

the proud parents of two girls, Marilyn and Joyce. In 1941, the family moved to Helena. Although Carter died in 1970, Grace kept the family going. She now dots on her seven grandchildren and eight great-grandchildren.

Grace worked for the accounting firm of Galusha, Higgins, & Galusha until her retirement in 1976. Then, in 1980, it was the beginning of her career with the State of Montana. Grace is certainly a role model not only for active seniors but also for so many young people across our state. She has been blessed with good health and uses her talents to help others.

On behalf of all Montanans, I would like to congratulate you, Grace, for your help in making our state truly the "last best place!" Mr. President, I yield the floor.●

TRIBUTE TO BLUEMONT ELEMENTARY SCHOOL

● Mr. BROWNBACK. Mr. President, I rise today to recognize a group of outstanding students from the state of Kansas. Cindy Garwick's first grade class from Bluemont Elementary School in Manhattan, Kansas, has been chosen as a finalist team in the Toshiba/National Science Teachers Association (NSTA) Exploravision Awards Program.

The NSTA Exploravision Awards Program is the largest K-12 student science competition in the country. This year, there were nearly 5,000 entries from more than 17,000 students in the United States and Canada. The class was chosen as a finalist for this prestigious award for their invention display prototype, "The DNA Door Open."

It is difficult to imagine how much time and energy was spent on this project by these outstanding young students. The award that they have received is a testament to their hard work and dedication. It gives me great pleasure to acknowledge Bluemont Elementary School's first grade class for the honor they have received. I congratulate them and wish them continued success.●

TRIBUTE TO DONALD BODETTE—A VETERAN'S VETERAN

● Mr. JEFFORDS. Mr. President, I rise today to pay tribute to a fallen hero. His name is Donald Bodette and he passed away last August 10th after a long battle with cancer. However, his legacy lives on and he will be honored on June 14th at the Dodge Development Center in Rutland.

Don retired from the Marine Corps in 1968 and received a Purple Heart for wounds sustained in Vietnam. For those of us who knew Don, this information was a well kept secret. He was never inclined to tell you about his heroics. He did tell war stories as a way to draw other Vietnam Veterans out of their isolation. Don's theory was a very simple one and is the premise

used today to help Vietnam Veterans worldwide—discussing traumatic war experiences with another veteran with a similar experience is the best way to heal.

An article in The Rutland Herald on August 12, 1997 announced that Donny had passed away, at age 48, at the VA hospital in White River Junction. As I read, I was struck by some of the tales recounted by his fellow veterans. Three of Don's best friends, Jake Jacobsen, Albert Trombley and Clark Howland, talked about meeting Don through a newspaper ad that only said, "Vietnam Veterans, we need to talk." According to Trombley, "He didn't have any master plan. He would stop and look for people, he would put advertisements in the paper to get veterans to come out, and once he found one or two, they would find two or three. He got all around the state of Vermont."

In the late 1970s, Don was instrumental in shaping the course of a fledgling organization known as the Vietnam Veterans of America (VA). He believed that the VA should be more than an activist group, and Don was so successful in his efforts to establish local chapters that Rutland, Vermont boasts the first VA chapter in the country. According to Jake Jacobsen, "Donny and I never worried about membership. If we're good enough, they'll want to join us."

Don helped found the Veterans Assistance Office (VAO) in Rutland sixteen years ago. It was designed as a non-profit community based organization to support veterans in a variety of different ways. The VAO still serves in that capacity today. The VAO's current director, Clark Howland, says of Bodette, "I owe him a lot. He helped an unknown number. I'd say it would run in the thousands of veterans. And what we're doing now is just to carry on for what Donny started."

Farewell Don. Your legacy of service will live on through your selfless acts that improved the lives of countless Vermont veterans.●

CBO COST ESTIMATE—S. 1275

● Mr. MURKOWSKI. Mr. President, when the Committee filed its report on S. 1275, the Northern Mariana Islands Covenant Implementation Act, the cost estimate of the Congressional Budget Office was not available. The estimate has since been received and I ask that it be printed in the RECORD for the information of the Senate.

