

OECD convention. I would have preferred a bill that did not contain these unrelated provisions, principally embodied in Section 5.

The House earlier passed S. 2375 with an amendment making significant changes to language addressing the treatment of international organizations providing commercial communications services which had earlier been contained in Section 5 of H.R. 4353 as reported by the House Commerce Committee. These changes reflect an agreement between the House and Senate Commerce Committee leaders. It is my understanding that the House Commerce Committee report accompanying H.R. 4353 addressing Section 5 of that bill is not germane to the interpretation of section 5 in light of the significant changes made therein.

With respect to Section 5 and the other provisions of the bill concerning the international organizations INTELSAT and Inmarsat, the Senate is accepting these provisions because of our understanding that nothing in the bill will change the immunities treatment of INTELSAT and Inmarsat, nor create an inconsistency with U.S. obligations under international agreements (e.g., by requiring action or inaction by the Executive Branch) or interfere with the President's authorities under the constitution to conduct the foreign relations of the United States. To achieve the objectives of Section 5, the President can be expected to use existing and future negotiations aimed at the privatization of the telecommunications services of INTELSAT and Inmarsat.

I have the following specific views with regard to the bill's telecommunications provisions:

The United States remains in a position to meet fully its obligations under the INTELSAT Headquarters Agreement, an international agreement under which the United States has undertaken international legal obligations to INTELSAT. Nothing in the statute changes the immunity standards of that Agreement. Based on my discussions with the administration, I expect that the President will designate the INTELSAT Headquarters Agreement under subsection (d)(2).

The requirement in [section 5(d)(1)] for the President, consistent with requirements in international agreements to which the U.S. is a party, to take all appropriate actions to eliminate or limit substantially any privileges and immunities from suit or legal process accorded to an international organization applies only to suits or legal process in respect of the organizations' commercial activities. Such an interpretation would be consistent with the theory of sovereign immunity to which the United States adheres.

The requirements [in Section 5(d)] for the President, consistent with requirements in international agreements to which the U.S. is a party, expeditiously take all appropriate actions to eliminate or limit substan-

tially privileges and immunities does not compel the President to take any action which the President may find to be contrary to the interests of the United States and does not compel the President to decertify INTELSAT or Inmarsat under the International Organizations Immunities Act. I am pleased that subsection 5(d) gives the President broad discretion to determine what measures are "appropriate" to achieve the objectives of section 5.

The bill should not frustrate negotiations by the President to privatize successfully the commercial activities of INTELSAT and Inmarsat in a fashion that eliminates all privileges and immunities for such activities; this being the best means of satisfying the objective of fair and open commercial competition.

I further understand that all efforts of INTELSAT and Inmarsat to restructure into private business organizations constitute core functions of these organizations, not commercial functions, within the meaning of subsection (c)(1) of Section 5.

I understand that Section (5) of S. 2375 is not intended to overturn or disturb any judicial decision interpreting the privileges and immunities of signatories of INTELSAT and Inmarsat, especially Alpha Lyracom (PanAmSat) v. COMSAT, 946 F.2d 168 (2d Cir. 1991).

It is my understanding that subsection (d) of Section (5) is intended to become effective on May 1, 1999 when subsection (c) becomes effective, since the two subsections are intended to operate in concert.

I appreciate the opportunity to clarify the scope and intent of this legislation. At this time, I would like to ask the distinguished Senator from Arizona, the Chairman of the Committee on Commerce, Science and Transportation if he concurs?

Mr. MCCAIN. I thank the Senator from Montana. I do concur with the statements just delivered concerning the interpretation of Section 5 in S. 2375.

Mr. BURNS. I thank my colleague from Arizona.

Mr. DEWINE. Mr. President, I ask that the Senate recede from its amendments numbered 2 through 6. I further ask the Senate concur in the House amendment to the Senate amendment numbered 1.

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

PRIVATE RELIEF BILLS

Mr. DEWINE. Mr. President, in behalf of the majority leader, I ask unanimous consent that the Senate proceed to the consideration of the following private relief bills: H.R. 1834 and H.R. 1794, which are at the desk; and, Calendar No. 609, H.R. 378; Calendar No. 610, H.R. 379; Calendar No. 679, H.R. 1949; Calendar No. 611, H.R. 2744.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bills?

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

Mr. DEWINE. Mr. President, I ask unanimous consent that the bills be considered read a third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to the bills be printed in the RECORD.

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

FOR THE RELIEF OF MERCEDES DEL CARMEN QUIROZ MARTINEZ CRUZ

The bill (H.R. 1834) was considered, ordered to a third reading, read the third time, and passed.

FOR THE RELIEF OF MAI HOA "JASMIN" SALEHI

The bill (H.R. 1794) was considered, ordered to a third reading, read the third time, and passed.

FOR THE RELIEF OF HERACLIO TOLLEY

The bill (H.R. 378) was considered, ordered to a third reading, read the third time, and passed.

FOR THE RELIEF OF LARRY ERROL PIETERSE

The bill (H.R. 379) was considered, ordered to a third reading, read the third time, and passed.

FOR THE RELIEF OF CHONG HO KWAK

The bill (H.R. 2744) was considered, ordered to a third reading, read the third time, and passed.

FOR THE RELIEF OF NURATU OLAREWAJU ABEKE KADIRI

The bill (H.R. 1949) was considered, ordered to a third reading, read the third time, and passed.

PERKINS COUNTY RURAL WATER SYSTEM ACT OF 1998

Mr. DEWINE. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 2117) to authorize the construction of the Perkins County Rural Water System and authorize financial assistance to the Perkins County Rural Water System, Inc., a nonprofit corporation, in the planning and construction of the water supply system, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 2117) entitled "An Act to authorize the construction of the Perkins County Rural Water System and authorize financial assistance to the Perkins County Rural Water System,

Inc., a nonprofit corporation, in the planning and construction of the water supply system, and for other purposes", do pass with the following amendment:

Strike out all after the enacting clause and insert:

TITLE I—PERKINS COUNTY RURAL WATER SYSTEM ACT OF 1998

SEC. 101. SHORT TITLE.

This title may be cited as the "Perkins County Rural Water System Act of 1998".

SEC. 102. FINDINGS.

