

(B) the *Archaeological Resources Protection Act of 1979* (16 U.S.C. 470aa et seq.);

(C) the *Fish and Wildlife Coordination Act* (16 U.S.C. 661 et seq.);

(D) the Act entitled "An Act for the protection of the bald eagle", approved June 8, 1940 (16 U.S.C. 668 et seq.);

(E) the *Migratory Bird Treaty Act* (16 U.S.C. 703 et seq.);

(F) the *Endangered Species Act of 1973* (16 U.S.C. 1531 et seq.);

(G) the *Native American Graves Protection and Repatriation Act* (25 U.S.C. 3001 et seq.);

(H) the *Federal Water Pollution Control Act* (33 U.S.C. 1251 et seq.);

(I) the *Safe Drinking Water Act* (42 U.S.C. 300f et seq.); and

(J) the *National Environmental Policy Act of 1969* (42 U.S.C. 4321 et seq.).

(b) *FEDERAL LIABILITY FOR DAMAGE*.—Nothing in this title relieves the Federal Government of liability for damage to private property caused by the operation of the Pick-Sloan program.

(c) *FLOOD CONTROL*.—Notwithstanding any other provision of this title, the Secretary shall retain the authority to operate the Pick-Sloan program for the purposes of meeting the requirements of the Act of December 22, 1944 (58 Stat. 887, 33 U.S.C. 701-1 et seq.).

SEC. 705. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out this title \$4,000,000 for each of fiscal years 2001 through 2005, \$5,000,000 for each of fiscal years 2006 through 2009, and \$10,000,000 in fiscal year 2010. Such funds shall remain available until expended.

Mr. LOTT. I ask unanimous consent that the Senate disagree with the amendments of the House, agree to the request for a conference, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Chair appointed Mr. SMITH of New Hampshire, Mr. WARNER, Mr. VOINOVICH, Mr. BAUCUS, and Mr. GRAHAM of Florida as conferees on the part of the Senate.

ESTUARIES AND CLEAN WATERS ACT OF 2000

Mr. LOTT. Mr. President, I further ask unanimous consent that the Senate now proceed to the conference report to accompany S. 835, the estuary bill; further, that the conference report be adopted, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(The conference report will be printed in a future edition of the RECORD in the House proceedings.)

Mr. L. CHAFEE. Mr. President, I rise today in support of the conference report to S. 835, the Estuaries and Clean Waters Act of 2000.

During my year in the Senate, one of my top legislative priorities has been the enactment of my father's estuary habitat restoration partnership legislation, S. 835. This bill will promote the restoration of one million acres of estuary habitat by directing \$275 million in funding and other incentives to local estuarine restoration projects.

I congratulate the Members of the Senate Environment and Public Works

Committees, and in particular Chairman BOB SMITH, for their expertise, persistence and enthusiastic support for this important environmental bill. And, I am delighted that the Senate is approving this compromise version, and moving the Estuaries and Clean Waters Act one step closer to enactment this session.

Mr. President, my father was a champion of efforts to protect wetlands and estuarine areas, and he felt strongly that the federal government should do more to restore and safeguard these valuable habitats. He had a special devotion and appreciation for the salt marshes, coves and coastline of Narragansett Bay. Thus, in the fall of 1997, at Edgewood Yacht Club in Cranston, surrounded by supporters from Rhode Island's Save The Bay, Senator John H. Chafee announced introduction of his comprehensive legislation to protect and restore our nation's estuaries. That bill evolved into S. 835, the Estuary Habitat Restoration Partnership Act that he introduced in the Spring of last year. And, when we approve this legislation, we are carrying out the work that my father considered to be of utmost importance to the health of our fisheries, the quality of our waters, and the beauty of our great land.

Estuaries are where the river's current meets the sea's tide. These waterbodies are unique areas where life thrives. They are where the food chain begins, and many estuaries produce more harvestable human food per acre than the best mid-western farmland. An astonishing variety of life, including animals as diverse as lobsters, Whooping Cranes, manatees, salmon, otters, Bald Eagles, and sea turtles, all depend on estuaries for their survival. Estuaries provide the nursing grounds for our fisheries, support many of our endangered and threatened species and host nearly half of the neotropical migratory birds in the United States.

However, these productive areas are fragile, and vulnerable to human and environmental pressures. Today, burgeoning human populations in coastal areas are disrupting the balance and threatening the health of fragile estuary habitats. Activities such as dredging, draining, the construction of dams, uncontrolled sewage discharges, and other forms of pollution have all led to the degradation and destruction of estuary habitat. The bottom line is that we are not doing enough for these valuable resources. Estuaries are national treasures, and they deserve a national effort to protect and restore them.