The cost estimate follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 8, 1998.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1275, the Northern Mariana Islands Covenant Implementation Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are John R. Righter

(for federal costs), Marc Nicole (for the state and local impact), and Ralph Smith (for the private-sector impact).

Sincerely,

JUNE E. O'NEILL,
Director.

Enclosure.

S. 1275—Northern Mariana Islands Covenant Implementation Act

Summary: S. 1275 would amend the covenant act between the United States and the Commonwealth of the Northern Mariana Islands (CNMI), a territory of the United States, to reform the immigration laws of CNMI. It also would establish a special committee to set minimum wage rates by industry within CNMI. The estimated cost of S. 1275 depends on whether the Attorney General would elect to apply the provisions of the Immigration and Nationality Act (INA) to CNMI. If the Attorney General (AG) decided not to apply the INA, CBO estimates that, on average, implementing S. 1275 would increase annual costs by less than \$500,000, subject to appropriation of the necessary amounts. If the AG did apply the INA, as modified for CNMI by S. 1275, CBO estimates that, subject to appropriation of the necessary amounts, implementing S. 1275 would increase costs—mostly at the Immigration and Naturalization Service (INS)—by less than \$500,000 in fiscal year 1999 and a total of between \$7 million and \$8 million over the 1999-2003 period.

In addition to the increase in discretionary costs, S. 1275 also could affect direct spending if the AG applies the INA to CNMI; consequently, pay-as-you-go procedures would apply. CBO estimates, however, that any change in direct spending would have no significant net budgetary impact each year.

S. 1275 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) because the bill would preempt the immigration and minimum wage laws of CNMI. CBO estimates that the costs of such mandates would not be significant and that the threshold for intergovernmental mandates established in UMRA (\$50 million in 1996, adjusted annually for inflation) would not be exceeded.

S. 1275 contains private-sector mandates as defined in UMRA. Section 2 would impose a mandate on employers by limiting the number of temporary alien workers who could be legally present in CNMI. Section 3 would impose a mandate on employers by increasing the minimum wage which they would be required to pay their employees; the amount of the mandated increases in wages would be determined by an industry committee established as a result of enactment of this legislation. CBO cannot determine whether the direct cost to employers of those mandates would exceed the \$100 million inflation-adjusted annual threshold specified in UMRA.

Description of the bill's major provisions: Within one year of enactment, S. 1275 would require that the AG determine whether CNMI possesses the institutional capacity to administer its own system of immigration control, consistent with minimum safeguards selected by the AG, and the will and commitment to enforce the system of immigration control. During this period, the bill would limit the number of temporary alien workers on CNMI to the number of individuals present at the date of enactment. If the AG determines that CNMI has both the institutional capacity and the commitment, then the INA would not take effect, although the bill would require that the AG make a new determination every three years thereafter.

If the AG determines that CNMI lacks either the institutional capacity or the political will to enforce its own system of immigration control, the bill would require that

the Department of Justice (DOJ) develop a program to phase-in the INA, as modified for CNMI by S. 1275, over a period of no more than 10 years. The transition period would begin six months after the AG's determination. The program would include procedures for issuing visas to nonimmigrant temporary alien workers, family-sponsored immigrants, and employment-based immigrants. S. 1275 would allow CNMI to request that the federal government exempt certain family-sponsored and employment-based immigrant visas from certain limitations established by the INA.

For temporary alien workers who would not otherwise be eligible for admission into CNMI, S. 1275 would require that DOL establish and administer a system for issuing a decreasing number of annual permits to employers allowing them to hire such individuals during the transition period. The bill would authorize DOL to charge employers a fee for the permits; however, DOL could only use amounts collected from such fees to the extent authority was provided in advance by appropriations. To allow for the admission of temporary alien workers, the bill would authorize the Department of State to issue nonimmigrant visas.

To help implement the INA, S. 1275 would require that DOL and the Department of the Interior (DOI) develop a program to assist employers in hiring employees who are citizens of the U.S. or the freely associated states (Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau). The bill also would authorize DOL and DOJ to establish and maintain operations in the CNMI. Within five and one-half years of enactment, the bill would require that the President report to the Congress on the effectiveness of the Administration's efforts to implement the INA in CNMI.

