Her crime? She told the truth. She told the uncomfortable truth to the United States Congress, as she is required to do by law; and then she was punished for it. She told the truth about what the U.N.'s appalling budget practices are and about massive waste in the United Nations.

For that she has been declared ''enemy number one'' by high officials at the White House, all because she is a whistle-blower.

Whistle-blowers were hailed in the press under Republican administrations, but the outrageous indefensible retaliation against this whistle-blower under this administration has been almost ignored by the press and, of course, by the President's party, a party that used to join Republicans in defending the little guy, the innocent people who suffer at the hand of those who abuse power and exploit workers.

It is an outrage, Mr. Speaker.

## REPUBLICANS HAVE THE BEST AGENDA

(Mr. COOKSEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COOKSEY. Mr. Speaker, what is the Republican agenda? The Republican agenda is the BEST agenda for all Americans.

''B'' is for bolstering the national security. ''E'' is for education excellence. ''S'' is for strengthening retirement security. And ''T'' is for tax relief for working Americans.

Americans, Republicans do have the best agenda. It is a positive, forward-looking agenda that recognizes that our military needs to be given a higher priority in a dangerous world, that our schools need to be improved if our children are going to enjoy a bright future, that seniors need to be protected against the looming Social Security and Medicare crises, and that Americans who pay the taxes should be given tax relief, not more rhetoric about why Washington needs the money.

Bolstering national security. Education excellence. Strengthening retirement security. Tax relief for working Americans. Republicans have the BEST agenda.

## GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous material on the further consideration of H.R. 2466, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). Pursuant to House Resolution 243 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2466.

□ 1039

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, July 13, 1999, the amendment offered by the gentleman from New York (Mr. CROWLEY) had been disposed of and the bill was open for amendment from page 19, line 10, through page 21, line 6.

Are there further amendments to this portion of the bill?

The Clerk will read.

The Clerk read, as follows:

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 384 passenger motor vehicles, of which 298 shall be for replacement only, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $820,444,000, of which $60,856,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $137,674,000 shall be available until September 30, 2001 for the biological research activity and the operation of the Cooperative Research Units: *Provided*, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further*, That the United States Geological Survey may hereafter contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the

purchase of not to exceed eight passenger motor vehicles for replacement only; $110,082,000 of which $84,569,000 shall be available for royalty management activities; and an amount not to exceed $124,000,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided,* That to the extent $124,000,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $124,000,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further,* That $3,000,000 for computer acquisitions shall remain available until September 30, 2001: *Provided further,* That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): *Provided further,* That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further,* That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,118,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; $95,693,000: *Provided,* That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2000 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further,* That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $196,458,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $8,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided,* That grants to minimum program States will be $1,500,000 per State in fiscal year 2000: *Provided further,* That of the funds herein provided up to $18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed $11,000,000: *Provided further,* That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further,* That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further,* That funds made available to States under title IV of Public Law 95–87 may be used, at their discretion, for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further,* That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further,* That, in addition to the amount granted to the Commonwealth of Pennsylvania under sections 402(g)(1) and 402(g)(5) of the Surface Mining Control and Reclamation Act (Act), an additional $300,000 will be specifically used for the purpose of conducting a demonstration project in accordance with section 401(c)(6) of the Act to determine the efficacy of improving water quality by removing metals from eligible waters polluted by acid mine drainage: *Provided further,* That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $1,631,050,000, to remain available until September 30, 2001 except as otherwise provided herein, of which not to exceed $93,684,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $115,229,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2000, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and up to $5,000,000 shall be for the Indian Self-Determination Fund, which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau under such Act; and of which not to exceed $400,010,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2000, and shall remain available until September 30, 2001; and of which not to exceed $58,586,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, land records improvement, the Navajo-Hopi Settlement Program: *Provided,* That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $42,160,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: *Provided further,* That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2001, may be transferred during fiscal year 2002 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further,* That any such unobligated balances not so transferred shall expire on September 30, 2002.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $126,023,000, to remain available until expended: *Provided,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further,* That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further,* That for fiscal year 2000, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further,* That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further,* That in considering applications, the Secretary shall consider whether the Indian

tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further,* That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further,* That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e): *Provided further,* That notwithstanding any other provision of law, collections from the settlement between the United States and the Puyallup Tribe concerning the Chief Leschi school are to be immediately made available for school construction in fiscal year 2000, and thereafter.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $25,901,000, to remain available until expended; of which $25,030,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618 and 102–575, and for implementation of other enacted water rights settlements; and of which $871,000 shall be available pursuant to Public Laws 99–264 and 100–580.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $59,682,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, $508,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations or pooled overhead general administration (except facilities operations and maintenance) shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995.

DEPARTMENT OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $66,320,000, of which: (1) $62,326,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $3,994,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided,* That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further,* That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further,* That Public Law 94–241, as amended, is further amended (1) in section 4(b) by deleting ''2002'' and inserting ''1999'' and inserting after the words ''$11,000,000 annually'' the following: ''and for fiscal year 2000, payments to the Commonwealth of the Northern Mariana Islands shall be $6,000,000, but shall return to the level of $11,000,000 annually for fiscal years 2001 and 2002. In fiscal year 2003 the payment to the Commonwealth of the Northern Mariana Islands shall be $5,000,000''; (2) deleting the word ''and'' at the end of subsection (4)(c)(2); (3) deleting the period at the end of subsection (4)(c)(3) and inserting in lieu thereof ''and''; and (4) in section (4)(c) by adding a new subsection as follows: ''(4) for fiscal year 2000, $5,000,000 shall be provided to Guam.'': *Provided further,* That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further,* That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further,* That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language beginning on page 37, line 23 and ending on page 38, line 13, as follows:

Provided further, that Public Law 94–241, as amended, is further amended (1) in section 4(b) by deleting ''2002'' and inserting ''1999'' and inserting after the words ''$11,000,000 annually'' the following: ''and for fiscal year 2000, payments to the Commonwealth of the Northern Mariana Islands shall be $6 million, but shall return to the level of $11,000,000 annually for fiscal year 2001 and 2002. In fiscal year 2003 the payment to the Commonwealth of the Northern Mariana Islands shall be $5,000,000''; (2) deleting the word ''and'' at the end of subsection (4)(c)(2); (3) deleting the period at the end of subsection (4)(c)(3) and inserting in lieu thereof ''and''; and (4) in section (4)(c) by adding a new subsection as follows: ''(4) for fiscal year 2000, $5,000,000 shall be provided to Guam.''

This language clearly amends an underlying statute, Public Law 94–241, by reducing mandatory payments to be made to the Northern Mariana Islands and authorizes funds for another entity not contemplated in Public Law 94–241. This constitutes legislation on an appropriations bill in violation of clause 2(b) of Rule XXI of the Rules of the House of Representatives.

I ask that the Chair sustain my point of order.

Guam is due the $5 million that is in the present bill for compact impact. This administration should work to fund Guam for this unfunded mandate but not penalize Mariana's covenant funds.

□ 1045

Mr. Chairman, I ask to sustain my point of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. DICKS. Mr. Chairman, I am prepared to concede the point of order.

The CHAIRMAN. Any other Member wish to be heard?

Mr. REGULA. Mr. Chairman, we concede it.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentlemen.

The CHAIRMAN. The Chair is prepared to rule.

For the reasons stated by the gentleman from Alaska, the point of order is sustained and the unprotected proviso is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, $20,545,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $62,864,000, of which not to exceed $8,500 may be for official reception and representation expenses and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $36,784,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $26,086,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $90,025,000, to remain available until expended: *Provided,* That funds for trust management improvements may be transferred, as needed, to the Bureau of Indian Affairs ''Operation of Indian Programs'' account and to the Departmental Management ''Salaries and Expenses'' account: *Provided further,* That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2000, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further,* That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further,* That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least eighteen months and has a balance of $1.00 or less: *Provided further,* That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder.

INDIAN LAND CONSOLIDATION PILOT

INDIAN LAND CONSOLIDATION

For implementation of a pilot program for consolidation of fractional interests in Indian lands by direct expenditure or cooperative agreement, $5,000,000 to remain available until expended, of which not to exceed $500,000 shall be available for administrative expenses: *Provided,* That the Secretary may enter into a cooperative agreement, which shall not be subject to Public Law 93–638, as amended, with a tribe having jurisdiction over the pilot reservation to implement the program to acquire fractional interests on behalf of such tribe: *Provided further,* That the Secretary may develop a reservation-wide system for establishing the fair market value of various types of lands and improvements to govern the amounts offered for acquisition of fractional interests: *Provided further,* That acquisitions shall be limited to one or more pilot reservations as determined by the Secretary: *Provided further,* That funds shall be available for acquisition of fractional interest in trust or restricted lands with the consent of its owners and at fair market value, and the Secretary shall hold in trust for such tribe all interests acquired pursuant to this pilot program: *Provided further,* That all proceeds from any lease, resource sale contract, right-of-way or other transaction derived from the fractional interest shall be credited to this appropriation, and remain available until expended, until the purchase price paid by the Secretary under this appropriation has been recovered from such proceeds: *Provided further,* That once the purchase price has been recovered, all subsequent proceeds shall be managed by the Secretary for the benefit of the applicable tribe or paid directly to the tribe.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380), and Public Law 101–337; $5,400,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided,* That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further,* That no programs funded with appropriated funds in the ''Departmental Management'', ''Office of the Solicitor'', and ''Office of Inspector General'' may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided,* That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided,* That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further,* That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to ''Wildland Fire Management'' shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further,* That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided,* That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members

only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, which includes the areas of: northern, central, and southern California; the North Atlantic; Washington and Oregon; the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude and any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-year Oil and Gas Leasing Program, 1997–2002; the North Aleutian Basin planning area; and the Mid-Atlantic and South Atlantic planning areas.

SEC. 108. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

Mr. SANDERS. Point of information, Mr. Chairman. What page does that go up to?

Mr. DICKS. Fifty-six.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

Mr. REGULA. Reserving the right to object, Mr. Chairman, what is the request?

Mr. DICKS. Just to open up the rest of title I.

Mr. REGULA. Mr. Chairman, after checking, we have no objection.

The CHAIRMAN. Without objection, the bill through title I will be considered as read, printed in the RECORD, and open to amendment at any point.

There was no objection.

