 101. AMENDMENT OF LAND AND WATER CONSERVATION FUND ACT OF 1965.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.)

SEC. 102. EXTENSION OF PERIOD FOR DEPOSITING AMOUNTS INTO FUND.

Section 2 (16 U.S.C. 460l–5) is amended—

(1) in the matter preceding subsection (a) by striking ''During the period ending September 30, 2015, there shall be covered into'' and inserting ''There shall be deposited into'';

(2) in paragraph (c)(1) by striking ''through September 30, 2015''; and

(3) in paragraph (c)(2)—

(A) by striking ''shall be credited to the fund'' and all that follows through ''as amended (43 U.S.C. 1331 et seq.)'' and inserting ''shall be deposited into the fund, subject to section 5 of the Resources 2000 Act, from amounts due and payable to the United States as qualified Outer Continental Shelf revenues (as that term is defined in section 4 of that Act)''; and

(B) in the proviso by striking ''covered'' and inserting ''deposited''.

SEC. 103. AVAILABILITY OF AMOUNTS.

Section 3 (16 U.S.C. 460l–6) is amended by striking so much as precedes the third sentence and inserting the following:

''APPROPRIATIONS

''SEC. 3. (a) Of amounts in the fund, up to $900,000,000 shall be available each fiscal year for obligation or expenditure without further appropriation, and shall remain available until expended.

''(b) Moneys made available for obligation or expenditure from the fund or from the special account established under section 4(i)(1) may be obligated or expended only as provided in this Act.

''(c) The Secretary of the Treasury shall invest moneys in the fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited into the fund.''.

SEC. 104. ALLOCATION AND USE OF FUND.

Section 5 (16 U.S.C. 460l–7) is amended to read as follows:

''SEC. 5. ALLOCATION AND USE OF FUNDS.

''(a) IN GENERAL.—Of the amounts made available for each fiscal year by this Act—

''(1) 50 percent shall be available for Federal purposes (in this section referred to as the 'Federal portion'); and

''(2) 50 percent shall be available for grants to States.

''(b) USE OF FEDERAL PORTION.—The President shall, in the annual budget submitted by the President for each fiscal year, specify the purposes for which the Federal portion of the fund is to be used by the Secretary of the Interior and the Secretary of Agriculture. Such funds shall be used by the Secretary concerned for the purposes specified by the President in such budget submission unless the Congress, in an Act making appropriations for the Department of the Interior and related agencies for such fiscal year, specifies that any part of such Federal portion shall be used by the Secretary concerned for other Federal purposes as authorized by this Act.

''(c) FEDERAL PRIORITY LIST.—(1) For purposes of the budget submission of the President for each fiscal year, the President shall require the Secretary of the Interior and the Secretary of Agriculture to prepare Federal priority lists for expenditure of the Federal portion.

''(2) The Secretaries shall prepare the lists in consultation with the head of each affected bureau or agency, taking into account the best professional judgment regarding the land acquisition priorities and policies of each bureau or agency.

''(3) In preparing the priority lists, the Secretaries shall consider—

''(A) the potential adverse impacts which might result if a particular acquisition is not undertaken;

''(B) the availability of land appraisal and other information necessary to complete an acquisition in a timely manner; and

''(C) such other factors as the Secretaries consider appropriate.''.

SEC. 105. EXPANSION OF STATE ASSISTANCE PURPOSES.

Section 6(a) (16 U.S.C. 460l–8) is amended by striking ''outdoor recreation:''.

SEC. 106. ALLOCATION OF AMOUNTS AVAILABLE FOR STATE PURPOSES.

Section 6(b) (16 U.S.C. 460l–8) is amended to read as follows:

''(b) DISTRIBUTION AMONG THE STATES.—(1) Sums made available from the fund each fiscal year for State purposes shall be apportioned among the several States by the Secretary, in accordance with this subsection. The determination of the apportionment by the Secretary shall be final.

''(2) Two-thirds of the sums made available from the fund each fiscal year for State purposes shall be distributed by the Secretary using criteria developed by the Secretary under the following formula:

''(A) 30 percent shall be distributed equally among the several States.

''(B) 70 percent shall be distributed on the basis of the ratio which the population of each State bears to the total population of all States.

''(3) One-third of the sums made available from the fund each fiscal year for State purposes shall be distributed among the several States by the Secretary under a competitive grant program, subject to such criteria as the Secretary determines necessary to further the purposes of the Act.

''(4) The total allocation to an individual State under paragraphs (2) and (3) for a fiscal year shall not exceed 10 percent of the total amount allocated to the several States under this subsection for that fiscal year.

''(5) The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter to the State for planning, acquisition, or development projects as hereafter described. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and the two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (3), without regard to the 10 percent limitation to an individual State specified in paragraph (4).

''(6)(A) For the purposes of paragraph (2)(A)—

''(i) the District of Columbia shall be treated as a State; and

''(ii) Puerto Rico, the United States Virgin Islands, Guam, and American Samoa—

''(I) shall be treated collectively as one State; and

''(II) shall each be allocated an equal share of any amount distributed to them pursuant to clause (i).

''(B) Each of the areas referred to in subparagraph (A) shall be treated as a State for all other purposes of this Act.''.

SEC. 107. STATE PLANNING.

Section 6(d) (16 U.S.C. 460l–8(d)) is amended to read as follows:

''(d) STATE PLAN.—(1)(A) A State plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. In order to reduce costly repetitive planning efforts, a State may use for such plan a current State comprehensive outdoor recreation plan, a State recreation plan, or a State action agenda under criteria developed by the Secretary if, in the judgment of the Secretary,

the plan used encompasses and promotes the purposes of this Act. No plan shall be approved for a State unless the Governor of the State certifies that ample opportunity for public participation in development and revision of the plan has been accorded. The Secretary shall develop, in consultation with others, criteria for public participation, and such criteria shall constitute the basis for certification by the Governor.

''(B) The plan or agenda shall contain—

''(i) the name of the State agency that will have the authority to represent and act for the State in dealing with the Secretary for purposes of this Act;

''(ii) an evaluation of the demand for and supply of outdoor conservation and recreation resources and facilities in the State;

''(iii) a program for the implementation of the plan or agenda; and

''(iv) such other necessary information as may be determined by the Secretary.

''(C) The plan or agenda shall take into account relevant Federal resources and programs and be correlated so far as practicable with other State, regional, and local plans.

''(2) The Secretary may provide financial assistance to any State for the preparation of a State plan under subsection (d)(1) when such plan is not otherwise available or for the maintenance of such a plan.''.

SEC. 108. ASSISTANCE TO STATES FOR OTHER PROJECTS.

Section 6(e) (16 U.S.C. 460l–8(e)) is amended—

(1) in subsection (e)(1) by striking '', but not including incidental costs relating to acquisition''; and

(2) in subsection (e)(2) by inserting before the period at the end the following: ''or to enhance public safety.''.

SEC. 109. CONVERSION OF PROPERTY TO OTHER USE.

Section 6(f)(3) (16 U.S.C. 460l–8(f)) is amended—

(1) by inserting ''(A)'' before ''No property''; and

(2) by striking the second sentence and inserting the following:

''(B)(i) The Secretary shall approve such conversion only if the State demonstrates that no prudent or feasible alternative exists.

''(ii) Clause (i) shall not apply to property that is no longer viable as an outdoor conservation or recreation facility due to changes in demographics, or that must be abandoned because of environmental contamination which endangers public health and safety.

''(C)(i) The Secretary may not approve such conversion unless the conversion satisfies any conditions the Secretary considers necessary to assure the substitution of other conservation and recreation properties of at least equal market value and reasonable equivalent usefulness and location and which are in accord with the existing State Plan for conservation and recreation.

''(ii) For purposes of clause (i), wetland areas and interests therein, as identified in a plan referred to in that clause and proposed to be acquired as suitable replacement property within the same State, that is otherwise acceptable to the Secretary shall be considered to be of reasonably equivalent usefulness with the property proposed for conversion.''.

TITLE II—URBAN PARK AND RECREATION RECOVERY PROGRAM AMENDMENTS

SEC. 201. AMENDMENT OF URBAN PARK AND RECREATION RECOVERY ACT OF 1978.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.).

SEC. 202. PURPOSES.

The purpose of this title is to provide a dedicated source of funding to assist local governments in improving their park and recreation systems.

SEC. 203. AUTHORITY TO DEVELOP NEW AREAS AND FACILITIES.

Section 1003 (16 U.S.C. 2502) is amended by inserting ''development of new recreation areas and facilities, including the acquisition of lands for such development,'' after ''rehabilitation of critically needed recreation areas, facilities,''.

SEC. 204. DEFINITIONS.

Section 1004 (16 U.S.C. 2503) is amended—

(1) in paragraph (j) by striking ''and'' after the semicolon;

(2) in paragraph (k) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(l) 'development grants'—

''(1) means matching capital grants to units of local government to cover costs of development, land acquisition, and construction on existing or new neighborhood recreation sites, including indoor and outdoor recreational areas and facilities, and support facilities; and

''(2) does not include landscaping, routine maintenance, and upkeep activities;

''(m) 'qualified Outer Continental Shelf revenues' has the meaning given that term in section 4 of the Resources 2000 Act; and

''(n) 'Secretary' means the Secretary of the Interior.''.

SEC. 205. ELIGIBILITY.

Section 1005(a) (16 U.S.C. 2504(a)) is amended to read as follows:

''(a) Eligibility of general purpose local governments to compete for assistance under this title shall be based upon need as determined by the Secretary. Generally, eligible general purpose local governments shall include the following:

''(1) All political subdivisions of Metropolitan, Primary, or Consolidated Statistical Areas, as determined by the most recent Census.

''(2) Any other city or town within such a Metropolitan Statistical Area, that has a total population of 50,000 or more as determined by the most recent Census.

''(3) Any other county, parish, or township with a total population of 250,000 or more as determined by the most recent Census.''.

SEC. 206. GRANTS.

Section 1006 (16 U.S.C. 2505) is amended by striking so much as precedes subsection (a)(3) and inserting the following:

''SEC. 1006. (a)(1) The Secretary may provide 70 percent matching grants for rehabilitation, development, and innovation purposes to any eligible general purpose local government upon approval by the Secretary of an application submitted by the chief executive of such government.

''(2) At the discretion of such an applicant, a grant under this section may be transferred in whole or part to independent special purpose local governments, private nonprofit agencies, or county or regional park authorities, if—

''(A) such transfer is consistent with the approved application for the grant; and

''(B) the applicant provides assurance to the Secretary that the applicant will maintain public recreation opportunities at assisted areas and facilities owned or managed by the applicant in accordance with section 1010.

''(3) Payments may be made only for those rehabilitation, development, or innovation projects that have been approved by the Secretary. Such payments may be made from time to time in keeping with the rate of progress toward completion of a project, on a reimbursable basis.''.

SEC. 207. RECOVERY ACTION PROGRAMS.

Section 1007(a) (16 U.S.C. 2506(a)) is amended—

(1) in subsection (a) in the first sentence by inserting ''development,'' after ''commitments to ongoing planning,''; and

(2) in subsection (a)(2) by inserting ''development and'' after ''adequate planning for''.

SEC. 208. STATE ACTION INCENTIVES.

Section 1008 (16 U.S.C. 2507) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(2) by striking the last sentence of subsection (a) (as designated by paragraph (1) of this section) and inserting the following:

''(b) COORDINATION WITH LAND AND WATER CONSERVATION FUND ACTIVITIES.—(1) The Secretary and general purpose local governments are encouraged to coordinate preparation of recovery action programs required by this title with State plans required under section 6 of the Land and Water Conservation Fund Act of 1965, including by allowing flexibility in preparation of recovery action programs so they may be used to meet State and local qualifications for local receipt of Land and Water Conservation Fund grants or State grants for similar purposes or for other conservation or recreation purposes.

