

That the Fifty-sixth Legislative Assembly designate Sakakawea to be honored and memorialized with a statue in the National Statuary Hall in the United States Capitol in Washington, D.C.; and be it further

*Resolved*, That the Secretary of State forward copies of this resolution to the chairman of each Indian tribe in this state, to each member of the North Dakota Congressional Delegation, and to the President of the Senate and the Speaker of the House of Representatives of the United States Congress.

#### EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. JEFFORDS, for the Committee on Health, Education, Labor, and Pensions:

Gordon Davidson, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2004.

George M. Langford, of New Hampshire, to be a Member of the National Science Board, National Science Foundation.

Joseph A. Miller, Jr., of Delaware, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Robert C. Richardson, of New York, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Cleo Parker Robinson, of Colorado, to be a Member of the National Council on the Arts for a term expiring September 3, 2004.

Maxine L. Savitz, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Luis Sequeira, of Wisconsin, to be Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2004.

Alice Rae Yelen, of Louisiana, to be a Member of the National Museum Services Board for a term expiring December 6, 2001.

(The above nominations were reported with the recommendation that they be confirmed, subject to nominees commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. JEFFORDS. Mr. President, for the Committee on Health, Education, Labor, and Pensions, I also report favorably a Public Health Service list which was printed in full in the RECORD of January 19, 1999, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that the nomination list lie at the Secretary's desk for the information of the Senators.

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

In the Public Health Service, nominations beginning Roger I.M. Glass, and ending Richard C. Whitmire, which were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 19, 1999.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. THOMAS (for himself, Mr. KYL, and Mr. HELMS):

S. 826. A bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 827. A bill to establish drawback for imports of N-cyclohexyl-2-benzothiazolesulfenamide based on exports of N-tert-Butyl-2-benzothiazolesulfenamide; to the Committee on Finance.

By Mr. DURBIN:

S. 828. A bill for the relief of Corina Dechalup; to the Committee on the Judiciary.

By Ms. SNOWE:

S. 829. A bill to deauthorize the project for navigation, Searsport Harbor, Searsport, Maine; to the Committee on Environment and Public Works.

S. 830. A bill to deauthorize the project for navigation, Carvers Harbor, Vinalhaven, Maine; to the Committee on Environment and Public Works.

By Mr. MCCAIN:

S. 831. A bill to authorize the Secretary of the Interior to set aside up to \$2 per person from park entrance fees or assess up to \$2 per person visiting the Grand Canyon or other national park to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself, Mr. ROTH, Mr. LOTT, Mr. LIEBERMAN, Mr. DEWINE, Mr. VOINOVICH, and Mr. HAGEL):

S. Con. Res. 27. A concurrent resolution establishing the policy of the United States toward NATO's Washington Summit; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS (for himself, Mr. KYL, and Mr. HELMS):

S. 826. A bill to limit the acquisition by the United States of land located in a State in which 25 percent or more of the land in that State is owned by the United States; to the Committee on Energy and Natural Resources.

#### NO NET LOSS OF PRIVATE LANDS ACT

Mr. THOMAS. Mr. President, this is really the "No-Net-Gain" bill that we have talked about before. The regulation is a commonsense proposal that will limit additional Federal land acquisition in public land States. The Federal Government continues to acquire more land throughout the Nation in every State of the Union, and folks are saying we have to take a new look at the growth of the Federal Government and begin to protect private property rights. This, however, only applies to States in which 25 percent or more of the State now belongs to the Federal Government. So, as you can imagine, the acquisition of additional lands is

especially a problem for those of us living in the West.

Roughly 50 percent of the land in my home State of Wyoming is owned by the Federal Government. In some States it is as high as 87 percent—in Nevada. In Colorado, the home State of the Presiding Officer, it is higher than 50 percent. This bill deals with that sort of phenomenon. As you probably know, in the past, of course, much land was set aside in parks and forests. They were reserve lands. And I support that. I am glad they are set aside. These are national treasures and we want to keep them.

Much of the land, of course, was then put into private ownership through the Homestead Act. When that was concluded, there were still lands there that were left afterwards, and they were taken and are now managed by the Bureau of Land Management. These were not lands that were ever reserved; these were lands that were simply left over when the Homestead Act was completed.

So they, too, are managed for many uses and are important. This bill in no way asks these total lands be reduced. We are simply saying whenever there is an acquisition made for something that is useful—and it does allow the Federal Government to do that, of course—that an equal value of land, Federal land, be sent back into private ownership.

