

Any inability by such refiner to satisfy its contractual obligations to the Defense Energy Supply Center for the delivery of fuel to Defense Energy Supply Point-Anchorage may not be used as a basis for the denial of such refiner's small disadvantaged business status or small disadvantaged business premium for the total amount of fuel under the contract where such inability is a result of ice conditions in Cook Inlet, through February 1999, as determined by the U.S. Coast Guard and if the Secretary of Defense determines that such inability will result in an inequity to the refiner.

#### HUNA TOTEM CORPORATION LAND EXCHANGE ACT

##### MURKOWSKI AMENDMENT NO. 3042

Mr. BURNS (for Mr. MURKOWSKI) proposed an amendment to the bill (S. 1158) to amend the Alaska Native Claims Settlement Act, regarding the Huna Totem Corporation public interest land exchange, and for other purposes; as follows:

In lieu of the Committee substitute strike all after Section 1. And insert the following:

##### SEC. 2. AMENDMENT OF SETTLEMENT ACT.

The Alaska Native Claims Settlement Act (Public Law 92-203, December 18, 1971, 85 Stat. 688, 43 U.S.C. 1601, et seq.), as amended, is further amended by adding a new section to read: "SEC. . HUNA TOTEM CORPORATION LAND EXCHANGE.

"(a) GENERAL.—In exchange for lands and interests therein described in subsection (b), the Secretary of Agriculture shall, subject to valid existing rights, convey to the Huna Totem Corporation the surface estate and to Sealaska Corporation the subsurface estate of the Federal lands identified by Huna Totem Corporation pursuant to subsection (c): *Provided*, That, the exchange of lands described in this section shall be on the basis of equal value.

"(b) The surface estate to be conveyed by Huna Totem Corporation and the subsurface estate to be conveyed by Sealaska Corporation to the Secretary of Agriculture are the municipal watershed lands as shown on the map dated September 1, 1997, and labeled attachment A, and are further described as follows:

MUNICIPAL WATERSHED AND GREENBELT BUFFER—T43S, R61E, C.R.M.	
Portion of Section:	
	Approximate acres
16 .....	2
21 .....	610
22 .....	227
23 .....	35
26 .....	447
27 .....	400
33 .....	202
34 .....	76

Approximate total ..... 1,999

"(c) Within ninety (90) days of the receipt by the United States of the conveyances of the surface estate and the subsurface estate described in subsection (b), Huna Totem Corporation shall be entitled to identify lands readily accessible to the Village of Hoonah and, where possible, located on the road system to the Village of Hoonah, as depicted on the map dated September 1, 1997, and labeled Attachment B. Huna Totem Corporation shall notify the Secretary of Agriculture in writing which lands Huna Totem Corporation has identified.

"(d) TIMING OF CONVEYANCE AND VALUATION.—The conveyance mandated by sub-

section (a) by the Secretary of Agriculture shall occur within ninety (90) days after the list of identified lands is submitted by Huna Totem Corporation pursuant to subsection (c).

"(e) TIMBER MANUFACTURING; EXPORT RESTRICTION.—Notwithstanding any other provision of law, timber harvested from land conveyed to Huna Totem Corporation under this section is not available for export as unprocessed logs from Alaska, nor may Huna Totem Corporation sell, trade, exchange, substitute, or otherwise convey that timber to any person for the purpose of exporting that timber from the State of Alaska.

"(f) RELATION TO OTHER REQUIREMENTS.—The land conveyed to Huna Totem Corporation and Sealaska Corporation under this section shall be considered, for all purposes, land conveyed under the Alaska Native Claims Settlement Act.

"(g) MAPS.—The maps referred to in this section shall be maintained on file in the Office of the Chief, United States Forest Service, and in the Office of the Secretary of the Interior, Washington, D.C. The acreage cited in this section is approximate, and if a discrepancy arises between cited acreage and the land depicted on the specified maps, the maps shall control. The maps do not constitute an attempt by the United States to convey State or private land."