The Congress finds that—

(1) in 1977, the North Dakota State Legislature authorized and directed the State Water Commission to conduct the Southwest Area Water Supply Study, which included water service to a portion of Perkins County, South Dakota;

(2) amendments made by the Garrison Diver-sion Unit Reformulation Act of 1986 (Public Law 101-294) authorized the Southwest Pipeline project as an eligible project for Federal cost share participation; and

(3) the Perkins County Rural Water System has continued to be recognized by the State of North Dakota, the Southwest Water Authority, the North Dakota Water Commission, the Department of the Interior, and Congress as a component of the Southwest Pipeline Project.

SEC. 103. DEFINITIONS.

In this title:

(1) **FEASIBILITY STUDY.**—The term "feasibility study" means the study entitled "Feasibility Study for Rural Water System for Perkins County Rural Water System, Inc.", as amended in March 1995.

(2) **PROJECT CONSTRUCTION BUDGET.**—The term "project construction budget" means the description of the total amount of funds that are needed for the construction of the water supply system, as described in the feasibility study.

(3) **PUMPING AND INCIDENTAL OPERATIONAL REQUIREMENTS.**—The term "pumping and incidental operational requirements" means all power requirements that are incidental to the operation of intake facilities, pumping stations, water treatment facilities, cooling facilities, reservoirs, and pipelines to the point of delivery of water by the Perkins County Rural Water System to each entity that distributes water at retail to individual users.

(4) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation.

(5) **WATER SUPPLY SYSTEM.**—The term "water supply system" means the Perkins County Rural Water System, Inc., a nonprofit corporation, established and operated substantially in accordance with the feasibility study.

SEC. 104. FEDERAL ASSISTANCE FOR WATER SUPPLY SYSTEM.

(a) **IN GENERAL.**—The Secretary shall make grants to the water supply system for the Federal share of the costs of—

(1) the planning and construction of the water supply system; and

(2) repairs to existing public water distribution systems to ensure conservation of the resources and to make the systems functional under the new water supply system.

(b) **LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.**—The Secretary shall not obligate funds for the construction of the water supply system until—

(1) the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met with respect to the water supply system; and

(2) a final engineering report and a plan for a water conservation program have been prepared and submitted to Congress for a period of not less than 90 days before the commencement of construction of the system.

SEC. 105. MITIGATION OF FISH AND WILDLIFE LOSSES.

Mitigation of fish and wildlife losses incurred as a result of the construction and operation of

the water supply system shall be on an acre-for-acre basis, based on ecological equivalency, concurrent with project construction, as provided in the feasibility study.

SEC. 106. USE OF PICK-SLOAN POWER.

(a) **IN GENERAL.**—From power designated for future irrigation and drainage pumping for the Pick-Sloan Missouri River Basin Program, the Western Area Power Administration shall make available the capacity and energy required to meet the pumping and incidental operational requirements of the water supply system during the period beginning May 1 and ending October 31 of each year.

(b) **CONDITIONS.**—The capacity and energy described in subsection (a) shall be made available on the following conditions:

(1) The water supply system shall be operated on a not-for-profit basis.

(2) The water supply system may contract to purchase its entire electric service requirements, including the capacity and energy made available under subsection (a), from a qualified preference power supplier that itself purchases power from the Western Area Power Administration.

(3) The rate schedule applicable to the capacity and energy made available under subsection (a) shall be the firm power rate schedule of the Pick-Sloan Eastern Division of the Western Area Power Administration in effect when the power is delivered by the Administration.

(4) It shall be agreed by contract among—

(A) the Western Area Power Administration;

(B) the power supplier with which the water supply system contracts under paragraph (2);

(C) the power supplier of the entity described in subparagraph (B); and

(D) the Perkins County Rural Water System, Inc.;

that in the case of the capacity and energy made available under subsection (a), the benefit of the rate schedule described in paragraph (3) shall be passed through to the water supply system, except that the power supplier of the water supply system shall not be precluded from including, in the charges of the supplier to the water system for the electric service, the other usual and customary charges of the supplier.

SEC. 107. FEDERAL SHARE.

The Federal share under section 104 shall be 75 percent of—

(1) the amount allocated in the total project construction budget for the planning and construction of the water supply system under section 104; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

SEC. 108. NON-FEDERAL SHARE.

The non-Federal share under section 104 shall be 25 percent of—

(1) the amount allocated in the total project construction budget for the planning and construction of the water supply system under section 104; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

SEC. 109. CONSTRUCTION OVERSIGHT.

(a) **AUTHORIZATION.**—At the request of the Perkins County Rural Water System, the Secretary may provide construction oversight to the water supply system for areas of the water supply system.

(b) **PROJECT OVERSIGHT ADMINISTRATION.**—The amount of funds used by the Secretary for planning and construction of the water supply system may not exceed an amount equal to 3 percent of the amount provided in the total project construction budget for the portion of the project to be constructed in Perkins County, South Dakota.

SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—

(1) \$15,000,000 for the planning and construction of the water system under section 104; and

(2) such sums as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after March 1, 1995.

TITLE II—PINE RIVER PROJECT CONVEYANCE ACT

SEC. 201. SHORT TITLE.

This title may be cited as the "Pine River Project Conveyance Act".

SEC. 202. DEFINITIONS.

For purposes of this title:

(1) The term "Jurisdictional Map" means the map entitled "Transfer of Jurisdiction—Vallecito Reservoir, United States Department of Agriculture, Forest Service and United States Department of the Interior, Bureau of Reclamation and the Bureau of Indian Affairs" dated March, 1998.

(2) The term "Pine River Project" or the "Project" means Vallecito Dam and Reservoir owned by the United States and authorized in 1937 under the provisions of the Department of the Interior Appropriation Act of June 25, 1910, 36 Stat. 835; facilities appurtenant to the Dam and Reservoir, including equipment, buildings, and other improvements; lands adjacent to the Dam and Reservoir; easements and rights-of-way necessary for access and all required connections with the Dam and Reservoir, including those for necessary roads; and associated personal property, including contract rights and any and all ownership or property interest in water or water rights.

