

(l) in paragraph (14), by inserting “, including a public elementary charter school,” after “residential school”; and

(2) in paragraph (25), by inserting “, including a public secondary charter school,” after “residential school”.

(k) CONFORMING AMENDMENT.—The matter preceding paragraph (1) of section 10304(e) of such Act (20 U.S.C. 8064(e)) is amended by striking “10306(1)” and inserting “10310(1)”.

—————

BUSINESS AND EDUCATION  
SHARING TECHNOLOGY ACT (BEST)

—————

CHAFEE AMENDMENT NO. 3796

Mr. JEFFORDS (for Mr. CHAFEE) proposed an amendment to the bill (S. 2427) to recognize businesses which show an exemplary commitment to participating with schools to enhance educators' technology capabilities and to make every student technologically literate; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Neotropical Migratory Bird Conservation Act”.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) of the nearly 800 bird species known to occur in the United States, approximately 500 migrate among countries, and the large majority of those species, the neotropical migrants, winter in Latin America and the Caribbean;

(2) neotropical migratory bird species provide invaluable environmental, economic, recreational, and aesthetic benefits to the United States, as well as to the Western Hemisphere;

(3)(A) many neotropical migratory bird populations, once considered common, are in decline, and some have declined to the point that their long-term survival in the wild is in jeopardy; and

(B) the primary reason for the decline in the populations of those species is habitat loss and degradation (including pollution and contamination) across the species' range; and

(4)(A) because neotropical migratory birds range across numerous international borders each year, their conservation requires the commitment and effort of all countries along their migration routes; and

(B) although numerous initiatives exist to conserve migratory birds and their habitat, those initiatives can be significantly strengthened and enhanced by increased coordination.

**SEC. 3. PURPOSES.**

The purposes of this Act are—

(1) to perpetuate healthy populations of neotropical migratory birds;

(2) to assist in the conservation of neotropical migratory birds by supporting conservation initiatives in the United States, Latin America, and the Caribbean; and

(3) to provide financial resources and to foster international cooperation for those initiatives.

**SEC. 4. DEFINITIONS.**

In this Act:

(1) ACCOUNT.—The term “Account” means the Neotropical Migratory Bird Conservation Account established by section 9(a).

(2) CONSERVATION.—The term “conservation” means the use of methods and procedures necessary to bring a species of neotropical migratory bird to the point at

which there are sufficient populations in the wild to ensure the long-term viability of the species, including—

(A) protection and management of neotropical migratory bird populations;

(B) maintenance, management, protection, and restoration of neotropical migratory bird habitat;

(C) research and monitoring;

(D) law enforcement; and

(E) community outreach and education.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 5. FINANCIAL ASSISTANCE.**

(a) IN GENERAL.—The Secretary shall establish a program to provide financial assistance for projects to promote the conservation of neotropical migratory birds.

(b) PROJECT APPLICANTS.—A project proposal may be submitted by—

(1) an individual, corporation, partnership, trust, association, or other private entity;

(2) an officer, employee, agent, department, or instrumentality of the Federal Government, of any State, municipality, or political subdivision of a State, or of any foreign government;

(3) a State, municipality, or political subdivision of a State;

(4) any other entity subject to the jurisdiction of the United States or of any foreign country; and

(5) an international organization (as defined in section 1 of the International Organizations Immunities Act (22 U.S.C. 288)).

(c) PROJECT PROPOSALS.—To be considered for financial assistance for a project under this Act, an applicant shall submit a project proposal that—

(1) includes—

(A) the name of the individual responsible for the project;

(B) a succinct statement of the purposes of the project;

(C) a description of the qualifications of individuals conducting the project; and

(D) an estimate of the funds and time necessary to complete the project, including sources and amounts of matching funds;

(2) demonstrates that the project will enhance the conservation of neotropical migratory bird species in Latin America, the Caribbean, or the United States;

(3) includes mechanisms to ensure adequate local public participation in project development and implementation;

(4) contains assurances that the project will be implemented in consultation with relevant wildlife management authorities and other appropriate government officials with jurisdiction over the resources addressed by the project;

(5) demonstrates sensitivity to local historic and cultural resources and complies with applicable laws;

(6) describes how the project will promote sustainable, effective, long-term programs to conserve neotropical migratory birds; and

(7) provides any other information that the Secretary considers to be necessary for evaluating the proposal.