The Federal Government, of course, makes it a little more difficult sometimes in the States to have multiple use, to use them, to set them aside, to manage the environment, but at the same time have economic activities, to have mining, to have oil, to have timber, to have grazing. These are the things, of course, that are the lifeblood to the Western States. This creates often a hardship for the local economies; and it depresses the economy.

The Clinton administration, I think, has been particularly difficult in the way it has handled some of the public lands. The latest proposal, the Lands Legacy Initiative, is an example of a rather expansive acquisition of Federal lands. Again I say I have no objection to the maintaining of lands that have a special character, that have a special need, to be reserved into public ownership. All we say is, if you are going to do that, then release an equal value amount of lands back into private ownership. Many of us are very concerned about the Lands Legacy Initiative, that it will again impede the private ownership, which, of course, is a very basic thing to this whole country.

I think the time has come to put some kind of a bridle on the insatiable appetite for additional land in the western part of the United States. The No-Net-Loss of Private Lands Act is, I think, a reasonable approach to an ever-increasing growth of Federal land ownership. This measure requires the Federal Government to release an equal value of land when it acquires property in the States that are at least 25 percent federally owned.

The property would be released at the same time of the new acquisition and could be any type of Federal lands. In addition, the legislation would provide a provision waiving the disposal requirement in time of national emergency or war.

While in the Congress, both in the House and the Senate, I have worked extensively to protect unique public lands, such as national parks. I served as chairman of the National Parks Committee. I think there is nothing more important to us, in terms of preserving natural resources and cultural resources.

In fact, we passed a rather extensive bill called Vision 20/20 last year that does this. It helps to strengthen national parks. When I grew up, my parents' ranch bordered the Shoshone National Forest, so I feel very strongly about forests and that they should be there, but I do believe there needs to be some equality between the private ownership and Federal ownership. So it is time for the Congress to protect the rights of private owners and to instill some common sense and restraint in the further acquisition and growth of Federal lands. That is what this bill is designed to do. And I indicate the cosponsorship of Senator KYL and Senator HELMS.

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 827. A bill to establish drawback for imports of N-cyclohexyl-2-benzothiazolesulfenamide based on exports of N-tert-Butyl-2-benzothiazolesulfenamide; to the Committee on Finance.

DUTY DRAWBACK ON IMPORTS OF CBS AND TBBS

Mr. ROCKEFELLER. Mr. President, I rise today to introduce a bill that would establish the authority to provide a duty drawback on imports of two commercially interchangeable rubber vulcanization accelerators known commonly as CBS and TBBS.

CBS and TBBS are the major primary accelerators used in the production of tires and other rubber products. Both CBS and TBBS belong to the same class and subclass of rubber vulcanization chemicals, and can be used interchangeably with one another to perform the same function and to achieve the same end results. They can be manufactured by similar industrial processes using the same raw materials and identical process steps; and for all practical purposes, it is not possible to tell if CBS or TBBS were used in the final rubber product. In short, the two chemicals are commercially interchangeable in both function and use, and therefore, I believe they meet the specified circumstances required under Section 202 of U.S. trade law to receive duty drawback benefits based on a substitution basis.

More specifically, this bill is extremely important to a West Virginia company, Flexsys, that produces both CBS and TBBS, and employs 230 West Virginians with an average annual sal-

ary of \$42,000. Passage of this bill will preserve these jobs in an increasingly competitive chemical market, and will permit American-made products to compete more effectively in world markets.

Because of the competitive nature of the chemical business, American companies must constantly look for new opportunities to improve efficiency, strengthen U.S. operations and cost position, and provide benefits to their customers. I believe the Congress had these goals in mind when we passed the duty drawback provisions in the Customs Modification Act of 1993. Flexsys meets the conditions set forth under the duty drawback provision that two products must be "commercially interchangeable" to claim a drawback credit, and I urge my colleagues to adopt this bill.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 827

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

**SECTION 1. ESTABLISHMENT OF DRAWBACK BASED ON COMMERCIAL INTERCHANGEABILITY FOR CERTAIN RUBBER VULCANIZATION ACCELERATORS.**

(a) IN GENERAL.—The United States Customs Service shall treat the chemical N-cyclohexyl-2-benzothiazolesulfenamide and the chemical N-tert-Butyl-2-benzothiazolesulfenamide as "commercially interchangeable" within the meaning of section 313(j)(2) of the Tariff Act of 1930 (19 U.S.C. 1313(j)(2)) for purposes of permitting drawback under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313).