(3) The term "Repayment Contract" means Repayment Contract #11r-1204, between Reclamation and the Pine River Irrigation District, dated April 15, 1940, and amended November 30, 1953, and all amendments and additions thereto, including the Act of July 27, 1954 (68 Stat. 534), covering the Pine River Project and certain lands acquired in support of the Vallecito Dam and Reservoir pursuant to which the Pine River Irrigation District has assumed operation and maintenance responsibilities for the dam, reservoir, and water-based recreation in accordance with existing law.

(4) The term "Reclamation" means the Department of the Interior, Bureau of Reclamation.

(5) The term "Secretary" means the Secretary of the Interior.

(6) The term "Southern Ute Indian Tribe" or "Tribe" means a federally recognized Indian tribe, located on the Southern Ute Indian Reservation, La Plata County, Colorado.

(7) The term "Pine River Irrigation District" or "District" means a political division of the State of Colorado duly organized, existing, and acting pursuant to the laws thereof with its principal place of business in the City of Bayfield, La Plata County, Colorado and having an undivided $\frac{1}{2}$ right and interest in the use of the water made available by Vallecito Reservoir for the purpose of supplying the lands of the District, pursuant to the Repayment Contract, and the decree in Case No. 1848-B, District Court, Water Division 7, State of Colorado, as well as an undivided $\frac{1}{2}$ right and interest in the Pine River Project.

SEC. 203. TRANSFER OF THE PINE RIVER PROJECT.

(a) **CONVEYANCE.**—The Secretary is authorized to convey, without consideration or compensation to the District, by quitclaim deed or patent, pursuant to section 206, the United States undivided $\frac{1}{2}$ right and interest in the Pine River Project under the jurisdiction of Reclamation for the benefit of the Pine River Irrigation District. No partition of the undivided $\frac{1}{2}$ right and interest in the Pine River Project shall be permitted from the undivided $\frac{1}{2}$ right and interest in the Pine River Project described in subsection (b) and any quitclaim deed or patent evidencing a transfer shall expressly prohibit partitioning. Effective on the date of the conveyance, all obligations between the District and the Bureau of

Indian Affairs on the one hand and Reclamation on the other hand, under the Repayment Contract or with respect to the Pine River Project are extinguished. Upon completion of the title transfer, said Repayment Contract shall become null and void. The District shall be responsible for paying 50 percent of all costs associated with the title transfer.

(b) BUREAU OF INDIAN AFFAIRS INTEREST.—At the option of the Tribe, the Secretary is authorized to convey to the Tribe the Bureau of Indian Affairs' undivided $\frac{1}{2}$ right and interest in the Pine River Project and the water supply made available by Vallecito Reservoir pursuant to the Memorandum of Understanding between the Bureau of Reclamation and the Office of Indian Affairs dated January 3, 1940, together with its Amendment dated July 9, 1964 ("MOU"), the Repayment Contract and decrees in Case Nos. 1848-B and W-1603-76D, District Court, Water Division 7, State of Colorado. In the event of such conveyance, no consideration or compensation shall be required to be paid to the United States.

(c) FEDERAL DAM USE CHARGE.—Nothing in this title shall relieve the holder of the license issued by the Federal Energy Regulatory Commission under the Federal Power Act for Vallecito Dam in effect on the date of enactment of this Act from the obligation to make payments under section 10(e)(2) of the Federal Power Act during the remaining term of the present license. At the expiration of the present license term, the Federal Energy Regulatory Commission shall adjust the charge to reflect either (1) the $\frac{1}{2}$ interest of the United States remaining in the Vallecito Dam after conveyance to the District; or (2) if the remaining $\frac{1}{2}$ interest of the United States has been conveyed to the Tribe pursuant to subsection (b), then no Federal dam charge shall be levied from the date of expiration of the present license.

SEC. 204. JURISDICTIONAL TRANSFER OF LANDS.

(a) INUNDATED LANDS.—To provide for the consolidation of lands associated with the Pine River Project to be retained by the Forest Service and the consolidation of lands to be transferred to the District, the administrative jurisdiction of lands inundated by and along the shoreline of Vallecito Reservoir, as shown on the Jurisdictional Map, shall be transferred, as set forth in subsection (b) (the "Jurisdictional Transfer"), concurrently with the conveyance described in section 203(a). Except as otherwise shown on the Jurisdictional Map—

(1) for withdrawn lands (approximately 260 acres) lying below the 7,765-foot reservoir water surface elevation level, the Forest Service shall transfer an undivided $\frac{3}{4}$ interest to Reclamation and an undivided $\frac{1}{4}$ interest to the Bureau of Indian Affairs in trust for the Tribe; and

(2) for Project acquired lands (approximately 230 acres) above the 7,765-foot reservoir water surface elevation level, Reclamation and the Bureau of Indian Affairs shall transfer their interests to the Forest Service.

(b) MAP.—The Jurisdictional Map and legal descriptions of the lands transferred pursuant to subsection (a) shall be on file and available for public inspection in the offices of the Chief of the Forest Service, Department of Agriculture, the Commissioner of Reclamation, Department of the Interior, appropriate field offices of those agencies, and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) ADMINISTRATION.—Following the Jurisdictional Transfer:

(1) All lands that, by reason of the Jurisdictional Transfer, become National Forest System lands within the boundaries of the San Juan National Forest, shall be administered in accordance with the laws, rules, and regulations applicable to the National Forest System.

(2) Reclamation withdrawals of land from the San Juan National Forest established by Secretarial Orders on November 9, 1936, October 14,

1937, and June 20, 1945, together designated as Serial No. C-28259, shall be revoked.

(3) The Forest Service shall issue perpetual easements to the District and the Bureau of Indian Affairs, at no cost to the District or the Bureau of Indian Affairs, providing adequate access across all lands subject to Forest Service jurisdiction to insure the District and the Bureau of Indian Affairs the ability to continue to operate and maintain the Pine River Project.

(4) The undivided $\frac{1}{2}$ interest in National Forest System lands that, by reason of the Jurisdictional Transfer is to be administered by Reclamation, shall be conveyed to the District pursuant to section 203(a).

(5) The District and the Bureau of Indian Affairs shall issue perpetual easements to the Forest Service, at no cost to the Forest Service, from National Forest System lands to Vallecito Reservoir to assure continued public access to Vallecito Reservoir when the Reservoir level drops below the 7,665-foot water surface elevation.