The text of the remainder of title I through page 56, line 2 is as follows:

SEC. 109. (a) Employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Secretary of the Interior may pay, the total amount of the severance pay to the employee in a lump sum. Employees paid severance pay in a lump sum and subsequently reemployed by the Federal Government shall be subject to the repayment provisions of 5 U.S.C. 5595(i)(2) and (3), except that any repayment shall be made to the Helium Fund.

(b) Helium Operations employees who elect to continue health benefits after separation shall be liable for not more than the required employee contribution under 5 U.S.C. 8905a(d)(1)(A). The Helium Fund shall pay for 18 months the remaining portion of required contributions.

(c) The Secretary of the Interior may provide for training to assist Helium Operations employees in the transition to other Federal or private sector jobs during the facility shut-down and disposition process and for up to 12 months following separation from Federal employment, including retraining and relocation incentives on the same terms and conditions as authorized for employees of the Department of Defense in section 348 of the National Defense Authorization Act for Fiscal Year 1995.

(d) For purposes of the annual leave restoration provisions of 5 U.S.C. 6304(d)(1)(B), the cessation of helium production and sales, and other related Helium Program activities shall be deemed to create an exigency of public business under, and annual leave that is lost during leave years 1997 through 2001 because of 5 U.S.C. 6304 (regardless of whether such leave was scheduled in advance) shall be restored to the employee and shall be credited and available in accordance with 5 U.S.C. 6304(d)(2). Annual leave so restored and remaining unused upon the transfer of a Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of a lump sum from the Helium Fund for such leave.

(e) Benefits under this section shall be paid from the Helium Fund in accordance with section 4(c)(4) of the Helium Privatization Act of 1996. Funds may be made available to Helium Program employees who are or will be separated before October 1, 2002 because of the cessation of helium production and sales and other related activities. Retraining benefits, including retraining and relocation incentives, may be paid for retraining commencing on or before September 30, 2002.

(f) This section shall remain in effect through fiscal year 2002.

SEC. 110. Notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, hereafter funds available to the Department of the Interior for Indian self-determination or self-governance contract or grant support costs may be expended only for costs directly attributable to contracts, grants and compacts pursuant to the Indian Self-Determination Act and hereafter funds appropriated in this title shall not be available for any contract support costs or indirect costs associated with any contract, grant, cooperative agreement, self-governance compact or funding agreement entered into between an Indian tribe or tribal organization and any entity other than an agency of the Department of the Interior.

SEC. 111. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 112. Notwithstanding any other provision of law, in fiscal year 2000 and thereafter, the Secretary is authorized to permit persons, firms or organizations engaged in commercial, cultural, educational, or recreational activities (as defined in section 612a of title 40, United States Code) not currently occupying such space to use courtyards, auditoriums, meeting rooms, and other space of the main and south Interior building complex, Washington, D.C., the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, and to assess reasonable charges therefore, subject to such procedures as the Secretary deems appropriate for such uses. Charges may be for the space, utilities, maintenance, repair, and other services. Charges for such space and services may be at rates equivalent to the prevailing commercial rate for comparable space and services devoted to a similar purpose in the vicinity of the main and south Interior building complex, Washington, D.C. for which charges are being assessed. The Secretary may without further appropriation hold, administer, and use such proceeds within the Departmental Management Working Capital Fund to offset the operation of the buildings under his jurisdiction, whether delegated or otherwise, and for related purposes, until expended.

SEC. 113. Notwithstanding any other provision of law, the Steel Industry American Heritage Area, authorized as part of Public Law 104–333, is hereby renamed the Rivers of Steel National Heritage Area.

SEC. 114. Refunds or rebates received on an ongoing basis from a credit card services provider under the Department of the Interior's charge card programs may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior's bureaus and offices as determined by the Secretary or his designee.

SEC. 115. Appropriations made in this title under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expenditure or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

SEC. 116. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, hereafter shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the County of Marin and the City of Sausalito. Such areas of Fort Baker shall remain under exclusive Federal jurisdiction.

SEC. 117. Notwithstanding any provision of law, the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National

Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

SEC. 118. Where any Federal lands included in the boundary of Lake Roosevelt National Recreational Area for grazing purposes, pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands shall be entitled to renew said permit. The National Park Service is further directed to manage the Lake Roosevelt National Recreational Area subject to grazing use in a manner that will protect the recreational, natural (including water quality) and cultural resources of the Lake Roosevelt National Recreational Area.

SEC. 119. Notwithstanding any other provision of law, grazing permits which expire during fiscal year 2000 shall be renewed for the balance of fiscal year 2000 on the same terms and conditions as contained in the expiring permits, or until the Bureau of Land Management completes processing these permits in compliance with all applicable laws, whichever comes first. Upon completion of processing by the Bureau, the terms and conditions of existing grazing permits may be modified, if necessary, and reissued for a term not to exceed ten years. Nothing in this language shall be deemed to affect the Bureau's authority to otherwise modify or terminate grazing permits.

SEC. 120. For the purpose of reducing the Indian probate backlog in the Department of the Interior, the Secretary may, notwithstanding any other provision of law, including the provisions of title 5, United States Code pertaining to competition in the appointment process and actions covered by section 7521 of title 5, appoint administrative law judges for such periods of time as the Secretary considers to be necessary.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $204,373,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities, $181,464,000, to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for administrative expenses associated with the management of funds provided under the headings ''Forest and Rangeland Research'', ''State and Private Forestry'', ''National Forest System'', ''Wildland Fire Management'', ''Reconstruction and Maintenance'', and ''Land Acquisition'', $1,254,434,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): *Provided,* That unobligated balances available at the start of fiscal year 2000 shall be displayed by extended budget line item and region in the fiscal year 2001 budget justification.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $561,354,000, to remain available until expended: *Provided,* That such funds are available for repayment of advances from other accounts previously transferred for such purposes: *Provided further,* That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 1999 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.): *Provided further,* That notwithstanding any other provision of law, up to $4,000,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further,* That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

RECONSTRUCTION AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $396,602,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided,* That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: *Provided further,* That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided: *Provided further,* That any unobligated balances of amounts previously appropriated to the Forest Service ''Reconstruction and Construction'' account as well as any unobligated balances remaining in the ''National Forest System'' account for the facility maintenance and trail maintenance extended budget line items at the end of fiscal year 1999 may be transferred to and merged with this ''Reconstruction and Maintenance'' account.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $1,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended*: Provided,* That subject to valid existing rights, all Federally owned lands and interests in lands within the New World Mining District comprising approximately 26,223 acres, more or less, which are described in a Federal Register notice dated August 19, 1997 (62 F.R. 44136–44137), are hereby withdrawn from all forms of entry, appropriation, and disposal under the public land laws, and from location, entry and patent under the mining laws, and from disposition under all mineral and geothermal leasing laws.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 110 passenger motor vehicles of which 15 will be used primarily for law enforcement purposes and of which 109 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed three for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable fleet at 213 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein, pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture, or to implement any reorganization or other type of organizational restructuring of the Forest Service without the advance consent of the House and Senate Committees on Appropriations.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the balance of

the Forest Service section through page 65, line 15 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of the bill through page 68, line 15 is as follows:

Any appropriations or funds available to the Secretary of Agriculture may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions if and only if all previously appropriated emergency contingent funds under this heading have been released by the President and apportioned.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 105–163.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report 105–163.

No funds appropriated or otherwise available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the advance approval of the House and Senate Committees on Appropriations.

Funds available to the Forest Service shall be available to conduct a program of not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408.

Of the funds available to the Forest Service, $1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $1,000,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $200,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: *Provided further*, That hereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of enactment of this Act) on Federal funds to carry out the purposes of Public Law 101–593: *Provided further*, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 3701–3709, and may be advanced in a lump sum as Federal financial assistance, without regard to when expenses are incurred, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the ''National Forest System'' and ''Reconstruction and Construction'' accounts and planned to be allocated to activities under the ''Jobs in the Woods'' program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

The Secretary of Agriculture is authorized to enter into grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute for Conservation, as well as with public and other private agencies, organizations, institutions, and individuals, to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service programs, at the Grey Towers National Historic Landmark: *Provided*, That, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of money and real or personal property for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: *Provided further*, That such gifts may be accepted notwithstanding the fact that a donor conducts business with the Department of Agriculture in any capacity.

Funds appropriated to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River National Recreation Area Act (Public Law 101–612).

No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, $190,000,000 shall not be available until October 1, 2000: *Provided*, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, $359,292,000, to remain available until expended, of which $24,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: *Provided*, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me thank the chairman and the ranking member for constructing a bill on the interior that all of us are very gratified to support. The gentleman from Ohio (Mr. REGULA) knows that last session I talked to him about a monument preserving the legacy of Soujourner Truth, and I hope that we will have an opportunity to raise that issue, although we have not raised it this time around, that we will

continue to keep that vision before us. There is certainly debate as to what kind of monument that should be, but I believe that we will ultimately come to a resolution of that.

I rose and rise in particular to indicate that I had intended to offer an amendment in Title I, but I look forward to working with the gentleman from Ohio (Mr. REGULA) and as well the ranking member, the gentleman from Washington (Mr. DICKS), and, of course, the chairman of the Committee on Appropriations on refocusing on many of our historic areas in urban communities.

For example, in the City of Houston, the fourth largest city in the Nation, we have a community in the 18th Congressional district that is called Town. That is a town that was founded by freed slaves, and I would hope that the parks and recreation provisions would allow us to be able to enhance culturally diverse, historic communities. That is found in Town in Houston and as well in Fifth Ward in Houston.

Fifth Ward in Houston happens to be the birthplace of two of our former colleagues, the esteemed and honored Barbara Jordan and Mickey Leland, now deceased. Those particular communities in the 18th Congressional District have active historic preservation activists who are trying with their own resources to preserve the legacy of our history, in Fourth Ward in particular, Jack Yates, his son, the many historic churches, and as well the legacy of those who fought for the freedom of slaves in America.

In Fifth Ward, in particular, it is characterized as an area where the early entrepreneurs and artisans of the African American community in the State of Texas lodged and resided and in fact developed the first intellectual base and the first middle class. I think it is extremely important that we use the resources Federally to conserve and to protect the history of this Nation.

In addition, let me thank the committee for its work with the National Endowment for the Humanities and the National Endowment for the Arts. It is certainly gratifying not to have an NEA fight this year or an NEH fight this year, although all of us would have liked to have seen more money.