(b) APPLICABILITY.—Subsection (a) shall apply with respect to any entry, or withdrawal from warehouse for consumption, of the chemical N-cyclohexyl-2-benzothiazolesulfenamide before, on, or after the date of enactment of this Act, that is eligible for drawback within the time period provided in section 313(j)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1313(j)(2)(B)).

Mr. BYRD. Mr. President, I am pleased to add my name as an original cosponsor of the bill introduced by Senator ROCKEFELLER that would provide the necessary authority to implement the trade drawback allowance based on the commercially interchangeable feature of two rubber vulcanization accelerators.

These two chemicals, commonly referred to as CBS and TBBS, are one-and-the-same for all practical purposes. CBS and TBBS belong to the same class and subclass of rubber vulcanization accelerator chemicals; they can be manufactured by similar industrial processes using the same active ingredients and identical process steps; and they generally cannot be distinguished by informed analysts once used in the finished rubber product. In short, CBS and TBBS are commercially interchangeable in function and use—the specified circumstances required under Section 202 of U.S. trade law to receive duty drawback benefits on a substitution basis.

By establishing the commercial interchangeability for CBS and TBBS, duty drawback law can be implemented. Under duty drawback law, a company would receive a refund of import duties—called a duty drawback—paid by that company on its imports of CBS, based on the exports of the company's production of TBBS, or vice-versa. In other words, for every ton of TBBS that a company exports out of the United States, the company would receive a refund of duties that it paid on a ton of CBS that was imported into the United States. A drawback allowance on the commercially interchangeable standard is granted on a case-by-case authorization. The bill I join Senator ROCKEFELLER in cosponsoring would simply provide the commercially interchangeable CBS and TBBS chemicals with the necessary authorization required by law.

This bill is vital to a West Virginia company, Flexsys, that produces both CBS and TBBS. Flexsys provides 230 jobs in West Virginia with an average annual salary of \$42,000. Without the duty drawback, these jobs are at risk due to the increasingly competitive chemical market. The purpose of the drawback statutes is to permit American-made products to compete more effectively in world markets. The Congress adopted drawback provisions recognizing that U.S. manufacturers need the authority to enable them to select the most advantageous production methods. Flexsys meets the conditions set forth under drawback law, and my review of Flexsys has convinced me that it is the type of company that was in mind when this Body approved the drawback statutes.

In closing, I urge my colleagues to support our effort to aid hardworking Americans through passage of this bill. Enactment of this bill would fulfill the purpose of drawback law by advancing the continued operations at Flexsys and, as a result, the utilization of American labor and capital.

By Mr. DURBIN:

S. 828. A bill for the relief of Corina Dechalup; to the Committee on the Judiciary.

PRIVATE RELIEF BILL

Mr. DURBIN. Mr. President, I rise today to introduce a private bill for the relief of Corina Dechalup of France. My bill would grant permanent resident status to Corina, affording her the legal security she needs to rebuild her life in this country.

Corina Dechalup first arrived in the United States from France in February 1990. She was admitted under the visa waiver pilot program after her then-fiancee Marin Turcinovic of Croatia was injured. Admitted on an H-1 visa in January 1990, Marin was hit by a car in Fairview, New Jersey in February 1990. Both of his legs were shattered. His spinal cord was severed, leaving him paralyzed below the neck. He will probably never walk again. Both Marin and Corina have been in the United States since their initial entries.

Corina and Marin married in February 1996, six years after his accident. Corina is an essential part of Marin's life. She has been with Marin throughout his ordeal and has been instrumental in coordinating his medical care. She has directly provided care for Marin, and he could never have reached the degree of recovery he now enjoys without her support.

Marin requires 24-hour medical care for his survival. An insurance settlement from litigation filed after the accident provides Marin with lifetime medical and rehabilitative care. Marin and Corina currently live in a specially modified house located in the Beverly community of Chicago. According to Marin's lawyers, the insurance settlement that provides for Marin's lifetime shelter and medical care would not cover him at another location.

