

The legislative clerk read as follows:

A bill (S. 1883) to direct the Secretary of the Interior to convey the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 1883

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Marion National Fish Hatchery and Claude Harris National Aquacultural Research Center Conveyance Act".

#### SEC. 2. CONVEYANCE OF MARION NATIONAL FISH HATCHERY AND CLAUDE HARRIS NATIONAL AQUACULTURAL RESEARCH CENTER TO THE STATE OF ALABAMA.

(a) CONVEYANCE REQUIREMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall convey to the State of Alabama without reimbursement, and subject to the condition described in paragraph (2), all right, title, and interest of the United States in and to the properties described in subsection (b) for use by the Game and Fish Division of the Department of Conservation and Natural Resources of the State of Alabama (referred to in this section as the "Game and Fish Division")—

[(A) as part of the fish culture program of the State of Alabama; or

[(B) for any other purpose approved in writing by the regional director of the United States Fish and Wildlife Service for the region in which the properties are located.

[(2) LEASE OF CLAUDE HARRIS NATIONAL AQUACULTURAL RESEARCH CENTER.—

[(A) TO ALABAMA AGRICULTURE EXPERIMENT STATION.—As a condition of the conveyance under paragraph (1), the Game and Fish Division shall offer to lease the property described in subsection (b)(1)(B) to the Alabama Agriculture Experiment Station—

[(i) at no cost to the Station or the Game and Fish Division; and

[(ii) for the period requested by the Station and provided by Alabama law.

[(B) TO ANOTHER PUBLIC ENTITY.—If the Station declines the offer or fails to renew any lease, the Game and Fish Division shall offer to lease any portion of the property to another public entity.]

*Fish Division)" as part of the fish culture program of the State of Alabama.*

(2) LEASE OF CLAUDE HARRIS NATIONAL AQUACULTURAL RESEARCH CENTER.—As a condition of the conveyance under paragraph (1), the Game and Fish Division shall offer to lease the property described in subsection (b)(1)(B) to the Alabama Agriculture Experiment Station—

(A) at no cost to the Station or the Game and Fish Division; and

(B) for the period requested by the Station and provided by Alabama law.

(b) DESCRIPTION OF PROPERTIES.—The properties referred to in subsection (a)(1) consist of—

(1)(A) the portion of the Marion National Fish Hatchery leased to the Game and Fish

Division, located 7 miles northeast of Marion, Alabama, on State Highway 175, as described in Amendment No. 2 to the Cooperative Agreement dated June 6, 1974, between the United States Fish and Wildlife Service and the Game and Fish Division, consisting of approximately 300 acres; and

(B) the Claude Harris National Aquacultural Research Center, located 7 miles northeast of Marion, Alabama, on State Highway 175, as described in a document of the United States Fish and Wildlife Service entitled "EXHIBIT A" and dated March 19, 1996, consisting of approximately 298 acres;

(2) all improvements and related personal property under the control of the Secretary of the Interior that are located on the properties described in paragraph (1), including buildings, structures, and equipment; and

(3) all easements, leases, and water and timber rights relating to the properties described in paragraph (1).

(c) REVERSIONARY INTEREST.—

(1) REQUIREMENT.—If any property conveyed to the State of Alabama under this section is used for any purpose other than the use authorized under subsection (a), all right, title, and interest in and to all property conveyed under this section shall revert to the United States.

(2) CONDITION OF PROPERTY ON REVERSION.—In the case of a reversion of property under paragraph (1), [subject to any sale or lease of timber or mineral interests on or under the property,] the State of Alabama shall ensure that all property reverting to the United States under this subsection is in substantially the same condition as, or in better condition than, at the time of conveyance under subsection (a).

[(d) JURISDICTION.—Effective at the time of conveyance of the properties under subsection (a), the United States retrocedes jurisdiction over the properties to the State of Alabama.]

Mr. GORTON. I ask unanimous consent that the committee amendments be agreed to, 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 committee amendments were agreed to.

The bill (S. 1883), as amended, was considered read the third time and passed.

#### JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS AUTHORIZATION ACT OF 1998

Mr. GORTON. I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 488, H.R. 3504.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3504) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts and to further define the criteria for capital repair and operation and maintenance.

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. CHAFEE. Mr. President, the bill now before the Senate is the "John F. Kennedy Center for the Performing Arts Authorization Act."

The concept of a national Center for the performing arts originated during the administration of President Dwight D. Eisenhower. President Eisenhower envisioned a national cultural center in the nation's capital, and in 1958, with the support of Congress, he signed into law the National Cultural Center Act, which established the Center as an independently administered bureau of the Smithsonian Institution. Following the death of President Kennedy, the Congress in 1964 renamed the Center in honor of the late president.

The Kennedy Center was opened to the public in September 1971. The response was overwhelming—so much so that the Center's Board of Trustees requested help from Congress in maintaining and operating the Center, for the benefit of the millions of visitors. In 1972, Congress authorized the National Park Service to provide maintenance, security, and other services necessary to maintain the facility. For the next two decades, the Park Service received federal appropriations for the maintenance and operation of the Presidential monument.

In the early part of this decade, however, it became clear that the Kennedy Center facility—which had not seen comprehensive capital repair since its opening—had deteriorated significantly due to both age and intensive public use. Those repairs that had taken place—such as the 1977 repair of the leaking roof—were undertaken in response to threatening conditions. The Board of Trustees, with the support of the Park Service, therefore set out to achieve a more effective long-term approach to management of the facility, with one entity responsible for both the care of the physical plant and the staging of performance activities.

In 1994, therefore, Congress approved and the President signed the John F. Kennedy Center Act Amendments (Public Law 103-279). That Act authorized the transfer of all capital repair, operations, and maintenance of the Center from the Park Service to the Kennedy Center Board of Trustees.

The Act also directed the Board to develop a comprehensive, multi-year plan for the restoration and ongoing maintenance of the Kennedy Center. In 1995, the Board delivered the Comprehensive Building Plan, which set forth a long-term, two-stage program for the remediation of substandard building conditions, as well as continuous maintenance for the future. Phase I, scheduled for Fiscal Years 1995 through 1998, has concluded successfully. During this time, several major projects were completed, including the installation of a new, energy-efficient heating and cooling system, replacement of the leaking roof and roof terrace, and the major renovation of the Concert Hall. Phase II is scheduled to take place over the next eleven fiscal

years, through Fiscal Year 2009. This stage will involve the massive "Center Block" project, during which the Opera House will be overhauled, as well as projects to make improvements to the plaza, improve accessibility to the theaters, install fire and other safety technology, and make a host of other repairs designed to ensure that the facility meets life safety standards.

That brings us to the legislation we are considering today. For the major Phase II projects to get underway, Congress must revise the 1994 Act to authorize appropriate funding for the next several fiscal years. This bill authorizes significant funding levels for the next eleven fiscal years for maintenance as well as capital repair work.

The bill before the Senate is H.R. 3504, the House-passed bill. It is almost identical to S. 2038, legislation that I introduced and that was reported by the Environment and Public Works Committee on June 12, 1998. Because of the similarity in the two bills, we are pleased to pass the House bill without amendment sending it to the President for his signature.

The Kennedy Center is a living Presidential memorial and a national monument, and as such demands a high standard of maintenance and upkeep. As an ex-officio member of the Board, and Chairman of the authorizing Committee, I am dedicated to the appropriate restoration and preservation of the facility, which millions of Americans have enjoyed for more than a quarter of a century.

Mr. President, I ask unanimous consent that a letter from the Congressional Budget Office setting forth the budgetary impacts of this legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 23, 1998.

Hon. JOHN H. CHAFEE,  
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3504, the John F. Kennedy Center for the Performing Arts Authorization Act of 1998.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Christina Hawley Sadoti.

Sincerely,

JAMES L. BLUM  
(For June E. O'Neill, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST  
ESTIMATE

*H.R. 3504—John F. Kennedy Center for the Performing Arts Authorization Act of 1998*

Summary: H.R. 3504 would provide additional authorizations in the amount of \$146 million for capital projects, operations, and maintenance at the John F. Kennedy Center for the Performing Arts for fiscal years 1999 through 2003. Because H.R. 3504 would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

H.R. 3504 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA).

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 3504 is shown in the following table.

The costs of this legislation fall within budget function 500 (education, training, employment, and social services).

	By fiscal year, in millions of dollars					
	1998	1999	2000	2001	2002	2003
SPENDING SUBJECT TO APPROPRIATION						
Authorizations under current law:						
Authorization levels	20	21	0	0	0	0
Estimated outlays	18	20	9	4	3	1
Proposed changes:						
Authorization levels		12	34	34	34	32
Estimated outlays		4	19	26	30	33
Authorization under H.R. 3504:						
Authorization levels	20	33	34	34	34	32
Estimated outlays	18	24	29	30	33	34

Basis of estimate: H.R. 3504 would amend the John F. Kennedy Center Act to reauthorize appropriations for the John F. Kennedy Center. The bill would authorize spending on maintenance, repair, and security at \$13 million for 1999, \$14 million for each of fiscal years 2000 and 2001, and \$15 million for each of fiscal years 2002 and 2003. Capital projects would be authorized at \$20 million annually for fiscal years 1999–2001, \$19 million for fiscal year 2002, and \$17 million for fiscal year 2003. Currently these functions are authorized through fiscal year 1999—maintenance, repair and security at \$12 million and capital projects at \$9 million. Thus, enactment of H.R. 3504 would result in a net increase in authorizations of \$12 million for fiscal year 1999 and \$146 million over the 1999–2003 period. Assuming that the amounts authorized are appropriated and that spending follows historical outlay patterns, H.R. 3504 would result in increased outlays of \$112 million during fiscal years 1999–2003.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 3504 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would not affect the budgets of state, local, or tribal governments.

Previous CBO estimates: On May 6, 1998, CBO provided an identical estimate for H.R. 3504 as ordered reported by the House Committee on Transportation and Infrastructure. In addition, CBO provided an identical estimate for a similar bill, S. 2038, on May 22, 1998.

Estimate prepared by: Federal Cost: Christina Hawley Sadoti; Impact on State, Local,

and Tribal Governments: Marc Nicole; and Impact on the Private Sector: Jean Wooster.

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

Mr. GORTON. 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 (H.R. 3504) was considered read the third time and passed.

D.C. CONVENTION CENTER AND  
SPORTS ARENA AUTHORIZATION  
ACT OF 1995

Mr. GORTON. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4237 which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4237) to amend the District of Columbia Convention Center and Sports Arena Authorization Act of 1995 and to revise the revenues and activities covered under such Act, and for other purposes.

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. GORTON. I ask unanimous consent the bill be considered read the third time, passed, and the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed in the appropriate place in the RECORD.

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

The bill (H.R. 4237) was read the third time and passed.

GRANTING A FEDERAL CHARTER  
TO THE AMERICAN GI FORUM OF  
THE UNITED STATES

Mr. GORTON. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1759, and further, that the Senate now proceed to its consideration.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 1759) to grant a Federal charter to the American GI Forum of the United States.

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

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