(2) The Secretary shall encourage States to consider the findings, priorities, strategies, and schedules included in the recovery action programs of their urban localities in preparation and updating of State plans in accordance with the public coordination and citizen consultation requirements of subsection 6(d) of the Land and Water Conservation Fund Act of 1965.''.

SEC. 209. CONVERSION OF RECREATION PROPERTY.

Section 1010 (16 U.S.C. 2509) is amended to read as follows:

''CONVERSION OF RECREATION PROPERTY

''SEC. 1010. (a)(1) No property developed, acquired, or rehabilitated under this title shall, without the approval of the Secretary, be converted to any purpose other than public recreation purposes.

''(2) Paragraph (1) shall apply to—

''(A) property developed with amounts provided under this title; and

''(B) the park, recreation, or conservation area of which the property is a part.

''(b)(1) The Secretary shall approve such conversion only if the grantee demonstrates no prudent or feasible alternative exists.

''(2) Paragraph (1) shall apply to property that is no longer a viable recreation facility due to changes in demographics or that must be abandoned because of environmental contamination which endangers public health or safety.

''(c) Any conversion must satisfy any conditions the Secretary considers necessary to assure substitution of other recreation property that is—

''(1) of at least equal fair market value, or reasonably equivalent usefulness and location; and

''(2) in accord with the current recreation recovery action plan of the grantee.''.

SEC. 210. AVAILABILITY OF AMOUNTS.

Section 1013 (16 U.S.C. 2512) is amended to read as follows:

''APPROPRIATIONS

''SEC. 1013. (a) IN GENERAL.—

''(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund that shall be known as the 'Urban Park and Recreation Recovery Fund' (in this section referred to as the 'Fund'). The Fund shall consist of such amounts as

are deposited into the Fund under this subsection. Amounts in the fund shall only be used to carry out this title.

''(2) DEPOSITS.—Subject to section 5 of the Resources 2000 Act, from amounts received by the United States as qualified Outer Continental Shelf revenues there shall be deposited into the fund $100,000,000 each fiscal year.

''(3) AVAILABILITY.—Of amounts in the fund, up to $100,000,000 shall be available each fiscal year without further appropriation, and shall remain available until expended.

''(4) INVESTMENT OF EXCESS AMOUNTS.—The Secretary of the Treasury shall invest moneys in the Fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited into the Fund.

''(b) LIMITATIONS ON ANNUAL GRANTS.—Of amounts available to the Secretary each fiscal year under this section—

''(1) not more that 3 percent may be used for grants for the development of local park and recreation recovery action programs pursuant to sections 1007(a) and 1007(c);

''(2) not more than 10 percent may be used for innovation grants pursuant to section 1006; and

''(3) not more than 15 percent may be provided as grants (in the aggregate) for projects in any one State.

''(c) LIMITATION ON USE FOR GRANT ADMINISTRATION.—The Secretary shall establish a limit on the portion of any grant under this title that may be used for grant and program administration.''.

SEC. 211. REPEAL.

Section 1015 (16 U.S.C. 2514) is repealed.

TITLE III—HISTORIC PRESERVATION FUND

SEC. 301. AVAILABILITY OF AMOUNTS.

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended—

(1) by inserting ''(a)'' before the first sentence;

(2) in subsection (a) (as designated by paragraph (1) of this section) by striking ''There shall be covered into such fund'' and all that follows through ''(43 U.S.C. 338),'' and inserting ''Subject to section 5 of the Resources 2000 Act, there shall be deposited into such fund $150,000,000 for each fiscal year after fiscal year 1998 from revenues due and payable to the United States as qualified Outer Continental Shelf revenues (as that term is defined in section 4 of that Act),''.

(3) by striking the third sentence of subsection (a) (as so designated) and all that follows through the end of the subsection and inserting ''Such moneys shall be used only to carry out the purposes of this Act.''; and

(4) by adding at the end the following:

''(b)(1) Of amounts in the fund, up to $150,000,000 shall be available each fiscal year after September 30, 1999, for obligation or expenditure without further appropriation to carry out the purposes of this Act, and shall remain available until expended.

''(2) At least ½ of the funds obligated or expended each fiscal year under this section shall be used in accordance with this Act for preservation projects on historic properties. In making such funds available, the Secretary shall give priority to the preservation of endangered historic properties.

''(c) The Secretary of the Treasury shall invest moneys in the fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited into the fund.''.

TITLE IV—FARMLAND, RANCHLAND, OPEN SPACE, AND FORESTLAND PROTECTION

SEC. 401. PURPOSE.

The purpose of this title is to provide a dedicated source of funding to the Secretary of Agriculture and the Secretary of the Interior for programs to provide matching grants to certain eligible entities to facilitate the purchase of conservation easements on farmland, ranchland, open space, and forestland in order to—

(1) protect the ability of these lands to continue in productive sustainable agricultural use; and

(2) prevent the loss of their value to the public as open space because of nonagricultural development.

SEC. 402. FARMLAND, RANCHLAND, OPEN SPACE, AND FORESTLAND PROTECTION FUND; AVAILABILITY OF AMOUNTS.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund that shall be known as the ''Farmland, Ranchland, Open Space, and Forestland Protection Fund'' (in this title referred to as the ''Fund''). Subject to section 5 of this Act, there shall be deposited into the Fund $150,000,000 of qualified Outer Continental Shelf revenues received by the United States each fiscal year.

(b) AVAILABILITY.—Amounts in the Fund shall be available as provided in section 403, without further appropriation, and shall remain available until expended.

(c) INVESTMENT OF EXCESS AMOUNTS.—The Secretary of the Treasury shall invest moneys in the Fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited into the Fund

SEC. 403. AUTHORIZED USES OF FARMLAND, RANCHLAND, OPEN SPACE, AND FORESTLAND PROTECTION FUND.

(a) FARMLAND PROTECTION PROGRAM.—The Secretary of Agriculture may use up to $50,000,000 annually from the Farmland, Ranchland, Open Space, and Forestland Protection Fund for the Farmland Protection Program established under section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 16 U.S.C. 3830 note), as amended by section 404.

(b) RANCHLAND PROTECTION PROGRAM.—The Secretary of the Interior may use up to $50,000,000 annually from the Fund for the Ranchland Protection Program established by section 405.

(c) FOREST LEGACY PROGRAM.—The Secretary of Agriculture may use up to $50,000,000 annually from the Fund for the Forest Legacy Program established by section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c).

SEC. 404. FARMLAND PROTECTION PROGRAM.

(a) EXPANSION OF EXISTING PROGRAM.—Section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 16 U.S.C. 3830 note) is amended to read as follows:

''SEC. 388. FARMLAND PROTECTION PROGRAM.

''(a) GRANTS AUTHORIZED; PURPOSE.—The Secretary of Agriculture shall establish and carry out a program, to be known as the 'Farmland Protection Program', under which the Secretary shall provide grants to eligible entities described in subsection (c) to provide the Federal share of the cost of purchasing permanent conservation easements in land with prime, unique, or other productive soil for the purpose of protecting the continued use of the land as farmland or open space by limiting nonagricultural uses of the land.

''(b) FEDERAL SHARE.—The Federal share of the cost of purchasing a conservation easement described in subsection (a) may not exceed 50 percent of the total cost of purchasing the easement.

''(c) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means—

(1) an agency of a State or local government;

(2) a federally recognized Indian tribe; or

(3) any organization that is organized for, and at all times since its formation has been operated principally for, one or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986 and—

(A) is described in section 501(c)(3) of the Code;

(B) is exempt from taxation under section 501(a) of the Code; and

(C) is described in paragraph (2) of section 509(a) of the Code, or paragraph (3) of such section, but is controlled by an organization described in paragraph (2) of such section.

''(d) TITLE; ENFORCEMENT.—Any eligible entity may hold title to a conservation easement described in subsection (a) and enforce the conservation requirements of the easement.

''(e) STATE CERTIFICATION.—As a condition of the receipt by an eligible entity of a grant under subsection (a), the attorney general of the State in which the conservation easement is to be purchased using the grant funds shall certify that the conservation easement to be purchased is in a form that is sufficient, under the laws of the State, to achieve the conservation purpose of the Farmland Protection Program and the terms and conditions of the grant.

''(f) CONSERVATION PLAN.—Any land for which a conservation easement is purchased under this section shall be subject to the requirements of a conservation plan to the extent that the plan does not negate or adversely affect the restrictions contained in the easement.

''(g) TECHNICAL ASSISTANCE.—The Secretary of Agriculture may not use more than 10 percent of the amount that is made available for any fiscal year under this program to provide technical assistance to carry out this section.''.

(b) EFFECT ON EXISTING EASEMENTS.—The amendment made by subsection (a) shall not affect the validity or terms of conservation easements and other interests in lands purchased under section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 16 U.S.C. 3830 note) before the date of the enactment of this Act.

SEC. 405. RANCHLAND PROTECTION PROGRAM.

(a) GRANTS AUTHORIZED; PURPOSE.—The Secretary of Interior shall establish and carry out a program, to be known as the ''Ranchland Protection Program'', under which the Secretary shall provide grants to eligible entities described in subsection (c) to provide the Federal share of the cost of purchasing permanent conservation easements on ranchland, which is in danger of conversion to nonagricultural uses, for the purpose of protecting the continued use of the land as ranchland or open space.

(b) FEDERAL SHARE.—The Federal share of the cost of purchasing a conservation easement described in subsection (a) may not exceed 50 percent of the total cost of purchasing the easement.

(c) ELIGIBLE ENTITY DEFINED.—In this section, the term ''eligible entity'' means—

(1) an agency of a State or local government;

(2) a federally recognized Indian tribe; or

(3) any organization that is organized for, and at all times since its formation has been operated principally for, one or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986 and—

(A) is described in section 501(c)(3) of the Code;

(B) is exempt from taxation under section 501(a) of the Code; and

(C) is described in paragraph (2) of section 509(a) of the Code, or paragraph (3) of such section, but is controlled by an organization described in paragraph (2) of such section.

(d) TITLE; ENFORCEMENT.—Any eligible entity may hold title to a conservation easement described in subsection (a) and enforce the conservation requirements of the easement.

(e) STATE CERTIFICATION.—As a condition of the receipt by an eligible entity of a grant under subsection (a), the attorney general of the State in which the conservation easement is to be purchased using the grant funds shall certify that the conservation easement to be purchased is in a form that is sufficient, under the laws of the State, to achieve the conservation purpose of the Ranchland Protection Program and the terms and conditions of the grant.

(f) CONSERVATION PLAN.—Any land for which a conservation easement is purchased under this section shall be subject to the requirements of a conservation plan to the extent that the plan does not negate or adversely affect the restrictions contained in the easement.

(g) RANCHLAND DEFINED.—In this section, the term ''ranchland'' means private or tribally owned rangeland, pastureland, grazed forest land, and hay land.

(h) TECHNICAL ASSISTANCE.—The Secretary of the Interior may not use more than 10 percent of the amount that is made available for any fiscal year under this program to provide technical assistance to carry out this section.

TITLE V—FEDERAL AND INDIAN LANDS RESTORATION FUND

SEC. 501. PURPOSE.

The purpose of this title is to provide a dedicated source of funding for a coordinated program on Federal and Indian lands to restore degraded lands, protect resources that are threatened with degradation, and protect public health and safety.