(6) The District and the Bureau of Indian Affairs shall issue a perpetual easement to the Forest Service, at no cost to the Forest Service, for the reconstruction, maintenance, and operation of a road from La Plata County Road No. 501 to National Forest System lands east of the Reservoir.

(d) VALID EXISTING RIGHTS.—Nothing in this title shall affect any valid existing rights or interests in any existing land use authorization, except that any such land use authorization shall be administered by the agency having jurisdiction over the land after the Jurisdictional Transfer in accordance with subsection (c) and other applicable law. Renewal or reissuance of any such authorization shall be in accordance with applicable law and the regulations of the agency having jurisdiction, except that the change of administrative jurisdiction shall not in itself constitute a ground to deny the renewal or reissuance of any such authorization.

SEC. 205. LIABILITY.

Effective on the date of the conveyance of the remaining undivided $\frac{1}{2}$ right and interest in the Pine River Project to the Tribe pursuant to section 203(b), the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to such Project, except for damages caused by acts of negligence committed by the United States or by its employees, agents, or contractors prior to the date of conveyance. Nothing in this section shall be deemed to increase the liability of the United States beyond that currently provided in the Federal Tort Claims Act (28 U.S.C. 2671 et seq.).

SEC. 206. COMPLETION OF CONVEYANCE.

(a) IN GENERAL.—The Secretary's completion of the conveyance under section 203 shall not occur until the following events have been completed:

(1) Compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and other applicable Federal and State laws.

(2) The submission of a written statement from the Southern Ute Indian Tribe to the Secretary indicating the Tribe's satisfaction that the Tribe's Indian Trust Assets are protected in the conveyance described in section 203.

(3) Execution of an agreement acceptable to the Secretary which limits the future liability of the United States relative to the operation of the Project.

(4) The submission of a statement by the Secretary to the District, the Bureau of Indian Affairs, and the State of Colorado on the existing condition of Vallecito Dam based on Bureau of Reclamation's current knowledge and understanding.

(5) The development of an agreement between the Bureau of Indian Affairs and the District to prescribe the District's obligation to so operate the Project that the $\frac{1}{2}$ rights and interests to the

Project and water supply made available by Vallecito Reservoir held by the Bureau of Indian Affairs are protected. Such agreement shall supercede the Memorandum of Agreement referred to in section 203(b) of this Act.

(6) The submission of a plan by the District to manage the Project in a manner substantially similar to the manner in which it was managed prior to the transfer and in accordance with applicable Federal and State laws, including management for the preservation of public access and recreational values and for the prevention of growth on certain lands to be conveyed hereunder, as set forth in an Agreement dated March 20, 1998, between the District and residents of Vallecito Reservoir. Any future change in the use of the water supplied by Vallecito Reservoir shall comply with applicable law.

(7) The development of a flood control plan by the Secretary of the Army acting through the Corps of Engineers which shall direct the District in the operation of Vallecito Dam for such purposes.

(b) REPORT.—If the transfer authorized in section 203 is not substantially completed within 18 months from the date of enactment of this Act, the Secretary, in coordination with the District, shall promptly provide a report to the Committee on Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate on the status of the transfer described in section 203(a), any obstacles to completion of such transfer, and the anticipated date for such transfer.

(c) FUTURE BENEFITS.—Effective upon transfer, the District shall not be entitled to receive any further Reclamation benefits attributable to its status as a Reclamation project pursuant to the Reclamation Act of June 17, 1902, and Acts supplementary thereto or amendatory thereof.

TITLE III—WELLTON-MOHAWK TRANSFER ACT

SEC. 301. SHORT TITLE.

This title may be referred to as the "Wellton-Mohawk Transfer Act".

SEC. 302. TRANSFER.

The Secretary of the Interior ("Secretary") is authorized to carry out the terms of the Memorandum of Agreement No. 8-AA-34-WAO14 ("Agreement") dated July 10, 1998 between the Secretary and the Wellton-Mohawk Irrigation and Drainage District ("District") providing for the transfer of works, facilities, and lands to the District, including conveyance of Acquired Lands, Public Lands, and Withdrawn Lands, as defined in the Agreement.

SEC. 303. WATER AND POWER CONTRACTS.

Notwithstanding the transfer, the Secretary and the Secretary of Energy shall provide for and deliver Colorado River water and Parker-Davis Project Priority Use Power to the District in accordance with the terms of existing contracts with the District, including any amendments or supplements thereto or extensions thereof and as provided under section 2 of the Agreement.

SEC. 304. SAVINGS.

Nothing in this title shall affect any obligations under the Colorado River Basin Salinity Control Act (Public Law 93-320, 43 U.S.C. 1571).

SEC. 305. REPORT.

If transfer of works, facilities, and lands pursuant to the Agreement has not occurred by July 1, 2000, the Secretary shall report on the status of the transfer as provided in section 5 of the Agreement.

SEC. 306. AUTHORIZATION

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

TITLE IV—SLY PARK DAM AND RESERVOIR, CALIFORNIA

SEC. 401. SHORT TITLE.

This title may be cited as the "Sly Park Unit Conveyance Act".

SEC. 402. DEFINITIONS.

For purposes of this title:

(1) The term "District" means the El Dorado Irrigation District, a political subdivision of the State of California that has its principal place of business in the city of Placerville, El Dorado County, California.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Project" means all of the right, title, and interest in and to the Sly Park Dam and Reservoir, Camp Creek Diversion Dam and Tunnel, and conduits and canals held by the United States pursuant to or related to the authorization in the Act entitled "An Act to authorize the American River Basin Development, California, for irrigation and reclamation, and for other purposes", approved October 14, 1949 (63 Stat. 852 chapter 690);

SEC. 403. CONVEYANCE OF PROJECT.

(a) **IN GENERAL.**—In consideration of the District accepting the obligations of the Federal Government for the Project and subject to the payment by the District of the net present value of the remaining repayment obligation, as determined by Office of Management and Budget Circular A-129 (in effect on the date of enactment of this Act), the Secretary shall convey the Project to the District.

(b) **DEADLINE.**—

(1) **IN GENERAL.**—If no changes in Project operations are expected following the conveyance under subsection (a), the Secretary shall complete the conveyance expeditiously, but not later than 180 days after the date of the enactment of this Act.