Like the many supporters of S. 835, I believe estuary legislation is needed to turn the tide and start restoring the valuable estuarine habitats that are literally disappearing along our nation's coasts. Senator John H. Chafee used to say: "Given half a chance, nature will rebound and overcome tremendous setbacks, but we must—at the very least—give it that half a chance." The good news is that in many de-

graded coastal areas, nature will rebound if we simply reduce pollution, or return salt water, or replant eelgrass in the proper conditions.

This legislation will fuel efforts to restore one million acres of estuary habitat by emphasizing several aspects of successful habitat restoration projects: effective coordination among different levels of government; continued investment by public and private sector partners; and, most importantly, active participation by local communities.

S. 835 encourages voluntary activities nationwide by authorizing \$275 million over five years for estuary habitat restoration projects. Other provisions include the creation of a council to help develop a national strategy for habitat restoration; and a cost-sharing requirement to help leverage federal dollars. S. 835 also promotes ongoing restoration efforts by reauthorizing the Chesapeake Bay and the Long Island Sound Estuary Programs and authorizing a program in the Lake Pontchartrain Basin to restore estuaries at the base of the Mississippi River.

And, the bill makes a significant and necessary change in the EPA's National Estuary Program. Up until now, the 28 nationally-designated estuaries—including Narragansett Bay—could only use federal funds to develop conservation and management plans. This bill amends the program to allow NEP grants to be used to implement the conservation measures included in those plans, and it nearly triples the authorization for the National Estuary Program from \$12 million to \$35 million per year for the next five years. Indeed, a central theme of this legislation is the need to carry out projects within existing plans and get moving with on-the-ground restoration activities.

Responding effectively to the growing threats to our bays, sounds and other coastal waters presents a tremendous challenge: federal resources are scarce, the need is great, and the pressure on these areas is intensifying. Yet, I am encouraged by the enormous support—at the local, state and federal levels—for taking action to arrest the deterioration of our estuaries, and to reverse the trend through restoration projects. And, I have seen first-hand that restoration projects really work. In recent years, the Rhode Island Department of Environmental Management's Narragansett Bay Estuary Program; federal partners such as the Army Corps of Engineers, U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration; Save the Bay and other conservation organizations; and local communities have joined forces to restore estuaries in and around Narragansett Bay.

By leveraging funding, equipment, volunteers and other resources, federal and non-federal partners have forged cooperative relationships to restore some of the Bay's most important estuarine environments. The Galilee Salt

Marsh and Bird Sanctuary Restoration Project is one such success. This 128-acre marsh was largely cut off from tidal flows as a result of road construction beginning in the 1950's. When fully completed, the restoration project will return 84 acres of salt marsh habitat and 14 acres of open water in new tidal channels to the Galilee Bird Sanctuary. With the reopening of the marsh to tides, salt marsh grasses native to Rhode Island are returning to the area, along with many small fish and crabs and wetland birds such as geese, ducks, egrets, herons and shorebirds. The area is also expected to, once again, serve as an important nursery area for commercially-important fish species.

Other successful Rhode Island projects include the anadromous fish and salt marsh restoration in the Massachussetts Fishway in Barrington; restoration of Boyd's Marsh in Portsmouth; and a NOAA Community-Based Restoration Program that partnered Save The Bay with local students and teachers to train them in seagrass and eelgrass restoration techniques. These activities demonstrate that by integrating state and federal resources with local, hands-on community involvement, we can give estuary habitats that half a chance they need to revive and flourish.

A lot of progress has been made toward restoring the health of the Rhode Island's estuaries, but considerable work remains to be done. In my view, Narragansett Bay is not only Rhode Island's greatest natural asset, but is also the most beautiful of our nation's estuaries. Designated by Congress as an "estuary of national significance," Narragansett Bay covers 147 square miles and is home to 60 species of fish and shellfish and more than 200 species of birds. Tourism, fishing and other Bay-related businesses fuel the regional economy. As a Rhode Islander, it seems clear that our welfare depends on our ability to sustain a clean, healthy, and productive Bay. The challenge of estuary restoration is even greater at the national level. With the aid of the Estuaries and Clean Water Act of 2000, the federal government will help meet that challenge, working with state and local partners to revive our most precious and productive estuary resources.

I thank my Senate colleagues for approving this important legislation. And, again I offer appreciation for the efforts of the Chairman and the Ranking Member of the Environment and Public Works Committee, the other Senate conferees and the Committee staff for their perseverance and dedication to passing estuary legislation this Congress. I also thank Rhode Island's Save The Bay, under the leadership of Curt Spalding, and the other conservation organizations who have worked hard to garner support for this legislation across the country.

Mr. SMITH of New Hampshire. Mr. President, I rise today in support of the Estuaries and Clean Waters Act of 2000,

S. 835. This is an important piece of legislation that will enhance our ability to protect the nation's valuable shoreline habitats, extend the cooperative partnership to preserve the Chesapeake Bay and Long Island Sound, and expand the effort to improve water quality in our nation's lakes.