SEC. 502. FEDERAL AND INDIAN LANDS RESTORATION FUND; AVAILABILITY OF AMOUNTS; ALLOCATION.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund that shall be known as the ''Federal and Indian Lands Restoration Fund''. Subject to section 5 of this Act, there shall be deposited into the fund $250,000,000 of qualified Outer Continental Shelf revenues received by the United States each fiscal year. Amounts in the fund shall only be used to carry out the purpose of this title.

(b) AVAILABILITY.—Of amounts in the fund, up to $250,000,000 shall be available each fiscal year without further appropriation, and shall remain available until expended.

(c) ALLOCATION.—Amounts made available under this section shall be allocated as follows:

(1) DEPARTMENT OF THE INTERIOR.—60 percent shall be available to the Secretary of the Interior to carry out the purpose of this title on lands within the National Park System, National Wildlife Refuge System, and public lands administered by the Bureau of Land Management.

(2) DEPARTMENT OF AGRICULTURE.—30 percent shall be available to the Secretary of Agriculture to carry out the purpose of this title on lands within the National Forest System.

(3) INDIAN TRIBES.—10 percent shall be available to the Secretary of the Interior for competitive grants to qualified Indian tribes under section 503(b).

(d) INVESTMENT OF EXCESS AMOUNTS.—The Secretary of the Treasury shall invest moneys in the fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited into the fund.

SEC. 503. AUTHORIZED USES OF FUND.

(a) IN GENERAL.—Funds made available pursuant to this title shall be used solely for restoration of degraded lands, resource protection, maintenance activities related to resource protection, or protection of public health or safety.

(b) COMPETITIVE GRANTS TO INDIAN TRIBES.—

(1) GRANT AUTHORITY.—The Secretary of the Interior shall administer a competitive grant program for Indian tribes, using such criteria as may be developed by the Secretary to achieve the purpose of this title.

(2) LIMITATION.—The amount received for a fiscal year by a single Indian tribe in the form of grants under this subsection may not exceed 10 percent of the total amount provided to all Indian tribes for that fiscal year in the form of such grants.

(c) PRIORITY LIST.—The Secretary of the Interior and the Secretary of Agriculture shall each establish priority lists for the use of funds available under this title. Each list shall give priority to projects based upon the protection of significant resources, the severity of damages or threats to resources, and the protection of public health or safety.

(d) COMPLIANCE WITH APPLICABLE PLANS.—Any project carried out on Federal lands with amounts provided under this title shall be carried out in accordance with all management plans that apply under Federal law to the lands.

(e) TRACKING RESULTS.—Not later than the end of the first full fiscal year for which funds are available under this title, the Secretary of the Interior and the Secretary of Agriculture shall jointly establish a coordinated program for—

(1) tracking the progress of activities carried out with amounts made available by this title; and

(2) determining the extent to which demonstrable results are being achieved by those activities.

SEC. 504. INDIAN TRIBE DEFINED.

In this title, the term ''Indian tribe'' means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior recognizes as an Indian tribe under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a–1).

TITLE VI—LIVING MARINE RESOURCES CONSERVATION, RESTORATION, AND MANAGEMENT ASSISTANCE

SEC. 601. PURPOSE.

The purpose of this title is to provide a dedicated source of funding for a coordinated program to—

(1) preserve biological diversity and natural assemblages of living marine resources, and their habitat; and

(2) provide financial assistance to the coastal States, private citizens, and nongovernmental entities for the conservation, restoration, and management of living marine resources and their habitat.

SEC. 602. FINANCIAL ASSISTANCE TO COASTAL STATES.

(a) AUTHORIZATION OF ASSISTANCE.—

(1) IN GENERAL.—The Secretary may use amounts allocated to an eligible coastal State under subsection (b) to reimburse the State for costs described in paragraph (3) that are incurred by the State.

(2) ELIGIBLE COASTAL STATES.—A coastal State shall be an eligible coastal State under paragraph (1) if—

(A) the State has an Living Marine Resources Conservation Plan that is approved under subsection (d); or

(B) the Secretary determines that the State is making sufficient progress toward completion of such a plan.

(3) COSTS ELIGIBLE FOR REIMBURSEMENT.—The costs referred to in paragraph (1) are the following:

(A) The costs of developing an Living Marine Resources Conservation Plan pursuant to subsection (d), as follows:

(i) Not to exceed 90 of such costs incurred in each of the first three fiscal years that begin after the date of the enactment of this Act.

(ii) Not to exceed 75 percent of such costs incurred in each of the fourth and fifth fiscal years that begin after the date of the enactment of this Act.

(iii) Not to exceed 75 percent of such costs incurred in the sixth or seventh year that begins after the date of the enactment of this Act (or both), upon a showing by the State of a need for that assistance for that year and a finding by the Secretary that the plan is likely to be completed within that 2-fiscal-year period.

(B) Not to exceed 75 percent of the costs of implementing and revising an approved conservation plan.

(C) Not to exceed 90 percent of implementing conservation actions under an approved conservation plan that are undertaken—

(i) in cooperation with one or more other coastal States; or

(ii) in coordination with Federal actions for the conservation, restoration, or management of living marine resources.–

(4) EMERGENCY FUNDING.—Notwithstanding paragraph (1), the Secretary may reimburse a coastal State for 100 percent of the cost of conservation actions on a showing of need by the State and if those actions—

(A) are substantial in character and design;

(B) meet such of the requirements of subsection (d) as may be appropriate; and

(C) are considered by the Secretary to be necessary to fulfill the purpose of this title.

(5) IN-KIND CONTRIBUTIONS; LIMITATION ON INCLUDED COSTS.—(A) In computing the costs incurred by any State during any fiscal year for purposes of paragraphs (1) and (4), the Secretary, subject to subparagraph (B), shall take into account, in addition to each outlay by the State, the value of in-kind contributions (including real and personal property and services) received and applied by the State during the year for activities for which the costs are computed.

(B) In computing the costs incurred by any State during any fiscal year for purposes of paragraphs (1) and (4)—

(i) the Secretary shall not include costs paid by the State using Federal moneys received and applied by the State, directly or indirectly, for the activities for which the costs are computed; and

(ii) the Secretary shall not include in-kind contributions in excess of 50 percent of the amount of reimbursement paid to the State under this subsection for the fiscal year.

(C) For purposes of subparagraph (A), in-kind contributions may be in the form of, but are not required to be limited to, personal services rendered by volunteers in carrying out surveys, censuses, and other scientific studies regarding living marine resources. The Secretary shall by regulation establish—

(i) the training, experience, and other qualifications which such volunteers must have in order for their services to be considered as in-kind contributions; and

(ii) the standards under which the Secretary will determine the value of in-kind contributions and real and personal property for purposes of subparagraph (A).

(D) Any valuation determination made by the Secretary for purposes of this paragraph shall be final and conclusive.

(b) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—The Secretary shall allocate among all coastal States the funds available each fiscal year under section 604(b), as follows:

(A) A portion equal to ⅔ of the funds shall be allocated by allocating to each coastal State an amount that bears the same ratio to that portion as the coastal population of the State bears to the total coastal population of all coastal States.

(B) A portion equal to ⅓ of the funds shall be allocated by allocating to each coastal State an amount that bears the same ratio to that portion as the shoreline miles of the State bears to the shoreline miles of all coastal States.

(2) MINIMUM AND MAXIMUM ALLOCATIONS.—Notwithstanding paragraph (1), the total amount allocated to a coastal State under subparagraphs (A) and (B) of paragraph (1) for a fiscal year shall be not less than ½ of one percent, and not more than 10 percent, of the total amount of funds available under section 604(b) for the fiscal year.

(c) AVAILABILITY OF FUNDS TO STATES.—

(1) IN GENERAL.—Amounts allocated to a coastal State under this section for a fiscal year shall be available for expenditure by the State in accordance with this section without further appropriation, and shall remain available for expenditure for the subsequent fiscal year.

(2) REVERSION.—(A) Except as provided in subparagraph (B), amounts allocated under subsection (b)(1) to a coastal State for a fiscal year that are not expended before the end of the subsequent fiscal year shall, upon the expiration of the subsequent fiscal year, revert to the Fund and remain available for reallocation under subsection (b).

(B) Subparagraph (A) shall not apply to amounts that are otherwise subject to reallocation under this paragraph if the Secretary certifies in writing that the purposes of this title would be better served if the amounts remained available for use by the coastal State.

(C) Amounts that remain available to a coastal State pursuant to a certification under subparagraph (B) may remain available for a period specified by the Secretary in the certification, which shall not exceed 2 fiscal years.

(d) APPROVAL OF COASTAL STATE LIVING MARINE RESOURCES CONSERVATION PLANS.—

(1) SUBMISSION.—A coastal State that seeks financial assistance under this section shall submit to the Secretary, in such manner as the Secretary shall by regulation prescribe, an application that contains a proposed Living Marine Resources Conservation Plan.

(2) REVIEW AND APPROVAL.—As soon as is practicable, but no later than 180 days, after the date on which a coastal State submits (or resubmits in the case of a prior disapproval) an application for the approval of a proposed Living Marine Resources Conservation Plan, the Secretary shall—

(A) approve the plan, if the Secretary determines that the plan—

(i) fulfills the purpose of this title;

(ii) is substantial in character and design; and

(iii) meets the requirements set forth in subsection (e); or

(B) if the proposed plan does not meet the criteria set forth in subparagraph (A), disapprove the conservation plan and provide the coastal State—

(i) a written statement of the reasons for disapproval;

(ii) an opportunity to consult with the Secretary regarding deficiencies in the plan and the modifications required for approval; and

(iii) an opportunity to revise and resubmit the plan.

(e) LIVING MARINE RESOURCES CONSERVATION PLANS.—The Secretary may not approve an Living Marine Resources Conservation Plan proposed by a coastal State unless the Secretary determines that the plan—

(1) promotes balanced and diverse assemblages of living marine resources;

(2) provides for the vesting in a designated State agency the overall responsibility for the development and revision of the plan;

(3) provides for an inventory of the living marine resources that are within the waters of the State and are of value to the public for ecological, economic, cultural, recreational, scientific, educational, and esthetic benefits;

(4) with respect to species inventoried under paragraph (3) (in this subsection referred to as ''plan species''), provides for—

(A) determination of the size, range, and distribution of their populations; and

(B) identification of the extent, condition, and location of their habitats;

(5) provides for identification of any significant factors which may adversely affect the plan species and their habitats;

(6) provides for determination and implementation of the actions that should be taken to conserve, restore, and manage the plan species and their habitats;

(7) provides for establishment of priorities for implementing conservation actions determined under paragraph (6);

(8) provides for the monitoring, on a regular basis, of the plan species and the effectiveness of the conservation actions determined under paragraph (6);

(9) provides for review and, if appropriate, revision of the plan, at intervals of not more than 3 years;

(10) ensures that the public is given opportunity to make its views known and considered during the development, revision, and implementation of the plan;

(11) identifies and establishes mechanisms for coordinating conservation, restoration, and management actions under the plan with appropriate Federal and interstate bodies with responsibility for living marine resources management and conservation; and

(12) provides for consultation by the State agency designated under paragraph (2), as appropriate, with Federal and State agencies, interstate bodies, nongovernmental entities, and the private sector during the development, revision, and implementation of the plan, in order to minimize duplication of effort and to ensure that the best information is available to all parties.

SEC. 603. OCEAN CONSERVATION PARTNERSHIPS.

(a) IN GENERAL.—The Secretary may use amounts available under section 604(b) to make grants for the conservation, restoration, or management of living marine resources.

(b) ELIGIBILITY AND APPLICATION.—Any person may apply to the Secretary for a grant under this section, in such manner as the Secretary shall by regulation prescribe.