(2) **DEADLINE IF CHANGES IN OPERATIONS INTENDED.**—If the District intends to change Project operations as a result of the conveyance under subsection (a), the Secretary—

(A) shall take into account those potential changes for the purpose of completing any required environmental evaluation associated with the conveyance; and

(B) shall complete the conveyance by not later than 2 years after the date of the enactment of this Act.

(3) **ADMINISTRATIVE COSTS OF CONVEYANCE.**—If the Secretary fails to complete the conveyance under this title before the applicable deadline under paragraph (1) or (2), the full cost of administrative action and environmental compliance for the conveyance shall be borne by the Secretary. If the Secretary completes the conveyance before that deadline, 1/2 of such cost shall be paid by the District.

SEC. 404. RELATIONSHIP TO EXISTING OPERATIONS.

(a) **IN GENERAL.**—Nothing in this title shall be construed as significantly expanding or otherwise changing the use or operation of the Project from its current use and operation.

(b) **FUTURE ALTERATIONS.**—If the District alters the operations or uses of the Project it shall comply with all applicable laws or regulations governing such changes at that time (subject to section 405).

SEC. 405. RELATIONSHIP TO CERTAIN CONTRACT OBLIGATIONS.

(a) **PAYMENT OBLIGATIONS NOT AFFECTED.**—The conveyance of the Project under this title does not affect the payment obligations of the District under the contract between the District and the Secretary numbered 14-06-200-7734, as amended by contracts numbered 14-06-200-4282A and 14-06-200-8536A.

(b) **PAYMENT OBLIGATIONS EXTINGUISHED.**—Provision of consideration by the District in accordance with section 403(b) shall extinguish all payment obligations under contract numbered 14-06-200-9491R1 between the District and the Secretary.

SEC. 406. RELATIONSHIP TO OTHER LAWS.

(a) **RECLAMATION LAWS.**—Except as provided in subsection (b), upon conveyance of the Project under this title, the Reclamation Act of 1902 (82 Stat. 388) and all Acts amendatory

thereof or supplemental thereto shall not apply to the Project.

(b) **PAYMENTS INTO THE CENTRAL VALLEY PROJECT RESTORATION FUND.**—The El Dorado Irrigation District shall continue to make payments into the Central Valley Project Restoration Fund for 31 years after the date of the enactment of this Act. The District's obligation shall be calculated in the same manner as Central Valley Project water contractors.

SEC. 407. LIABILITY.

Except as otherwise provided by law, effective on the date of conveyance of the Project under this title, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the conveyed property.

TITLE V—CLEAR CREEK DISTRIBUTION SYSTEM CONVEYANCE**SEC. 501. SHORT TITLE.**

This title may be cited as the "Clear Creek Distribution System Conveyance Act".

SEC. 502. DEFINITIONS.

For purposes of this title:

(1) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(2) **DISTRICT.**—The term "District" means the Clear Creek Community Services District, a California community services district located in Shasta County, California.

(3) **RECLAMATION.**—The term "Reclamation" means the United States Bureau of Reclamation.

(4) **AGREEMENT.**—The term "Agreement" means Agreement No. 8-07-20-L6975 entitled "Agreement Between the United States and the Clear Creek Community Services District to Transfer Title to the Clear Creek Distribution System to the Clear Creek Community Services District."

(5) **DISTRIBUTION SYSTEM.**—The term "Distribution System" means that term as defined in the Agreement.

SEC. 503. AUTHORITY TO CONVEY TITLE.

The Secretary is hereby authorized to convey title to the Distribution System consistent with the terms and conditions set forth in the Agreement.

SEC. 504. COMPLIANCE WITH OTHER LAWS.

Following conveyance of title as provided in this title, the District shall comply with all requirements of Federal, California, and local law as may be applicable to non-Federal water distribution systems.

SEC. 505. NATIVE AMERICAN TRUST RESPONSIBILITY.

The Secretary shall ensure that any trust responsibilities to any Native American Tribes that may be affected by the transfer under this title are protected and fulfilled.

SEC. 506. LIABILITY.

Effective on the date of conveyance as provided in this title, the District agrees that it shall hold the United States harmless and shall indemnify the United States for any and all claims, costs, damages, and judgments of any kind arising out of any act, omission, or occurrence relating to the Distribution System, except for such claims, costs, or damages arising from acts of negligence committed by the United States or by its employees, agents, or contractors prior to the date of conveyance for which the United States is found liable under the Federal Tort Claims Act (28 U.S.C. 2671 et seq.), provided such acts of negligence exclude all actions related to the installation of the Distribution System and/or prior billing and payment relative to the Distribution System.

SEC. 507. DEAUTHORIZATION.

Effective upon the date of conveyance, the Distribution System is hereby deauthorized as a Federal Reclamation Project facility. Thereafter, the District shall not be entitled to receive any further Reclamation benefits relative to the Distribution System. Such deauthorization shall

not affect any of the provisions of the District's existing water service contract with the United States (contract number 14-06-200-489-IR3), as it may be amended or supplemented. Nor shall such deauthorization deprive the District of any existing contractual or statutory entitlement to subsequent interim renewals of such contract or renewal by entering into a long-term water service contract.

TITLE VI—COLUSA BASIN WATERSHED INTEGRATED RESOURCES MANAGEMENT**SEC. 601. COLUSA BASIN WATERSHED INTEGRATED RESOURCES MANAGEMENT.**

(a) **SHORT TITLE.**—This section may be cited as the "Colusa Basin Watershed Integrated Resources Management Act".

(b) **AUTHORIZATION OF ASSISTANCE.**—The Secretary of the Interior (in this section referred to as the "Secretary") may provide financial assistance to the Colusa Basin Drainage District, California (in this section referred to as the "District"), for use by the District or by local agencies acting pursuant to section 413 of the State of California statute known as the Colusa Basin Drainage Act (California Stats. 1987, ch. 1399), as in effect on the date of the enactment of this Act (in this section referred to as the "State statute"), for planning, design, environmental compliance, and construction required in carrying out eligible projects in the Colusa Basin Watershed to—

(1)(A) reduce the risk of damage to urban and agricultural areas from flooding or the discharge of drainage water or tailwater;

(B) assist in groundwater recharge efforts to alleviate overdraft and land subsidence; or

(C) construct, restore, or preserve wetland and riparian habitat; and

(2) capture, as an incidental purpose of any of the purposes referred to in paragraph (1), surface or stormwater for conservation, conjunctive use, and increased water supplies.