In addition to the provisions affecting immigration control, S. 1275 would establish a special committee to determine minimum wage rates by industry for CNMI. The CNMI committee would be modeled after similar committees established in American Samoa, Puerto Rico, and the Virgin Islands. The committee would review wage rates once each biennium until such rates are equal to the minimum wage of the United States. In setting each rate, the bill would require that the committee consider the effect of the change on the industry's level of employment. In any event, S. 1275 would limit the amount of any annual increase to 50 cents.

Estimated cost to the Federal Government: The estimated cost of S. 1275 depends on whether the AG would require that the INA be applied to CNMI. On the one hand, if the AG decides not to apply the INA, we estimate that implementing the bill would increase annual costs, on average, by less than \$500,000, subject to appropriation of the necessary amounts.

On the other hand, if the AG decides to apply the INA, we estimate that, subject to appropriation of the necessary amounts, implementing S. 1275 would increase costs by a total of between \$7 million and \$8 million over the fiscal year 1999–2003 period. In addition, beginning in fiscal year 2000, S. 1275 would decrease net direct spending by less than \$500,000 each year.

The estimated budgetary impact of the bill is shown in the following table. The costs of this legislation fall within budget functions 800 (general government), 750 (administration of justice), 500 (education, training, employment, and social services), and 150 (international affairs).

[By fiscal year, in millions of dollars]					
	1999	2000	2001	2002	2003
COST IF THE IMMIGRATION AND NATIONALITY ACT IS NOT APPLIED TO CNMI					
Spending subject to appropriation:					
Estimated authorization level	(1)	(1)	(1)	(1)	(1)
Estimated outlays	(1)	(1)	(1)	(1)	(1)
COST IF THE IMMIGRATION AND NATIONALITY ACT IS APPLIED TO CNMI					
Spending subject to appropriation:					
Estimated authorization level	(1)	1	2	2	2
Estimated outlays	(1)	1	2	2	2
Direct spending:					
Estimated budget authority	(1)	(1)	(1)	(1)	(1)
Estimated outlays	(1)	(1)	(1)	(1)	(1)

¹ Less than \$500,000.

BASIS OF ESTIMATE

This estimate assumes that the bill will be enacted by the beginning of fiscal year 1999 and that the necessary amounts will be appropriated for each year. The amounts necessary will depend on whether the INA is applied to CNMI.

Estimated cost if the Justice Department does not apply the INA to CNMI

The increase in costs from not applying the INA would result primarily from establishing the special committee to determine minimum wage rates for CNMI. Based on information from DOL, we estimate that the committee would cost between \$500,000 and \$1 million every two years, or less than \$500,000, on average, each year. In addition, DOJ would incur minor costs in fiscal years 1999 and 2002 to review CNMI's system of immigration control.

Estimated cost if the Justice Department applies the INA to CNMI

S. 1275 could result in additional costs if the AG applies the INA to CNMI. The bill also could reduce direct spending under this scenario; however, CBO estimates that the net reduction in direct spending would total less than \$500,000 a year.

Immigration and Naturalization Service.—The increase in costs from applying the INA would result primarily from the INS administering the INA in CNMI, including the cost to relocate and hire the necessary personnel to handle immigration inspections, investigations, adjudications, and deportations. Based on information provided by the INS, we estimate that applying the INA would gradually increase its annual costs from about \$500,000 in fiscal year 2000 to about \$3 million in fiscal year 2003. That estimate assumes that the INS would phase in its operations over several years, eventually stationing around 40 people on CNMI. (By comparison, the INS currently spends about \$5.7 million annually to station 82 employees on nearby Guam, another U.S. territory that has a considerably larger population than does CNMI, although its population is situated on a single island.) According to the INS, about half of the estimated costs would be financed from the collection of additional user fees, which could be spent without further appropriation. The other half of costs, which we estimate would increase from less than \$500,000 in fiscal year 2000 to about \$1.5 million in fiscal year 2003, would be subject to availability of appropriated funds.