(c) REVIEW PROCESS.—Not later than 6 months after receiving an application for a grant under this section, the Secretary shall—

(1) request written comments on the project proposal contained in the application from each State or territory of the United States, and from each Regional Fishery Management Council established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), having jurisdiction over any area in which the project is proposed to be carried out;

(2) provide for the merit-based peer review of the project proposal and require standardized documentation of that peer review;

(3) after reviewing any written comments and recommendations received under subsection (c)(1), and based on such comments and recommendations and peer review, approve or disapprove the proposal; and

(4) provide written notification of that approval or disapproval to the applicant.

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a proposal for a grant under this section only if the Secretary determines that the proposed project—

(1) fulfills the purposes of this title;

(2) is substantial in character and design; and

(3) provide for the long-term conservation, restoration, or management of living marine resources.

(e) PRIORITY CONSIDERATION.—In approving and disapproving proposals under this section, the Secretary shall give priority to funding proposed projects that, in addition to satisfying the criteria of subsection (d), will—

(1) establish or enhance existing cooperation and coordination between the public and private sectors;

(2) assist in achieving the objectives of a National Estuary, National Marine Sanctuary, National Estuarine Research, Reserve, or other marine protected area established under Federal or State law; or

(3) assist in the conservation and enhancement of essential fish habitat pursuant to the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(f) LIMITATION ON AMOUNT OF GRANTS.—The amount provided to a private person in a fiscal year in the form of a grant under this section may not exceed 2 percent of the total amount available for the fiscal year for such grants.

(g) TERMS AND CONDITIONS OF GRANTS.—The Secretary shall require that each grantee under this section shall conform with such record-keeping requirements, reporting requirements, and other terms and conditions as the Secretary shall by regulation prescribe.

SEC. 604. LIVING MARINE RESOURCES CONSERVATION FUND; AVAILABILITY OF AMOUNTS.

(a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a fund which shall be known as the ''Living Marine Resources Conservation Fund''.

(2) CONTENTS.—The Fund shall consist of—

(A) amounts deposited into the Fund under this section; and

(B) amounts that revert to the Fund under section 602(c)(2).

(3) DEPOSIT OF OCS REVENUES.—Subject to section 5 of this Act, from amounts received by the United States as qualified Outer Continental Shelf revenues each fiscal year, there shall be deposited into the Fund the following:

(A) For each of fiscal years 2000 and 2001, $100,000,000.

(B) For each of fiscal years 2002, 2003, and 2004, $200,000,000.

(C) For each of fiscal year 2005 and each fiscal year thereafter, $300,000,000.

(b) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Of amounts in the Fund, up to the amount stated for a fiscal year in paragraph (3) shall be available to the Secretary for that fiscal year without further appropriation to carry out this title, and shall remain available until expended.

(2) USE.—Of the amounts expended under this subsection for a fiscal year—

(A) ⅔ shall be used by the Secretary for providing financial assistance to coastal States under section 602; and

(B) ⅓ shall used by the Secretary for grants under section 603.

(c) INVESTMENT OF EXCESS AMOUNTS.—The Secretary of the Treasury shall invest moneys in the Fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited into the Fund.

SEC. 605. DEFINITIONS.

In this title:

(1) COASTAL POPULATION.—The term ''coastal population'' means the population of all political subdivisions, as determined by the most recent official data of the Census Bureau, contained in whole or in part within the designated coastal boundary of a State as defined in a State's coastal zone management program under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

(2) FUND.—The term ''Fund'' means the Living Marine Resources Conservation Fund established by section 604.

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

(4) LIVING MARINE RESOURCES.—The term ''living marine resources'' means indigenous fin fish, anadromous fish, mollusks, crustaceans, and all other forms of marine animal and plant life, including marine mammals and birds, that inhabit marine or brackish waters of the United States during all or part of their life cycle.

TITLE VII—FUNDING FOR STATE NATIVE FISH AND WILDLIFE CONSERVATION AND RESTORATION

SEC. 701. AMENDMENTS TO FINDINGS AND PURPOSES.

(a) FINDINGS.—Section 2(a) of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901(a)) is amended—

(1) in paragraph (1) by striking ''Fish and wildlife'' and inserting ''Native fish and wildlife'';

(2) in paragraph (2)—

(A) by striking ''fish and wildlife, particularly nongame fish and wildlife'' and inserting ''native fish and wildlife, particularly nongame species''; and

(B) by striking ''maintaining fish and wildlife'' and inserting ''maintaining biological diversity'';

(3) in paragraph (3) by striking ''fish and wildlife'' and inserting ''native fish and wildlife'';

(4) in paragraph (4) by striking ''nongame fish and wildlife'' and inserting ''native fish and wildlife''; and

(5) in paragraph (5) by striking ''fish and wildlife'' and all that follows through the end of the sentence and inserting ''native fish and wildlife.''.

(b) PURPOSES.—Section 2(b) of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901(b)) is amended—

(1) by striking ''nongame fish and wildlife'' each place it appears and inserting ''native fish and wildlife'';

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively, and inserting before paragraph (2) (as so redesignated) the following:

''(1) to preserve biological diversity by maintaining natural assemblages of native fish and wildlife;''; and

(3) in paragraph (2), as redesignated, by inserting after ''States'' the following: ''(and through the States to local governments where appropriate)''.

SEC. 702. DEFINITIONS.

Section 3 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2902) is amended—

(1) in paragraph (2) by striking ''fish and wildlife'' and inserting ''native fish and wildlife'';

(2) in paragraph (3)—

(A) by striking ''fish and wildlife'' and inserting ''native fish and wildlife''; and

(B) by striking ''development'' and inserting ''and restoration'';

(3) in paragraph (4) by striking ''fish and wildlife'' and inserting ''native fish and wildlife'';

(4) by amending paragraph (5) to read as follows:

''(5) The term 'native fish and wildlife'—

''(A) subject to subparagraph (B), means a fish, animal, or plant species that—

''(i) historically occurred or currently occurs in an ecosystem, other than as a result of an introduction; and

''(ii) lives in an unconfined state; and

''(B) does not include any population of a domesticated species that has reverted to a feral existence.

Any determination by the Secretary that a species is or is not a species of native fish and wildlife for purposes of this Act shall be final.'';

(5) by striking paragraph (6) and redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively; and

(6) by adding at the end the following:

''(8) The term 'Native Wildlife Fund' means the Native Fish and Wildlife Conservation and Restoration Fund established by section 11.

''(9) The term 'qualified Outer Continental Shelf revenues' has the meaning given that term in section 4 of the Resources 2000 Act.''.

SEC. 703. CONSERVATION PLANS.

Section 4 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2903) is amended—

(1) by redesignating paragraphs (1) through (10) in order as paragraphs (2) through (11);

(2) by inserting before paragraph (2) (as so redesignated) the following:

''(1) promote balanced and diverse assemblages of native fish and wildlife;'';

(3) in paragraph (3) (as so redesignated) by striking ''nongame'' and all that follows through ''appropriate,'' and inserting ''native fish and wildlife'';

(4) in paragraph (4) (as so redesignated) by striking ''(2)'' and inserting ''(3)'';

(5) in paragraph (5) (as so redesignated) by striking ''problems'' and inserting ''factors''; and

(6) in paragraphs (7) and (8) (as so redesignated) by striking ''(5)'' and inserting ''(6)''.

SEC. 704. CONSERVATION ACTIONS IN ABSENCE OF CONSERVATION PLAN.

(a) IN GENERAL.—Section 5 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2904) is amended—

(1) in the section heading by striking ''nongame'';

(2) by striking subsection (c), and redesignating subsection (d) as subsection (c); and

(3) in subsection (c) (as so redesignated) by—

(A) in the subsection heading, by striking ''NONGAME'';

(B) striking ''nongame fish and wildlife'' and inserting ''native fish and wildlife''; and

(C) striking ''and'' after the semicolon at the end of paragraph (1), striking the period at the end of paragraph (2) and inserting ''; and'', and adding at the end the following:

''(3) are consistent with the purposes of this Act.''.

(b) CONFORMING AMENDMENTS.—Section 6 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2905) is amended by striking ''section 5(c) and (d)'' each place it appears and inserting ''section 5(c)''.

SEC. 705. AMENDMENTS RELATING TO REIMBURSEMENT PROCESS.

Section 6 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2905) is amended—

(1) in the section heading by striking ''**NONGAME**'';

(2) in subsection (a)(3) by striking ''nongame fish and wildlife'';

(3) in subsection (d) by striking ''appropriated'' and inserting ''available'';

(4) in subsection (e)(2)—

(A) in subparagraph (A) by striking ''1991'' and inserting ''2010'';

(B) in subparagraph (B)—

(i) by striking ''1986'' and inserting ''2005'';

(ii) by striking ''section 5(d)'' and inserting ''section 5(c)'';

(iii) by striking ''nongame fish and wildlife'' and inserting ''conservation''; and

(iv) by adding ''or'' after the semicolon;

(C) by striking subparagraphs (C), (D), and (E);

(D) by redesignating subparagraph (F) as subparagraph (C);

(E) in subparagraph (C) (as so redesignated) by striking ''nongame fish and wildlife'' and inserting ''native fish and wildlife''; and

(F) in subparagraph (C)(ii) (as so redesignated) by striking ''10 percent'' and inserting ''50 percent'';

(5) in subsection (e)(3)—

(A) in subparagraph (A) by striking ''1982, 1983, and 1984'' and inserting ''2001, 2002, and 2003'';

(B) in subparagraph (B) by striking ''nongame fish and wildlife''; and

(C) by amending subparagraph (D) to read as follows:

''(D) after September 30, 2010, may not exceed 75 percent of the cost of implementing and revising the plan during the fiscal year.''; and

(6) in subsection (e)(4)—

(A) in subparagraph (A) by striking ''nongame fish and wildlife''; and

(B) in subparagraph (B) by striking ''fish and wildlife'' and inserting ''native fish and wildlife''.

SEC. 706. ESTABLISHMENT OF NATIVE FISH AND WILDLIFE CONSERVATION AND RESTORATION TRUST FUND; AVAILABILITY OF AMOUNTS.

(a) ESTABLISHMENT OF FUND.—Section 11 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2910) is amended to read as follows:

''SEC. 11. NATIVE FISH AND WILDLIFE CONSERVATION AND RESTORATION FUND.

''(a) ESTABLISHMENT OF FUND.—(1) There is established in the Treasury of the United States a fund which shall be known as the 'Native Fish and Wildlife Conservation and Restoration Fund'. The Native Fish and Wildlife Conservation Fund shall consist of amounts deposited into the Fund under this subsection.

''(2) Subject to section 5 of the Resources 2000 Act, from amounts received by the United States as qualified Outer Continental Shelf revenues each fiscal year, there shall be deposited into the Fund the following amounts:

''(A) For each of fiscal years 2000 and 2001, $100,000,000.

''(B) For each of fiscal years 2002, 2003, and 2004, $200,000,000.

''(C) For fiscal year 2005 and each fiscal year thereafter, $350,000,000.

''(3) The Secretary of the Treasury shall invest moneys in the Fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited into the Fund.

''(b) AVAILABILITY FOR REIMBURSEMENT TO STATES.—Of amounts in the Native Wildlife Fund—

''(1) up to the amount stated in subsection (a)(2) for a fiscal year shall be available to the Secretary of the Interior for that fiscal year, without further appropriation, to reimburse States under section 6 in accordance with the terms and conditions that apply under sections 7 and 8; and

''(2) shall remain available until expended.''.

(b) CONFORMING AMENDMENTS.—Section 8 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2907) is amended—

(1) in subsection (a) by striking ''appropriated'' and inserting ''available''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1) by striking ''appropriated'' and inserting ''available''; and

(B) in paragraph (1)—

(i) by striking ''8 percent'' and inserting ''2 percent''; and

(ii) by striking ''the purposes for which so appropriated'' and inserting ''the purposes for which the amount is available''.

TITLE VIII—ENDANGERED AND THREATENED SPECIES RECOVERY

SEC. 801. PURPOSES.

The purposes of this title are the following:

(1) To provide a dedicated source of funding to the Fish and Wildlife Service and the National Marine Fisheries Service for the purpose of implementing an incentives program to promote the recovery of endangered species and threatened species and the habitat upon which they depend.

(2) To promote greater involvement by non-Federal entities in the recovery of the Nation's endangered species and threatened species and the habitat upon which they depend.

SEC. 802. ENDANGERED AND THREATENED SPECIES RECOVERY ASSISTANCE.

(a) FINANCIAL ASSISTANCE.—The Secretary may use amounts in the Endangered and Threatened Species Recovery Fund established by section 804 to provide financial assistance to any person for development and implementation of Endangered and Threatened Species Recovery Agreements entered into by the Secretary under section 804.

(b) PRIORITY.—In providing assistance under this section, the Secretary shall give priority to the development and implementation of recovery agreements that—

(1) implement actions identified under recovery plans approved by the Secretary under section 4(f) of the Endangered Species Act of 1973 (16 U.S.C. 1533(f));

(2) have the greatest potential for contributing to the recovery of an endangered or threatened species; and

(3) to the extent practicable, require use of the assistance—

(A) on land owned by a small landowner; or

(B) on a family farm by the owner or operator of the family farm.

(c) PROHIBITION ON ASSISTANCE FOR REQUIRED ACTIVITIES.—The Secretary may not provide financial assistance under this section for any action that is required by a permit issued under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or that is otherwise required under that Act or any other Federal law.

(d) PAYMENTS UNDER OTHER PROGRAMS.—

(1) OTHER PAYMENTS NOT AFFECTED.—Financial assistance provided to a person under this section shall be in addition to, and shall not affect, the total amount of payments that the person is otherwise eligible to receive under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), the wetlands reserve program established under subchapter C of that chapter (16 U.S.C. 3837 et seq.), or the Wildlife Habitat Incentives Program established under section 387 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3836a).

(2) LIMITATION.—A person may not receive financial assistance under this section to carry out activities under a species recovery agreement in addition to payments under the programs referred to in paragraph (1) made for the same activities if the terms of the species recovery agreement do not require financial or management obligations by the person in addition to any such obligations of the person under such programs.

SEC. 803. ENDANGERED AND THREATENED SPECIES RECOVERY AGREEMENTS.

(a) IN GENERAL.—The Secretary may enter into Endangered and Threatened Species Recovery Agreements for purposes of this title in accordance with this section.

(b) REQUIRED TERMS.—The Secretary shall include in each species recovery agreement provisions that—

(1) require the person—

(A) to carry out on real property owned or leased by the person activities not otherwise required by law that contribute to the recovery of an endangered or threatened species;

(B) to refrain from carrying out on real property owned or leased by the person otherwise lawful activities that would inhibit the recovery of an endangered or threatened species; or

(C) to do any combination of subparagraphs (A) and (B);

(2) describe the real property referred to in paragraph (1)(A) and (B) (as applicable);

(3) specify species recovery goals for the agreement, and measures for attaining such goals;

(4) require the person to make measurable progress each year in achieving those goals, including a schedule for implementation of the agreement;

(5) specify actions to be taken by the Secretary or the person (or both) to monitor the effectiveness of the agreement in attaining those recovery goals;

(6) require the person to notify the Secretary if—

(A) any right or obligation of the person under the agreement is assigned to any other person; or

(B) any term of the agreement is breached by the person or any other person to whom is assigned a right or obligation of the person under the agreement;

(7) specify the date on which the agreement takes effect and the period of time during which the agreement shall remain in effect;

(8) provide that the agreement shall not be in effect on and after any date on which the Secretary publishes a certification by the Secretary that the person has not complied the agreement; and

(9) allocate financial assistance provided under this title for implementation of the agreement, on an annual or other basis during the period the agreement is in effect based on the schedule for implementation required under paragraph (4).

(c) REVIEW AND APPROVAL OF PROPOSED AGREEMENTS.—Upon submission by any person of a proposed species recovery agreement under this section, the Secretary—

(1) shall review the proposed agreement and determine whether it complies with the requirements of this section and will contribute to the recovery of endangered or threatened species that are the subject of the proposed agreement;

(2) propose to the person any additional provisions necessary for the agreement to comply with this section; and

(3) if the Secretary determines that the agreement complies with the requirements of this section, shall approve and enter with the person into the agreement.

(d) MONITORING IMPLEMENTATION OF AGREEMENTS.—The Secretary shall—

(1) periodically monitor the implementation of each species recovery agreement entered into by the Secretary under this section; and

(2) based on the information obtained from that monitoring, annually or otherwise disburse financial assistance under this title to implement the agreement as the Secretary determines is appropriate under the terms of the agreement.

SEC. 804. ENDANGERED AND THREATENED SPECIES RECOVERY FUND; AVAILABILITY OF AMOUNTS.

(a) ESTABLISHMENT OF FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund that shall be known as the ''Endangered and Threatened Species Recovery Fund''. The Fund shall consist of such amounts as are deposited into the Fund under this section.

(2) DEPOSITS.—Subject to section 5 of this Act, from amounts received by the United States as qualified Outer Continental Shelf revenues there shall be deposited into the Fund $100,000,000 each fiscal year.

(b) AVAILABILITY.—Of amounts in the Fund up to $100,000,000 shall be available to the Secretary each fiscal year, without further appropriation, for providing financial assistance under section 802, and shall remain available until expended.

(c) INVESTMENT OF EXCESS AMOUNTS.—The Secretary of the Treasury shall invest moneys in the Fund that are excess to expenditures in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity. Interest earned on such investments shall be deposited into the Fund.

SEC. 805. DEFINITIONS.

In this title:

(1) ENDANGERED OR THREATENED SPECIES.—The term ''endangered or threatened species'' means any species that is listed as an endangered species or threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(2) FAMILY FARM.—The term ''family farm'' means a farm that—

(A) produces agricultural commodities for sale in such quantities so as to be recognized in the community as a farm and not as a rural residence;

(B) produces enough income, including off-farm employment, to pay family and farm operating expenses, pay debts, and maintain the property;

(C) is managed by the operator;

(D) has a substantial amount of labor provided by the operator and the operator's family; and

(E) uses seasonal labor only during peak periods, and uses no more than a reasonable amount of full-time hired labor.

(3) FUND.—The term ''Fund'' means the Endangered and Threatened Species Recovery Fund established by section 804.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior or the Secretary of Commerce, in accordance with section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532).

(5) SMALL LANDOWNER.—The term ''small landowner'' means an individual who owns 50 acres or fewer of land.

(6) SPECIES RECOVERY AGREEMENT.—The term ''species recovery agreement'' means an Endangered and Threatened Species Recovery Agreement entered into by the Secretary under section 803.

ORGANIZATIONS SUPPORTING RESOURCES 2000

America Oceans Campaign.
Bay Area Open Space Council.
Bay Area Ridge Trail Council.
Bay Institute.
California Police Activities League.
Carquinez Strait Preservation Trust.
Defenders of Wildlife.
Earth Island Institute.
East Bay Regional Park District.
Environmental Defense Fund.
Friends of the Earth.
Friends of the River.
Golden Gate Audubon Society.
Greater Vallejo Recreation District.
Izaak Walton League.
Land Trust Alliance.
Marin Conservation League.
Martinez Regional Land Trust.
National Conference of State Historic Preservation Officers.
National Audubon Society.
National Environmental Trust.
National Parks and Conservation Association.
National Association of Police Athletic Leagues.
National Wildlife Federation.
Natural Resources Defense Council.
Physicians for Social Responsibility.
Preservation Action.
Save San Francisco Bay Association.
Save the Redwoods.
Scenic America.
Sierra Club.
Society for American Archaeology.
Trust for Public Land.
U.S. Public Interest Research Group.
Wilderness Society.

EXCERPTS OF LETTERS SUPPORTING RESOURCES 2000

''America's Resources 2000 would significantly help our lands, oceans and creatures in the next millennium. Representative Miller and Senator Boxer have listened to the demand of the American people and are pushing for critical, much-needed funding for the environment.''—Brent Blackwelder, President, Friends of the Earth.

''Congress ought to lay down the law: federal lands must be kept safe, even added to, instead as a national yard sale for wealthy corporations to raid for cheap resources. The Permanent Protection for America's Resources 2000 bill sends that message loud and clear.''—Philip E. Clapp, President, National Environmental Trust.

''The Carquinez Strait Preservation Trust applauds your initiatives to provide protection for American resources . . . We strongly support your legislation.''—Jerry Ashland, President, Carquinez Strait Preservation Trust.

''The Bay Area Open Space Council thanks you for your bold leadership in introducing the Permanent Protection for America's Resources 2000 legislation.''—John Woodbury, Program Director, Bay Area Open Space Council.

''Millions of acres within our national parks are still privately owned and not protected because the federal government has failed to acquire the lands America wants preserved. Resources 2000 will provide the funding, not only this year, but in years to come, to secure these treasured places for the ages.''—Tom Kiernan, President, National Parks and Conservation Association.

''Your Resources 2000 offers the hope that permanent, annual funding will be secured for resource preservation goals.''—Susan West Montgomery, President, Preservation Action.

''Implementation of Permanent Protection for America's Resources 2000 would be a dream come true for conservationists and truly usher in a new millennium for wildlife.''—Rodger Schlickeisen, President, Defenders of Wildlife.

''We have been advocating for the use of the Land and Water Conservation Funds for land acquisition for several years, and we are very glad to see that this is one of the key elements in this proposed legislation.''—Jerry Edelbrock, Executive Director, Marin Conservation League.

CITIZEN GROUPS CALL LAND AND WATER PROTECTION A TOP LEGISLATIVE PRIORITY

A broad range of citizen organizations today expressed support for the principles of the Permanent Protection for America's Resources 2000 initiative to be introduced this week by Rep. George Miller (D–CA) and Sen. Barbara Boxer (D–CA). The initiative provides guaranteed annual funding for conservation from the Land & Water Conservation Fund and other long-sought measures to protect America's public lands, wildlife, and historical resources. Selected comments by environmental leaders follow.

''Implementation of Permanent Protection for America's Resources 2000 would be a dream come true for conservationists and truly usher in a new millennium for wildlife. This far-sighted legislation is Defenders of Wildlife's top legislative priority because it provides long-needed permanent protection for the Land and Water Conservation Fund as well as funding for endangered species recovery, restoration of public lands, ocean fish and wildlife, and native wildlife and plant programs.''—Rodger Schlickeisen, President, Defenders of Wildlife.

''Sen. Boxer and Rep. Miller have outlined an inspired vision for protecting and restoring the irreplaceable elements of our heritage for the future. This bill shows that we can find ways to protect all our resources, including the ocean and its creatures, without the danger of incentives for unnecessary offshore oil drilling. We applaud their effort and look forward to working with them to ensure the vitality of our ocean and coastal resources for our children.''—David Younkman, Executive Director, American Oceans Campaign.

''Citizens in communities all across the country voted last fall for over a hundred ballot and bond initiatives to protect America's special places. Now it's time for our lawmakers to catch up with the American people. The Congress should act quickly to pass this popular bill.''—Carl Pope, Executive Director, Sierra Club.

''Millions of acres within our national parks are still privately owned and not protected because the federal government has failed to acquire the lands America wants preserved. Resources 2000 will provide the funding, not only this year, but in years to come, to secure these treasured places for the ages.''—Tom Kiernan, President, National Parks & Conservation Association.

''Resources 2000 is a bold, comprehensive approach to conservation. The legislation directs money where it is desperately needed: to purchase land for bird and wildlife habitat, to help endangered species recover, and to fight sprawl. Congressman Miller and Senator Boxer are to be commended for charting the course of conservation for the next century. By providing permanent protection, our children will be able to enjoy the splendors of our land and wildlife.''—Dan Beard, Vice President for Public Policy, National Audubon Society.

''The National Wildlife Federation's top priority for this Congress is passage of significant long-term funding for wildlife and wild places for both federal and state programs. This proposal helps set the parameters to achieve a bipartisan victory for conservation funding this year.''—Mark Van Putten, President & CEO, National Wildlife Federation.

''Now that we have successfully moved past the Cold War and large budget deficits, it is essential that we Americans invest in the stewardship of our natural resources and the sustainability of our environment for the benefit of our children and their children. Permanent Protection for America's Resources 2000 is a bold initiative to protect our precious natural and cultural heritage and the quality of life for all Americans. As we approach the millennium we must pass this program as our generation's legacy for the future.''—John Adams, President, Natural Resources Defense Council.

Resources 2000 provides long-overdue funding for bipartisan conservation initiatives which will help Americans protect natural beauty, the character of their communities, and their heritage as we move into the new millennium.''—Meg Maguire, Executive Director/President, Scenic America.

''A healthy ecosystem is the bedrock of a healthy society. The Miller/Boxer bills will help to preserve the biodiversity we need for the development of new medicines and vaccines, and safeguard the parks and recreation areas so vital to human health and well-being. PSR is pleased to add its voice to the chorus of support for this important legislation.''—Robert K. Musil, Ph.D., Executive Director, Physicians for Social Responsibility.

''We applaud Rep. Miller and Sen. Boxer for their effort to reinvigorate chronically underfunded land acquisition programs and provide much-needed funds to protect urban areas and open spaces and conserve fish and wildlife. Resources 2000 will provide a substantial down payment in the effort to preserve and protect our natural heritage while protecting our coastal areas from increased offshore drilling.''—Gene Karpinski, Executive Director, U.S. PIRG.

''America's Resources 2000 would significantly help our lands, oceans, and creatures in the next millennium. Rep. Miller and Sen. Boxer have listened to the demand of the American people and are pushing for critical, much-needed funding for the environment.''—Brent Blackwelder, President, Friends of the Earth.

''It is vital that Congress adequately fund the programs that care for the public's lands, whether in parks, national forests, wildlife preserves, or historic sites. Without adequate funding, federal stewardship of the public's lands will fall further and further behind, and America's natural heritage will be lost to future generations. Congress ought to lay down the law: federal lands must be kept safe, even added to, instead of treated as a national yard sale for wealthy corporations to raid for cheap resources. The Permanent Protection for America's Resources 2000 bill sends that message loud and clear.''—Philip E. Clapp, President, National Environmental Trust.

''We welcome Rep. George Miller's proposal that joins with the Administration's initiative and the previously introduced Senate and House bills, calling for full funding for the Land and Water Conservation Fund and much-needed support for fish and wildlife to state agencies. We are especially encouraged by the expressed commitment of all parties to work cooperatively on these proposals with all those who have a stake in the nation's natural resources to craft a landmark conservation bill in this Congress.''—Paul Hansen, Executive Director, Izaak Walton League of America.

SIERRA CLUB,
Washington, DC, February 19, 1999.

DEAR SENATOR: Please support Permanent Protection for America's Resources.

On behalf of the more than half million members of the Sierra Club, I am writing to encourage you to support full and permanent funding for the Land and Water Conservation Fund this year. There are a number of positive initiatives underway that will increase this critical land acquisition fund, as well as support numerous other land protection programs such as farmland preservation and fish, wildlife and land restoration programs.

In particular, I urge you to become an original cosponsor of a new bill to be introduced shortly by Senator Barbara Boxer (D–CA). The Permanent Protection for America's Resources 2000 Act builds upon the Clinton Administration's proposed new Land Legacy initiative by providing a secure source of funding for natural resource protection programs.

Senator Boxer's bill provides full and permanent annual funding of the LWCF, funding for local governments and States for conservation and recreation purposes, special funding for coastal states to conserve and restore marine resources; and farmland and open space preservation incentives.

Senator Boxer's bill stands in contrast to S. 25, a bill recently introduced by Senators Frank Murkowski (R–AK) and Mary Landrieu (D–LA). The Murkowski/Landrieu bill shares the goal of funding important natural resource protection and wildlife programs, but unfortunately does this at the expense of our coastal environment. We are strongly opposed to this bill in its current form because it would encourage increased oil drilling by providing financial incentives to states based in part on the amount of drilling off their coasts.

Thre has been some confusion about the relationship of S. 25 to Teaming with Wildlife, a legislative proposal that received significant support last year. The Sierra Club supported the Teaming with Wildlife proposal, which also generated funding for wildlife programs. However, we are actively opposed to the Murkowski/Landrieu bill due to the drilling incentives in this bill.

Please consider becoming an original cosponsor of Senator Boxer's bill. We also urge you not to cosponsor S. 25 unless the drilling incentives are completely removed from the bill.

Sincerely,

MELANIE L. GRIFFIN,
Director, Land Protection Programs.

FRIENDS OF THE RIVER,
Sacramento, CA, February 19, 1999.

Resupport for Resources 2000.

Hon. BARBARA BOXER,
U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: As California's leading river conservation group, we would like to add our name to the list of those supporting the Resources 2000 legislation that you and Congressman MILLER have authored.

Your effort to provide substantial and permanent funding for the improvement acquisition and maintenance of natural resource areas throughout the country is critical for preserving fisheries, wildlife habitat and outdoor recreation opportunities. Here in California, it will clearly benefit our state's wonderful rivers and watersheds.

We greatly appreciate your leadership in trying to find and direct the monies necessary to support the Land and Water Conservation funds at the State and federal levels, urban parks and recreation, endangered species recovery programs, historic preservation, fishery restoration, and the like.

On behalf of Friends of the River's 8,000 members, we thank you for your good work and pledge to help see it through to success.

Sincerely,

BETSY REIFSNIDER,
Executive Director.

NATIONAL PARKS AND CONSERVATION ASSOCIATION PACIFIC REGIONAL OFFICE,
Oakland, CA, February 12, 1999.

Hon. BARBARA BOXER,
U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: On behalf of the National Parks and Conservation Association (NPCA), I would like to thank you for your leadership as you strive to achieve a fully funded Land and Water Conservation Fund. The ''Permanent Protection for America's Resources 2000'' legislation, which you will be introducing with Congressman George Miller, represents a bold step in resolving the long standing gap between the list of lands identified as critical for the protection of our nation's natural and cultural heritage and the funds necessary to acquire and restore them. NPCA strongly endorses the bill.

Since its inception, the Land and Water Conservation Fund has often been the court of last resort for sensitive lands threatened by development. However, due to competing demands for these revenues generated by offshore oil profits, the Fund has never been allowed to fulfill its mandate. As such, our national parks remain incomplete, native habitat for fish and wildlife has been fragmented, and opportunities to recover endangered species have been lost. With the number of threats to our nation's heritage growing exponentially, it is clearly time to renew our commitment to a permanent, fully funded Land and Water Conservation Fund.

NPCA looks forward to working with you and Congressman Miller in passing this important legislation. Thank you again.

Sincerely,

BRIAN HUSE,
Regional Director.

SOCIETY FOR AMERICAN ARCHAEOLOGY,
Washington, DC, February 19, 1999.

Hon. BARBARA BOXER,
United States Senate, Washington, DC.

DEAR SENATOR BOXER: The Society for American Archaeology enthusiastically supports the ''Permanent Protection for America's Resources 2000'' legislation that you will be introducing with Congressman George Miller. SAA believes this legislation is a comprehensive approach to insure long-term protection of not only natural resources, but archaeological and historic sites as well.

SAA applauds your joint efforts to fully fund the Land and Water Conservation Fund, the Historic Preservation Fund, and other programs that have long suffered from diminished financial support from the Congress. SAA is particularly enthusiastic about the proposed annual funding for programs fundable through the Historic Preservation Fund at $150 million, including grants to the states and National Park Service.

Enactment of this legislation will offer a comprehensive set of tools to help protect the cultural and natural environment in the future, and fulfills the Congressional intent of earlier laws, which mandated that income from offshore oil leases be directed towards the preservation of our country's rich and diverse cultural and natural heritages.

SAA looks forward to working with you and your staff in support of this legislation, and, ultimately, to securing its passage.

Sincerely,

VIN STEPONAITIS,
President.

PRESERVATION ACTION
Washington, DC, February 12, 1999.

HON. BARBARA BOXER,
Senate Hart Office Building, Washington, DC.

DEAR SENATOR BOXER: Preservation Action offers its support of your Permanent Protection for America's Resources 2000 legislation. For too long, the portion of the revenue from offshore oil resources meant for natural and historic resource protection has gone unappropriated. Your Resources 2000 legislation offers the hope that permanent, annual funding will be secured for resource preservation goals.

In particular, Preservation Action supports Resources 2000 because it includes consideration for the Historic Preservation Fund (HPF). Established in 1977 and authorized at $150 million dollars annually since 1980, the HPF over the last twenty years has never received more than about one-third its annual authorized amount. Indeed, near level funding for most of the 1990s meant that appropriations were not even keeping pace with cost of living increases. Your bill will not only direct much-needed dollars to HPF's core programs—tax credit certification, Section 106 review, National Register survey work and nominations, and technical assistance—but ensures that the fund can meet preservation needs at all levels.

Preservation Action is a national grassroots organization dedicated to advocating the goals of the historic preservation community. Since 1974, Preservation Action has worked to see historic preservation used to protect America's past—its neighborhoods, landmarks, and architectural treasures—and build healthier communities. The best way to preserve and protect our historic resources is to keep them viable for today. Resources 2000, including its consideration of the HPF, is an important step towards this goal.

Sincerely,

SUSAN WEST MONTGOMERY,
President.

NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS,
Washington, DC, February 16, 1999.

Re: Historic Preservation Fund.

Hon BARBARA BOXER,
United States Senate, Washington, DC.

DEAR SENATOR BOXER: On behalf of the State Historic Preservation Officers, thank you for including the Historic Preservation Fund in your legislation ''Permanent Protection for America's Resources 2000,'' to be introduced with Congressman George Miller.

Congress was extremely far-sighted two decades ago when it created the Land and Water Conservation and Historic Preservation Funds. The idea of dedicating a portion of the revenues generated by depleting non renewable resources to the conservation of irreplaceable natural and cultural resources is as powerful now as it was then. The fact that so little of the offshore oil revenues have been going for their intended purposes has been very frustrating to those trying to preserve the nation's heritage.

The National Historic Preservation Act programs, administered by partners in State,

local and tribal governments, provide the infrastructure for every community to identify and protect significant landmarks, to create incentives for reinvesting in existing settled areas as opposed to abandonment and ''sprawl,'' and to encourage sustainable industries such as heritage tourism. These programs are an essential complement to greater assistance for federal properties in order to achieve a truly comprehensive program for America's heritage.

The National Conference of State Historic Preservation Officers thanks you for your leadership on this issue and looks forward to working with you and your staff in support of this legislation.

Sincerely,

ERIC HERTFELDER,
Executive Director.

NATIONAL ASSOCIATION OF POLICE ATHLETIC LEAGUES,
North Palm Beach, FL, February 19, 1999.