(c) **PROJECT SELECTION.**—

(1) **ELIGIBLE PROJECTS.**—A project shall be an eligible project for purposes of subsection (b) only if it is—

(A) identified in the document entitled "Colusa Basin Water Management Program", dated February 1995; and

(B) carried out in accordance with that document and all environmental documentation requirements that apply to the project under the laws of the United States and the State of California.

(2) **COMPATIBILITY REQUIREMENT.**—The Secretary shall ensure that projects for which assistance is provided under this section are not inconsistent with watershed protection and environmental restoration efforts being carried out under the authority of the Central Valley Project Improvement Act (Public Law 102-575; 106 Stat. 4706 et seq.) or the CALFED Bay-Delta Program.

(d) **COST SHARING.**—

(1) **NON-FEDERAL SHARE.**—The Secretary shall require that the District and cooperating non-Federal agencies or organizations pay—

(A) 25 percent of the costs associated with construction of any project carried out with assistance provided under this section; and

(B) 100 percent of any operation, maintenance, and replacement and rehabilitation costs with respect to such a project.

(2) **PLANNING, DESIGN, AND COMPLIANCE ASSISTANCE.**—Funds appropriated pursuant to this section may be made available to fund all costs incurred for planning, design, and environmental compliance activities by the District or by local agencies acting pursuant to the State statute, in accordance with agreements with the Secretary.

(3) **TREATMENT OF CONTRIBUTIONS.**—For purposes of this subsection, the Secretary shall treat the value of lands, interests in lands (including rights-of-way and other easements), and necessary relocations contributed by the District to a project as a payment by the District of the costs of the project.

(e) **COSTS NONREIMBURSABLE.**—Amounts expended pursuant to this section shall be considered nonreimbursable for purposes of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 371 et seq.), and Acts amendatory thereof and supplemental thereto.

(f) **AGREEMENTS.**—Funds appropriated pursuant to this section may be made available to the District or a local agency only if the District or local agency, as applicable, has entered into a binding agreement with the Secretary—

(1) under which the District or the local agency is required to pay the non-Federal share of the costs of construction required by subsection (d)(1); and

(2) governing the funding of planning, design, and compliance activities costs under subsection (d)(2).

(g) **REIMBURSEMENT.**—For project work (including work associated with studies, planning, design, and construction) carried out by the District or by a local agency acting pursuant to the State statute referred to in subsection (b) before the date amounts are provided for the project under this section, the Secretary shall, subject to amounts being made available in advance in appropriations Acts, reimburse the District or the local agency, without interest, an amount equal to the estimated Federal share of the cost of such work under subsection (d).

(h) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—The Secretary may enter into cooperative agreements and contracts with the District to assist the Secretary in carrying out the purposes of this section.

(2) **SUBCONTRACTING.**—Under such cooperative agreements and contracts, the Secretary may authorize the District to manage and let contracts and receive reimbursements, subject to amounts being made available in advance in appropriations Acts, for work carried out under such contracts or subcontracts.

(i) **RELATIONSHIP TO RECLAMATION REFORM ACT OF 1982.**—Activities carried out, and financial assistance provided, under this section shall not be considered a supplemental or additional benefit for purposes of the Reclamation Reform Act of 1982 (96 Stat. 1263; 43 U.S.C. 390aa et seq.).

(j) **APPROPRIATIONS AUTHORIZED.**—There are authorized to be appropriated to the Secretary to carry out this section \$25,000,000, plus such additional amount, if any, as may be required by reason of changes in costs of services of the types involved in the District's projects as shown by engineering and other relevant indexes. Sums appropriated under this subsection shall remain available until expended.

TITLE VII—MISCELLANEOUS PROVISIONS **SEC. 701. TECHNICAL CORRECTIONS.**

(a) **REDUCTION OF WAITING PERIOD FOR OBLIGATION OF FUNDS PROVIDED UNDER RECLAMATION SAFETY OF DAMS ACT OF 1978.**—Section 5 of the Reclamation Safety of Dams Act of 1978 (92 Stat. 2471; 43 U.S.C. 509) is amended by striking "sixty days" and all that follows through "day certain)" and inserting "30 calendar days".

(b) **ALBUQUERQUE METROPOLITAN AREA RECLAMATION AND REUSE PROJECT.**—

(1) **TECHNICAL CORRECTIONS.**—Section 1621 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h-12g) is amended—

(A) by amending the section heading to read as follows:

"SEC. 1621. ALBUQUERQUE METROPOLITAN AREA WATER RECLAMATION AND REUSE PROJECT.";

and

(B) in subsection (a) by striking "Reuse" and all that follows through "reclaim" and inserting "Reuse Project to reclaim".

(2) **CLERICAL AMENDMENT.**—The table of sections in section 2 of such Act is amended by striking the item relating to section 1621 and inserting the following:

"Sec. 1621. Albuquerque Metropolitan Area Water Reclamation and Reuse Project."

(c) **PHOENIX METROPOLITAN WATER RECLAMATION AND REUSE PROJECT.**—Section 1608 of the Reclamation Projects Authorization and Adjustment Act of 1992 (106 Stat. 4666; 43 U.S.C. 390h-6) is amended—

(1) by amending subsection (a) to read as follows:

"(a) The Secretary, in cooperation with the city of Phoenix, Arizona, shall participate in the planning, design, and construction of the Phoenix Metropolitan Water Reclamation and Reuse Project to utilize fully wastewater from the regional wastewater treatment plant for direct municipal, industrial, agricultural, and environmental purposes, groundwater recharge, and indirect potable reuse in the Phoenix metropolitan area.";

(2) in subsection (b) by striking the first sentence; and

(3) by striking subsection (c).