#### KAKE TRIBAL CORPORATION LAND EXCHANGE ACT

##### MURKOWSKI AMENDMENT NO. 3043

Mr. BURNS (for Mr. MURKOWSKI) proposed an amendment to the bill (S. 1159) to amend the Alaska Native Claims Settlement Act, regarding the Kake Tribal Corporation public interest land exchange, and for other purposes; as follows:

In lieu of the Committee substitute strike all after Section 1. And insert the following:

##### SEC. 2. AMENDMENT OF SETTLEMENT ACT.

The Alaska Native Claims Settlement Act (Public Law 92-203, December 18, 1971, 85 Stat. 688, 43 U.S.C. 1601 et seq.), as amended, is further amended by adding at the end thereof: "SEC. . KAKE TRIBAL CORPORATION LAND EXCHANGE.

"(a) GENERAL.—In exchange for lands and interests therein described in subsection (b), the Secretary of Agriculture shall, subject to valid existing rights, convey to the Kake Tribal Corporation the surface estate and to Sealaska Corporation the subsurface estate of the Federal land identified by Kake Tribal Corporation pursuant to subsection (c): *Provided*, That, the exchange of lands described in this section shall be on the basis of equal value.

"(b) The surface estate to be conveyed by Kake Tribal Corporation and the subsurface estate to be conveyed by Sealaska Corporation to the Secretary of Agriculture are the municipal watershed lands as shown on the map dated September 1, 1997, and labeled Attachment A, and are further described as follows:

MUNICIPAL WATERSHED COPPER RIVER MERIDIAN—T56S, R72E	
Section:	
	Approximate acres
13 .....	82
23 .....	118
24 .....	635
25 .....	640
26 .....	346
34 .....	9
35 .....	349

36 .....	248
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Approximate total ..... 2,427

"(c) Within ninety (90) days of the receipt by the United States of the conveyances of the surface estate and the subsurface estate described in subsection (b), Kake Tribal Corporation shall be entitled to identify lands in the Hamilton Bay and Saginaw Bay areas, as depicted on the maps dated September 1, 1997, and labeled Attachments B and C. Kake Tribal Corporation shall notify the Secretary of Agriculture in writing which lands Kake Tribal Corporation has identified.

"(d) TIMING OF CONVEYANCE AND VALUATION.—The conveyance mandated by subsection (a) by the Secretary of Agriculture shall occur within ninety (90) days after the list of identified lands is submitted by Kake Tribal Corporation pursuant to subsection (c).

"(e) MANAGEMENT OF WATERSHED.—The Secretary of Agriculture shall enter into a Memorandum of Agreement with the City of Kake, Alaska, to provide for management of the municipal watershed.

"(f) TIMBER MANUFACTURING; EXPORT RESTRICTION.—Notwithstanding any other provision of law, timber harvested from land conveyed to Kake Tribal Corporation under this section is not available for export as unprocessed logs from Alaska, nor may Kake Tribal Corporation sell, trade, exchange, substitute, or otherwise convey that timber to any person for the purpose of exporting that timber from the State of Alaska.

"(g) RELATION TO OTHER REQUIREMENTS.—The land conveyed to Kake Tribal Corporation and Sealaska Corporation under this section shall be considered, for all purposes, land conveyed under the Alaska Native Claims Settlement Act.

"(h) MAPS.—The maps referred to in this section shall be maintained on file in the Office of the Chief, United States Forest Service, and in the Office of the Secretary of the Interior, Washington, D.C. The acreage cited in this section is approximate, and if a discrepancy arises between cited acreage and the land depicted on the specified maps, the maps shall control. The maps do not constitute an attempt by the United States to convey State or private land.

#### MINIDOKA PROJECT ACT OF 1998

##### CRAIG AMENDMENT NO. 3044

Mr. BURNS (for Mr. CRAIG) proposed an amendment to the bill (S. 538) to authorize the Secretary of the Interior to convey certain facilities of the Minidoka project to the Burley Irrigation District, and for other purposes; as follows:

Paragraph 1(c)(1) of the Committee amendment is modified to read as follows:

"(1) TRANSFER.—(A) Subject to subparagraphs (B) and (C), the Secretary shall transfer to Burley, through an agreement among Burley, the Minidoka Irrigation district, and the Secretary, in accordance with and subject to the law of the State of Idaho, all natural flow, waste, seepage, return flow, and groundwater rights held in the name of the United States—

(1) for the benefit of the Minidoka Project or specifically for the Burley Irrigation District; and

(2) that are for use on lands within the Burley Irrigation District; and

(3) which are set forth in contracts between the United States and Burley or in the decree of June 20, 1913 of the District Court

of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, in the case of *Twin Falls Canal Company v. Charles N. Foster, et al.*, commonly referred to as the "Foster decree".