I am proud to have been a cosponsor of this legislation and to have had the opportunity to work with our colleagues in the House of Representatives to ensure its passage this year. This legislation was of particular importance to our former colleague, and my friend, Senator John Chafee. He was the principal sponsor of this bill and a long time champion of estuaries. A year ago, under his chairmanship, the Committee on Environment and Public Works reported out S. 835 by voice vote. Since then, his son, Senator LINCOLN CHAFEE has continued the effort to get an estuaries bill signed into law. I am grateful for his leadership and am pleased to join him in that effort. With the Senate's passage of the Conference Report on S. 835 today, and similar action in the House, we will achieve that goal. I believe that is a fitting tribute to Senator John Chafee.

S. 835 exemplifies environmental policy based on partnership and cooperation, and not on top-down mandates and over-burdensome Federal regulations. The bill encourages States, local governments and nongovernmental organizations to work together to identify estuary habitat restoration projects. With the federal government, acting through the Army Corps of Engineers, as a partner, communities across the country will be able to restore and enhance one million acres of estuaries. Because these projects will be implemented in partnership with local sponsors, there will be little cost to the taxpayer. This is exactly the kind of environmental success that we should all be proud of supporting.

To understand how important this Act is for protecting the environment, one has to understand what estuaries are and how valuable they are to our society. Estuaries are the bays, gulfs, sounds, and inlets where fresh water from rivers and streams meets and mixes with salt water from the ocean. More simply, estuaries are where the rivers meet the sea. You can find examples of estuaries in coastal marshes, coastal wetlands, maritime forests, sea grass meadows and river deltas. Estuaries represent some of the most environmentally and economically productive habitats in the world.

Estuaries are critical for wildlife. Approximately 50 percent of the nation's migratory songbirds are linked to coastal estuary habitats, while nearly 30 percent of North American waterfowl rely upon coastal estuary habitat for wintering grounds. Many threatened and endangered species depend upon estuaries for their survival.

Estuaries also play a major role in commercial and recreational fishing. Approximately seventy-five percent of

the commercial fish catch, and eighty to ninety percent of the recreational fish catch, depend in some way on estuaries.

Estuaries also contribute significantly to the quality of life for many Americans. Over half of the population of the United States lives near a coastal area; a great majority of Americans visit estuaries every year to swim, fish, hunt, dive, bike, view wildlife, and learn. For many states, tourism associated with estuaries provides enormous economic benefit. In fact, the coastal recreation and tourism industry is the second largest employer in the nation, serving 180 million Americans each year.

These many attributes of estuaries are especially important to me because of the rich coast line of New Hampshire. New Hampshire estuaries contribute to the dynamic habitat and beauty of the State, as well as the economy. Recreational shell fishing alone contributes an estimated \$3 million annually to the State and local economies.

New Hampshire has been in the forefront of the national effort to identify and protect sensitive estuary habitats. The New Hampshire Great Bay/Little Bay and Hampton Harbor, and their tributary rivers joined the National Estuary Program in July of 1995 as part of the New Hampshire Estuaries Project. I am particularly pleased that the Conference Report on S. 835 specifically mentions the Great Bay Estuary and directs the Secretary of the Army to give priority consideration to the Great Bay Estuary in selecting estuary habitat restoration projects.

The Great Bay Estuary has a rich cultural history. It's beauty and resources attracted the Paleo-Indians to the area nearly 6,000 years ago. It was also the site of a popular summer resort during the 1800s, as well as a shipyard. As a Senator from New Hampshire, I am proud to help preserve this historical and ecological resource for future generations.

Unfortunately, many of the estuaries around the United States including those in New Hampshire, have been harmed by urbanization of the surrounding areas. According to the EPA's National Water Quality Inventory, 38 percent of the surveyed estuary habitat is impaired.

The Estuaries and Clean Waters Act is a tremendous step forward in establishing a much-needed restoration program that does not duplicate existing efforts, but instead builds upon them.

The legislation establishes a new, collaborative, interagency, inter-governmental process for the selection and implementation of estuary habitat restoration projects. It is based on the premise that we should provide incentives to States, local communities, and the private sector to play a role in the restoration of estuary habitat. It also reflects the fundamental belief that the decisions of how to restore these estuaries should be made by those who know best—the local communities.

The Secretary of the Army is authorized to use \$275 million over the next five years to implement, with local partners, estuary habitat restoration projects that are selected from a list put together by a multi-agency Estuary Habitat Restoration Council. The Council gets the ideas for specific projects from the local communities and nongovernmental organizations that want to want to serve as partners in the projects. This is truly a collaborative process, from start to finish.

In selecting specific projects, the Secretary is directed to take into consideration a number of factors. These factors include: technical feasibility and scientific merit; cost-effectiveness; whether the project will encourage increased coordination and cooperation among federal, State, and local governments; whether the project fosters public-private partnerships; and whether the project is part of an approved estuary management or habitat restoration plan.

I am particularly pleased that special priority will be given to projects that test innovative technologies that have the potential for improving cost-effectiveness in estuary habitat restoration. These technologies are eligible to receive an increased federal cost share. Some of these technologies are now being identified and tested in the National Estuarine Research Reserve System. The University of New Hampshire plays an important role in the NERRS program.

This bill also ensures accountability through ongoing monitoring and evaluation. The National Oceanic and Atmospheric Administration (NOAA) will maintain a data base of restoration projects so that information and lessons learned from one project can be incorporated into other restoration projects. In addition, the Secretary is directed to submit to Congress two reports, after the third and fifth years of the program, a detailing the progress made under the Act. This report will allow us in the Congress, as well as the public, to assess the successes and failures of the projects and strategies developed under this Act.

S. 835 also includes important provisions dealing with the National Estuaries Program, the Chesapeake Bay Program and the Long Island Sound. I know that the Chesapeake Bay Program has been of particular importance to Senator WARNER. I am pleased that the final bill extended the authorization for these three programs.

I do want to acknowledge the important role that the National Estuaries Program (NEP) has played in raising national awareness of the value of estuary habitats. The NEP was established in 1988 and demonstrates what we can accomplish when Federal, State and local governments work in partnership. Participation in the program is voluntary and emphasizes watershed planning and community involvement. To date, 28 conservation plans under this program have been prepared for

designated estuaries. I am pleased that New Hampshire is in the process of developing its own conservation plan.

Unfortunately, the National Estuaries Program has not had sufficient resources to adequately address habitat restoration. Until now, in fact, only the development of the plans could be funded, not their implementation. S. 835 will change that. This bill will increase the authorization for the NEP from \$12 million to \$35 million annually through 2005.

I believe that this overwhelmingly bipartisan bill represents an approach to environmental policy that should be the basis for solving all environmental problems. I strongly believe that we should seek to solve environmental problems together, on a bipartisan basis, through cooperation and partnership, and not through confrontation. We should trust the States and local governments as our partners, and allow decisions that affect local communities to be made by at the local level. We must use our taxpayer dollars wisely and effectively; and we should insist on results and accountability. If we do these things, I believe we will do a better job of preserving our natural resources, cleaning up our waters, and improving our air quality.

Mr. President, the Estuaries and Clean Waters Act of 2000 takes an important step in the right direction. It's a bill that we should all be proud of. I thank my colleagues for supporting its passage.

ACKNOWLEDGING AND SALUTING THE CONTRIBUTIONS OF COIN COLLECTORS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Con. Res. 154 submitted by myself and Senator DASCHLE.

The PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A legislation (S. Con. Res. 154) to acknowledge and salute the contributions of coin collectors.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 154) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 154

Whereas in 1982, after a period of 28 years, the Congress of the United States resumed the United States commemorative coin programs;

Whereas since 1982, 37 of the Nation's worthy institutions, organizations, foundations, and programs have been commemorated under the coin programs;

Whereas since 1982, the Nation's coin collectors have purchased nearly 49,000,000 commemorative coins that have yielded nearly \$1,800,000,000 in revenue and more than \$407,000,000 in surcharges benefitting a variety of deserving causes;

Whereas the United States Capitol has benefitted from the commemorative coin surcharges that have supported such commendable projects as the restoration of the Statue of Freedom atop the Capitol dome, the furtherance of the development of the United States Capitol Visitor Center, and the planned National Garden at the United States Botanic Gardens on the Capitol grounds;

Whereas surcharges from the year 2000 coin program commemorating the Library of Congress bicentennial benefit the Library of Congress bicentennial programs, educational outreach activities (including schools and libraries), and other activities of the Library of Congress; and

Whereas the United States Capitol Visitor Center commemorative coin program will commence in January 2001, with the surcharges designated to further benefit the Capitol Visitor Center: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States acknowledges and salutes the ongoing generosity, loyalty, and significant role that coin collectors have played in supporting our Nation's meritorious charitable organizations, foundations, institutions, and programs, including the United States Capitol, the Library of Congress, and the United States Botanic Gardens.

2002 WINTER OLYMPIC COMMEMORATIVE COIN ACT

Mr. LOTT. I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 816, H.R. 3679.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3679) to provide for the minting of commemorative coins to support the 2002 Salt Lake Winter Games and the programs of the United States Olympic Committee.

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 3679) was read the third time and passed.

ORDERS FOR TUESDAY, OCTOBER 24, 2000

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until the hour of 3 p.m. on Tuesday, October 24. I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period of morning