Other Agencies.—Under this scenario, DOL would incur costs to issue permits to certain employers. Based on information provided by DOL, CBO estimates that implementing the permit system would not affect DOL's budget in fiscal year 1999 but would increase its costs by several hundred thousand dollars a year in 2000 through 2003. In addition, we estimate that DOL would collect an equivalent amount of permit fees each year, which would decrease direct spending. (The depart-

ment would not be able to spend receipts from the new fees without appropriation.)

According to DOI, the federal government already is providing technical assistance to CNMI, and thus, the provision requiring that it and DOL assist employers in CNMI would not significantly increase federal costs. In addition, DOL and DOJ already have some personnel stationed in CNMI and would increase their personnel anyway to implement the INA. Thus, CBO estimates that authorizing the agencies to establish and maintain operations in CNMI would have no budgetary impact in this case.

Finally, based on information provided by the Department of State, we estimate that, subject to available funds, implementing S. 1275 would increase its annual costs by less than \$100,000 in fiscal year 2000 and by between \$100,000 and \$200,000 a year in 2001 through 2003. Those amounts would cover the costs to add one to two officers overseas to process the additional visas that would result under S. 1275.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act specifies procedures for legislation affecting direct spending and receipts. Pay-as-you-go procedures would apply to S. 1275 because the bill could affect direct spending if the AG applies the INA to CNMI. In that case, we estimate that enacting S. 1275 would gradually increase the amount of offsetting receipts collected by the INS from less than \$500,000 in fiscal year 2000 to about \$1.5 million in fiscal year 2003. Because the INS could spend such receipts without further appropriation, the provision would have no net impact on direct spending.

If the INA is applied, S. 1275 also would allow DOL to collect fees from issuing permits to certain businesses operating in CNMI. According to DOL, it would charge fees at a rate that would cover its costs to issue the permits. We estimate that enacting S. 1275 could increase offsetting receipts by less than \$500,000 a year.

Estimated impact on State, local, and tribal governments: S. 1275 contains intergovernmental mandates as defined in UMRA because the bill would preempt the immigration and minimum wage laws of CNMI. (CNMI would be considered a state for the purposes of UMRA). Section 2 of the bill would preempt the immigration laws of CNMI. Section 3 of the bill would preempt the minimum wage laws of CNMI and would require employers, including governmental employers, to increase the minimum wage that they would pay their employees. The amount of the mandated increase in wages would be determined by a special industry committee but could not be more than 50 cents per year. Based on information from DOI and CNMI, CBO estimates that the costs of complying with these mandates would not be significant because the number of public employees affected by the bill would be limited and because the change in the workload of the Commonwealth's immigration staff would be small.

Estimated impact on the private sector: S. 1275 contains private-section mandates as defined in UMRA. Section 2 would impose a mandate on employers by limiting the number of temporary alien workers who could be legally present in CNMI. Section 3 would impose a mandate on employers by increasing the minimum wage which they would be required to pay their employees; the amount of the mandated increases in wages would be determined by an industry committee established as a result of enactment of this legislation. CBO cannot determine whether the direct cost to employers of those mandates would exceed the \$100 million inflation-adjusted annual threshold specified in UMRA.

Estimate prepared by: Federal Costs: John R. Righter, Impact on State, Local, and

Tribal Governments; Marc Nicole; and Impact on the Private Sector: Ralph Smith.

Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis. •

RIVER AND HARBOR ACT DEAUTHORIZATION

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No 391, S. 1531.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will report the bill. The bill clerk read as follows:

A bill (S. 1531) to deauthorize certain portions of the project for navigation, Bass Harbor, Maine.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (S. 1531) was considered read a third time and passed, as follows:

S. 1531

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

SECTION 1. BASS HARBOR, MAINE.

(a) DEAUTHORIZATION.—The portions of the project for navigation, Bass Harbor, Maine, authorized on May 7, 1962, under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), that are described in subsection (b) are not authorized after the date of enactment of this Act.

(b) DESCRIPTION.—The portions of the project referred to in subsection (a) are described as follows:

(1) Beginning at a bend in the project, N149040.00, E538505.00, thence running easterly about 50.00 feet along the northern limit of the project to a point N149061.55, E538550.11, thence running southerly about 642.08 feet to a point, N148477.64, E538817.18, thence running southwesterly about 156.27 feet to a point on the westerly limit of the project, N148348.50, E538737.02, thence running northerly about 149.00 feet along the westerly limit of the project to a bend in the project, N148489.22, E538768.09, thence running northwesterly about 610.39 feet along the westerly limit of the project to the point of origin.

(2) Beginning at a point on the westerly limit of the project, N148118.55, E538689.05, thence running southeasterly about 91.92 feet to a point, N148041.43, E538739.07, thence running southerly about 65.00 feet to a point, N147977.86, E538725.51, thence running southwesterly about 91.92 feet to a point on the westerly limit of the project, N147927.84, E538648.39, thence running northerly about 195.00 feet along the westerly limit of the project to the point of origin.

WATER RESOURCES DEVELOPMENT ACT DEAUTHORIZATIONS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate

now proceed to the consideration of calendar No. 392, S. 1532.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (S. 1532) to amend the Water Resources Development Act of 1996 to deauthorize the remainder of the project at East Boothbay Harbor, Maine.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (S. 1532) was considered read a third time and passed, as follows:

S. 1532

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

SECTION 1. DEAUTHORIZATION OF REMAINDER OF PROJECT AT EAST BOOTHBAY HARBOR, MAINE.

Section 364 of the Water Resources Development Act of 1996 (110 Stat. 3731) is amended by striking paragraph (9) and inserting the following:

“(9) EAST BOOTHBAY HARBOR, MAINE.—The project for navigation, East Boothbay Harbor, Maine, authorized by the first section of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved June 25, 1910 (36 Stat. 657).”.

Ms. SNOWE. Mr. President, I rise today to thank my colleagues for their support of my legislation, S. 1531 and S. 1532, introduced on behalf of the towns of Tremont and East Boothbay, Maine. S. 1531 deauthorizes certain portions of the navigational project for Bass Harbor, and S. 1532 deauthorizes the final portions of East Boothbay Harbor.

Bass Harbor has the greatest concentration of fishing boats on Mt. Desert Island and all mooring spaces are currently full, with a long waiting list to obtain future moorings. When the townspeople approached the U.S. Army Corps of Engineers to obtain a permit for expansion, they were told that no improvements could be made until the federal project area boundary was moved to the proper location by legislative action. I was happy to do this on their behalf. The Selectmen, Town Manager, and Harbor Committee will now be working with the Corps and the State in anticipation of having the harbor dredged, which last occurred in 1966, so that they may make space available for more and larger boats.

S. 1532 deauthorizes the remainder of the federal navigational project at Boothbay Harbor. The current marina owners purchased the former ship-building yard in East Boothbay in 1993 and have since turned it into a full

service marina. In the process of getting all the permits together for further economic development, the marina discovered that parts of the harbor, while no longer used as such, were still deemed a federal navigation project created back in 1913, when mine sweepers and other ships were being built there for World War I. Because part of the federal navigation project is still considered active, the Corps told the town that nothing could be done in the water until the entire area was deauthorized. My bill takes care of this final deauthorization, the rest of which was accomplished in the last reauthorization of Water Resources Development Act, but the coordinates were ultimately found to be inaccurate. This legislation, with the assistance of the Corps, addresses that small section still requiring deauthorization.

I am especially pleased for the towns of Tremont and East Boothbay, with whom I have worked in the long deauthorization process, so as to allow them to continue with much needed harbor development. I want to thank Senator CHAFFEE and his Environment and Public Works Committee for moving these bills out of committee and to the Senate floor. When passed by the House and signed into law, the bills will allow the towns to get on with much needed economic development in their harbors.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 643, 644, and 645. I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

Mr. President, for the benefit of colleagues, those executive calendar items, Nos. 643, 644, and 645, those nominations are Joseph Westphal, Assistant Secretary of the Army; Mahlon Apgar, IV, Assistant Secretary of the Army; and Hans Mark, Director of Defense Research and Engineering.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF DEFENSE

Joseph W. Westphal, of Virginia, to be an Assistant Secretary of the Army.

Mahlon Apgar, IV, of Maryland, to be an Assistant Secretary of the Army.

Hans Mark, of Texas, to be Director of Defense Research and Engineering.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.