

□ 1430

EXTENDING DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF HYDROELECTRIC PROJECT IN STATE OF ALABAMA

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3852) to extend the deadline for commencement of construction of a hydroelectric project in the State of Alabama.

The Clerk read as follows:

H.R. 3852

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

SECTION 1. EXTENSION OF DEADLINE AND REINSTATEMENT OF LICENSE.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 7115, the Commission shall, at the request of the licensee for the project, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend for 3 consecutive 2-year periods, the time period during which the licensee is required to commence construction of the project.

(b) APPLICABILITY.—Subsection (a) shall take effect on the expiration of the period required for commencement of construction of the project described in subsection (a).

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the license for the project described in subsection (a) has expired prior to the date of enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and extend the time required for commencement of construction of the project for not more than 3 consecutive 2-year periods, the first of which shall commence on the date of expiration of the license.

The SPEAKER pro tempore (Mr. MILLER of Florida). Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Virginia (Mr. BOUCHER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3852 extends the construction period for a hydroelectric project in the State of Alabama. Under section 13 of the Federal Power Act, project construction must begin within 4 years of issuance of the license. If construction has not yet begun, FERC cannot extend the deadline and must terminate the license. H.R. 3852 grants the project developer up to 6 additional years to commence construction if it pursues the commencement of construction in good faith and with due diligence.

These types of bills have not been controversial in the past. The bill does

not change the license requirements in any way and does not change environmental standards, but merely extends the construction deadline.

There is a need to act, Mr. Speaker, since the construction deadline for the George Andrews project expires in September. If Congress does not act, FERC will terminate the license, the project owner will lose its investment in the project, and the local community will lose jobs and revenues.

Mr. Speaker, I urge support of H.R. 3852.

Mr. Speaker, I reserve the balance of my time.

Mr. BOUCHER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, I rise today in support of this measure. I want to congratulate our colleague, the gentleman from South Carolina (Mr. DEMINT), for his efforts on this measure. He has made an excellent case to the House for its approval, and I am pleased to urge its approval today.

The legislation directs the Federal Energy Regulatory Commission to extend the deadline for commencement of construction on the Andrews project, which is a 24 megawatt hydroelectric facility to be located on the Chattahoochee River in Houston County, Alabama and Early County, Georgia. The construction deadline for the project expires on September 21 of this year, and it is the purpose of this legislation to extend that deadline. The legislation will extend the deadline for up to 3 additional 2-year periods.

Congress has enacted similar legislation in past years extending construction deadlines on projects of this nature, and this particular legislation was reported unanimously by the Subcommittee on Energy and Power and by the full Committee on Commerce. I know of no objection to this legislation, either from any of our colleagues or from any States that have an interest in the project; and I am, therefore, pleased to urge its passage by the House.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. OXLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 3852.

The question was taken.

Mr. OXLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXTENDING DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF ARROWROCK DAM HYDROELECTRIC PROJECT IN STATE OF IDAHO

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1236) to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho, as amended.

The Clerk read as follows:

S. 1236

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

SECTION 1. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 4656, the Commission may, at the request of the licensee for the project and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for three consecutive two-year periods.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on the date of the expiration of the extension issued by the Commission prior to the date of enactment of this Act under section 13 of the Federal Power Act (16 U.S.C. 806).

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Virginia (Mr. BOUCHER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1236 extends the construction period for the Arrowrock Dam Hydroelectric Project in the State of Idaho. Under section 13 of the Federal Power Act, project construction must begin within 4 years of issuance of the license. If construction has not begun by that time, FERC cannot extend the deadline and must terminate the license. S. 1236 authorizes the FERC to grant the project owner up to 6 additional years to commence construction in accordance with the good faith, due diligence, and public interest

requirements of section 13 of the Federal Power Act.

These types of bills have not been controversial in the past. The bill does not change the license requirements in any way and does not change environmental standards but merely extends the construction deadline. The construction deadline for the project expired in March 1999; and, unless Congress acts, FERC will terminate the license, the project owner will lose its investment, and the local community will lose jobs and revenues.

I note this project already received a legislative extension in 1992. For that reason, the committee expects that FERC will vigorously apply the good faith, due diligence, and public interest requirements of the Federal Power Act. If FERC determines that the owner is no longer pursuing project construction in good faith and with due diligence, the agency should refuse to issue further extensions in the construction deadline.

Mr. Speaker, I urge support of S. 1236.

Mr. Speaker, I reserve the balance of my time.