(d) **REFUND OF CERTAIN AMOUNTS RECEIVED UNDER RECLAMATION REFORM ACT OF 1982.**—

(1) **REFUND REQUIRED.**—Subject to paragraph (2) and the availability of appropriations, the Secretary of the Interior shall refund fully amounts received by the United States as collections under section 224(i) of the Reclamation Reform Act of 1982 (101 Stat. 1330-268; 43 U.S.C. 390ww(i)) for paid bills (including interest collected) issued by the Secretary of the Interior before January 1, 1994, for full-cost charges that were assessed for failure to file certain certification or reporting forms under sections 206 and 224(c) of such Act (96 Stat. 1266, 1272; 43 U.S.C. 390ff, 390ww(c)).

(2) **ADMINISTRATIVE FEE.**—In the case of a refund of amounts collected in connection with sections 206 and 224(c) of the Reclamation Reform Act of 1982 (96 Stat. 1266, 1272; 43 U.S.C. 390ff, 390ww(c)) with respect to any water year after the 1987 water year, the amount refunded shall be reduced by an administrative fee of \$260 for each occurrence.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this subsection \$3,000,000.

(e) **EXTENSION OF PERIODS FOR REPAYMENTS FOR NUECES RIVER RECLAMATION PROJECT AND CANADIAN RIVER RECLAMATION PROJECT, TEXAS.**—Section 2 of the Emergency Drought Relief Act of 1996 (Public Law 104-318; 110 Stat. 3862) is amended by adding at the end the following new subsection:

"(c) **EXTENSION OF PERIODS FOR REPAYMENT.**—Notwithstanding any provision of the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.), the Secretary of the Interior—

(1) shall extend the period for repayment by the city of Corpus Christi, Texas, and the Nueces River Authority under contract No. 6-07-01-X0675, relating to the Nueces River reclamation project, Texas, until—

"(A) August 1, 2029, for repayment pursuant to the municipal and industrial water supply benefits portion of the contract; and

"(B) until August 1, 2044, for repayment pursuant to the fish and wildlife and recreation benefits portion of the contract; and

"(2) shall extend the period for repayment by the Canadian River Municipal Water Authority under contract No. 14-06-500-485, relating to the Canadian River reclamation project, Texas, until October 1, 2021.".

(f) **SOLANO PROJECT WATER.**—

(1) **AUTHORIZATION.**—The Secretary of the Interior is authorized to enter into contracts with the Solano County Water Agency, or any of its member unit contractors for water from the Solano Project, California, pursuant to the Act of February 21, 1911 (43 U.S.C. 523), for—

(A) the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes, using any facilities associated with the Solano Project, California, and

(B) the exchange of water among Solano Project contractors, for the purposes set forth in subparagraph (A), using facilities associated with the Solano Project, California.

(2) **LIMITATION.**—The authorization under paragraph (1) shall be limited to the use of that portion of the Solano Project facilities downstream of Mile 26 of the Putah South Canal (as that canal is depicted on the official maps of the Bureau of Reclamation), which is below the diversion points on the Putah South Canal utilized by the city of Fairfield for delivery of Solano Project water.

(g) **FISH PASSAGE AND PROTECTIVE FACILITIES, ROGUE RIVER BASIN, OREGON.**—The Secretary of the Interior is authorized to use otherwise available amounts to provide up to \$2,000,000 in financial assistance to the Medford Irrigation District and the Rogue River Valley Irrigation District for the design and construction of fish passage and protective facilities at North Fork Little Butte Creek Diversion Dam and South Fork Little Butte Creek Diversion Dam in the Rogue River basin, Oregon, if the Secretary determines in writing that these facilities will enhance the fish recovery efforts currently underway at the Rogue River Basin Project, Oregon.

(h) **LIMITATION ON STATUTORY CONSTRUCTION.**—Nothing in this Act shall be construed to abrogate or affect any obligation of the United States under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

SEC. 702. DICKENSON, NORTH DAKOTA.

The Secretary of the Interior shall waive the scheduled annual payments for fiscal years 1998 and 1999 under section 208 of the Energy and Water Development Appropriations Act, 1988 (Public Law 100-202; 101 Stat. 1329-118).

AMENDMENT NO. 3842

Mr. DEWINE. Mr. President, I ask unanimous consent that the Senate concur in the amendment of the House with a further amendment which is at the desk on behalf of Senators MURKOWSKI and BUMPERS.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. DEWINE. Mr. President, I ask unanimous consent that the amendment be agreed to, and the motion to reconsider be laid upon the table.

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

The amendment (No. 3842) was agreed to.

Mr. DOMENICI. Mr. President, I am very pleased at the Senate's passage of S. 2117, as amended, which includes a number of legislative items of great interest to my home state of New Mexico. This legislation allows for transfer by the Secretaries of Agriculture and Interior real property and improvements at the old Jicarilla Ranger District Station, near the village of Gobernador, New Mexico to San Juan College. It also allows for transfer by the Secretary of the Interior real property and improvements at the old Coyote Ranger District Station, near the small town of Coyote, New Mexico, to Rio Arriba County. An additional provision will amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail, and finally, this bill will convey tracts of land—paid for by Carlsbad Irrigation District and referred to as "acquired lands"—back to the district, which I have been working to accomplish for several congresses.

All of these provisions have bipartisan and administrative support, and all will improve the lives of New Mexicans around the state. Regarding the Jicarilla Ranger District transfer, the Forest Service determined that the ten acres in question are of no further use to them and recently endorsed passage of this bill to provide long-term benefits for the people of San Juan County and the students and faculty of San Juan College in northwest New Mexico. The Coyote Ranger Station in northern New Mexico will also continue to be used for public purposes, including a community center, and a fire substation. Some of the buildings will also be available for Rio Arriba County to use for storage and repair of road maintenance equipment, and other County vehicles.

Over one third of the land in New Mexico is owned by the federal government, and therefore finding appropriate sites for community and educational purposes can be difficult. These transfers are logical since they provide facilities and lands for community use while removing unwanted and unused land and facilities from federal ownership.

Amending the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail, commemorating the Spanish settlement of the southwest United States is particularly appropriate in this year of the Cuatrocenenario. 1998 is the 400th anniversary of the establishment of the first Spanish capital at San Juan Pueblo, the first terminus of the El Camino Real by Don Juan de Onate. We in New Mexico are most proud of this chapter in our Nation's history. This trail represents the migration route into the interior of the continent by Spanish settlers, and I am pleased that our nation will honor this part of its history.