I would hope, and may I just, although the gentleman from Washington (Mr. DICKS), I am surprising him a little bit with this, but may I just inquire, if he would? He has done such a good job, and the same thing with the chairman, and I am not intending to surprise them, but we have had previous conversations on whether or not we have a commitment to preserving our historic communities and working with our historic communities in this Nation. They both have done a good job.

Mr. DICKS. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I have always been a strong proponent of historic preservation and preserving our communities. I would like to think that in my district, Tacoma, Washington, has been a hallmark of that with the Union Station restoration project and many others. We believe in this, and we are very supportive of it

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman very much.

Mr. Chairman, I do not want to put the gentleman from Ohio (Mr. REGULA) on the spot, but we have had conversations before. I know the commitment of his wife; I know the commitment that the gentleman has coming from the historic community that he comes from, and I just like to inquire whether this bill reflects, and maybe, as we move into the next fiscal year, we will be able to engage more of our communities.

But anyhow, reflects a commitment to preserving the historic regions and communities here in the United States.

Mr. REGULA. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I thank the gentlewoman from Texas and would say that we will continue to communicate. We do not know what we will have next year in the way of resources. This year was a pretty tight budget, but obviously we will be very receptive to continued discussion.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman, and let me close by simply encouraging the constituents of my district to work with me as I work with them both particularly in the Fourth Ward and Fifth Ward to secure resources to compliment their efforts in preserving the historic communities of Fourth Ward and the efforts of the Texas Trailblazers that have been so vital to treating the historic places in our community properly and educating our youth and giving respect to those who have gone on before us who have worked so hard for our freedom.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER OF FUNDS)

Moneys received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1999, shall be deposited in this account and immediately transferred to the general fund of the Treasury. Moneys received as revenue sharing from operation of the Great Plains Gasification Plant and settlement payments shall be immediately transferred to the general fund of the Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 2000: *Provided* That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL, LANDS FUND

For necessary expenses in fulfilling the second installment payment under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106, $36,000,000 for payment to the State of California for the State Teachers' Retirement Fund from the Elk Hills School Lands Fund.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $718,822,000, to remain available until expended, of which $25,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: *Provided*, That $153,000,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $120,000,000, contingent on a cost share of 25 percent by each participating State or other qualified participant, for weatherization assistance grants and $33,000,000 for State energy conservation grants.

AMENDMENT NO. 14 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. SANDERS:

Page 70, line 22, after the dollar amount, insert the following: ''(increased by $13,000,000)''.

Page 70, line 25, after the dollar amount, insert the following: ''(increased by $13,000,000)''.

Page 71, line 5, after the dollar amount, insert the following: ''(increased by $13,000,000)''.

Page 71, line 19, after the dollar amount, insert the following: ''(reduced by $13,000,000)''.

Mr. SANDERS. In fact, Mr. Chairman, I have two amendments that I will be offering today on what I consider to be one of the very, very important issues dealt with in this appropriation bill, and that is the issue of weatherization.

□ 1100

It is no secret that all over this country when the weather gets 20 below zero, as in my State, or when the weather gets 120 degrees, as in some of our southern States, that a lot of people, including many senior citizens, suffer terribly because they do not have the resources to adequately warm their homes or, when the weather gets too hot, adequately cool their homes.

A number of years ago, I know the chairman will remember that in the city of Chicago, for example, in a hot weather period we had a terrible disaster where hundreds of senior citizens in that city actually died from heat exhaustion. We are seeing that problem right now as the hot weather hits various parts of our country.

Certainly in the northern States there is no question that cold weather is not only a problem in terms of potentially hurting people, but what the weatherization program deals with is creating a cost-effective approach so lower-income people can have good insulation, good storm windows, good roofing.

Historically what has been shown is the weatherization program is enormously cost-effective and environmentally sound. What sense is it that we have low-income people see their energy go out their windows, go out their doors, go out their roofs, because those homes are not adequately insulated?

Similarly, what sense is it that in those States where the weather becomes very hot and seniors have air conditioners, they lose the coolness in their homes because their homes are not adequately ventilated and adequately insulated?

Unfortunately, the subcommittee has cut funding for weatherization by $13 million beyond where it was last year. The first amendment that I am offering would require that we at least level fund the program.

This amendment that I am offering, as cosponsored by the gentleman from Ohio (Mr. NEY), the gentleman from Wisconsin (Mr. KIND), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Virginia (Mr. BOUCHER), the gentleman from New York (Mr. ACKERMAN), the gentleman from Ohio (Mr. BROWN), the gentlewoman from New York (Ms. VELÁZQUEZ), and the gentleman from New York (Mr. MCNULTY), this amendment is simple and it is straightforward. It would simply increase the highly successful and cost-effective weatherization assistance program by $13 million to its fiscal year 1999 level, and reduce the Strategic Petroleum Reserve account by the same, $13 million.

The Senate level-funded this program at $133 million. The President had requested $154 million for this important and much needed program. Unfortunately, as I just mentioned, the committee chose to cut funding for last year by $13 million, from $133 million to $120 million. This amendment level funds the program and brings it up to the level provided by the Senate. That is all we are asking to do.

Let me quote from a letter of July 13 from Bill Richardson, Secretary of Energy:

> In this time of economic prosperity, it is questionable for Congress to target a program that helps a population with the greatest need and the least resources. We are also disturbed that Congress would act,

and now I am talking about the next amendment that I am going to offer, which we are really concerned about, as well,

> That Congress would act without being provided a more thorough analysis of the impact of the proposed action, without public hearings, and without the opportunity to hear from the States and the people affected.

What Mr. Richardson and the Energy Department are talking about is another amendment that came from the committee which I think has disastrous consequences which would require a 25 percent matching fund from the States.

Let me go back to the letter from the Secretary:

> The administration is strongly opposed to a reduction in weatherization assistance program funding and to the legislative language that would change the distribution criteria for the program by requiring about $30 million in State cost share. Under the committee language, no State would receive its formula share of the weatherization assistance program's appropriation in fiscal year 2000 unless it provided 25 percent in State matching funds.

So Mr. Chairman, the two amendments that we are dealing with are, number one, to restore funding for the very successful weatherization program to the level fund that it had last year, to be put where the Senate is.

The CHAIRMAN. The time of the gentleman from Vermont (Mr. SANDERS) has expired.

(By unanimous consent, Mr. SANDERS was allowed to proceed for 2 additional minutes.)

Mr. SANDERS. Mr. Chairman, the second amendment would question and challenge what the committee has done in requiring that the States provide a 25 percent match.

The bottom line here in terms of the weatherization program is that it is cost-effective. It is environmentally sound. What sense does it make to have low-income people put money into their heating bills, into their electric bills, and see the energy go right out the door?

So what the weatherization program has done, which has been very successful, is allow lower-income homes all over the United States of America to have decent insulation, storm windows, decent roofing to retain the heat or to keep their homes cool.

So this is a sensible program. It is a program that has worked. What we are asking in this particular amendment is to restore the funding that has been cut, to raise the funding by $13 million, and to allow us to have the level funding that we had from last year and the funding that the Senate has provided.

This is not as much as the President has asked for, but, at the very least, we should level fund this very important program, which is very important to so many lower-income families throughout the United States.

The CHAIRMAN. The time of the gentleman from Vermont (Mr. SANDERS) has expired.

(On request of Mr. REGULA, and by unanimous consent, Mr. SANDERS was allowed to proceed for 2 additional minutes.)

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I would ask the gentleman, has he checked with Secretary Richardson as to whether or not he agrees that this money should be taken out of SPR? Because I know that he has advised us that he wants to add oil to SPR, rather than to take it out.

The gentleman's money deals with the operation of the SPR account, but we are already short there. The pumps are not working properly. My question is, has Secretary Richardson endorsed the idea of taking money out of SPR?

Mr. SANDERS. To the best of my knowledge, he has not. On the other hand, let us be very clear that Secretary Richardson in this letter makes it very clear that he does not want any cuts in the weatherization program, and he is very strongly opposed to the matching 25 percent proposal that came out of the committee.

So I am not here to tell the gentleman that he has endorsed taking money from SPR. On the other hand, what this letter tells us is that he does not support the cuts that the committee has brought forth.

Mr. REGULA. If the gentleman will yield further, and I will mention this on my own time, but what we are trying to do is get more money into weatherization, but we feel the States ought to participate in this program.

Mr. SANDERS. I understand. That is the second amendment that we have. This amendment deals with the $13 million.

The gentleman would not be kind enough to agree with my amendment and restore the $13 million so we could begin with the next debate, would he?

Mr. REGULA. Not at the moment, no.

Mr. SANDERS. The bottom line here on this amendment, and there should not be confusion, there are two separate amendments, this one simply restores the House's contribution to level fund where it was last year, to match where the Senate is, and all of this does not go as far as the President appropriately wanted to go.

The bottom line is that we should not be cutting back on a very much needed program, on a cost-effective program that keeps many Americans, including senior citizens, warm in the wintertime and cool in the summertime. We do not want to see another occurrence of where elderly people are dying because they cannot afford to maintain their apartments to be cool or to be dying when it gets to be 20 below zero.

The CHAIRMAN. The time of the gentleman from Vermont (Mr. SANDERS) has expired.

(On request of Mr. REGULA, and by unanimous consent, Mr. SANDERS was allowed to proceed for 2 additional minutes.)

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Ohio.

Mr. REGULA. As the gentleman understands the costs, and I think this would be part of what the gentleman outlined, the costs are in LIHEAP. They would only be addressed with LIHEAP.

Mr. SANDERS. Not really, I would say to the gentleman.

Here is the problem. I understand LIHEAP very well, and am a strong supporter of LIHEAP. But here is the problem, Mr. Chairman. As I am sure

the gentleman knows, LIHEAP helps people pay their energy bills. But what is the sense of helping somebody pay their energy bills if their energy costs are going to be much higher because their homes are poorly insulated? So the two issues really are very directly related.

Mr. REGULA. I would point out to the gentleman that in the LIHEAP program, 15 percent of that goes for the weatherization programs, in addition to paying the bills. So it is a double dip in a sense, the weatherization program.

Mr. SANDERS. I know the chairman has financial constraints. I do know that. The gentleman has to balance a whole lot of priorities. I appreciate that very much.

However, I think the gentleman would not disagree with me that if we help the lower-income senior citizens with LIHEAP to adequately heat their homes, their electric bills are going to go up because their energy is going out the door and out the roof, would the gentleman not agree with that?

Mr. REGULA. That is true. What we are trying to do, and would agree to, in a way, to help these people, would be to agree to level funding but keep the requirement that the States put in the 25 percent, which of course would mean that there would be another $28 million available for the program.

It would seem if the States believe in this, and they administer it, and they are all in a budget surplus position, that they would want to do this.

Mr. SANDERS. That takes us to the next amendment.

Mr. REGULA. I understand.

Mr. SANDERS. I appreciate where the gentleman is coming from. The problem is, without getting into that argument right now, that the gentleman I think will acknowledge that there have been no hearings, no real discussion, no input from the States.

The CHAIRMAN. The time of the gentleman from Vermont (Mr. SANDERS) has expired.

(By unanimous consent, Mr. SANDERS was allowed to proceed for 2 additional minutes.)

Mr. SANDERS. I think we have heard from a number of the States that say, we have not heard about this. We do not know if we can participate in the program.

So at the very least, I would have thought that there needed to be hearings and input from the States that were going to be affected by this.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we have not heard from the States. It has been on the table for quite some time. I do not think it is something that is being brought up at the last minute.

I think it is certainly in keeping with the State-Federal partnership, and again, I would emphasize that under what I have proposed here, which would be to accept the gentleman's first amendment, level fund it, and keep the 25 percent requirement, which would give them another $28 million, and when the States are in surplus and the needs are, as the gentleman outlined, very substantial, and since they administer the programs, they should know where they can best use that funding.

Mr. SANDERS. I thank the gentleman for his kind offer. I cannot accept it at this time because I think the administration is correct in expressing very serious questions about that 25 percent at this point. I am going to have to go forward with both amendments.

Mr. REGULA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to say to the gentleman, I understand the gentleman's concerns. We likewise have a concern. We feel that we have a responsible way to address this situation by saying that in view of the fact that we have so little money to work with in terms of our responsibilities under this bill. As I mentioned yesterday, we had over 400 letters, more than 2,000 requests, and we have had tried to balance it out in every way possible.

So what we have proposed was a very small reduction, relatively, in the weatherization program and give the States the ability to match with a 25 percent amount on their part. I think that is a very responsible way to do this. They match in Medicaid. They match in a number of the other programs that are part of our social support system. I see no reason they could not match on this one at least 25 percent. I think the percentage in Medicaid is higher than that.

Plus, if the States were putting money in, I think they would do a more efficient job of administering the program. They would be stakeholders, and they would perhaps make a greater effort to ensure that the monies would be spent wisely.

On balance, what we have proposed in the combination of a slight reduction plus the 25 percent match would increase the program $17 million over level funding, and this would be an increase of about $28 million or more over the bill number.

So I hope that the Members will give this some thought, because I know that States always want to get in, and it is nice to get the free money. But we have a Federal responsibility. We have a responsibility to a whole host of things, parks and forests and just dozens of things. Therefore, I think the States should certainly take some measure of responsibility in this.

Mr. Chairman, I would have to oppose the amendment, in the absence of making an agreement to not offer the second amendment on the 25 percent match, because I think the two fit together.

Overall we are saying, in effect, we want the States to have more money to spend in weatherization, to increase the program, but that they at least take a reasonable share of the cost. I do not think that is asking too much of the States.

In the absence of that, we would have to oppose this amendment because, of course, to take the money out of the administration of the SPR account does not make good policy at this juncture. Right now we are in good shape on energy, but a few of us remember the late seventies when we were not so good. We have created SPR, Strategic Petroleum Reserve, to give us energy independence.

To take money out of that account which is designed to administer the SPR program, to make sure the pumps are working, it is not much value to have these millions of barrels of oil in the ground if we cannot pump it out in the event of a crisis or in the event of a shortfall.

□ 1115

In my judgment, the fact there is an SPR has probably helped avoid another OPEC blackmail because those who would do something of that type of action again know that we do have a means of responding. We do have a reserve. Something like 60 days worth of oil. And I think it would be a grievous policy mistake to not allow us to keep those facilities in operating condition.

Secretary Richardson advised our subcommittee that he wants to put more oil in the SPR reserve to give us a greater energy independence. We see how volatile the events are in the Balkans where, of course, as well as the Middle East; and I hope the Members will weigh carefully taking money out of an account that is very important to our energy security.

We are spending $265 billion to have security with airplanes and tanks and so on. But if we do not have petroleum, we do not have much security; and, therefore, I would urge Members to vote against this amendment unless we can work something out to establish a requirement for the States to participate.

Let me point out again that the States at this point, 50 States, it was 49 last year, have surplus balances and $28 million would be a very small amount spread over the 50 States for them to contribute. And I again have to emphasize that if the States are administering the program, they are responsible for it, at the very minimum they should be participating.

We hear a lot about partnerships today. That word is used repeatedly on the floor of this House.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(By unanimous consent, Mr. REGULA was allowed to proceed for 1 additional minute.)

Mr. REGULA. Mr. Chairman, this is a classic example of making the States partners. We are not saying 50 percent. We are saying 25, so we can preserve the security of SPR which is very important to all the States and very important to all the people of this Nation.

I can remember in the late 1970s when I had businesses that closed their doors because they did not have hydrocarbons. I can remember the long lines at the gasoline stations. That is why we have a SPR. Let us not tamper with that when the States could very easily contribute to weatherization to help people with these problems.

Mr. Chairman, I urge my colleagues to vote against this amendment and against the subsequent amendment that would take out the provisions that the States contribute 25 percent.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, just for clarification purposes, there are two separate amendments. The amendment that we are discussing now is the cut of $13 million below level funding. The next amendment is what the gentleman was talking about, this 25 percent. And I know the relationship between the two.

Mr. REGULA. Mr. Chairman, reclaiming my time, the gentleman is correct. It would be two votes unless it is worked out. Regardless, it would be two votes. One is to restore the $13 million to bring it to fiscal year 99 level. The other vote will be on the question of whether States should contribute 25 percent of the costs.

Mr. KIND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today as a strong supporter and a sponsor of this amendment.

First, I would like to thank my colleagues and especially the gentleman from Vermont (Mr. SANDERS), my good friend, for the work that they have done on this measure for continued support of the weatherization assistance program.

Mr. Chairman, my district in western Wisconsin experiences some of the coldest winters and some of the hottest summers in our Nation. Oftentimes, the poor, elderly and disabled cannot afford the high home energy costs associated with these conditions. It is critical that we help them withstand the seasons by reducing these costs through various home improvements. The weatherization assistance program does just that.

The program is of particular interest to me, since the first weatherization assistance program in the Nation was launched in western Wisconsin back in 1974. Mr. Chairman, 25 years later, between April, 1998, and March, 1999, 505 households in my district, or roughly 13 percent of the entire State's total, were weatherized.

To give this issue a human face, this means roughly 1,600 of my constituents no longer have to choose between buying food and buying fuel.

To humanize this a little bit further, I would like to read a letter that was sent recently in regards to the weatherization program from a person from Boyd, Wisconsin, a constituent of mine, and I quote:

> I want to take this opportunity to thank each and every one of you for your part in the wonderful blessings that I received this year. What a change in luck for someone disabled. My heating and cooling bills immediately went down quite noticeably. This in turn made quite an impact on my ability to live on my budget, and a noticeable effect on my health! I am now able to better afford enough warmth to alleviate some of my chronic pain. Also, I think this infusion of goodwill aided me in escaping the grip of serious depression, which I had battled with for many years. Now I have even been able to handle some part-time work.
>
> This is what you did for me: Insulated the entire attic to a high R value; installed numerous outdoor vents: Roof vent, a bathroom fan/light and vent, dryer vent, and a cook top vent; replaced my gas furnace and added a fresh air intake for it; insulated the basement box sill and filled the cement block tops with foam.
>
> All this was done, and more. And was done with a smile. Now I have a smile, too. Thank you from the bottom of my heart.

Mr. Chairman, here is another letter that was sent from a 75-year-old woman back in western Wisconsin in which she writes:

> A million thanks to Roger and the other young fellows who helped snug up our 100 year old house. It was toasty warm last winter and is improved in many other ways, too. This 80 acre farm was given to an 1812 war veteran and the deed was signed by Abraham Lincoln, so we appreciate the history of it and treasure our old house, but it used to be pretty cold in the winter. But now I believe it is good for another hundred years thanks again to Westcap.

Mr. Chairman, this amendment simply levels funding for the weatherization assistance program at the fiscal year 1999 level. In fact, the Senate appropriation committee has already taken the lead on this matter, reporting $133 million in the weatherization fund for the next fiscal year.

Finally, I am pleased that this amendment is fiscally responsible. My colleagues and I have identified an offset that transfers $13 million from the Strategic Petroleum Reserve. I understand there is some controversy in regards to that reserve program and last year Congress agreed to build our Nation's oil reserve. But this offset would merely slow down the purchase of less than 2 hour's worth of oil supply in that strategic reserve.

Mr. Chairman, I urge my colleagues to support this vital amendment which has been endorsed by the Department of Energy. And I happen to agree with the gentleman from Vermont that without hearings and input from the States in regards to the 25 percent cost share we are going to be taking many of those States by surprise. And, unfortunately, I think the ultimate adverse impact is going to fall on people like the two who just wrote letters expressing their appreciation for the program.

I would encourage my colleagues to think seriously before agreeing to this cost share with the States. Without extensive hearings and without more in-depth input from the States on whether to move to a 25 percent cost share, which I am not philosophically opposed to, but doing so with the speed that is being contemplated, may leave some people who need this assistance out in the lurch in the coming fiscal year. So I would ask my colleagues to support both of the amendments offered.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. KIND. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, let me point out that this amendment does not go to the question of filling the Strategic Petroleum Reserve. It goes to the question of operating it, to keep the pumps operating. It is very expensive to be ready to go if there is a need.

And I would also point out that the supply goal we set in the 1970s when we created SPR would be a 90-day supply. It is down to 60 days at this time. To the credit of Secretary Richardson, he has worked out I think a rather imaginative solution whereby he is taking the government's share of revenues in oil and putting it in SPR. And part of this is to replace what was sold in order to meet a crisis.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. KIND) has expired.

(On request of Mr. REGULA, and by unanimous consent, Mr. KIND was allowed to proceed for 1 additional minute.)

Mr. REGULA. Mr. Chairman, if the gentleman would continue to yield. I think that we should not be tampering with SPR because, if we have another crisis, that is going to be a vital part of our energy independence and, therefore, our Nation's defense. If we cannot pump it because we have not provided the money to keep the equipment operating, one can understand the problem.