Marin was granted permanent resident status on September 30, 1998, pursuant to former section 244 of the Immigration and Nationality Act. Though he can now file a petition requesting permanent resident status for Corina, she will still face a four to five year wait. Because she entered the U.S. under the visa waiver pilot program, she was subject to an order of deportation, without the right to an administrative hearing, once she overstayed her 90-day authorized admission in February 1990. Since 1994, she has received a stay of deportation in one year increments. She cannot currently travel to see her family in France, and she has no assurance that her stay will be renewed from one year to the next.

Before arriving in the U.S., Corina, a university graduate, worked as a tour guide for a Yugoslavian tourist agency. Although her days are primarily devoted to Marin, she has the skills and desire to find part-time employment and would like to obtain authorization to work.

Mr. President, nine years ago, fate tragically changed forever the lives of Corina Dechalup of France and her husband Marin Turcinovic of Croatia. A terrible accident in the United States left Marin permanently injured, making his return home impossible. Fortunately for Marin, he had the love and support of Corina, who left her home and her family to devote her life to him. Given the tremendous adversity that she faces on a day-to-day basis, I believe it appropriate for Congress to grant her permanent resident status. Such status would clear up much of the uncertainty that currently clouds her future, and would allow Corina and her husband to rebuild their lives in our country with confidence.

Mr. President, I ask unanimous consent that this bill be printed in the RECORD.

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

S. 828

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

#### SECTION 1. PERMANENT RESIDENCE.

Notwithstanding any other provision of law, for purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Corina Dechalup shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees.

#### SEC. 2. REDUCTION OF NUMBER OF AVAILABLE VISAS.

Upon the granting of permanent residence to Corina Dechalup, as provided in this Act, the Secretary of State shall instruct the proper officer to reduce by the appropriate number during the current fiscal year the total number of immigrant visas available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)).

By Ms. SNOWE:

S. 829. A bill to deauthorize the project for navigation, Searsport Harbor, Searsport, Maine; to the Committee on Environment and Public Works.

#### DEAUTHORIZATION AND REALIGNMENT OF SEARSPORT HARBOR

By Ms. SNOWE:

S. 830. A bill to deauthorize the project for navigation, Carvers Harbor, Vinalhaven, Maine; to the Committee on Environment and Public Works.

#### DEAUTHORIZATION AND REALIGNMENT OF CARVERS HARBOR

• Ms. SNOWE. Mr. President, I rise today to introduce two bills that call for the deauthorization and realignment of harbor boundaries in Searsport, Maine and for Carvers Harbor on Vinalhaven Island, Maine. Passage of these bills will allow the U.S. Army Corps of Engineers to issue permits to the Maine Department of Transportation for projects that are vital to the economic well being of the town of Searsport and the island of Vinalhaven.

The first bill addresses the deauthorization and realignment of the navigation channel in Searsport Harbor so that the existing cargo pier can be replaced. The bill will allow a multi-million dollar improvement to be made to the Mack Point cargo port at the earliest possible date. In addition, a second cargo pier will be rehabilitated. The work will include new dolphin structures, which will encroach upon the existing Federal channel. The navigation project was authorized by the River and Harbor Act of October 23, 1962.

The second bill deauthorize and realigns Carvers Harbor in Vinalhaven so as to allow the construction of a new ferry terminal to replace the existing pier facility that is located within the established Army Corps of Engineers anchorage. The deauthorization will allow the ferry terminal project to remain on schedule and occur at the earliest possible date. The year round population of the island is comprised primarily of lobster fishermen and the businesses that support that industry. This navigation project was authorized by the River and Harbor Act of June 3, 1896.

Along with my support, both projects have the blessing of the respective towns and the U.S. Army Corps of Engineers. I am also working with Senator CHAFEE in the hopes of having these two harbor deauthorizations included in the Managers amendment for the Water Resources Development Act, which has already passed out of the Environment and Public Works Committee and is expected to be taken up by the full Senate shortly.

I urge the support of my colleagues for these two deauthorizations and I thank the Chair.●

By Mr. McCAIN:

S. 831. A bill to authorize the Secretary of the Interior to set aside up to \$2 per person from park entrance fees or assess up to \$2 per person visiting the Grand Canyon or other national parks to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Energy and Natural Resources.

#### NATIONAL PARKS CAPITAL IMPROVEMENTS ACT OF 1999

Mr. MCCAIN. Mr. President, I am renewing my efforts to provide innovative solutions to address urgently needed repairs and enhancements at our nation's parks. The legislation I am introducing today is nearly identical to the bill I sponsored in the 105th Congress, which received substantial support from many of the organizations supporting the National Parks system. I am pleased that Representative KOLBE will introduce companion legislation in the House.

The National Parks Capital Improvements Act of 1999 would help secure taxable revenue bonding authority for National Parks. This legislation would allow private fundraising organizations to enter into agreements with the Secretary of Interior to issue taxable capital development bonds. Bond revenues would then be used to finance park improvement projects. The bonds would be secured by an entrance fee surcharge of up to \$2 per visitor at participating parks, or a set-aside of up to \$2 per visitor from current entrance fees.

Our national park system has enormous capital needs—by last estimate, over \$3 billion for high-priority projects such as improved transportation systems, trail repairs, visitor facilities, historic preservation, and the list goes on and on. The unfortunate reality is that even under the rosiest budget scenarios, our growing park needs far outstrip the resources currently available. Parks are still struggling to address enormous resource and infrastructure needs while seeking to improve the park experience to accommodate the increasing numbers of visitors to recreation sites.

Revenue bonding would take us a long way toward meeting our needs within the national park system. For example, based on current visitation rates at the Grand Canyon, a \$2 surcharge would enable us to raise \$100 million from a bond issue amortized

over 20 years. That is a significant amount of money which we could use to accomplish many critical park projects.

Let me emphasize, however, the Grand Canyon National Park would not be the only park eligible to benefit from this legislation. Any park unit with capital needs in excess of \$5 million is eligible to participate. Among eligible parks, the Secretary of Interior will determine which may take part in the program.

I also want to stress that only projects approved as part of a park's general management plan can be funded through bond revenue. This proviso eliminates any concern that the revenue could be used for projects of questionable value to the park.

In addition, only organizations under agreement with the Secretary of Interior will be authorized to administer the bonding, so the Secretary can establish any rules or policies he deems necessary and appropriate.

Under no circumstances, however, would investors be able to attach liens against Federal property in the very unlikely event of default. The bonds will be secured only by the surcharge revenues.

Finally, the bill specifies that all professional standards apply and that the issues are subject to the same laws, rules, and regulatory enforcement procedures as any other bond issue.

The most obvious question raised by this legislation is: Will the bond markets support park improvement issues, guaranteed by an entrance surcharge? The answer is an emphatic yes. Bonding is a well-tested tool for the private sector. Additionally, Americans are eager to invest in our Nation's natural heritage, and with park visitation growing stronger, the risks appear minimal.

Are park visitors willing to pay a little more at the entrance gate if the money is used for park improvements? Again, I believe the answer is yes. Time and time again, visitors have expressed their support for increased fees provided that the revenue is used where collected and not diverted for some other purpose devised by Congress. The National Park Service conducted a survey last year which indicated that nearly 83 percent of participating respondents were satisfied with their paid fees, or thought the fees too low.

With the fee demonstration program currently being implemented at parks around the Nation, an additional \$2 surcharge may not be necessary or appropriate at certain parks. Under the bill, those parks could choose to dedicate \$2 per park visitor from current entrance fees toward a bond issue. The latest figures from the National Park Service indicate that revenues from fees doubled in 1998 to \$180 million. This legislation can easily complement the recreational fee program to increase benefits to support our parks and increase the quality of America's park experience well into the future.

I look forward to working with my colleagues and National Parks supporters to ensure passage of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 831

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the "National Parks Capital Improvements Act of 1999".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Fundraising organization.
- Sec. 4. Memorandum of agreement.
- Sec. 5. National park surcharge or set-aside.
- Sec. 6. Use of bond proceeds.
- Sec. 7. Administration.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) FUNDRAISING ORGANIZATION.—The term "fundraising organization" means an entity authorized to act as a fundraising organization under section 3(a).

(2) MEMORANDUM OF AGREEMENT.—The term "memorandum of agreement" means a memorandum of agreement entered into by the Secretary under section 3(a) that contains the terms specified in section 4.

(3) NATIONAL PARK FOUNDATION.—The term "National Park Foundation" means the foundation established under the Act entitled "An Act to establish the National Park Foundation", approved December 18, 1967 (16 U.S.C. 19e et seq.).

(4) NATIONAL PARK.—The term "national park" means—

- (A) the Grand Canyon National Park; and
- (B) any other national park designated by the Secretary that has an approved general management plan with capital needs in excess of \$5,000,000.

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

**SEC. 3. FUNDRAISING ORGANIZATION.**

(a) IN GENERAL.—The Secretary may enter into a memorandum of agreement under section 4 with an entity to act as an authorized fundraising organization for the benefit of a national park.

(b) BONDS.—The fundraising organization for a national park shall issue taxable bonds in return for the surcharge or set-aside for that national park collected under section 5.

(c) PROFESSIONAL STANDARDS.—The fundraising organization shall abide by all relevant professional standards regarding the issuance of securities and shall comply with all applicable Federal and State law.

(d) AUDIT.—The fundraising organization shall be subject to an audit by the Secretary.

(e) NO LIABILITY FOR BONDS.—The United States shall not be liable for the security of any bonds issued by the fundraising organization.

**SEC. 4. MEMORANDUM OF AGREEMENT.**

The fundraising organization shall enter into a memorandum of agreement that specifies—

- (1) the amount of the bond issue;
- (2) the maturity of the bonds, not to exceed 20 years;
- (3) the per capita amount required to amortize the bond issue, provide for the reasonable costs of administration, and maintain a sufficient reserve consistent with industry standards;

(4) the project or projects at the national park that will be funded with the bond proceeds and the specific responsibilities of the Secretary and the fundraising organization with respect to each project; and

(5) procedures for modifications of the agreement with the consent of both parties based on changes in circumstances, including modifications relating to project priorities.

**SEC. 5. NATIONAL PARK SURCHARGE OR SET-ASIDE.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may authorize the Superintendent of a national park for which a memorandum of agreement is in effect—

(1) to charge and collect a surcharge in an amount not to exceed \$2 for each individual otherwise subject to an entrance fee for admission to the national park; or

(2) to set aside not more than \$2 for each individual charged the entrance fee.

(b) SURCHARGE IN ADDITION TO ENTRANCE FEES.—A national park surcharge under subsection (a) shall be in addition to any entrance fee collected under—

(1) section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6a);

(2) the recreational fee demonstration program authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in Public Law 104-134; 110 Stat. 1321-156; 1321-200; 16 U.S.C. 4601-6a note); or

(3) the national park passport program established under title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105-391; 112 Stat. 3518; 16 U.S.C. 5991 et seq.).

(c) LIMITATION.—The total amount charged or set aside under subsection (a) may not exceed \$2 for each individual charged an entrance fee.

(d) USE.—A surcharge or set-aside under subsection (a) shall be used by the fundraising organization to—

- (1) amortize the bond issue;
- (2) provide for the reasonable costs of administration; and
- (3) maintain a sufficient reserve consistent with industry standards, as determined by the bond underwriter.

(e) EXCESS FUNDS.—Any funds collected in excess of the amount necessary to fund the uses in subsection (d) shall be remitted to the National Park Foundation to be used for the benefit of all units of the National Park System.

**SEC. 6. USE OF BOND PROCEEDS.**

(a) ELIGIBLE PROJECTS.—

(1) IN GENERAL.—Subject to paragraph (2), bond proceeds under this Act may be used for a project for the design, construction, operation, maintenance, repair, or replacement of a facility in the national park for which the bond was issued.

(2) PROJECT LIMITATIONS.—A project referred to in paragraph (1) shall be consistent with—

- (A) the laws governing the National Park System;
- (B) any law governing the national park in which the project is to be completed; and
- (C) the general management plan for the national park.

(3) PROHIBITION ON USE FOR ADMINISTRATION.—Other than interest as provided in subsection (b), no part of the bond proceeds may be used to defray administrative expenses.

(b) INTEREST ON BOND PROCEEDS.—

(1) AUTHORIZED USES.—Any interest earned on bond proceeds may be used by the fundraising organization to—

- (A) meet reserve requirements; and
- (B) defray reasonable administrative expenses incurred in connection with the management and sale of the bonds.

(2) EXCESS INTEREST.—All interest on bond proceeds not used for purposes of paragraph (1) shall be remitted to the National Park Foundation for the benefit of all units of the National Park System.

#### SEC. 7. ADMINISTRATION.

The Secretary, in consultation with the Secretary of Treasury, shall promulgate regulations to carry out this Act.

#### ADDITIONAL COSPONSORS

S. 13

At the request of Mr. SESSIONS, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of S. 13, a bill to amend the Internal Revenue Code of 1986 to provide additional tax incentives for education.

S. 14

At the request of Mr. COVERDELL, the names of the Senator from Wyoming [Mr. THOMAS], the Senator from South Carolina [Mr. THURMOND], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Kansas [Mr. BROWNBACK], the Senator from Oklahoma [Mr. INHOFE], the Senator from Arkansas [Mr. HUTCHINSON], the Senator from Colorado [Mr. ALLARD], the Senator from Ohio [Mr. DEWINE], and the Senator from New Hampshire [Mr. SMITH] were added as cosponsors of S. 14, a bill to amend the Internal Revenue Code of 1986 to expand the use of education individual retirement accounts, and for other purposes.

S. 51

At the request of Mr. BIDEN, the names of the Senator from West Virginia [Mr. BYRD], and the Senator from Georgia [Mr. CLELAND] were added as cosponsors of S. 51, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 162

At the request of Mr. BREAUX, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 162, a bill to amend the Internal Revenue Code of 1986 to change the determination of the 50,000-barrel refinery limitation on oil depletion deduction from a daily basis to an annual average daily basis.

S. 172

At the request of Mr. MOYNIHAN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 172, a bill to reduce acid deposition under the Clean Air Act, and for other purposes.

S. 210

At the request of Mr. MOYNIHAN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 210, a bill to establish a medical education trust fund, and for other purposes.

S. 242

At the request of Mr. JOHNSON, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 242, a bill to amend the Federal Meat Inspection Act to require the labeling of imported meat and meat food products.

S. 296

At the request of Mr. FRIST, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 296, a bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes.

S. 317

At the request of Mr. DORGAN, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 317, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence.

S. 333

At the request of Mr. LEAHY, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 333, a bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to improve the farmland protection program.

S. 417

At the request of Mr. MOYNIHAN, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 417, a bill to amend title 28 of the United States Code to bar any civil trial involving the President until after the President vacates office, but to allow for sealed discovery during the time the President is in office.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from Kentucky [Mr. BUNNING] was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 487

At the request of Mr. GRAMS, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 487, a bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals.

S. 511

At the request of Mr. MCCAIN, the name of the Senator from Nebraska [Mr. HAGEL] was added as a cosponsor of S. 511, a bill to amend the Voting Accessibility for the Elderly and Handicapped Act to ensure the equal right of individuals with disabilities to vote, and for other purposes.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from Mississippi [Mr. LOTT], the Senator from Kentucky [Mr. BUNNING], the Senator from North Dakota [Mr. CONRAD], the Senator from South Dakota [Mr. DASCHLE], and the Senator from Delaware [Mr. ROTH] were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 531

At the request of Mr. ABRAHAM, the names of the Senator from Virginia [Mr. WARNER], the Senator from Arizona [Mr. MCCAIN], the the Senator from Hawaii [Mr. INOUE], the Senator from Nebraska [Mr. KERREY], and the Senator from New Hampshire [Mr. GREGG] were added as cosponsors of S. 531, a bill to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 531, supra.

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 531, supra.

S. 542

At the request of Mr. ABRAHAM, the name of the Senator from Oregon [Mr. SMITH] was added as a cosponsor of S. 542, a bill to amend the Internal Revenue Code of 1986 to expand the deduction for computer donations to schools and allow a tax credit for donated computers.

S. 562

At the request of Mr. HARKIN, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 562, a bill to provide for a comprehensive, coordinated effort to combat methamphetamine abuse, and for other purposes.

S. 590

At the request of Mr. FEINGOLD, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 590, a bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines, and for other purposes.

S. 597

At the request of Mr. SMITH, the names of the Senator from Nebraska [Mr. HAGEL], the Senator from Maine [Ms. COLLINS], the Senator from Wyoming [Mr. THOMAS], and the Senator from Texas [Mr. GRAMM] were added as cosponsors of S. 597, a bill to amend section 922 of chapter 44 of title 28, United States Code, to protect the right of citizens under the Second Amendment to the Constitution of the United States.

S. 632

At the request of Mr. DEWINE, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 632, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 635

At the request of Mr. MACK, the name of the Senator from Colorado [Mr. ALLARD] was added as a cosponsor of S. 635, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of printed wiring board and printed wiring assembly equipment.

S. 648

At the request of Mr. KERRY, the name of the Senator from California