Finally, the transfer included which is specific to the Carlsbad project in New Mexico, directs the Carlsbad Irrigation District to continue to manage lands as they have been in the past, for the purposes for which the project was constructed. I believe this is a fair and equitable bill that has been developed over years of negotiations. The Carlsbad Irrigation District has had operations and maintenance responsibilities for the past 66 years. It met all the repayment obligations to the government in 1991, and it's about time we let CID have what is rightfully theirs.

This legislation accomplishes three things: conveys title of acquired lands and facilities to Carlsbad Irrigation District; allows the District to assume management of leases and the benefits of the receipts from these acquired lands; and sets a 180 day deadline for the transfer, establishing a 50-50 cost-sharing standard for carrying out the transfer.

This legislation is long overdue, is not contentious, and has in fact passed out of the Senate before. I urge prompt passage in the House of Representatives.

I want to thank Senator DASCHLE for his help.

PROGRAM FOR WEDNESDAY,
JANUARY 6, 1999

Mr. DEWINE. Again, on behalf of the majority leader, I understand that all legislative and Executive Calendar items that can be cleared have been considered by the Senate. I thank all of my colleagues for their cooperation during the 105th Congress.

As was stated earlier, the 106th Congress will convene at 12 noon on Wednesday, January 6, 1999, as provided for in House Joint Resolution 138.

Following the opening prayer on January 6, the Vice President will proceed to administer the oaths of office to all returning Senators and Senators-elect in alphabetical order.

Immediately following the conclusion of the oaths of office, a quorum call will commence to establish that a quorum is present for the 106th Congress to begin.

All Senators will be notified as to the first day on which legislation will be permitted to be introduced as soon as that date becomes available.

Again, on behalf of the majority leader, I thank all of my colleagues for what I believe was a productive 105th Congress and look forward to further success in the 106th Congress.

ADJOURNMENT SINE DIE

Mr. DEWINE. Mr. President, I now ask unanimous consent that the Senate stand adjourned sine die under the provisions of House Concurrent Resolution 353.

There being no objection, the Senate, at 2:33 p.m., adjourned sine die.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 21, 1998:

DEPARTMENT OF STATE

BERT T. EDWARDS, OF MARYLAND, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF STATE.

DAVID G. CARPENTER, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF STATE.

DAVID G. CARPENTER, OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS, AND TO HAVE THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE.

MARY BETH WEST, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS DEPUTY ASSISTANT SECRETARY OF STATE FOR OCEANS, FISHERIES, AND SPACE.

EXECUTIVE OFFICE OF THE PRESIDENT

REBECCA M. BLANK, OF ILLINOIS, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

ENVIRONMENTAL PROTECTION AGENCY

NIKKI RUSH TINSLEY, OF MARYLAND, TO BE INSPECTOR GENERAL, ENVIRONMENTAL PROTECTION AGENCY.

DEPARTMENT OF LABOR

HENRY L. SOLANO, OF COLORADO, TO BE SOLICITOR OF THE DEPARTMENT OF LABOR.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JANE E. HENNEY, OF NEW MEXICO, TO BE COMMISSIONER OF FOOD AND DRUGS, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

THOMASINA V. ROGERS, OF MARYLAND, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2003.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

JOSEPH E. STEVENS, JR., OF MISSOURI, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2003.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

PAUL M. IGASAKI, OF CALIFORNIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2002.

IDA L. CASTRO, OF NEW YORK, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2003.

PAUL STEVEN MILLER, OF CALIFORNIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JULY 1, 1999.

ENVIRONMENTAL PROTECTION AGENCY

ROMULO L. DIAZ, JR., OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

J. CHARLES FOX, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

NORINE E. NOONAN, OF FLORIDA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

MORRIS K. UDALL SCH. & EXCELLENCE IN NATL ENV. POLICY FOUNDATION

TERRENCE L. BRACY, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOR A TERM EXPIRING OCTOBER 6, 2004.

DEPARTMENT OF THE INTERIOR

CHARLES G. GROAT, OF TEXAS, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY.

DEPARTMENT OF DEFENSE

BERNARD DANIEL ROSTKER, OF VIRGINIA, TO BE UNDER SECRETARY OF THE ARMY.

DEPARTMENT OF COMMERCE

KENNETH PREWITT, OF NEW YORK, TO BE DIRECTOR OF THE CENSUS.

FARM CREDIT ADMINISTRATION

MICHAEL M. REYNA, OF CALIFORNIA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING MAY 21, 2004.

DEPARTMENT OF TRANSPORTATION

EUGENE A. CONTI, JR., OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION.

PETER J. BASSO, JR., OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION.

NUCLEAR REGULATORY COMMISSION

GRETA JOY DICUS, OF ARKANSAS, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2003.

JEFFREY S. MERRIFIELD, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2002.

DEPARTMENT OF ENERGY

DAVID MICHAELS, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENT, SAFETY AND HEALTH).

DEPARTMENT OF VETERANS AFFAIRS

ELIGAH DANE CLARK, OF ALABAMA, TO BE CHAIRMAN OF THE BOARD OF VETERANS' APPEALS FOR A TERM OF SIX YEARS.

EDWARD A. POWELL, JR., OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (MANAGEMENT).

LEIGH A. BRADLEY, OF VIRGINIA, TO BE GENERAL COUNSEL, DEPARTMENT OF VETERANS AFFAIRS.

ENVIRONMENTAL PROTECTION AGENCY

ROBERT W. PERCIASEPE, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

MISSISSIPPI RIVER COMMISSION

WILLIAM CLIFFORD SMITH, OF LOUISIANA, TO BE A MEMBER OF THE MISSISSIPPI RIVER COMMISSION FOR A TERM EXPIRING OCTOBER 21, 2005.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

ISADORE ROSENTHAL, OF PENNSYLVANIA, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

ANDREA KIDD TAYLOR, OF MICHIGAN, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

IRA G. PEPPERCORN, OF INDIANA, TO BE DIRECTOR OF THE OFFICE OF MULTIFAMILY HOUSING ASSISTANCE RESTRUCTURING.

WILLIAM C. AFGAR, JR., OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

SAUL N. RAMIREZ, JR., OF TEXAS, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT.