

These include a commitment to democracy, the resolution of disputes with neighbors, and the ability to contribute to the Alliance's roles and missions, including collective defense.

Based on these guidelines, Poland, the Czech Republic, and Hungary were invited to join the Alliance. Their accession on March 12 strengthened the Alliance and marked the first step in the elimination of the divisive and destabilizing vestiges, not only of the Cold War, but of the era preceding World War II.

The Washington Summit must not only celebrate the first round of NATO enlargement, it must decisively press the process forward. Toward that end, I believe that NATO should invite Slovenia and any other qualified NATO European applicant to accession negotiations. Recently, at my request, the Congressional Research Service examined the nine European states that have applied for NATO membership. This study clearly revealed that Slovenia not only meets NATO's own guidelines, it surpasses some of the economic and military standards set by the Alliance's three newest members.

An invitation to Slovenia would demonstrate to the other democracies of Central Europe that NATO remains genuinely committed to its "Open Door Policy"—proof that would reinforce their commitment to democratic and economic reform and the Alliance's Partnership for Peace program.

Above all, it would help ensure that enlargement becomes a continuous, not a convulsive, process. The momentum generated by the first round of enlargement would be sustained. In contrast, if enlargement is subject to pauses of undefined and indefinite duration, each succeeding round will be more difficult to initiate and complete. Enlargement would less likely be seen and appreciated as a normal dynamic of post-Cold War Europe.

In the absence of new invitations at the Summit, it will be a challenge for NATO to sustain the credibility of its Open Door Policy. The Alliance must not step back to the theme of its 1994 Summit in Brussels: "NATO enlargement is not a matter of if, but when." This April, such an open-ended "when" would ring especially hollow.

For this reason, NATO cannot simply reiterate longstanding promises; it must yield a process. Herein lies an important recommendation presented by our resolution on the issue of NATO enlargement.

It calls upon Alliance leaders to instruct the NATO International Staff to conduct a comprehensive and transparent review of the nine applicant countries in terms of the guidelines articulated in its 1995 study. (Such a review should not be confused with discrete annual reviews currently being considered for each applicant.) This comprehensive review should be presented, with recommendations, to a North Atlantic Council meeting of ministers or heads of state no later than May 2000.

While this review should complement new NATO invitations, even standing alone it offers the following advantages:

The Alliance would demonstrate that it is actively engaged in an ongoing enlargement process. It would deflect suspicions that the Alliance is camouflaging its unwillingness for further enlargement behind the generosity of more financial and material assistance. A review is more than words, it is action.

A review would not bind the Alliance to "automaticity" in that it does not commit the Alliance to issue new invitations in 2000. The review would, however, probably highlight the fact that one or more applicant countries have met the grade.

It would underscore that NATO stands by the guidelines established in the 1995 Study on Enlargement. That would encourage the applicant states to continue, if not accelerate, the democratic, military, and economic reforms and regional cooperation requisite for NATO membership.

NATO enlargement must also be a central component of NATO's new Strategic Concept, the document that will define the Alliance's roles and missions for the next century. Its inclusion will not only communicate commitment, it will help institutionalize enlargement as a planning priority of the Alliance.

NATO enlargement is not an act of altruism; it is an act of self-interest. It is a process motivated by the dream of an undivided Europe, the stability that would come to the Euro-Atlantic community, and the capabilities new members would yield the Alliance. It is a policy guided by objective political, economic and military criteria.

Each of these enlargement steps outlined above, an invitation to Slovenia, a comprehensive review process, and an emphasis in the Alliance's game plan for the future, will ensure that the Washington Summit is remembered for revitalizing the dream of a Europe, whole, free, and undivided.

Mr. President, history will judge this week's NATO Summit not only for how it handles the crisis in Kosovo, but also for the strategy that it lays out for its future. Kosovo, the new Strategic Concept, and enlargement present a challenging agenda at a very trying time. Yet, I remain confident this Alliance has the potential to address each of these issues in a manner that will ensure that NATO becomes an even more capable and effective promoter of a transatlantic partnership that features a strong, undivided and democratic Europe. It is toward this vision that we introduce this resolution, and I urge my colleagues to lend their support.●

AMENDMENTS SUBMITTED

WATER RESOURCES DEVELOPMENT ACT OF 1999

CHAFEE AMENDMENT NO. 253

Mr. CRAIG (for Mr. CHAFEE) proposed an amendment to the bill (S. 507) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

On page 135, strike lines 4 through 11 and insert the following:

(18) BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MARYLAND AND VIRGINIA.—

(A) IN GENERAL.—The project for navigation, Baltimore Harbor Anchorages and Channels, Maryland and Virginia, Report of the Chief of Engineers dated June 8, 1998, at a total cost of \$28,426,000, with an estimated Federal cost of \$18,994,000 and an estimated non-Federal cost of \$9,432,000.

(B) CREDIT OR REIMBURSEMENT.—If a project cooperation agreement is entered into, the non-Federal interest shall receive credit or reimbursement of the Federal share of project costs for construction work performed by the non-Federal interest before execution of the project cooperation agreement if the Secretary finds the work to be integral to the project.

(C) STUDY OF MODIFICATIONS.—During the preconstruction engineering and design phase of the project, the Secretary shall conduct a study to determine the feasibility of undertaking further modifications to the Dundalk Marine Terminal access channels, consisting of—

(i) deepening and widening the Dundalk access channels to a depth of 50 feet and a width of 500 feet;

(ii) widening the flares of the access channels; and

(iii) providing a new flare on the west side of the entrance to the east access channel.

(D) REPORT.—

(i) IN GENERAL.—Not later than March 1, 2000, the Secretary shall submit to Congress a report on the study under subparagraph (C).

(ii) CONTENTS.—The report shall include a determination of—

(I) the feasibility of performing the project modifications described in subparagraph (C); and

(II) the appropriateness of crediting or reimbursing the Federal share of the cost of the work performed by the non-Federal interest on the project modifications.