Hon. BARBARA BOXER,
United States Senate, Washington, DC.

DEAR SENATOR BOXER: I am writing on behalf of the National Association of Police Athletic Leagues (PAL) to support your legislation to provide permanent funding for high priority resource preservation objectives through the Permanent Protection for America's Resources 2000.

National PAL believes that participation in outdoor recreation provides important physical, mental, and social benefits to young people. Continued growth in demand for outdoor recreation opportunities has brought overcrowding to some areas, while budgetary constraints, environmental pollution, and open space availability to other uses has further added to the challenges we face. To effectively meet this challenge, federal recreation efforts must receive permanent federal commitment to support public land acquisition and improvements, fish and wildlife programs, urban recreation and historic preservation, and farmland and open space.

We share in your vision of safe, clean, planned, and well-maintained recreation areas, available to all Americans. It is essential that funding of state and local recreation areas increase to meet demand. These areas in particular bear the brunt of recreational use but have not seen the increases in funding necessary to support the growth, rehabilitation, development, acquisition and improvements of recreation land. The Resources 2000 initiative addresses the need to target funds and restore our national commitment to the protection and preservation of our public resources.

PAL Police Officers and volunteers work with young people and depend on public lands to provide diverse and high quality opportunities for recreation. Your concern for America's Resources and passage of the Land and Water Conservation Fund legislation will guarantee that our PAL kids and future generations of Americans will be assured of our precious natural resources.

We are proud to join you and Congressman George Miller in advocating support for Resources 2000. If I may be of any assistance, please do not hesitate to call me at 561–844–1823.

Sincerely,

JOE WILSON,
Executive Director.

BAY AREA OPEN SPACE COUNCIL,
February 18, 1999.

Hon. GEORGE MILLER,
United States House of Representatives, District Office, Concord, CA.

RE: PERMANENT PROTECTION FOR AMERICA'S RESOURCES 2000

CONGRESSMAN MILLER: The Bay Area Open Space Council thanks you for your bold leadership in introducing the Permanent Protection for America's Resources 2000 legislation. We would like to express our strongest support.

The legislation proposes a comprehensive and thoughtful approach for effectively addressing national resource conservation needs.

Utilizing offshore oil lease revenues for resource conservation is reasonable, practical, and consistent with the original intent and commitment of Congress in establishing the Land and Water Conservation Fund.

This legislation is urgently needed. Our rapidly growing population is placing unprecedented pressure on a wide range of irreplaceable resources. The balanced package of programs in your legislation will enable our economy to grow, and our communities to prosper, by providing funding for the protection of many of the resources which underpin our economy and quality of life.

The Bay Area Open Space Council is a cooperative effort of approximately 40 land conservation organizations and agencies with responsibilities in the San Francisco Bay Area. We applaud your leadership in proposing Permanent Protection For America's Resources 2000, and commit to doing all we can to assist.

Sincerely,

JOHN WOODBURY,
Program Director.

By Mr. BURNS:

S. 447. A bill to deem as timely filed, and process for payment, the applications submitted by the Dodson School Districts for certain Impact Aid payments for fiscal year 1999; to the Committee on Health, Education, Labor, and Pensions.

DODSON SCHOOL DISTRICTS LEGISLATION

Mr. BURNS. Mr. President, I rise today to introduce a bill that may not impact our nation but will have an impact on 120 students in my state of Montana. These students are victims of a bureaucratic bamboozle that should be an easily reconciled mistake.

I would like to request the compassion of my colleagues. We all make mistakes and sometimes these mistakes have a financial cost to us as individuals. However, in the case of the Dodson Public School District, a misdirected application could result in a loss of impact aid funding. As you all know, Impact Aid funding is necessary for areas that have no local revenue raising mechanism.

This application was inadvertently sent to the wrong office within the Department of Education by the deadline. Last year, we say how unbending the Internal Revenue Service was in terms of customer service—I would like to think the rest of the federal government does not follow suit. According to the Department of Education, deadlines are deadlines. During hearing last year, Congress determined this is not the culture we would like to see in the Department of Education or any other arm of the nation's federal government.

The loss of funds would likely mean the demise of the entire public school system—a system that serves many residents of the Fort Belknap Indian Reservation. The economic state of Montana's reservations is not well and losing this school district would require many students additional transportation costs and travel of over thirty miles. Additionally, adjoining school districts and local governments would be extremely pressed to pick up the tab for additional education and transportation costs with much less proportionate revenue share.

Dodson Public Schools in Dodson, Montana has a total enrollment of 120 students in K–12. In grades K–8, 53% of the total 74 students reside on federal land. In grades 9–12, 31% of the total 46 students reside on federal land. Of the total enrollment, 75% of the students are eligible for our free and reduced lunch program.

Mr. President, I'm certain you'll agree not many schools in America can rival the need for impact aid funds like Dodson's schools.

Now that you know the facts, I think you'll agree we cannot ignore the plight of Dodson School District. This is a simple plea from a modest Montana community that would like to continue their rich, historic culture and legacy.

Mr. President, as you know, it is the role of Congress to protect the students of our nation. This bill will fix an unfortunate situation that could happen to any state in our nation.

By Mr. SMITH of New Hampshire:

S.J. Res. 11. A joint resolution prohibiting the use of funds for military operations in the Federal Republic of Yugoslavia (Serbia and Montenegro) unless Congress enacts specific authorization in law for the conduct of those operations; read the first time.

PROHIBITING THE USE OF FUNDS FOR MILITARY OPERATIONS IN THE FEDERAL REPUBLIC OF YUGOSLAVIA

Mr. SMITH of New Hampshire. Mr. President, as President Reagan would say, ''Here we go again.'' This administration is now on the verge of making a commitment of American forces to another 911 humanitarian crisis around the world, without the approval of Congress.

As I stand here today, the United States is poised to launch airstrikes against the sovereign nation of Federal Republic of Yugoslavia. Given the apparent failure of the talks in France regarding the issue of the peacekeeping force, there is a real possibility that airstrikes may be imminent and that American forces, as part of a NATO force, may be committed in Kosovo. I would venture to say that many Americans would be hard-pressed to find Kosovo on a map; yet here again our sons and daughters are going to be asked to put their lives on the line for this administration without approval of their elected representatives in Congress, and without any declaration of war.

Mr. President, this is very, very disturbing. I have spoken out in the past against the Bosnia operation. I have spoken out against our occupation of

Haiti. But Kosovo is the last straw for me. Today I am introducing a bill to ensure that Congress exercises its constitutional right of approval before this administration commits us to an act of war against a sovereign nation. If we are going to be taking offensive military action, I don't believe there ought to be any troops in any sovereign nation unless there is a declaration of war, or at least a specific authorization by Congress.

The resolution I am introducing simply says that there will be no troops committed in any force of any kind without a specific authorization from the U.S. Congress. I am going to call on my colleagues to join me in this effort before we get embroiled in another long-term conflict that is not in the United States' interest.

I want to make a few points about this.

This administration apparently thinks nothing of committing an act of war without congressional approval—they will commit troops first, and come to us later and ask for our support.

On the contrary, when President Bush wanted to repel Iraq from Kuwait, he came to the Congress—a Democrat-controlled Congress—and Congress authorized him to do that. He came here. He took his chance. He did the right thing. But that is not happening now.

While this body has been wrestling with impeachment proceedings, President Clinton's administration has been preparing to wage war.

I want to repeat that. We were tied down here for almost 2 months talking about the impeachment of the President of the United States, and while we were doing that, the same President who was nearly removed from office was preparing to wage war against a sovereign nation without congressional approval. That is absolutely outrageous, and I am not going to stand by any longer and be silent about it.

The administration has crafted a plan to fix the internal problems of a sovereign state. And it proceeds, then, to hold a so-called peace conference where it threatens to use lethal force against that sovereign state if they don't accept the deal. The two parties are not even interested in an agreement. They still want to fight. They have been fighting in that region of the world for centuries. So we jam an agreement down their throats. And here come U.S. forces, again in harm's way, with no approval from Congress.

Before we send our troops to another dangerous part of the world, which this President has been prone to do for a long time, we have a sacred responsibility to these men and women to consider the risks. We did not fight and win the Cold War so that—as the sole remaining superpower—we would get bogged down in parts of the world that the vast majority of Americans have never heard of.

Kosovo is as much a part of Yugoslavia as New Hampshire is of the United States. We are dictating, under the threat of American military action, the internal policy of the Federal Republic of Yugoslavia. It may be a policy that I despise, that I hate, that I am upset about. But do we have that right, without an act of war or some authorization from Congress? We may not like it. It may be horrible. But that alone is not a reason to go to war. Should we go to war in Zimbabwe or Ethiopia or some other nation where some other problems are occurring that we don't like? Where do you draw the line?

The administration tells us we must become involved in the internal affairs of a sovereign nation to prevent the spread of this conflict into neighboring nations, including perhaps NATO members. This is a bogey-man argument. It is meant to scare us into resolving the conflict with the American military. This argument is false and it obscures the real issue of placing troops at risk in an area of the world where were we have no real interest to justify direct intervention. Frankly, I am tired of it. I am tired of risking American lives when we do not have American interests at stake. The precedent we would be setting by intervening in Kosovo is far more dangerous to American interests than the small risk that this conflict is going to spread somewhere. What other troubled Balkan region will we go to next? Montenegro? Macedonia? Where do we stop, Mr. President?

There was a letter to the Washington Post on February 20, written from a gentleman by the name of Alex N. Dragnich. He said:

> We are threatening to bomb the Serbs, not because they have invaded a foreign country but because they refuse to accept an agreement which we have crafted, to resolve a domestic conflict inside Yugoslavia and to permit the entrance of NATO troops to enforce it. . . .

That is what this is about

> More serious [he says] in the long run will be the precedent we would be creating. Our proposed actions would provide the arguments to justify a power or a combination of powers to invade some country in search of justice for a minority or minorities. This could be some Arab states, perhaps in agreement with Russia, or it could be China seeking to take over Taiwan.

The administration has created a situation where, no matter how the negotiations conclude, our military people will likely be placed at risk. Let me correct that—they will be placed at risk. The recklessness with which this administration treats our men and women in uniform is shameful—shameful. We had to fight in the Senate on this floor 2 years ago to get the administration to give them a pay raise. We fight on this floor to try to get a national missile defense to protect our own Nation—and we still cannot get it. If the parties do agree to a foreign military presence, then our troops will be committed to peace enforcement for more years than the administration is ready to admit; a lot more years than this administration has left in office. And they will be in great jeopardy from retaliation, not by one side, but by both sides. They will be in the middle of a civil war.

If the Serbs do not agree, then this administration is prepared to send our troops into combat against an aggressive nation that is well equipped to defend itself from attack. Let there be no doubt, American lives will be endangered. This is not Iraq where everything is out in the open. There are SAM sites embedded in mountains. The Serbs have the capability to shoot down American aircraft. Remember that.

We all remember the promises made by the administration about Bosnia. They said the troops will be out in a year. It was one year, then another year, then another; now it is 3 years, with no end in sight, and it's cost $10 billion. Most of the time the President didn't even fund the operation; he took it out of funds for the troops, he raided their equipment modernization accounts to fund it. One of the primary reasons given by the administration, justifying the Bosnia intervention, was it would stabilize the region—yet today we are about to commit American troops to intervening in a new unstable region, Kosovo.

We field an army, not a Salvation Army. Our military is woefully underfunded. We need $125 billion over the next 5 years just to recover from where this administration has cut us. There are mounting concerns about readiness. Should a crisis emerge that truly does endanger America's legitimate interests, what happens? By volunteering to send forces to Kosovo, the President is again stretching our military too thin. The President is not just risking the lives of soldiers sent to the region, but also our troops around the world. And for what?