Mr. Chairman, let me also point out that Wisconsin has a $6 million surplus this year, and I would think that they would want to help take care of the needs that the gentleman has outlined.

Mr. KIND. Mr. Chairman, reclaiming my time, I am not philosophically opposed to the cost sharing. I am a supporter of SPR as well. If the gentleman from Ohio (Mr. REGULA) would be willing to help us find other offsets to get the funding up to fiscal year 1999 levels, we would be happy to work with him on that.

Mr. REGULA. Mr. Chairman, we have an offset. It is the 25 percent the State will put in.

Mr. KIND. We have been around that block already.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to share my concern of the impact of this amendment. I share the goal of the gentleman from Vermont (Mr. SANDERS) and the gentleman from Wisconsin (Mr. KIND) for funding this program. I support full funding of this program. And I personally think we need to step back and look at the big picture.

The gentleman from Ohio (Mr. REGULA) and those who came up with this

idea, and we will give the credit to the staff, are pretty creative. I come from State government, 19 years. I served in Pennsylvania State government up to 3 years ago. My own State currently has a $750 million surplus from last year and over a billion dollars in their rainy day fund. I would prefer to see them there than where they were a few years ago with a billion in the hole under different leadership.

States will step up and I think it is ingenious to bring them into this issue because State governments in the areas that use this program, lobby us very effectively. If they are really serious about this issue, they will pay one-fourth of the fund; and they should. They administer the program.

I have had the privilege of serving in local government, in State government, and now in Washington. I have always found that we serve people best when we work as a team. And when we can put the State government together with the Federal Government on this issue, in my view we have strengthened the program long term.

I find it quite confusing that the first amendment we have is to bring it up to level and then the second amendment says take away the 25 percent the States should give. Now, that will reduce the total number available. If the same gentlemen are successful twice, we will have 15 percent less money for weatherization and for fuel assistance than we do if we defeat them both.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I think we both recognize that the problem that we have is we do not have enough money to do all of the things that we would like to do. The gentleman is not hearing me argue against SPR. We are arguing priorities.

The gentleman will not deny that there were no hearings on this important issue. And I know that the gentleman cannot tell us with certainty, because it is not the case, that all 50 States are prepared to put in their 25 percent. And the gentleman cannot tell us, I know he cannot because nobody can, that there are not perhaps a number of States who for a variety of reasons will not participate and that a lot of low-income people will be hurt as a result.

Mr. PETERSON of Pennsylvania. Mr. Chairman, reclaiming my time, my experience in State budgets, when we can get $3 for every $1 we spend, we seldom miss that opportunity, no matter what issue we are dealing with. When I was at the State level for 19 years, when we could get $3 for $1 of investment, we make that investment. And it is in the States where it is needed. It is where the public pressure is, where these same groups that are lobbying us will be lobbying them and they will be successful.

This is an ingenious idea. We should go forth.

But I want to go back to the issue of where we are taking the money, and that is even of greater concern. This Congress in my view has been far too uninterested in the energy future of this country. And when the rubber hits the road, again we will have energy prices to heat our homes that will double and triple. Then we will be looking for all kinds of LIHEAP money.

We need to get our focus on our future energy needs for this country, and we need to sort out the environmental issues and all the reasons why we cannot drill for oil and dig for coal, and we do not have a secure in-house energy solution for down the road. And I believe we have blinders on because of cheap energy prices. We are only going to have a 60-day supply. The oil that is being put in the reserve, the money that we are taking is not for buying oil. It is for replacing the pump. It is for the maintenance of a very complicated system of storage. And we have cut them 30 to 40 percent in the last 4 years. Now we are cutting them again because we do not understand what they do and what it costs.

Mr. Chairman, I think it is vital that we do not take $13 million from the reserve and for the operation of the reserve. If Congress was doing what it ought to be doing, we would be filling the reserve for the future of American citizens, having at least a 90-day supply of oil that we are so dependent on to get us through the next crisis. I think it is a tragedy.

□ 1130

I was shocked when I came here 2 years ago and found out we were selling from the reserve $30 oil for $12 to fund the reserve. That has stopped, and I commend those who stopped that. But cutting this program is one of the most inappropriate programs for the future of energy availability and affordability. Long-term, we are going to lose.

Mr. RAHALL. Mr. Chairman, I move to strike the requisite number of words.

(Mr. RAHALL asked and was given permission to revise and extend his remarks.)

Mr. RAHALL. Mr. Chairman, I rise in support of the amendment to restore funding to the Department of Energy Weatherization program.

The Interior appropriations bill calls for a reduction in $13 million in this program. What is worse, it calls for a 25 percent State matching share in order for them to receive weatherization grants in the future.

As has already been mentioned, I am not aware of any legislative hearings that have been held on this. It is a rather unique approach and first-time-ever approach to this type of funding.

A State matching share for obtaining Federal weatherization grants has never been required in the past and, in my opinion, should not be required in the future. One of the amendments that the gentleman from Vermont (Mr. SANDERS) is offering today will strike that provision from the Interior appropriations bill.

Including this mandate in H.R. 2466 is legislating on an appropriations bill and should be stricken from the bill.

The President has requested increased funding for weatherization, not a cut.

This is a program that delivers energy savings of 30 percent and returns $2.40 for every Federal dollar spent in energy, health, safety, housing, and related benefits. More important, these weatherization funds go mostly to low and moderate income senior citizens and to families to help them lower their heating bills in dead winter.

Mr. Chairman, fewer than 10 States currently appropriate funds for weatherization purposes. But a vast majority of States have worked hard over the years to leverage other funding, including substantial private contributions, as their share of the energy conservation responsibility, assisting the poorest of our populations.

If the States are now required to match Federal weatherization grants by 25 percent, more than 40 States, including my home State of West Virginia, will lose substantially.

Weatherization grant funds save energy, and they provide a safe and healthy environment for low income, elderly, and poor families with children.

I urge my colleagues to vote for these amendments. Vote to restore the $13 million in funding, and vote to strike the 25 percent State match requirement being added to the national weatherization program.

Let me close by reiterating, Mr. Chairman, that these weatherization grants serve the elderly and the poor, enabling those who live in substandard housing to reap the benefits of energy-efficient homes and life-saving warmth in cold weather months.

I say support the Sanders amendment.

Mr. Chairman, I yield to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I thank the gentleman from West Virginia (Mr. RAHALL) for yielding to me, and just concur with everything he said.

I simply make a point that I think it is important to hear this. Number one, there were no hearings on this idea, so we do not know what the long-term implications are. It is one thing to say, oh, all the States will jump on to this program, but that is not the case.

In fact, what we do know is that the National Association of State Energy Officials did a survey in response to a July 1, 1999 survey. Most States have indicated for a variety of reasons, given the short notice that they received, that they cannot meet this new 25 percent State match requirement. I have a list of those States that said that they cannot.

So I would say this, the major argument, whatever the long-term wisdom

or lack of wisdom is, that to just suddenly go ahead without informing the States I think will be a disaster. I think the gentleman from West Virginia (Mr. RAHALL) is absolutely right.

Mr. RAHALL. Mr. Chairman, I thank the gentleman from Vermont for his comments, and I want to commend him for the leadership he has shown on both of these amendments and hope that the House in its wisdom will accept both of his amendments.

Mr. WAMP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I certainly do not expect to take issue with the benefits of weatherization. As a member of the subcommittee, I can assure my colleagues, we all support the benefits of weatherization.

But what I would like to point out is that, over the course of yesterday and today, there seems to be a propensity here in the process on the floor to somewhat override this process of our subcommittee and full committee reporting a bill out to the House, and then every single amendment that comes up, enormous lobbying takes place from the outside.

Winston Churchill once said, ''This is the worst form of government imaginable except for every other.'' What he meant was that it is sometimes messy and sloppy, but this business of electing people to represent us, sending them up here to educate themselves on the issues and participate in this committee process is a beautiful thing.

The members of our subcommittee have studied these issues extensively. From the parks to the lands to these energy issues, extensively, these subcommittee members have studied these issues. Not once did this issue come up at the subcommittee with Democrats and Republicans or at the full committee as the Committee on Appropriations reported these bills out to the floor.

I understand that the gentleman from Vermont (Mr. SANDERS) believes a hearing could have been held. But I know what the States are going to say, and I know that the States will constantly say: we cannot do it. We cannot do it. We cannot do it.

But then they come to us and say we want every dime of the tobacco money, and I am all for saying so. I know they want a variance here and they want a variance there and they want to be able to come up with new programs and initiatives. Most of the time, we accommodate them. But the States have had a really good run.

Our subcommittee and our full committee took a hard look at this issue, and I would suggest that what happened yesterday here in this body is not good for the American people.

Here is what happens: members come across the parking lot or through the halls, and they are inundated by these outside groups who have an agenda of their own. Most of the time, it is to raise more money for their groups.

These groups hire these people, most of the time. They are attractive young people that will appeal to the Members coming to the floor to vote; and they hand out all this propaganda, ''This is how we want you to vote.''

Members come down here, and they vote based on the propaganda that was just handed to them instead of recognizing the subcommittee studied the issues. We did have hearings. We did have markups. We have been meeting all year. We have traveled to the parks. We studied these issues. By george, this did not just come out of the sky. This is a complicated puzzle.

We have got $14.1 billion and a whole bunch of priorities, and we have got to somehow make it work. This is not arbitrary. It is very scientific.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. WAMP. I am happy to yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I happen to be a supporter of the subcommittee and committee process. I know that they do a whole lot of work. The gentleman from Tennessee (Mr. WAMP) is not suggesting, of course, that we should eliminate the amendment procedure in the House. He is not suggesting that. He is not suggesting, for example, that there is a problem when a radical change to an effective program takes place and we do not involve the States in the process.

It is not fair, I think, in all due respect, to say, oh, we know what the States would say. Let them say it. Let them tell us what will happen if we require a 25 percent input next year. I think they should have been having that discussion.

Mr. WAMP. Mr. Chairman, reclaiming my time, it is not a radical idea that the States and the Federal Government should participate and both meet an obligation to the people. It is a radical idea that the Federal Government has to do everything in this country. It is a radical idea that all decisions are made in Washington, all the money is collected from Washington, and the States cannot meet their respective obligation.

I appeal to Members, recognize that we have done our job, we put this puzzle together, and quit cutting it into little pieces based on what propaganda is handed to them on the floor.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Sanders amendment. I agree with those who have debated and those who have discussed that it is very difficult to get too many things out of too little money. But I have always been told that the greatness of a society is known by how well it treats its old, how well it treats its young, and how well it looks after those who have difficulty looking after themselves.