(d) PROJECT REPORTING.—Each recipient of assistance for a project under this Act shall submit to the Secretary such periodic reports as the Secretary considers to be necessary. Each report shall include all information required by the Secretary for evaluating the progress and outcome of the project.

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of each project shall be not greater than 33 percent.

(2) NON-FEDERAL SHARE.—

(A) SOURCE.—The non-Federal share required to be paid for a project shall not be derived from any Federal grant program.

(B) FORM OF PAYMENT.—

(i) PROJECTS IN THE UNITED STATES.—The non-Federal share required to be paid for a project carried out in the United States shall be paid in cash.

(ii) PROJECTS IN FOREIGN COUNTRIES.—The non-Federal share required to be paid for a project carried out in a foreign country may be paid in cash or in kind.

**SEC. 6. DUTIES OF THE SECRETARY.**

In carrying out this Act, the Secretary shall—

(1) develop guidelines for the solicitation of proposals for projects eligible for financial assistance under section 5;

(2) encourage submission of proposals for projects eligible for financial assistance under section 5, particularly proposals from relevant wildlife management authorities;

(3) select proposals for financial assistance that satisfy the requirements of section 5, giving preference to proposals that address conservation needs not adequately addressed by existing efforts and that are supported by relevant wildlife management authorities; and

(4) generally implement this Act in accordance with its purposes.

**SEC. 7. COOPERATION.**

(a) IN GENERAL.—In carrying out this Act, the Secretary shall—

(1) support and coordinate existing efforts to conserve neotropical migratory bird species, through—

(A) facilitating meetings among persons involved in such efforts;

(B) promoting the exchange of information among such persons;

(C) developing and entering into agreements with other Federal agencies, foreign, State, and local governmental agencies, and nongovernmental organizations; and

(D) conducting such other activities as the Secretary considers to be appropriate; and

(2) coordinate activities and projects under this Act with existing efforts in order to enhance conservation of neotropical migratory bird species.

(b) ADVISORY GROUP.—

(1) IN GENERAL.—To assist in carrying out this Act, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of neotropical migratory birds.

(2) PUBLIC PARTICIPATION.—

(A) MEETINGS.—The advisory group shall—

(i) ensure that each meeting of the advisory group is open to the public; and

(ii) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(B) NOTICE.—The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(C) MINUTES.—Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(3) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

**SEC. 8. REPORT TO CONGRESS.**

Not later than October 1, 2002, the Secretary shall submit to Congress a report on the results and effectiveness of the program carried out under this Act, including recommendations concerning how the Act might be improved and whether the program should be continued.

**SEC. 9. NEOTROPICAL MIGRATORY BIRD CONSERVATION ACCOUNT.**

(a) ESTABLISHMENT.—There is established in the Multinational Species Conservation Fund of the Treasury a separate account to be known as the “Neotropical Migratory

Bird Conservation Account", which shall consist of amounts deposited into the Account by the Secretary of the Treasury under subsection (b).

(b) DEPOSITS INTO THE ACCOUNT.—The Secretary of the Treasury shall deposit into the Account—

(1) all amounts received by the Secretary in the form of donations under subsection (d); and

(2) other amounts appropriated to the Account.

(c) USE.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may use amounts in the Account, without further Act of appropriation, to carry out this Act.

(2) ADMINISTRATIVE EXPENSES.—Of amounts in the Account available for each fiscal year, the Secretary may expend not more than 6 percent to pay the administrative expenses necessary to carry out this Act.

(d) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to carry out this Act. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Account.

#### SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Account to carry out this Act \$8,000,000 for each of fiscal years 1999 through 2002, to remain available until expended, of which not less than 50 percent of the amounts made available for each fiscal year shall be expended for projects carried out outside the United States.

### RHINOCEROS AND TIGER CONSERVATION ACT OF 1998

#### CHAFEE AMENDMENT NO. 3797

Mr. JEFFORDS (for Mr. CHAFEE) proposed an amendment to the bill (S. 361) to amend the Endangered Species Act of 1973 to prohibit the sale, import, and export of products labeled as containing endangered species, and for other purposes; as follows:

On page 5, line 23, insert "or advertised" after "labeled".

On page 6, line 4, insert ", or labeled or advertised as containing," after "containing".

On page 6, line 9, insert ", or labeled or advertised as containing," after "containing".

On page 7, line 20, insert "**OR ADVERTISED**" after "**LABELED**".

On page 8, line 2, insert "**OR ADVERTISED**" after "**LABELED**".

On page 10, line 17, insert "**OR ADVERTISED**" after "**LABELED**".

### WATER RESOURCES DEVELOPMENT ACT OF 1998

#### CHAFEE AMENDMENT NO. 3798

Mr. JEFFORDS (for Mr. CHAFEE) proposed an amendment to the bill (S. 2131) 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 31, line 3, strike "**DEFINITIONS**" and insert "**DEFINITION**".

On page 34, lines 3 and 4, strike "The Secretary may complete" and insert "The project for completion of".

On page 34, line 8, strike "(16 U.S.C. 1005)" and insert "(16 U.S.C. 1005)".

On page 34, line 25, after "navigation" insert "at".

On page 37, line 8, strike "restoration" and insert "restoration".

On page 37, line 23, strike "California at a total cost of \$25,850,000" and insert "California, at a total cost of \$25,850,000".

On page 38, line 21, strike "Delaware" and insert "Delaware".

On page 39, line 12, strike "Delaware" and insert "Delaware".

On page 40, line 5, strike "Delaware" and insert "Delaware".

On page 40, line 15, strike "Florida" and insert "Florida".

On page 40, line 22, strike "Florida" and insert "Florida".

On page 41, line 3, strike "Florida" and insert "Florida".

On page 41, line 9, strike "Florida" and insert "Florida".

On page 41, line 14, strike "Deepening, Georgia" and insert "deepening, Georgia".

On page 41, line 25, strike "Dakota and East Grand Forks, Minnesota" and insert "Dakota, and East Grand Forks, Minnesota".

On page 42, lines 6 and 7, strike "Extension, Pascagoula Harbor, Pascagoula, Mississippi" and insert "extension, Pascagoula Harbor, Pascagoula, Mississippi".

On page 42, line 14, strike "Missouri and Kansas City, Kansas" and insert "Missouri, and Kansas City, Kansas".

On page 42, lines 21 and 22, strike "restoration" and insert "restoration".

On page 42, line 24, strike "New Jersey" and insert "New Jersey".

On page 43, line 14, strike "Protection," and insert "protection".

On page 43, line 16, strike "New Jersey" and insert "New Jersey".

On page 44, line 6, strike "Protection," and insert "protection".

On page 44, line 7, strike "New Jersey" and insert "New Jersey".

On page 44, line 20, strike "River" and insert "River".

On page 45, line 4, strike "3709" and insert "3709".

On page 45, line 6, strike "California" and insert "California".

On page 45, lines 13 and 14, strike "Public Law 104-303" and insert "the Water Resources Development Act of 1996".

On page 46, line 12, strike "sponsor" and insert "interests".

On page 46, line 22, strike "by Public Law" and insert "by the first section of Public Law".

On page 47, line 8, strike "California" and insert "California".

On page 47, lines 18 and 19, strike "(100 Stat. 4098)" and insert "(100 Stat. 4098)".

On page 48, lines 3 and 4, strike "(110 Stat. 3711)" and insert "(110 Stat. 3711)".

On page 49, line 16, strike "1944," and insert "1944 (58 Stat. 891)".

On page 50, lines 8 and 9, strike "relocated" and insert "relocated".

On page 50, line 10, strike "measures" and insert "measures".

On page 50, line 21, strike "agencies, and" and insert "agencies".

On page 50, line 23, strike "Such" and insert "The".

On page 52, line 6, strike "sponsor" and insert "interests".

On page 52, lines 13 and 14, strike "Connecticut" and insert "Connecticut".

On page 52, line 16, strike "anchorage" and insert "anchorage area".

On page 53, line 8, strike "point" and insert "point".

On page 54, strike line 11 and insert the following: authorized by the first section of the Act entitled "An

On page 54, strike line 14 and insert the following: ers and harbors, and for other purposes", approved

On page 54, line 21, strike "reports" and insert "reports".

On page 56, line 14, strike "which" and insert "that".

On page 57, line 2, strike "Florida" and insert "Florida".

On page 57, line 12, strike "sponsor" and insert "interests".

On page 57, line 18, strike "Florida" and insert "Florida".

On page 58, line 3, strike "sponsor" and insert "interests".

On page 58, line 9, strike "Florida" and insert "Florida".

On page 58, line 13, strike "Navigational" and insert "Navigation".

On page 58, line 23, strike "project" and insert "Project, Louisiana".

On page 59, line 11, strike "this" and insert "that".

On page 59, line 16, strike "project" and insert "Project".

On page 59, line 19, strike "Orleans, Parish," and insert "Orleans Parish, Louisiana,".

On page 60, line 9, strike "sponsor" and insert "interests".

On page 63, line 13, strike "reports" and insert "report".

On page 64, line 9, strike "the" and insert "a".

On page 64, line 24, strike "through the year 2020" and insert "through 2020".

On page 66, line 19, strike "(100 Stat. 4088; 110 Stat. 3677)" and insert "(33 U.S.C. 2215)".

On page 67, line 24, strike "as a" and insert "as".

On page 68, line 7, strike "the Environment" and insert "Environment".

On page 69, line 14, strike "(100 Stat. 4085)" and insert "(33 U.S.C. 2213(d))".

On page 70, line 22, strike "The third sentence of section" and insert "Section".

On page 70, line 23, strike "amended by" and insert "amended in the third sentence by".

On page 71, line 11, strike "(110 Stat. 3679)" and insert "(33 U.S.C. 2330(c))".

On page 71, line 18, strike "1962d-5b(b)", for any project undertaken" and insert "1962d-5b), for any project carried out".

On page 71, line 20, strike "entity" and insert "entity".

On page 71, line 24, strike "(106 Stat. 4826; 110 Stat. 3680)" and insert "(33 U.S.C. 2326)".

On page 72, line 1, strike "ENTITIES" and insert "ENTITIES".

On page 72, lines 2 and 3, strike "(42 U.S.C. 1962d-5b(b))" and insert "(42 U.S.C. 1962d-5b)".

On page 72, lines 8 and 9, strike "Flood Control Act of 1936 (33 U.S.C. 701h)" and insert "Act of June 22, 1936 (33 U.S.C. 701h)".

On page 79, line 8, strike "SPONSOR" and insert "INTERESTS".

On page 79, line 10, strike "sponsor" and insert "interests".

On page 79, line 21, strike "**BENEFIT COST**" and insert "**BENEFIT-COST**".

On page 80, line 17, strike "amended—" and insert "amended by adding at the end the following:".

On page 80, strike line 18 through 20.

On page 80, line 21, strike "(1)" and insert "(19)".

On page 81, line 1, strike "(2)" and insert "(20)".

On page 81, strike lines 4 and 5 and insert the following:

"(21) SAN RAMON, CALIFORNIA.—San Ramon Valley recycled water project, San Ramon, California."

On page 81, strike lines 24 and 25 and insert the following:

(1) in paragraph (15), by striking "and" at the end;