"(B) Any rights that are presently held for the benefit of lands within both the Minidoka Irrigation District and the Burley Irrigation District shall be allotted in such manner so as to neither enlarge nor diminish the respective rights of either district in such water rights as described in contracts between Burley and the United States.

"(C) The transfer of water rights in accordance with this paragraph shall not impair the integrated operation of the Minidoka Project, affect any other adjudicated rights, or result in any adverse impact on any other project water user."

#### MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1999

##### BURNS AMENDMENT NO. 3045

Mr. BURNS proposed an amendment to the bill (H.R. 4059) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes; as follows:

At the appropriate place insert the following:

SEC. . (a) Notwithstanding any other provision of this Act, the amount appropriated by the heading "MILITARY CONSTRUCTION, NAVY" is hereby increased by \$5,780,000.

(b) Notwithstanding any other provision of this Act, the amount appropriated by the heading "MILITARY CONSTRUCTION, DEFENSE-WIDE" is hereby decreased by \$11,000,000.

(c) Notwithstanding any other provision of this Act—

(1) the amount appropriated by the heading "FAMILY HOUSING, AIR FORCE" is hereby increased by \$5,220,000; and

(2) the amount appropriated by that heading for Construction is hereby increased by \$5,220,000.

##### THOMAS (AND ENZI) AMENDMENT NO. 3046

Mr. BURNS (for Mr. THOMAS for himself and Mr. ENZI) proposed an amendment to the bill, *supra*, as follows:

At the appropriate place insert the following:

SEC. . (a) Notwithstanding any other provision of this Act, the amount appropriated by this Act under the heading "MILITARY CONSTRUCTION, ARMY NATIONAL GUARD" is hereby increased by \$12,716,000.

(b) Notwithstanding any other provision of this Act under the heading "MILITARY CONSTRUCTION, ARMY RESERVE" is hereby decreased by \$12,716,000.

##### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, June 25, 1998. The purpose of this meet-

ing will be to mark up child nutrition and WIC reauthorization legislation.

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

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, June 25, 1998, to conduct a hearing on H.R. 10, the "Financial Services Act of 1998".

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, June 25, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider the nomination of William J. Massey to be a Member of the Federal Energy Regulatory Commission.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, June 25, 1998, at 2:00 pm to hold a hearing.

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

##### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, June 25, 1998, at 10:30 a.m. for a hearing on Defense Technology Security Administration role in the interagency decision process of approving critical technology exports.

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

##### COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to hold an executive business meeting during the session of the Senate on Thursday, June 25, 1998, at 9:00 a.m., in room 226 of the Senate Dirksen Office Building.

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

##### COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Health Insurance and Older Workers during the session of the Senate on Thursday, June 25, 1998, at 10:00 a.m.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, June 25, 1998 at 10:00 a.m. to hold a closed hearing on Intelligence Matters.

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

##### SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Thursday, June 25, 1998 at 2:00 p.m. to hold a hearing in room 226, Senate Dirksen Building, on: "A Review of the Judgeship Needs of the 6th and 7th Circuits."

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

##### SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, June 25, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:00 p.m. The purpose of this hearing is to receive testimony on S. 2146, a bill to provide for the exchange of certain lands within the State of Utah.

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

#### ADDITIONAL STATEMENTS

##### 60TH ANNIVERSARY OF THE FAIR LABOR STANDARDS ACT

• Mrs. FEINSTEIN. Mr. President, today we honor the 60th anniversary of the historic Fair Labor Standards Act. The Fair Labor Standards Act is landmark legislation, creating the federal minimum wage, establishing the forty-hour work week and banning oppressive child labor practices. Each element is an important component in our federal commitment to workers and their families.

We can all appreciate the current strength of the economy: 300,000 more Americans started new jobs in May alone; unemployment was steady at 4.3%, the lowest in 28 years; and median family income has increased for three years in a row and today, more Americans own their own homes than ever before.

However, while the U.S. economy is expanding, all Americans are not sharing equally in the benefits of the growing economy. Despite growth in both gross domestic product and employment between 1989 and 1994, median family income in 1994 was still \$2,168 lower than it was in 1989. In the current economy, growth is not leading to improved economic well-being for typical families. Some working families, particularly single women, are falling