When we talk about restoring the $13 million to the weatherization program, we are actually talking about providing resources, in many instances, to the neediest members of our society.

I come from a congressional district where there are 175,000 people who live at or below the poverty level. I come from a congressional district where there are large numbers of elderly, where there are large numbers of children. I also come from Chicago, the home of the hawk, the Windy City, one of the coldest areas that one will experience during winter, one of the hottest areas that one will experience during summer, and an old city, a city where many of the buildings were constructed, many of the homes were built 100 years ago, and so the energy easily escapes the building.

The weatherization program has been one of the most effective programs that we have had. It has provided an opportunity for people to experience warmth in the winter and for senior citizens to have a little bit of relief during the summer.

I know the difficulty, and I will agree with those who suggest that we have to balance small amounts of money. But I would implore this body to follow the dictates of the idea that, when we help those most in need, we are doing the work of the Master.

I urge support for the Sanders amendment.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. REGULA. Mr. Chairman, I would make a couple of points. One, this is not a LIHEAP. LIHEAP provides the financing for the programs and also provides 15 percent of the money, and LIHEAP goes to weatherization.

Number two, this amendment would take money out of SPR. I want to emphasize that because we have SPR to give us energy independence. There will not be any heat for anybody if we do not have oil. Having oil, I believe, prevents OPEC blackmail.

I think it is a big mistake to erode the SPR program at this point by not providing the money to properly maintain the equipment. That is exactly what would happen if this amendment were to pass. We will have less money. We already are on the low side on the maintenance of the SPR, and this would be very damaging to that fund.

So I think that Members, in making their decisions on this vote, ought to remember that they have to look at the total picture. It may sound good to put money back into the weatherization program, but in the process, we are denying this Nation a greater potential for energy independence.

Some of us here remember the 1970s, probably quite a few. We do not want to repeat that. We want to have a sense of security that SPR gives us. Again, I thank Secretary Richardson's program. He wants to bring the supply up to 90 days. That is all the more reason that this equipment has to be maintained in first-class condition.

A vote ''yes'' will be very damaging to the SPR equipment. A vote ''no'' will preserve the program we have to maintain and keep it up to first-class conditions.

Mr. SANDERS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentleman from Vermont is recognized for 5 minutes.

There was no objection.

Mr. SANDERS. Mr. Chairman, I just want to clarify again what might be a complicated issue to the Members. There are two separate amendments. This amendment would restore the $13 million that the committee cut and would bring funding to the same level that has been proposed by the Senate and to significantly less than the administration proposed. That is what this amendment is about.

The next amendment we will debate is the proposal to provide a 25 percent offset from the States.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I am happy to yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, the gentleman from Vermont will agree, though, as a point of clarification, that the $13 million will come out of SPR.

Mr. SANDERS. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

AMENDMENT NO. 15 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. SANDERS: Page 71, beginning on line 5, strike '', contingent on a cost share of 25 percent by each participating State or other qualified participant.''

Mr. SANDERS. Mr. Chairman, in many ways we have already touched on this particular amendment. This is a second amendment. What this amendment deals with is a new proposal that came out of the committee that would do the following: what this proposal would do is say to any State in the country that wants to participate in the very successful weatherization program that they must come up with a 25 percent match.

□ 1145

And if they do not come up with that match, they will not participate in the program. There is no debate that that is what the committee is proposing.

Now, the objections to this are many. For a start, the very serious objection is that this proposal comes before us today without any hearings. We have not heard from the States. We talk about trying to improve Federal-State relations and yet we are imposing a significant mandate on the States which they have never had in the history of this program, and yet no one has bothered to ask the governors or the people who are in charge of the energy departments of the various States what the impact will be.

Within that regard, let me mention to my colleagues that in July of 1999, recently, a survey was done by the National Association of State Energy Officials, these are the people that implement this particular program, and what they found was that most States have indicated that they cannot meet this new 25 percent State match which has suddenly been imposed on them. The following 23 States have said that they will not be able to match 25 percent of the weatherization funds and that they will not be able to apply for the fiscal year 2000 funds.

This is the result of a survey done by the States, and I presume they are trying to develop and improve Federal-State relations: Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Iowa, Louisiana, Maine, Michigan, Nebraska, New Hampshire, New York, North Dakota, Pennsylvania, Rhode Island, Tennessee, Texas, Utah and West Virginia. They have said, for a variety of reasons; maybe their legislature is out of session; maybe they are unable to debate this at the appropriate time.

Now, it seems to me to be extremely unfair to those States and other States, to the lower-income people, to the senior citizens in those States, that suddenly out of nowhere this very cost-effective, successful program will not be able to be implemented in their States. And this is my fear, and nobody can answer this question, because there have been no hearings on this question, what happens, for a variety of reasons, when 10 States say we choose not to participate in that program? The chairman cannot tell me that that is an impossibility. Nobody can because we do not know.

Now, my fear is twofold. If 5 States or if 10 States say we cannot participate in the program, tens of thousands of low-income people will not be eligible to participate in this cost-effective program.

Secondly, this is what will happen in years to come, and I think the gentleman understands this, that if 10 States do not participate in the program, somebody will come before the Congress and say, ''Listen, why are we funding a program when we have 10 or 15 States who are not participating? Who needs this program? Let us end this program.''

I believe this is a good, cost-effective and important program. Low-income people spend a substantial part of their limited income on energy. It makes no sense to our State as a whole and to the individuals to see energy dissipate through the windows, through the doors, through the roofs because homes are not adequately insulated. And in some cases, and people may not recognize this, this is a life and death issue.

Our friend and colleague from Chicago got up here and talked passionately about the issue. He will remember, as we will all remember, that a number of years ago hundreds of elderly people in the City of Chicago died from heat exhaustion. They died from heat exhaustion. The President has made mention that people are dying today from that problem. This is not a program we want to cut.

So I simply say to my good friend, I do understand the difficult problems we have balancing this program with that program. But we have a program that has worked, that has been cost-effective, and we have not gone out to the States.

And let me read something, if I might, to the gentleman. This is a letter that comes to me from the Governor of West Virginia, and he states that, ''With the considerable demands for the limited State funds available, I doubt that West Virginia would be able to meet the match requirement.''

In the State of Oregon, the energy program manager writes, ''If the United States House of Representatives is successful in requiring a 25 percent match in order for States to be awarded low-income weatherization assistance program funds, then Oregon, and perhaps many other States, will not be able to assist the economically disadvantaged with Department of Energy WAP funds.''

The CHAIRMAN. The time of the gentleman from Vermont (Mr. SANDERS) has expired.

(By unanimous consent, Mr. SANDERS was allowed to proceed for 1 additional minute.)

Mr. SANDERS. In a July 9, 1999, letter, the Georgia Environmental Facilities Authority writes, ''The record shows we already are making a significant commitment to this program and an additional 25 percent match is unnecessary.''

We are hearing this from States all over the country. If my colleague thinks this is a good idea, then I think it should go through the normal process. My friend over there talked about the normal process. Take it through the authorization committee, debate it, have input from the States, and if people feel that it works, then we may want to go to it. I have my doubts about it. But to suddenly spring this on the States, with the result I think a number of States will not be able to participate in this important program, is wrong; and I would strongly ask for support of the Sanders amendment.

Mr. REGULA. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Just let me say there is never a right time for anything, but if there is a

right time, this is it. I think it is about time that the States take some responsibility.

We have federal-state partnerships. We have partnerships in Medicaid; we have partnerships in the welfare programs. This is very consistent with that. And to say the States cannot handle it, let me just point out that every State, every State, all 50, project a surplus for 1999. Forty-nine States had a surplus in 1998; 13 States had surpluses in excess of $1 billion; 21 States had surpluses in excess of 10 percent of their annual budget.

So when we look at these numbers, the States are perfectly capable of doing this. And if they believe in the program, that is the key, if they believe as much as the gentleman from Vermont said, they are going to come through.

Now, it is not something that will happen next week. This program has a lag time. The money for the 1999 budget will be distributed at the end of the year. So the States have plenty of time to accommodate to this program. Obviously, the legislatures, as they meet this year or next year will be able to address this if they believe in the program. That is the key. If they believe in it, they are going to come up with their 25 percent. And just as important, I think they are going to do a better job of administering the funds.

If we want to help the people who need this program, as pointed out by the gentleman from Chicago, we should vote against this amendment because, as the language in the bill reflects, that will result in people having more weatherization money. True, the States will have to contribute, but there is no reason in the world, with the kind of balances they have, that they cannot be a partner with the Federal Government in providing and meeting the needs of those people who are beneficiaries of the weatherization program.

Now, let me emphasize again, this is not LIHEAP. LIHEAP is in the Health and Human Services budget. That money will be dealt with at a different time. We are talking about putting on storm doors and storm windows and fixing the roofs of those homes that need weatherization programs. I think it is imperative that this Congress, this body, address a problem of ensuring that there is more money available for those who need help, and certainly with the kind of balances that the States have, there is no reason they cannot share in serving the people of their State along with the Federal Government.

We are still talking about 75 percent of this being Federal taxpayers' money, and certainly the States can meet their share. So I would urge my colleagues to not vote for this amendment. Vote against the second Sanders amendment. Let us make the States a partner in a program that is very important to the people of this Nation. Let us ensure that there will be more funding available for weatherization than we presently have.

This amendment is structured in a way that the States will have plenty of time to accommodate. I have not heard one word from a governor, neither have my colleagues on the subcommittee, and yet this has been in our subcommittee mark for several weeks. We had no comment in the subcommittee markup; no comment, as the gentleman from Tennessee pointed out, in the full committee. It is not a surprise. We are talking about something that is historically part of the Federal-State partnership. We all serve the same people.

Here is an opportunity, by voting against this amendment, to give the people in all our States more help for their weatherization problems.

Mr. DEFAZIO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I respect the comments of the gentleman who preceded me in the well, but I would like to make a rejoinder on behalf of the States and on behalf of this program which provides vital services for low-income Americans to meet their heating and cooling needs in the different parts of the country.

One point I would make first would be it is fine to say many States are running a surplus, but are they running a surplus because they have met all their needs and obligations or are they running a surplus because of cuts in programs that serve many of these same people? That is one point.

The second point is, have we done away with all of the unfunded mandates? There are so many things that the Federal Government requires of our States which do not have Federal dollars attached, and now we are going to impose essentially here a new mandate by saying if they want to participate in this program they have to put up 25 percent of the money. That, I think, is very problematic.