Mr. BOUCHER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, I rise in support today of S. 1236 as reported by the Committee on Commerce. In its original form, this legislation would have authorized the Federal Energy Regulatory Commission to extend for 6 more years the deadline for commencing construction of the Arrowrock Dam Project in the State of Idaho.

In his testimony before the subcommittee on the legislation, the chairman of the Federal Energy Regulatory Commission stated his opposition to the bill in the form in which it was then pending before the committee because it would have extended the construction deadline on the Arrowrock Project for a total of up to 16 years.

Traditionally, Congress extends these licenses for a total of only 10 years; and in those instances in which FERC does not object, licenses have been extended for up to that period. I am only aware of one instance in recent memory in which a license has been extended for as much as 16 years.

When an entity holds a license but fails to develop a project, it is potentially preventing others from developing and exploiting that site for hydropower or for other uses. Sometimes a licensee who is not developing a site may be purposefully using license extensions for the very purpose of preventing other potential applicants from developing the site, and that is a process that is known as site banking.

When those rare instances occur in which we extend the license beyond the traditional period of 10 years, it is crucial that we ensure that the Federal Energy Regulatory Commission has the authority and the direction from Congress to prevent site banking.

The reported legislation of the Committee on Commerce, which was drafted with the full participation of the minority, ensures that the FERC has the authority to guard against site banking in this instance. The report is well drafted, and I want to thank the chairman of the subcommittee, my colleague and friend, the gentleman from Texas (Mr. BARTON), for ensuring that the committee report on the measure provides clear direction to FERC to be vigilant in this area. I had requested that treatment during subcommittee consideration; and, in fact, it was provided.

The report clearly states that if the Federal Energy Regulatory Commission determines that the licensee is not pursuing construction in accordance with the good faith, due diligence, and public interest requirements that are contained in section 13 of the Federal Power Act, then the committee expects the agency to refuse to grant a request for an additional license extension, and in that instance to terminate the license.

The subcommittee also corrects an oversight by the other body which failed to provide for the reinstatement of the license in the event that it lapses. And I would note that in this case the license has in fact lapsed and that correction is contained in the substitute that we are considering today.

Mr. Speaker, I support this measure as reported from the committee; and I am pleased to urge our colleagues to approve it this afternoon.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. OXLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the Senate bill, S. 1236, as amended.

The question was taken.

Mr. OXLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□

MUHAMMAD ALI BOXING REFORM ACT

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 1832) to reform unfair and anti-competitive practices in the professional boxing industry.

The Clerk read as follows:

Senate amendments:

Page 6, after line 17, insert:

“(c) *PROTECTION FROM COERCIVE CONTRACTS WITH BROADCASTERS.*—Subsection (a) of this section applies to any contract between a commercial broadcaster and a boxer, or granting

any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce, regardless of the broadcast medium. For the purpose of this subsection, any reference in subsection (a)(1)(B) to ‘promoter’ shall be considered a reference to ‘commercial broadcaster’.

Page 17, after line 24, insert:

“(1) in paragraph (9) by inserting after ‘match.’ the following: ‘The term ‘promoter’ does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match unless—

“(A) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match; and

“(B) there is no other person primarily responsible for organizing, promoting, and producing the match.”;

Page 18, line 1, strike out “(1)” and insert “(2)”

Page 18, line 4, strike out “(2)” and insert “(3)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Virginia (Mr. BOUCHER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OXLEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am proud to sponsor H.R. 1832, the Muhammad Ali Act, to enact anti-bribery safeguards for the sport of boxing.

Four years ago, I sponsored another piece of legislation, the Professional Boxing Safety Act of 1996. This act established the first-ever uniform licensing and health and safety system to protect professional boxers, and prohibited conflicts of interest by boxing's State regulatory commissions. This legislation was a great success, but the State boxing commissions and attorneys general have now asked us to go the next step to clean up the corruption among boxing's promoters, managers, and sanctioning bodies.

Ironically, the Professional Boxing Safety Act took effect on the same weekend as the now infamous fight between Mike Tyson and Evander Holyfield, where Tyson bit off a piece of Holyfield's ear. Before this act took effect, there was no uniform safety laws governing boxers, and States were unable to effectively regulate the sport. Because of the Professional Boxing Safety Act, the suspension of Mike Tyson by the Nevada Boxing Commission was recognized nationwide, preventing Tyson from fighting again until his suspension was completed.

The Muhammad Ali Boxing Reform Act, which we consider today, amends the Professional Boxing Safety Act to expand the consumer protections and anti-bribery provisions. It prevents