On page 137, after line 25, add the following:

(3) ARROYO PASAJERO, CALIFORNIA.—The project for flood damage reduction, Arroyo Pasajero, California, at a total cost of \$260,700,000, with an estimated first Federal cost of \$170,100,000 and an estimated first non-Federal cost of \$90,600,000.

On page 138, line 1, strike "(3)" and insert "(4)".

On page 138, line 7, strike "(4)" and insert "(5)".

On page 138, between lines 17 and 18, insert the following:

(6) SUCCESS DAM, TULE RIVER BASIN, CALIFORNIA.—The project for flood damage reduction and water supply, Success Dam, Tule River basin, California, at a total cost of \$17,900,000, with an estimated first Federal cost of \$11,635,000 and an estimated first non-Federal cost of \$6,265,000.

On page 138, line 18, strike "(5)" and insert "(7)".
 On page 139, line 10, strike "(6)" and insert "(8)".
 On page 140, line 1, strike "(7)" and insert "(9)".
 On page 140, line 6, strike "(8)" and insert "(10)".
 On page 140, line 13, strike "(9)" and insert "(11)".
 On page 140, line 19, strike "(10)" and insert "(12)".
 On page 142, line 11, strike "(11)" and insert "(13)".
 On page 142, line 18, strike "(12)" and insert "(14)".
 On page 143, line 7, strike "(13)" and insert "(15)".
 On page 143, line 14, strike "(14)" and insert "(16)".
 On page 143, line 20, strike "(15)" and insert "(17)".
 On page 144, line 10, strike "(16)" and insert "(18)".
 On page 145, line 1, strike "(17)" and insert "(19)".
 On page 145, line 5, strike "\$182,423,000" and insert "\$176,700,000".

On page 145, line 6, strike "\$106,132,000" and insert "\$116,900,000".

On page 145, line 8, strike "\$76,291,000" and insert "\$59,800,000".

On page 145, line 14, strike "(18)" and insert "(20)".

On page 146, line 3, strike "(19)" and insert "(21)".

On page 146, line 9, strike "(20)" and insert "(22)".

On page 147, line 21, strike "\$8,137,000" and insert "\$1,251,000".

On page 147, line 22, strike "\$6,550,000" and insert "\$1,007,000".

On page 147, line 23, strike "\$1,587,000" and insert "\$244,000".

On page 149, after line 24, add the following:

(I) FORT PIERCE SHORE PROTECTION, FLORIDA.—

(A) IN GENERAL.—The Fort Pierce, Florida, shore protection and harbor mitigation project authorized by section 301 of the River and Harbor Act of 1965 (79 Stat. 1092) and section 506(a)(2) of the Water Resources Development Act of 1996 (110 Stat. 3757) is modified to include an additional 1-mile extension of the project and increased Federal participation in accordance with section 101(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(c)), as described in the general re-evaluation report approved by the Chief of Engineers, at an estimated total cost of \$9,128,000, with an estimated Federal cost of \$7,074,000 and an estimated non-Federal cost of \$2,054,000.

(B) PERIODIC NOURISHMENT.—Periodic nourishment is authorized for a 50-year period for the modified project, at an estimated annual cost of \$559,000, with an estimated annual Federal cost of \$433,000 and an estimated annual non-Federal cost of \$126,000.

On page 150, line 1, strike "(1)" and insert "(2)".

On page 151, line 12, strike "(2)" and insert "(3)".

On page 154, line 4, strike "REDESIGNATIONS" and insert "REDESIGNATIONS AS PART OF THE 6-FOOT ANCHORAGE".

On page 155, strike lines 10 and 11 and insert the following:

(D) REDESIGNATION AS PART OF THE 6-FOOT CHANNEL.—The following portion of the project shall be redesignated as part of the 6-foot channel: the portion the boundaries of which begin at a

On page 156, strike lines 4 and 5 and insert the following:

(E) REALIGNMENT.—The portion of the project described in subparagraph (D) shall be

On page 156, line 20, strike "(E)" and insert "(F)".

On page 156, between lines 22 and 23, insert the following:

(G) CONSERVATION EASEMENT.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, may accept a conveyance of the right, but not the obligation, to enforce a conservation easement to be held by the State of Maine over certain land owned by the town of Wells, Maine, that is adjacent to the Rachel Carson National Wildlife Refuge.

On page 156, line 23, strike "(3)" and insert "(4)".

On page 157, between lines 14 and 15, insert the following:

(5) WILLAMETTE RIVER TEMPERATURE CONTROL, MCKENZIE SUBBASIN, OREGON.—The project for environmental restoration, Willamette River Temperature Control, McKenzie Subbasin, Oregon, authorized by section 101(a)(25) of the Water Resources Development Act of 1996 (110 Stat. 3665), is modified to authorize the Secretary to construct the project at a total Federal cost of \$64,741,000.

On page 169, between lines 15 and 16, insert the following:

(u) LEE COUNTY, CAPTIVA ISLAND SEGMENT, FLORIDA.—

(1) IN GENERAL.—The project for shoreline protection, Lee County, Captiva Island segment, Florida, authorized by section 506(b)(3)(A) of the Water Resources Development Act of 1996 (110 Stat. 3758), is modified to direct the Secretary to enter into an agreement with the non-Federal interest to carry out the project in accordance with section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i-1).

(2) DECISION DOCUMENT.—The design memorandum approved in 1996 shall be the decision document supporting continued Federal participation in cost sharing of the project.

(v) COLUMBIA RIVER CHANNEL, WASHINGTON AND OREGON.—

(1) IN GENERAL.—The project for navigation, Columbia River between Vancouver, Washington, and The Dalles, Oregon, authorized by the first section of the Act of July 24, 1946 (60 Stat. 637, chapter 595), is modified to authorize the Secretary to construct an alternate barge channel to traverse the high span of the Interstate Route 5 bridge between Portland, Oregon, and Vancouver, Washington, to a depth of 17 feet, with a width of approximately 200 feet through the high span of the bridge and a width of approximately 300 feet upstream of the bridge.

(2) DISTANCE UPSTREAM.—The channel shall continue upstream of the bridge approximately 2,500 feet to about river mile 107, then to a point of convergence with the main barge channel at about river mile 108.

(3) DISTANCE DOWNSTREAM.—

(A) SOUTHERN EDGE.—The southern edge of the channel shall continue downstream of the bridge approximately 1,500 feet to river mile 106+10, then turn northwest to tie into the edge of the Upper Vancouver Turning Basin.

(B) NORTHERN EDGE.—The northern edge of the channel shall continue downstream of the bridge to the Upper Vancouver Turning Basin.

On page 171, between lines 12 and 13, insert the following:

(d) CARVERS HARBOR, VINALHAVEN, MAINE.—

(1) DEAUTHORIZATION.—The portion of the project for navigation, Carvers Harbor, Vinalhaven, Maine, authorized by the Act of June 3, 1896 (commonly known as the "River and Harbor Appropriations Act of 1896") (29 Stat. 202, chapter 314), described in paragraph (2) is not authorized after the date of enactment of this Act.

(2) DESCRIPTION.—The portion of the project referred to in paragraph (1) is the portion of the 16-foot anchorage beginning at a point with coordinates N137,502.04, E895,156.83, thence running south 6 degrees 34 minutes 57.6 seconds west 277,660 feet to a point N137,226.21, E895,125.00, thence running north 53 degrees, 5 minutes 42.4 seconds west 127,746 feet to a point N137,302.92, E895022.85, thence running north 33 degrees 56 minutes 9.8 seconds east 239,999 feet to the point of origin.

On page 171, line 13, strike "(d)" and insert "(e)".

On page 171, after line 23, add the following:

(f) SEARSFORT HARBOR, SEARSFORT, MAINE.—

(1) DEAUTHORIZATION.—The portion of the project for navigation, Searsport Harbor, Searsport, Maine, authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), described in paragraph (2) is not authorized after the date of enactment of this Act.

(2) DESCRIPTION.—The portion of the project referred to in paragraph (1) is the portion of the 35-foot turning basin beginning at a point with coordinates N225,008.38, E395,464.26, thence running north 43 degrees 49 minutes 53.4 seconds east 362,001 feet to a point N225,269.52, E395,714.96, thence running south 71 degrees 27 minutes 33.0 seconds east 1,309,201 feet to a point N224,853.22, E396,956.21, thence running north 84 degrees 3 minutes 45.7 seconds west 1,499,997 feet to the point of origin.

On page 172, between lines 11 and 12, insert the following:

(b) BOYDSVILLE, ARKANSAS.—The Secretary shall conduct a study to determine the feasibility of reservoir and associated improvements to provide for flood control, recreation, water quality, water supply, and fish and wildlife purposes in the vicinity of Boydsville, Arkansas.

(c) UNION COUNTY, ARKANSAS.—The Secretary shall conduct a study to determine the feasibility of municipal and industrial water supply for Union County, Arkansas.

(d) WHITE RIVER BASIN, ARKANSAS AND MISSOURI.—

(1) IN GENERAL.—The Secretary shall conduct a study of the project for flood control, power generation, and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by H. Doc. 917, 76th Cong., 3d Sess., and H. Doc. 290, 77th Cong., 1st Sess., approved August 18, 1941, and H. Doc. 499, 83d Cong., 2d Sess., approved September 3, 1954, and by section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) to determine the feasibility of modifying the project to provide minimum flows necessary to sustain the tail water trout fisheries.

(2) REPORT.—Not later than July 30, 2000, the Secretary shall submit to Congress a report on the study and any recommendations on reallocation of storage at Beaver Lake, Table Rock, Bull Shoals Lake, Norfolk Lake, and Greers Ferry Lake.

On page 172, line 12, strike "(b)" and insert "(e)".

On page 172, after line 25, add the following:

(f) FRAZIER CREEK, TULARE COUNTY, CALIFORNIA.—The Secretary shall conduct a study to determine—

(1) the feasibility of restoring Frazier Creek, Tulare County, California; and

(2) the Federal interest in flood control, environmental restoration, conservation of fish and wildlife resources, recreation, and water quality of the creek.

On page 173, line 1, strike "(c)" and insert "(g)".

On page 173, line 7, strike "(d)" and insert "(h)".

On page 173, line 12, strike "(e)" and insert "(i)".

On page 173, line 20, strike "(f)" and insert "(j)".

On page 174, line 1, strike "(g)" and insert "(k)".

On page 174, line 8, strike "(h)" and insert "(l)".

On page 174, line 18, strike "(i)" and insert "(m)".

On page 174, after line 24, add the following:

(n) BOISE, IDAHO.—The Secretary shall conduct a study to determine the feasibility of undertaking flood control on the Boise River in Boise, Idaho.

On page 175, line 1, strike "(j)" and insert "(o)".

On page 175, line 7, strike "(k)" and insert "(p)".

On page 175, between lines 11 and 12, insert the following:

(q) BANK STABILIZATION, SNAKE RIVER, LEWISTON, IDAHO.—The Secretary shall conduct a study to determine the feasibility of undertaking bank stabilization and flood control on the Snake River at Lewiston, Idaho.

On page 175, line 12, strike "(l)" and insert "(r)".

On page 175, line 16, strike "(m)" and insert "(s)".

On page 175, line 21, strike "(n)" and insert "(t)".

On page 176, line 1, strike "(o)" and insert "(u)".

On page 176, line 6, strike "(p)" and insert "(v)".

On page 176, line 10, strike "(q)" and insert "(w)".

On page 176, line 15, strike "(r)" and insert "(x)".

On page 177, strike lines 1 and 2 and insert the following:

compaction, subsidence, wind and wave action, bank failure, and other problems relating to water resources in the area.

On page 177, line 3, strike "(s)" and insert "(y)".

On page 177, line 11, strike "(t)" and insert "(z)".

On page 177, between lines 21 and 22, insert the following:

(aa) MUDDY RIVER, BROOKLINE AND BOSTON, MASSACHUSETTS.—

(1) IN GENERAL.—The Secretary shall evaluate the January 1999 study commissioned by the Boston Parks and Recreation Department, Boston, Massachusetts, and entitled "The Emerald Necklace Environmental Improvement Master Plan, Phase I Muddy River Flood Control, Water Quality and Habitat Enhancement", to determine whether the plans outlined in the study for flood control, water quality, habitat enhancements, and other improvements to the Muddy River in Brookline and Boston, Massachusetts, are cost-effective, technically sound, environmentally acceptable, and in the Federal interest.

(2) REPORT.—Not later than December 31, 1999, the Secretary shall report to Congress the results of the evaluation.

On page 177, line 22, strike "(u)" and insert "(bb)".

On page 178, line 9, strike "(v)" and insert "(cc)".

On page 178, line 13, strike "(w)" and insert "(dd)".

On page 178, between lines 18 and 19, insert the following:

(ee) DREDGED MATERIAL MANAGEMENT, PASCAGOULA HARBOR, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine an alternative

plan for dredged material management for the Pascagoula River portion of the project for navigation, Pascagoula Harbor, Mississippi, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4094).

(2) CONTENTS.—The study under paragraph 1 shall—

(A) include an analysis of the feasibility of expanding the Singing River Island Disposal Area or constructing a new dredged material disposal facility; and

(2) identify methods of managing and reducing sediment transport into the Federal navigation channel.

On page 178, line 19, strike "(x)" and insert "(ff)".

On page 179, line 6, strike "(y)" and insert "(gg)".

On page 179, line 19, strike "April 15, 1999," and insert "April 15, 2000".

On page 179, line 22, strike "(z)" and insert "(hh)".

On page 180, line 13, strike "(aa)" and insert "(ii)".

On page 180, line 21, strike "(bb)" and insert "(jj)".

On page 181, line 1, strike "(cc)" and insert "(kk)".

Beginning on page 182, strike line 4 and all that follows through page 184, line 8.

On page 184, line 9, strike "(ee)" and insert "(ll)".

On page 184, line 13, strike "(ff) EAST LAKE, VERMILLION AND" and insert "(mm)".

On page 184, line 16, strike "East Lake, Vermillion and".

On page 184, line 22, strike "(gg)" and insert "(nn)".

On page 185, line 1, strike "(hh)" and insert "(oo)".

On page 185, line 7, strike "(ii)" and insert "(pp)".

On page 185, line 11, strike "(jj)" and insert "(qq)".

On page 186, between lines 6 and 7, insert the following:

(rr) CONTAMINATED DREDGED MATERIAL AND SEDIMENT MANAGEMENT, SOUTH CAROLINA COASTAL AREAS.—

(1) IN GENERAL.—The Secretary shall review pertinent reports and conduct other studies and field investigations to determine the best available science and methods for management of contaminated dredged material and sediments in the coastal areas of South Carolina.

(2) FOCUS.—In carrying out subsection (a), the Secretary shall place particular focus on areas where the Corps of Engineers maintains deep draft navigation projects, such as Charleston Harbor, Georgetown Harbor, and Port Royal, South Carolina.

(3) COOPERATION.—The studies shall be conducted in cooperation with the appropriate Federal and State environmental agencies.

On page 186, line 7, strike "(kk)" and insert "(ss)".

On page 186, line 15, strike "(ll)" and insert "(tt)".

On page 187, between lines 2 and 3, insert the following:

(uu) MOUNT ST. HELENS ENVIRONMENTAL RESTORATION, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of ecosystem restoration improvements throughout the Cowlitz and Toutle River basins, Washington, including the 6,000 acres of wetland, riverine, riparian, and upland habitats lost or altered due to the eruption of Mount St. Helens in 1980 and subsequent emergency actions.

(2) REQUIREMENTS.—In carrying out the study, the Secretary shall—

(A) work in close coordination with local governments, watershed entities, the State of Washington, and other Federal agencies; and

(B) place special emphasis on—

(i) conservation and restoration strategies to benefit species that are listed or proposed for listing as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(ii) other watershed restoration objectives.

On page 187, line 3, strike "(mm)" and insert "(vv)".

On page 187, line 9, strike "(nn)" and insert "(ww)".

On page 187, line 14, strike "(oo)" and insert "(xx)".

On page 187, line 20, strike "(pp)" and insert "(yy)".

On page 187, line 25, strike "(qq)" and insert "(zz)".

On page 189, between lines 3 and 4, insert the following:

(aaa) GREAT LAKES NAVIGATIONAL SYSTEM.—In consultation with the St. Lawrence Seaway Development Corporation, the Secretary shall review the Great Lakes Connecting Channel and Harbors Report dated March 1985 to determine the feasibility of any modification of the recommendations made in the report to improve commercial navigation on the Great Lakes navigation system, including locks, dams, harbors, ports, channels, and other related features.

On page 192, strike lines 6 through 14 and insert the following:

(e) PRIORITY AREAS.—In carrying out this section, the Secretary shall examine the potential for flood damage reductions at appropriate locations, including—

(1) Los Angeles County drainage area, California;

(2) Napa River Valley watershed, California;

(3) Le May, Missouri;

(4) the upper Delaware River basin, New York;

(5) Mill Creek, Cincinnati, Ohio;

(6) Tillamook County, Oregon;

(7) Willamette River basin, Oregon;

(8) Delaware River, Pennsylvania;

(9) Schuylkill River, Pennsylvania; and

(10) Providence County, Rhode Island.

On page 203, strike lines 19 through 24 and insert the following:

SEC. 214. CONTROL OF AQUATIC PLANT GROWTH.

Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)) is amended in the first sentence by striking "water-hyacinth, alligatorweed, Eurasian water milfoil, melaleuca," and inserting "Alligatorweed, Aquaticum, Arundo Dona, Brazilian Elodea, Cabomba, Melaleuca, Myriophyllum, Spicatum, Tarmarix, Water Hyacinth".

On page 205, line 11, strike the quotation marks and the semicolon.

On page 205, between lines 11 and 12, insert the following:

"(24) Columbia Slough watershed, Oregon;"

On page 211, strike line 8 and insert the following:

SEC. 223. JOHN GLENN GREAT LAKES BASIN PROGRAM.

On page 220, strike lines 4 through 8 and insert the following:

SEC. 229. ATLANTIC COAST OF NEW YORK.

Section 404(c) of the Water Resources Development Act of 1992 (106 Stat. 4863) is amended by inserting after "1997" the following: "and an additional total of \$2,500,000 for fiscal years thereafter".

On page 221, between lines 11 and 12, insert the following:

SEC. 231. MISSISSIPPI RIVER COMMISSION.

Notwithstanding any other provision of law, a member of the Mississippi River Commission (other than the president of the Commission) shall receive annual pay of \$21,500.

SEC. 232. USE OF PRIVATE ENTERPRISES.

(a) INVENTORY AND REVIEW.—The Secretary shall inventory and review all activities of

the Corps of Engineers that are not inherently governmental in nature in accordance with the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note; Public Law 105-270).

(b) CONSIDERATIONS.—In determining whether to commit to private enterprise the performance of architectural or engineering services (including surveying and mapping services), the Secretary shall take into consideration professional qualifications as well as cost.

On page 233, lines 21 and 22, strike “equally between the programs authorized by paragraph (1)(A)” and insert “between the programs authorized by paragraph (1)(A) in amounts that are proportionate to the amounts authorized to be appropriated to carry out those programs, respectively”.

On page 238, strike lines 15 through 22 and insert the following:

SEC. 316. NINE MILE RUN HABITAT RESTORATION, PENNSYLVANIA.

If the Secretary determines that the documentation is integral to the project, the Secretary shall credit against the non-Federal share such costs, not to exceed \$1,000,000, as are incurred by the non-Federal interests in preparing the environmental restoration report, planning and design-phase scientific and engineering technical services documentation, and other preconstruction documentation for the habitat restoration project, Nine Mile Run, Pennsylvania.

On page 248, after line 22, add the following:

SEC. 332. PINE FLAT DAM, KINGS RIVER, CALIFORNIA.

Under the authority of section 1135(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), the Secretary shall carry out a project to construct a turbine bypass at Pine Flat Dam, Kings River, California, in accordance with the Project Modification Report and Environmental Assessment dated September 1996.

SEC. 333. LEVEES IN ELBA AND GENEVA, ALABAMA.

(a) ELBA, ALABAMA.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate a levee in the city of Elba, Alabama, at a total cost of \$12,900,000.

(2) COST SHARING.—The non-Federal share of the cost of repair and rehabilitation under paragraph (1) shall be 35 percent.

(b) GENEVA, ALABAMA.—

(1) IN GENERAL.—The Secretary may repair and rehabilitate a levee in the city of Geneva, Alabama, at a total cost of \$16,600,000.

(2) COST SHARING.—The non-Federal share of the cost of repair and rehabilitation under paragraph (1) shall be 35 percent.

SEC. 334. TORONTO LAKE AND EL DORADO LAKE, KANSAS.

(a) IN GENERAL.—The Secretary shall convey to the State of Kansas, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the 2 parcels of land described in subsection (b) on which correctional facilities operated by the Kansas Department of Corrections are situated.

(b) LAND DESCRIPTION.—The parcels of land referred to in subsection (a) are—

(1) the parcel located in Butler County, Kansas, adjacent to the El Dorado Lake Project, consisting of approximately 32.98 acres; and

(2) the parcel located in Woodson County, Kansas, adjacent to the Toronto Lake Project, consisting of approximately 51.98 acres.

(c) CONDITIONS.—

(1) USE OF LAND.—A conveyance of a parcel under subsection (a) shall be subject to the condition that all right, title, and interest in and to the parcel conveyed under subsection

(a) shall revert to the United States if the parcel is used for a purpose other than that of a correctional facility.

(2) COSTS.—The Secretary may require such additional terms, conditions, reservations, and restrictions in connection with the conveyance as the Secretary determines are necessary to protect the interests of the United States, including a requirement that the State pay all reasonable administrative costs associated with the conveyance.

SEC. 335. SAN JACINTO DISPOSAL AREA, GALTEN, TEXAS.

Section 108 of the Energy and Water Development Appropriations Act, 1994 (107 Stat. 1320), is amended in the first sentence of subsection (a) and in subsection (b)(1) by striking “fee simple absolute title” each place it appears and inserting “fee simple title to the surface estate (without the right to use the surface of the property for the production of minerals)”.

SEC. 336. ENVIRONMENTAL INFRASTRUCTURE.

Section 219(e)(1) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757) is amended by striking “\$10,000,000” and inserting “\$15,000,000”.

SEC. 337. WATER MONITORING STATION.

Section 584(b) of the Water Resources Development Act of 1996 (110 Stat. 3791) is amended by striking “\$50,000” and inserting “\$100,000”.

SEC. 338. UPPER MISSISSIPPI RIVER COMPREHENSIVE PLAN.

(a) DEVELOPMENT.—The Secretary shall develop a plan to address water and related land resources problems in the upper Mississippi River basin and the Illinois River basin, extending from Cairo, Illinois, to the headwaters of the Mississippi River, to determine the feasibility of systemic flood damage reduction by means of—

(1) structural and nonstructural flood control and floodplain management strategies;

(2) continued maintenance of the navigation project;

(3) management of bank caving, erosion, watershed nutrients and sediment, habitat, and recreation; and

(4) other related means.

(b) CONTENTS.—The plan shall contain recommendations for—

(1) management plans and actions to be carried out by Federal and non-Federal entities;

(2) construction of a systemic flood control project in accordance with a plan for the upper Mississippi River;

(3) Federal action, where appropriate; and

(4) follow-on studies for problem areas for which data or current technology does not allow immediate solutions.

(c) CONSULTATION AND USE OF EXISTING DATA.—In developing the plan, the Secretary shall—

(1) consult with appropriate State and Federal agencies; and

(2) make maximum use of—

(A) data and programs in existence on the date of enactment of this Act; and

(B) efforts of States and Federal agencies.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that includes the plan.

SEC. 339. MCNARY LOCK AND DAM, WASHINGTON.

(a) IN GENERAL.—The Secretary may convey to a port district or a port authority—

(1) without the payment of additional consideration, any remaining right, title, and interest of the United States in property acquired for the McNary Lock and Dam, Washington, project and subsequently conveyed to the port district or a port authority under

section 108 of the River and Harbor Act of 1960 (33 U.S.C. 578); and

(2) at fair market value, as determined by the Secretary, all right, title, and interest of the United States in such property under the jurisdiction of the Secretary relating to the project as the Secretary considers appropriate.

(b) CONDITIONS, RESERVATIONS, AND RESTRICTIONS.—A conveyance under subsection (a) shall be subject to—

(1) such conditions, reservations, and restrictions as the Secretary determines to be necessary for the development, maintenance, or operation or the project or otherwise in the public interest; and

(2) the payment by the port district or port authority of all administrative costs associated with the conveyance.

SEC. 340. MCNARY NATIONAL WILDLIFE REFUGE.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the McNary National Wildlife Refuge is transferred from the Secretary to the Secretary of the Interior.

(b) LAND EXCHANGE WITH THE PORT OF WALLA WALLA, WASHINGTON.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior may exchange approximately 188 acres of land located south of Highway 12 and comprising a portion of the McNary National Wildlife Refuge for approximately 122 acres of land owned by the Port of Walla Walla, Washington, and located at the confluence of the Snake River and the Columbia River.

(2) TERMS AND CONDITIONS.—The land exchange under paragraph (1) shall be carried out in accordance with such terms and conditions as the Secretary of the Interior determines to be necessary to protect the interests of the United States, including a requirement that the Port pay—

(A) reasonable administrative costs (not to exceed \$50,000) associated with the exchange; and

(B) any excess (as determined by the Secretary of the Interior) of the fair market value of the parcel conveyed by the Secretary of the Interior over the fair market value of the parcel conveyed by the Port.

(3) USE OF FUNDS.—The Secretary of the Interior may retain any funds received under paragraph (2)(B) and, without further Act of appropriation, may use the funds to acquire replacement habitat for the Mid-Columbia River National Wildlife Refuge Complex.

(c) MANAGEMENT.—The McNary National Wildlife Refuge and land conveyed by the Port of Walla Walla, Washington, under subsection (b) shall be managed in accordance with applicable laws, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

TITLE IV—CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION

SEC. 401. CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND STATE OF SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION.

(a) DEFINITIONS.—Section 601 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681-660), is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(2) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following:

“(I) COMMISSION.—The term ‘Commission’ means the South Dakota Cultural Resources

Advisory Commission established by section 605(j); and

(3) by inserting after paragraph (2) (as redesignated by paragraph (1)) the following:

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of the Army.”.

(b) TERRESTRIAL WILDLIFE HABITAT RESTORATION.—Section 602 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–660), is amended—

(1) in subsection (a)(4)—

(A) in subparagraph (A)(ii), by striking “803” and inserting “603”;

(B) in subparagraph (B)(ii), by striking “804” and inserting “604”; and

(C) in subparagraph (C)—

(i) in clause (i)(II), by striking “803(d)(3) and 804(d)(3)” and inserting “603(d)(3) and 604(d)(3)”; and

(ii) in clause (ii)(II)—

(I) by striking “803(d)(3)(A)(i)” and inserting “603(d)(3)(A)(i)”; and

(II) by striking “804(d)(3)(A)(i)” and inserting “604(d)(3)(A)(i)”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “803(d)(3)(A)(iii)” and inserting “603(d)(3)(A)(ii)(III)”;

(B) in paragraph (4)—

(i) in subparagraph (A), by striking “803(d)(3)(A)(iii)” and inserting “603(d)(3)(A)(ii)(III)”;

(ii) in subparagraph (B), by striking “804(d)(3)(A)(iii)” and inserting “604(d)(3)(A)(ii)(III)”;

(3) in subsection (c), by striking “803 and 804” and inserting “603 and 604”.

(c) SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND.—Section 603 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–663), is amended—

(1) in subsection (c)—

(A) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(B) by adding at the end the following:

“(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the fund in obligations that carry the highest rate of interest among available obligations of the required maturity.”; and

(2) in subsection (d)—

(A) in paragraph (2), by striking “802(a)(4)(A)” and inserting “602(a)(4)(A)”; and

(B) in paragraph (3)(A)—

(i) in clause (i)—

(I) by striking “802(a)” and inserting “602(a)”;

(II) by striking “and” at the end; and

(ii) in clause (ii)—

(I) in subclause (III), by striking “802(b)” and inserting “602(b)”; and

(II) in subclause (IV)—

(aa) by striking “802” and inserting “602”; and

(bb) by striking “and” at the end.

(d) CHEYENNE RIVER SIOUX TRIBE AND LOWER BRULE SIOUX TRIBE TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUNDS.—Section 604 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–664), is amended—

(1) in subsection (c)—

(A) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(B) by adding at the end the following:

“(2) INTEREST RATE.—The Secretary of the Treasury shall invest amounts in the fund in obligations that carry the highest rate of interest among available obligations of the required maturity.”; and

(2) in subsection (d)—

(A) in paragraph (2), by striking “802(a)(4)(B)” and inserting “602(a)(4)(B)”; and

(B) in paragraph (3)(A)—

(i) in clause (i), by striking “802(a)” and inserting “602(a)”; and

(ii) in clause (ii)—

(I) in subclause (III), by striking “802(b)” and inserting “602(b)”; and

(II) in subclause (IV), by striking “802” and inserting “602”.