It is particularly problematic logistically for many States. My State legislature is about to adjourn, having completed the budget. They do not know about this. They have not anticipated it. So I guess next winter, unless we have an emergency session of the legislature to come up with more money in order to meet this match, Oregonians will not get this low-income weatherization assistance.

States are also, of course, by law, most States are required to have balanced budgets. They have had balanced budgets for decades. That is why, in fact, I was a very early person on this side to support a balanced budget amendment for the United States. And we are headed towards a balanced budget, supposedly a theoretical surplus here. So what are we doing? Why are we gouging the States now? Why are we hitting at the little people and the low-income weatherization? This is something that is going to cause a lot of disruptions in the next year. Yes, some States could probably accommodate it. Many will not be able to logistically. Many may not be able to financially.

I really believe that this is an ill-intentioned amendment. It has not come from the authorizing committee. It is being proposed by the Committee on Appropriations. And if this is meritorious, it should go back to the Committee on Commerce and they should have a discussion in making changes in the authorization for this program.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I think the gentleman from Oregon just made a very important point, and maybe somebody can correct me if I am wrong here. My understanding is that this particular program is up for reauthorization next year. If that is so, and I cannot swear to it, but that is my understanding, then that is the time to discuss this issue.

Now, the truth of the matter is what we are doing here, and maybe the chairman wants to deny it, is we are legislating in an appropriations bill. I guess there is a rule that allows the chairman to do it, but that is what he is doing. We are making a profound change in a bill that should be dealt with in an authorizing committee, that should have serious debate, that should involve the States.

The gentleman from Oregon (Mr. DEFAZIO) raised some very important issues. Some of the States have balanced budgets precisely because they have cut back on programs like that, and we are now going to go to the States and expect that they are going to add more money to programs that they have already cut? I doubt it.

What is the impact? Have we really studied the impact of what it would mean for a number of States, maybe some of the poorest States in this country, not to have this program? How many people might die?

I would refer my colleagues to The Washington Post of last Friday. ''Officials said that those who died in the heat wave may have not had air conditioners on because they worried about payment of the electricity bills or kept their windows closed.'' Those are exactly the people that we are trying to help out in this very successful, cost-effective program.

So I would hope that if the chairman believes in this idea, he will bring it back next year when this bill is reauthorized and we can have a serious debate on it, but I would ask for support for the Sanders amendment, which has widespread support.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, to support this amendment, we are voting to have less resources available for the poor to assist them with their heat and their cooling needs.

I said earlier, having just spent 19 years in State government, we never

missed the chance, and for 9 or 10 years I was an appropriator, we never missed the chance to get $3 for $1. Never. States do not walk away from money when they spend $1 and end up with $4.

And States should be a partner. One of the strongest lobbyists for this program has been the States, so they believe in it. Well, when we believe in something, we ought to be a partner, and we are a partner when we invest.

Now, who lobbies us and who lobbies the States? The utilities lobby us, and they are very effective at lobbying the States. Utilities in my district all have a program where every time I pay one of my electric or gas bills, I or my wife can decide to give a couple bucks to their energy fund, because they have one that works along with ours to help poor people who cannot pay their bills.

□ 1200

They talked about the problem of next winter. Next winter we are dealing with last year's money. Next winter we will be dealing with this year's money. This is not a time problem. It is not a time problem. The States have more than adequate time to deal with it.

I urge all of our colleagues to be futuristic. Let us make the States the partners. Let us let them stand up and support what they so adequately lobby for.

I want to tell my colleagues, there is no State that cannot afford to support this program. Every State is in surplus. The State I come from has a $750 million surplus. They can fund the whole program nationally themselves and not ruin the State budget.

I believe it is vital that we move forward and be futuristic with this proposal. I think it is an ingenious proposal. It will strengthen the program. It will make States be partners with us and not just asking us for something. They will be partners. It will make the program stronger. The program will be more likely to remain, not less likely. This is good public policy.

I oppose the amendment that destroys one of the better ideas I have seen since I have been here.

Mr. WAMP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first of all, let me just say that this is a change not in terms of the policy with the program but a change in the funding formula; and that is much more simple than a change in the actual program itself, which the gentleman from Vermont (Mr. SANDERS) wanted hearings on. It is simply a funding issue.

One thing I believe has happened in the last 4½ years is we have given back flexibility and authority to the States on a host of issues across the country. And the governors let us know about it. We have, in fact, given them more money than they had in the past and a whole lot of flexibility.

Frankly, I hear from a lot of people that the best job in Government in America today is to be a governor. They get to make all the decisions. They get to dole out the money. They now have more flexibility. It is a better job.

Well, right now it is a tough job to serve in Congress because we have got a balanced budget framework to live with and we have got difficult decisions to make and we have to somehow balance these priorities.

I have not heard the hue and cry from the States on this particular issue, and one reason I think we have not heard that is because they know they have had a real good run for the last 4½ years getting more flexibility, getting more power, getting more authority back so they can make the decisions locally.

I say to my colleagues, they cannot have it both ways. They cannot have States' rights, Tenth Amendment kind of State control where they collect the money and make the decisions and not have sometimes a partnership cost-share type approach. That is what this is about, a reasonable partnership between the States and the Federal Government.

I urge my colleagues to vote ''no'' on both amendments offered by the gentleman from Vermont (Mr. SANDERS).

I want to make a point that the same people who have cried out for this country to have energy independence are, in the first Sanders amendment, trying to take that money elsewhere, take it from some other from energy independence over to Federal programs. And they cannot have that both ways, either.

With all due respect, vote ''no'' on both amendments offered by the gentleman from Vermont (Mr. SANDERS).

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Sanders amendment.

We have all talked about and the committee agrees with the importance of the weatherization program, helping to improve the energy efficiency of low-income families throughout the country, reducing energy costs for those who are least able to afford them.

There are 29 million households eligible for weatherization programs. The program, since 1976, has weatherized 4.7 million homes.

Clearly, there remains a great need for these programs. We are not disputing that at all. It has positive impact also on energy savings. The average American household spends 3.5 percent of its income on home energy. The typical low-income households spend approximately $1,100 per year on energy. That is 14.5 percent of their annual incomes.

This weatherization program ensures that our neediest households receive the crucial benefits of energy efficiency technologies. Two-thirds of those who are served by the program have annual incomes of under $8,000. Nearly all have incomes under $15,000. Many of the weatherization recipients are families with small children, disabled, or the elderly.

Under the current committee language, no State would receive its formula share of the Weatherization Assistance Program's appropriation in FY 2000 unless it provide 25 percent in State matching funds.

I recognize the difficult situation the committee has been placed in and I know what they are trying to do.

I have heard from my jurisdiction, from my State, and from my county. The belief is that this is a step backwards at this point away from our cost-effective investments in our communities, in our neediest households, the investment that the Federal Government has made.

As the bill now stands, it would deprive 40 States of critical weatherization funding. Only 10 States report that they could provide the required 25-percent match for their projected Weatherization Assistance Program grant. Many States have been able to successfully leverage other Federal and non-Federal funds to weatherize about 200,000 homes per year. These are States in which a formal match for DOE weatherization funds would be impossible. This means that for these States there would be no weatherization services for low-income families.

Well, this program, the weatherization program, has helped thousands of low-income families living in my district, Montgomery County, Maryland; and the loss of this funding would be a major blow to such low-income households.

So although I recognize what the committee and subcommittee and full committee have done, I do ask my colleagues to support this amendment to strike the required State match for the low-income weatherization program.

Mr. MARKEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, weatherization is without question one of the most important programs that this country has. We have a finite amount of natural resources on this planet. It is not likely that we are going to continue to find new North Slopes, that we are going to find new hits off of Mexico, that we are going to find new sources of energy in Kazakhstan.

Yes, there will be additional discoveries. But the reality is that, as much as we want to see additions to the overall supply of natural gas and oil in the world, that the real North Slopes, the new Gulfs of Mexico, the new Kazakhstans are in each one of our homes, in each one of our automobiles.

The more efficient that we make each home, the more efficient that we make each automobile, each refrigerator, each stove is the more energy that we are able to live without because we do not have to import that oil, we do not have to discover that new natural gas strike.

That is what the weatherization program is all about at its heart. It is ensuring that we reduce as much as possible the amount of energy which we consume in this country.

Those are the great new strikes that we are going to make, the new wells that we are going to dig. They will be in each home in America, in each automobile, in each appliance.

So this program which has been without question an unmitigated success over the last generation is something which is critical.

The Sanders amendment ensures that this program continues, that we do not run into the technical difficulties, the funding difficulties which clearly are going to manifest themselves if the underlying language in this bill is allowed to stand.

It is critical for our country that we have a clear understanding of our path to energy independence. It is largely going to be because we become more energy efficient, because we understand that there was an artificially high consumption of energy which was in fact indulged in by our Nation when we believed that there were unlimited sources of energy at that point into the 1930s, 1940s, 1950s, and 1960s. But we have learned our lesson.

Now, in this era in which we have found that we are going to run a $5-trillion surplus over the next 15 years, I think that this is one program that we should keep intact. It is relatively modest. It deals with a segment of the population which is not responsive to larger economic forces because of the income level in the families. It clearly is a last place discretionary expenditure which families would make in the absence of some kind of Federal program.

I think that, for us, we would be wise to continue this program as it has been put on the books and to support the Sanders amendment today.

This is basically working smarter, not harder. It is understanding that by using our minds, giving resources to the poorer people in our society that we can reduce our overall dependence upon imported oil in our country.

I urge a very strong ''aye'' vote on behalf of the Sanders amendment here on the floor today.

Mr. Chairman, I rise in support of this amendment. The Weatherization Assistance Program serves a dual purpose. It provides health and economic benefits to the poor, by assisting in keeping low-income homes warm. And it improves the environment by reducing energy loss from those homes. The program achieves these benefits in an efficient and effective manner in cooperation with local groups experienced in on-the-ground work. Funding from the Weatherization Assistance Program is used along with other funds to weatherize roughly 200,000 homes each year. This work is especially important in Massachusetts and other states that face harsh winters; last year $3.8 million went to assist low-income homes in Massachusetts.

Yet this bill would attack this program by requiring all states to match the federal funds with specific contributions. Most states already use Weatherization Assistance Program funds to leverage variety of other federal, state, and private funding. However, many states could not meet the additional requirements in the bill, leaving no weatherization services available for the poor in those states. The amendment sponsored by Mr. Sanders would restore the program to its current status and allow it to continue in all states.