Later on today we are going to be debating pay increases and retirement benefits for our troops. That is a serious need. The operations tempo that we require from our troops is a serious concern as well. Yet as we try to help on these problems, the administration once again overextends our forces. There are troops that have been in three or four hot spots in the last 3 years. Some have been in Bosnia, some have been in the Persian Gulf, some have been in Haiti, some have been in Korea, and there will probably be a fifth one, Kosovo, for some people. How much more can we take?

The administration says the possible troop commitment for peace enforcement in Kosovo is only for 4,000 troops. In the military there is the three-times rule. Not only do we commit those 4,000 on the ground, but 4,000 more are preparing to go and 4,000 are recovering from being deployed there. This 4,000-man operation ties up 12,000 troops. In truth, a four-times rule is probably more realistic, so it is more like 16,000.

We are already facing serious problems in recruiting, spare parts, and

other results of this high operating tempo. The administration has strained the budget of the Defense Department to the limit, and our troops are going to be the losers because of it. We simply cannot ask our military to do more and more with less. That is what this President has continued to do.

Mr. President, we are 7,000 troops down in recruitment for the U.S. Navy. We don't even have enough sailors to man our ships. We are short 23,000 recruits in the U.S. Army. Spare parts bins are empty in military bases all over this country. They cannot repair some vehicles— they are just too old. And yet here is the administration, ready to send them into Kosovo.

In conclusion, throughout the Cold War we fought to protect the rights of sovereign nations to conduct themselves according to their own laws. We fought World War II over the same thing. In the Gulf War we sent American soldiers to war to turn back an unlawful and immoral invasion of the sovereign nation of Kuwait. There was much disagreement over that policy, but it was an attack of one sovereign nation on another. Now, look at what has happened in just 8 years. Today we find our commitment to sovereignty turned on its head.

Let me issue a warning. The KLA, the Kosovo Liberation Army—these are not Boy Scouts. Neither is Slobodan Milosevic. This is going to be a bloody mess, and we are going to be right in the middle of it. The KLA started a war that it cannot finish and now the administration wants U.S. pilots serve as its Air Force the American people know what we are spending in Bosnia—$4 billion a year and growing, now adding to that in Kosovo, and at the same time not yet deploying a missile defense system for this country which is imperative for the security of our own people and our troops wherever they may be in the world.

I applaud the efforts of the Senator from New Hampshire. I certainly hope that we will get a chance to talk about this. I look forward to having the leaders in Congress stand up and say, What is the policy; how many more times are we going to put troops in harm's way, paid for by the taxpayers of America, when there is no exit strategy, there is no plan, there is no rotation out, there is no temporariness about this. It is open-ended.

I applaud my colleague from New Hampshire, and I hope that the Senate will address this before we have a fait accompli, troops on the ground, as we have had in Bosnia in an unending mission, with no strategy, no plan and no exit.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. WARNER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 4, a bill to improve pay and retirement equity for members of the Armed Forces; and for other purposes.

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 4, supra.

S. 25

At the request of Ms. LANDRIEU, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 25, a bill to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes.

S. 26

At the request of Mr. MCCAIN, the names of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 26, a bill entitled the ''Bipartisan Campaign Reform Act of 1999''.

S. 98

At the request of Mr. MCCAIN, the names of the Senator from Colorado (Mr. CAMPBELL) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 98, a bill to authorize appropriations for the Surface Transportation Board for fiscal years 1999, 2000, 2001, and 2002, and for other purposes.

S. 185

At the request of Mr. ASHCROFT, the names of the Senator from Wyoming (Mr. THOMAS) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 185, a bill to establish a Chief Agricultural Negotiator in the Office of the United States Trade Representative.

S. 197

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 197, a bill to amend the Outer Continental Shelf Lands Act to direct the Secretary of the Interior to cease mineral leasing activity on the outer Continental Shelf seaward of a coastal State that has declared a moratorium on mineral exploration, development, or production activity in State water.

S. 218

At the request of Mr. MOYNIHAN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 218, a bill to amend the Harmonized Tariff Schedule of the United States to provide for equitable duty treatment for certain wool used in making suits.

S. 258

At the request of Mr. WARNER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 258, a bill to authorize additional rounds of base closures and realignments under the Defense Base Closure and Realignment Act of 1990 in 2001 and 2003, and for other purposes.

S. 271

At the request of Mr. FRIST, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 271, a bill to provide for education flexibility partnerships.

S. 274

At the request of Mr. COVERDELL, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 274, a bill to amend the Internal Revenue Code of 1986 to increase the maximum taxable income for the 15 percent rate bracket.

S. 279

At the request of Mr. MCCAIN, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 279, a bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

S. 280

At the request of Mr. FRIST, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 280, a bill to provide for education flexibility partnerships.

S. 311

At the request of Mr. WARNER, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 311, a bill to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs, and for other purposes.

S. 312

At the request of Mr. WARNER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 312, a bill to require certain entities that operate homeless shelters to identify and provide certain counseling to homeless veterans, and for other purposes.

S. 314

At the request of Mr. BOND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 314, a bill to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns, and for other purposes.

S. 315

At the request of Mr. ASHCROFT, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 315, a bill to amend the Agricultural Trade Act of 1978 to require the President to report to Congress on any selective embargo on agricultural commodities, to provide a termination date for the embargo, to provide greater assurances for contract sanctity, and for other purposes.

S. 346

At the request of Mrs. HUTCHISON, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 346, a bill to amend title

XIX of the Social Security Act to prohibit the recoupment of funds recovered by States from one or more tobacco manufacturers.

S. 348

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 348, a bill 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.

S. 403

At the request of Mr. ALLARD, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 403, a bill to prohibit implementation of ''Know Your Customer'' regulations by the Federal banking agencies.

S. 427

At the request of Mr. ABRAHAM, the names of the Senator from Georgia (Mr. COVERDELL) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 427, a bill to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes.

S. 433

At the request of Mr. THURMOND, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 433, a bill to amend the Alcoholic Beverage Labeling Act of 1988 to prohibit additional statements and representations relating to alcoholic beverages and health, and for other purposes.

SENATE JOINT RESOLUTION 7

At the request of Mr. HATCH, the names of the Senator from New Hampshire (Mr. SMITH), the Senator from Arizona (Mr. KYL) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of Senate Joint Resolution 7, a joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget.

SENATE CONCURRENT RESOLUTION 5

At the request of Mr. BROWNBACK, the names of the Senator from Colorado (Mr. ALLARD), the Senator from Alaska (Mr. STEVENS), the Senator from Missouri (Mr. BOND), the Senator from Alabama (Mr. SHELBY), the Senator from Montana (Mr. BAUCUS), the Senator from Iowa (Mr. HARKIN), the Senator from Wisconsin (Mr. KOHL), and the Senator from California (Mrs. BOXER) were added as cosponsors of Senate Concurrent Resolution 5, a concurrent resolution expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

SENATE RESOLUTION 26

At the request of Mr. MURKOWSKI, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of Senate Resolution 26, a resolution relating to Taiwan's Participation in the World Health Organization.

AMENDMENT NO. 6

At the request of Mr. CLELAND, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 6 proposed to S. 4, a bill to improve pay and retirement equity for members of the Armed Forces; and for other purposes.

SENATE RESOLUTION 48—DESIGNATING NATIONAL GIRL SCOUT WEEK

Mrs. HUTCHISON (for herself and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 48

Whereas March 12, 1999, is the 87th anniversary of the founding of the Girl Scouts of the United States of America;

Whereas on March 16, 1950, the Girl Scouts became the first national organization for girls to be granted a Federal charter by Congress;

Whereas through annual reports required to be submitted to Congress by its charter, the Girl Scouts regularly informs Congress of its progress and program initiatives;

Whereas the Girl Scouts is dedicated to inspiring girls and young women with the highest ideals of character, conduct, and service to others so that they may become model citizens in their communities;

Whereas the Girl Scouts offers girls aged 5 through 17 a variety of opportunities to develop strong values and life skills and provides a wide range of activities to meet girls' interests and needs;

Whereas the Girl Scouts has a membership of nearly 3,000,000 girls and over 850,000 adult volunteers, and is one of the preeminent organizations in the United States committed to girls growing strong in mind, body, and spirit; and

Whereas by fostering in girls and young women the qualities on which the strength of the United States depends, the Girl Scouts, for 87 years, has significantly contributed to the advancement of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning March 7, 1999, as ''National Girl Scout Week''; and

(2) requests the President to issue a proclamation designating the week beginning March 7, 1999, as ''National Girl Scout Week'' and calling on the people of the United States to observe the day with appropriate ceremonies and activities.

Mrs. HUTCHISON. Mr. President, I rise today to submit an important resolution recognizing the Girl Scouts of America.

This year commemorates the 87th anniversary of the founding of this outstanding organization. On March 16, 1950, the Girl Scouts of the United States of America became the first national organization for girls to be granted a Federal charter by Congress.

The Girl Scout Organization has long been dedicated to inspiring girls and young women with the highest ideals of character, conduct, and service to others to that they may become model citizens in their communities.

For 86 years, the Girl Scout movement has provided valuable leadership skills for countless girls and young women across the nation. Today, overall membership in the Girl Scouts is the highest it has been in 26 years, with 2.7 million girls and over 850,000 adult volunteers. I am proud to say that I, too, was a Girl Scout.

I am pleased to be joined by Senator MIKULSKI in introducing this legislation, which would designate the week beginning March 7, 1999, as ''National Girl Scout Week.'' I ask our colleagues to join us.

AMENDMENTS SUBMITTED

SOLDIERS', SAILORS', AIRMEN'S, AND MARINES' BILLS OF RIGHTS ACT OF 1999

ROBB (AND OTHERS) AMENDMENT NO. 8

Mr. ROBB (for himself, Mr. CLELAND, Mr. KENNEDY, Mr. BINGAMAN, and Mr. KERREY) proposed an amendment to the bill (S. 4) to improve pay and retirement equity for members of the Armed Forces; and for other purposes; as follows:

On page 28, between lines 8 and 9, insert the following new sections:

SEC. 104. INCREASE IN RATE OF DIVING DUTY SPECIAL PAY.

(a) INCREASE.—Section 304(b) of title 37, United States Code, is amended—

(1) by striking ''$200'' and inserting ''$240''; and

(2) by striking ''$300'' and inserting ''$340''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to special pay paid under section 304 of title 37, United States Code, for months beginning on or after that date.

SEC. 105. INCREASE IN MAXIMUM AMOUNT AUTHORIZED FOR REENLISTMENT BONUS FOR ACTIVE MEMBERS.

(a) INCREASE IN MAXIMUM AMOUNT.—Section 308(a)(2)(B) of title 37, United States Code, is amended by striking ''$45,000'' and inserting ''$60,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to reenlistments and extensions of enlistments taking effect on or after that date.

SEC. 106. INCREASE IN ENLISTMENT BONUS FOR MEMBERS WITH CRITICAL SKILLS.

(a) INCREASE.—Section 308a(a) of title 37, United States Code, is amended in the first sentence by striking ''$12,000'' and inserting ''$20,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect enlistments and extensions of enlistments taking effect on or after that date.

SEC. 107. INCREASE IN SPECIAL PAY AND BONUSES FOR NUCLEAR-QUALIFIED OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(a) of title 37, United States Code, is amended by striking ''$15,000'' and inserting ''$25,000''.

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(a)(1) of title 37, United States Code, is amended by striking ''$10,000'' and inserting ''$20,000''.

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUSES.—Section 312c of title 37, United States Code, is amended—