(e) TRANSFER OF FEDERAL LAND TO STATE OF SOUTH DAKOTA.—Section 605 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–665), is amended—

(1) in subsection (a)(2)(B), by striking “802” and inserting “602”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “waters” and inserting “facilities”;

(3) in subsection (e)(2), by striking “803” and inserting “603”;

(4) by striking subsection (g) and inserting the following:

“(g) HUNTING AND FISHING.—

“(I) IN GENERAL.—Except as provided in this section, nothing in this title affects jurisdiction over the waters of the Missouri River below the water’s edge and outside the exterior boundaries of an Indian reservation in South Dakota.

“(2) JURISDICTION.—

“(A) TRANSFERRED LAND.—On transfer of the land under this section to the State of South Dakota, jurisdiction over the land shall be the same as that over other land owned by the State of South Dakota.

“(B) LAND BETWEEN THE MISSOURI RIVER WATER’S EDGE AND THE LEVEL OF THE EXCLUSIVE FLOOD POOL.—Jurisdiction over land between the Missouri River water’s edge and the level of the exclusive flood pool outside Indian reservations in the State of South Dakota shall be the same as that exercised by the State on other land owned by the State, and that jurisdiction shall follow the fluctuations of the water’s edge.

“(D) FEDERAL LAND.—Jurisdiction over land and water owned by the Federal government within the boundaries of the State of South Dakota that are not affected by this Act shall remain unchanged.

“(3) EASEMENTS AND ACCESS.—The Secretary shall provide the State of South Dakota with easements and access on land and water below the level of the exclusive flood pool outside Indian reservations in the State of South Dakota for recreational and other purposes (including for boat docks, boat ramps, and related structures), so long as the easements would not prevent the Corps of Engineers from carrying out its mission under the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved December 22, 1944 (commonly known as the ‘Flood Control Act of 1944’) (58 Stat. 887)).”; and

(5) by adding at the end the following:

“(i) IMPACT AID.—The land transferred under subsection (a) shall be deemed to continue to be owned by the United States for purposes of section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702).”

(f) TRANSFER OF CORPS OF ENGINEERS LAND FOR INDIAN TRIBES.—Section 606 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–667), is amended—

(1) in subsection (a)(1), by inserting before the period at the end the following: “for their use in perpetuity”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “waters” and inserting “facilities”;

(3) in subsection (f), by striking paragraph (2) and inserting the following:

“(2) HUNTING AND FISHING.—

“(A) IN GENERAL.—Except as provided in this section, nothing in this title affects jurisdiction over the waters of the Missouri River below the water’s edge and within the exterior boundaries of the Cheyenne River Sioux and Lower Brule Sioux Tribe reservations.

“(B) JURISDICTION.—On transfer of the land to the respective tribes under this section, jurisdiction over the land and on land between the water’s edge and the level of the exclusive flood pool within the respective Tribe’s reservation boundaries shall be the same as that over land held in trust by the Secretary of the Interior on the Cheyenne River Sioux Reservation and the Lower Brule Sioux Reservation, and that jurisdiction shall follow the fluctuations of the water’s edge.

“(C) EASEMENTS AND ACCESS.—The Secretary shall provide the Tribes with such easements and access on land and water below the level of the exclusive flood pool inside the respective Indian reservations for recreational and other purposes (including for boat docks, boat ramps, and related structures), so long as the easements would not prevent the Corps of Engineers from carrying out its mission under the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes”, approved December 22, 1944 (commonly known as the ‘Flood Control Act of 1944’) (58 Stat. 887)).”;

(4) in subsection (e)(2), by striking “804” and inserting “604”; and

(5) by adding at the end the following:

“(g) EXTERIOR INDIAN RESERVATION BOUNDARIES.—Nothing in this section diminishes, changes, or otherwise affects the exterior boundaries of a reservation of an Indian tribe.”.

(g) ADMINISTRATION.—Section 607(b) of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–669), is amended by striking “land” and inserting “property”.

(h) STUDY.—Section 608 of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–670), is amended—

(1) in subsection (a)—

(A) by striking “Not late than 1 year after the date of enactment of this Act, the Secretary” and inserting “The Secretary”;

(B) by striking “to conduct” and inserting “to complete, not later than October 31, 1999.”; and

(C) by striking “805(b) and 806(b)” and inserting “605(b) and 606(b)”;

(2) in subsection (b), by striking “805(b) or 806(b)” and inserting “606(b) or 606(b)”;

(3) by adding at the end the following:

“(c) STATE WATER RIGHTS.—The results of the study shall not affect, and shall not be taken into consideration in, any proceeding to quantify the water rights of any State.

“(d) INDIAN WATER RIGHTS.—The results of the study shall not affect, and shall not be taken into consideration in, any proceeding to quantify the water rights of any Indian tribe or tribal nation.”.

(i) AUTHORIZATION OF APPROPRIATIONS.—Section 609(a) of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–670), is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2)—

(A) by striking “802(a)” and inserting “605(a)”;

(B) by striking “803(d)(3) and 804(d)(3).” and inserting “603(d)(3) and 604(d)(3); and”;

(3) by adding at the end the following:

“(3) to fund the annual expenses (not to exceed the Federal cost as of the date of enactment of this Act) of operating recreation areas to be transferred under sections 605(c) and 606(c) or leased by the State of South Dakota or Indian tribes, until such time as the trust funds under sections 603 and 604 are fully capitalized.”

On Page 157 in between lines 14 and 15, insert the following:

(6) WHITE RIVER BASIN, ARKANSAS AND MISSOURI.—

(A) IN GENERAL.—The project for flood control, power generation and other purposes at the White River Basin, Arkansas and Missouri, authorized by section 4 of the Act of June 28, 1938 (52 Stat. 1218, chapter 795), and modified by H. Doc. 917, 76th Cong., 3d Sess., and H. Doc. 290, 77th Cong., 1st Sess., approved August 18, 1941, and H. Doc. 499, 83d Cong., 2d Sess., approved September 3, 1954, and by Section 304 of the Water Resources Development Act of 1996 (110 Stat. 3711) is modified to authorize the Secretary to provide minimum flows necessary to sustain tail water trout fisheries by reallocating the following amounts of project storage: Beaver Lake, 3.5 feet; Table Rock, 2 feet; Bull Shoals Lake, 5 feet; Norfork Lake, 3.5 feet; and Greers Ferry Lake, 3 feet. The Secretary shall complete such report and submit it to the Congress by July 30, 2000.

(B) REPORT.—The report of the Chief of Engineers, required by this subsection, shall also include a determination that the modification of the project in subparagraph (A) does not adversely affect other authorized project purposes, and that no federal costs are incurred.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, April 22, 1999, 10 a.m., in SD-628 of the Senate Dirksen Building. The subject of the hearing is “ESEA Reauthorization.” For further information, please call the committee, 202/224-5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a field hearing on “Teaching Teachers” during the session of the Senate on Monday, April 19, 1999, at 9 a.m.

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

SUBCOMMITTEE ON WESTERN HEMISPHERE, PEACE CORPS, NARCOTICS AND TERRORISM

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism be authorized to meet during the session of the Senate on Monday, April 19, 1999 at 3:45 p.m. to hold a closed Members’ briefing.

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

ADDITIONAL STATEMENTS

BARRING CIVIL ACTIONS AGAINST THE PRESIDENT

• Mr. LEVIN. Mr. President, today I am joining my good friend from New York, Senator MOYNIHAN, as a cosponsor of his bill to limit civil actions against a sitting President. The Supreme Court may have been right in its analysis in *Clinton v. Jones* that the separation of powers doctrine does not require immunity from civil suit for a sitting President, but it was wrong when it concluded that “a deluge of such litigation will never engulf the Presidency,” and when it went on to assert, “if properly managed by the District Court, it appears to us highly unlikely [for the Paula Jones civil suit] to occupy any substantial amount of petitioner’s time.”

No one can reasonably believe that President Clinton didn’t spend a significant amount of his time preparing his defense in the Paula Jones case. Moreover, we can all understand how the existence of such a case can be a significant distraction and preoccupation even when it is not being worked on directly.

The Supreme Court recognized in its decision in *Clinton v. Jones* the all-consuming nature of the responsibilities of being President of the United States. The Court wrote:

“As a starting premise, petitioner [the President] contends that he occupies a unique office with powers and responsibilities so vast and important that the public interest demands that he devote his undivided time and attention to his public duties . . . We have no dispute with the initial premise of the argument. Former presidents, from George Washington to George Bush, have consistently endorsed petitioner’s characterization of the office. After serving his term, Lyndon Johnson observed: ‘Of all the 1,886 nights I was President, there were not many when I got to sleep before 1 or 2 A.M., and there were few mornings when I didn’t wake up by 6 or 6:30.’”

Being President of the United States is a 24 hour a day job. That’s both necessary and desirable. To allow the President to be sued for matters arising from acts committed prior to his taking office makes the President vulnerable to mischievous, possibly politically-motivated and time-consuming litigation. As the leader of our country and the most important political leader in the world, I don’t want the President’s attention diverted from the many important and consequential responsibilities of the office to defend against lawsuits based on allegations of conduct before the President ran for office and which could have therefore been filed prior to his taking office. That’s why I support limiting the involvement of sitting Presidents in civil litigation.

Senator MOYNIHAN has taken the first step in addressing this problem. His bill would bar the President from participating in any civil trial involving the President as plaintiff or defendant

but would permit discovery to the extent it is carried out with “due deference to Presidential responsibilities” and using “reasonable case management principles.” The bill would allow a civil suit to be filed and limited discovery to occur, but would not allow a President to proceed to trial as either a plaintiff or defendant. Senator MOYNIHAN has made a thoughtful proposal. However, I prefer that the bill be limited to only those civil cases brought with respect to matters that occurred before the President assumed office or before the President participated in the general election; I would not want to affect cases brought against Presidents for actions they have taken while President in their official capacity. There are a significant number of cases against every President for actions taken during their term in office, and I don’t believe we can or should immunize the President from those types of cases. For example, President Truman was sued when he seized the steel plants. President Carter was sued over his decision to return the Panama Canal to Panama. President Reagan was sued regarding the role of America in El Salvador, and President Bush was sued for various matters relating to the Persian Gulf War. I am not commenting on the validity of these suits, I am only saying that such suits should not be disallowed since they are brought against the President in his or her official capacity and they are handled not by the President but by the Department of Justice and White House Legal Counsel. Another class of cases that should be permitted while a President is in office are domestic cases—those related to or involving personal family relationships such as the resolution of a will or an estate or child support.

The Supreme Court reported that only three sitting Presidents have been defendants in civil suits involving their actions prior to taking office. These were Theodore Roosevelt and Harry Truman whose cases were dismissed before they took office, and John F. Kennedy, whose case was settled once he took office. Given the increasing litigious nature of our society, we cannot rely on this history to project what may happen in the future. And given the recent experience of President Clinton and the Paula Jones case, we know the enormous consequences just one such case can have.

I look forward to working with Senator MOYNIHAN on this legislation and to getting it enacted in this Congress, before the next President takes office in the year 2001.●

HONORING MR. GERALD T. HALPIN

• Mr. ROBB. Mr. President, I’d like to use this occasion to honor a long-time friend, Mr. Gerald T. Halpin, who has shown that economic prosperity can go hand-in-hand with public service. Jerry Halpin is the Founder, President and Chief Executive Officer of