I strongly support this amendment to continue to promote energy efficiency and assist low-income areas, and I urge my colleagues to vote for it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on Amendment No. 15 offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 243, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 14 offered by the gentleman from Vermont (Mr. SANDERS); and amendment No. 15 offered by the gentleman from Vermont (Mr. SANDERS).

The Chair will reduce to 5 minutes the time for an electronic vote on the second vote in this series.

AMENDMENT NO. 14 OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 14 offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 243, noes 180, not voting 11, as follows:

[Roll No 284]

AYES—243

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Barcia
Barrett (WI)
Bartlett
Bass
Becerra
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gillmor
Gilman
Gonzalez
Goode
Gordon
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Houghton
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McGovern
McHugh
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Price (NC)
Quinn
Ramstad
Rangel
Reyes
Reynolds
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Sherwood
Shimkus
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Sweeney
Talent
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Whitfield
Wise
Woolsey
Wu

NOES—180

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barton
Bateman
Bentsen
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehrlich
Everett
Ewing
Fletcher
Fowler
Ganske
Gekas
Gibbons
Gilchrest
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Greenwood
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Hoekstra
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
John
Johnson, Sam
Jones (NC)
King (NY)
Kingston
Knollenberg
Kolbe
Lampson
Largent
Latham
Lewis (KY)
Linder

Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Murtha
Myrick
Nethercutt
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Radanovich
Regula
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun (KS)
Salmon
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Baldwin
Brown (CA)
Kasich
Lewis (CA)
McCarthy (NY)
McDermott
McNulty
Rahall
Rivers
Thurman
Wynn

□ 1235

Messrs. GOSS, BONILLA, VITTER, SHAW and COBLE changed their vote from ''aye'' to ''no.''

Mr. GALLEGLY, Ms. MCCARTHY of Missouri, Mr. REYNOLDS and Mr. HALL of Ohio changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 243, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the next amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 15 OFFERED BY MR. SANDERS.

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 15 offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 198, noes 225, not voting 11, as follows:

[Roll No 285]

AYES—198

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Barcia
Barrett (WI)
Bentsen
Berkley
Berry
Bishop
Blagojevich
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doyle
Duncan
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Fossella
Frank (MA)
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Inslee
Jackson (IL)
Jefferson
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McGovern
McHugh
McIntosh
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Price (NC)
Quinn
Rangel
Reyes
Roemer
Rothman
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Scott
Serrano
Sherwood
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Spratt
Stabenow
Stark
Strickland
Stupak
Sweeney
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wilson
Wise
Woolsey
Wu

NOES—225

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Bereuter
Berman
Biggert
Bilbray
Bilirakis
Bliley
Blumenauer
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doggett
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Everett
Ewing
Foley
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (OK)
Luther
Manzullo
McCarthy (MO)
McCollum
McCrery
McInnis
McKeon
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanford
Saxton
Scarborough
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Baldwin
Brown (CA)
Kasich
Lewis (CA)
McCarthy (NY)
McDermott
McNulty
Rahall
Rivers
Thurman
Wynn

□ 1244

Mr. DIXON changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1245

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $2,000,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $159,000,000, to remain available until expended.

AMENDMENT NO. 16 OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Ms. SLAUGHTER:

Page 71, line 19, insert ''(reduced by $20,000,000)'' after the dollar figure.

Page. 87, line 19, insert ''(increased by $10,000,000)'' after the dollar figure.

Page 88, line 18, insert ''(increased by $10,000,000)'' after the dollar figure.

Ms. SLAUGHTER. Mr. Chairman, I rise to offer an amendment that will give badly needed relief to both the National Endowment for the Arts and the National Endowment for the Humanities. In particular, it would provide $10

million in additional funding for each agency.

For the past 4 years this body has missed a golden opportunity to benefit millions of Americans by choosing to level fund these two most important agencies. In fiscal year 1996 both received 40 percent reductions to their budgets, cuts from which very few agencies could possibly recover.

As a Member who has seen firsthand the positive and lasting effects of both the arts and humanities on Americans across the country, this is simply unacceptable. My amendment would take a small but important step towards reinvigorating the NEA and the NEH.

As we head into a new millenium, these modest increases will allow the agencies to spread the wonderful work that they do for people in every city, town, village, and Hamlet in America. The NEA and NEH have the power to change lives, and I firmly believe that now is the time to help them to do it.

With the intent of broadening its reach to more Americans, the National Endowment for the Arts recently proposed a $50 million Challenge America initiative. If fully funded, this program would allow the agency to make a thousand small- to medium-sized grants to communities that have previously been underserved by the agency.

Some of our colleagues have raised concerns that the NEA ignores numbers of our districts. While the arguments they made were extremely flawed, they did succeed in highlighting the need for this important program.

From the fields of rural America to the streets of our inner cities, the National Endowment for the Arts plans to spread the power of art. In addition, the agency has spent the past few years implementing reforms to make itself more accountable to the American people. I strongly believe that they have earned the opportunity to pursue this plan.

The arts are supported by such entities as the U.S. Conference of Mayors, the National Association of Counties, by the National Conference of State Legislatures, by the National Governors Association, the National League of Cities, and all State legislatures. It is time for the House of Representatives, Mr. Chairman, to get with the program.

Let me quote from the last paragraph of the chart here. It says, by these undersigned, the people I have just mentioned, ''We commit ourselves and encourage all elected and appointed officials at the Federal, State, and local level, mayors, county commissioners, city and county managers, Governors, legislators at the Federal, State, and local levels, and the President of the United States to strengthen leadership and increase support for a sustainable cultural economy which unselfishly provides a measure of public service, defining our ultimate legacy as a Nation.''

It seems that everyone in the United States is supporting this program. In addition, this agency, as I point out, has reorganized itself. These reorganizations that I spoke of earlier support the arts because they provide the economic benefits to our communities.

Last year, and this is very important, last year the $98 million allocated to the NEA provided the leadership and backbone for a $37 billion industry. For the price of 100th of 1 percent of the Federal budget, we help to create a system that supports 1.3 million full-time jobs in States, cities, towns, and villages across the country, providing back to the Treasury the $98 million, back into the Treasury. We got $3.4 billion in income taxes.

We also know the academic benefit and the academic impact that the arts have on children. As we learn more and more about the development of the human brain, it is becoming clear that instruction in the arts leads to improved scholastic achievement. In fact, a study conducted by the College Entrance Examination Board showed that students with 4 or more years of art classes raised their SAT scores by 53 points on the verbal and 35 points on the math portions of the exam.

In addition, we are now starting to learn about the positive effects of the arts on troubled youth. I am extremely impressed by a recent initiative known as the Youth Arts Development Project. This program is a collaboration between local arts agencies in Portland, San Antonio, and Atlanta, along with the Americans for the Arts, the United States Department of Justice, and the NEA.

The three cities involved evaluated current youth arts programs to determine their effectiveness in working with youth at risk, and the results were remarkable. Children in these programs gained valuable anger management skills and learned how to communicate their feelings without having to resort to violence. They developed self-esteem, and showed improvements in their attitudes toward their schools. They learned how to discipline themselves, Mr. Chairman, so they could successfully finish what they had started. As a result, evidence showed the children involved in these programs experienced fewer court referrals and less crime than children who were not in the program.

As impressive as they are, these results are not surprising when we understand the simple reason behind them: The arts provide children with the opportunity to express their fears, angers, and hopes, in a constructive manner that does not involve guns, drugs, or violence.

I urge my colleagues please to support these amendments.

I want to thank the gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS). I know they worked very hard on the bill, and I appreciate everything they have done. However, we find that this is so important that we are going to ask this one time that we try to give these agencies some more so they can help every hamlet, everybody from the front porch to the auditorium in every city in the country.

Mr. HORN. Mr. Chairman, I move to strike the last word.

(Mr. HORN asked and was given permission to revise and extend his remarks.)

Mr. HORN. Mr. Chairman, I agree with the gentlewoman from New York (Ms. SLAUGHTER) that we owe a great debt to the chairman of this committee, the gentleman from Ohio (Mr. REGULA), and the gentleman from Washington (Mr. DICKS), the ranking Democrat. They have done a splendid job and I have voted with them on every item, but I am going to vote against the Members on this one.

The reason is simple. We have a new day in the National Endowment for the Arts and the National Endowment for the Humanities. Bill Ivey has come in and has been a superb administrator. He is a great communicator. The endowments are focused on peoples' real needs.

I grew up on a farm in rural America in a county that only had 13,000 people and was 60 miles long. I shall never forget that when I was 6 years old and my parents took me to a concert at the county high school. On the stage there was a beautiful symphony. It was the WPA symphony orchestra. The Works Progress Administration, funded musicians, artists, and writers during the Great Depression. The WPA put people to work in the thirties when one-third of Americans were unemployed.

Did that change my life? Absolutely. In high school, I became a music major and still maintain a deep interest in that field—an interest that I will never let go.

Even though I come from urban America, I want to see the arts and the humanities in every precinct, in every city and in every councilmanic district in America, be it urban or rural. Every one of our students should have an understanding of the arts, as the gentlewoman from New York has noted so often in her role as chairman of the Arts Caucus. The effect on the brain of music is amazing, and how people do a lot better when they have had that type of education.

What I want to stress today, however, is that there has been a change at NEA and NEH and we should increase their budget. We are taking the money from the Strategic Petroleum Reserves, that $20 million would provide $10 million to the arts endowment and the other $10 million to the National Endowment for the Humanities. All of these additional funds will go for projects. Not one penny would go for administration. That is a commitment from the administrator, Bill Ivey. We agree with that. These funds will mean additional opportunities throughout America.

Mr. Chairman, I would like to stress one aspect in particular, it is the results of the youth arts, youth at risk program, which was compiled by Caliber Associates under contract to the Office of Juvenile Justice and Delinquency Prevention in the Department of Justice. It has shown clearly and positively the impact on the skills, the attitudes, and the behaviors of the program participants. This helps demonstrate the constructive efforts of arts-based juvenile delinquency prevention and intervention programs.

The additional $10 million would go specifically to fund these important youth at risk programs. I think that is very important. That is prevention. We can help save individuals before they go down the wrong path again.

Opponents argue that not enough congressional districts receive funding from the NEA. That just is not true. NEA's grants in support allow orchestras, dance companies, performers to travel out of the major cities and reach the small towns and communities of this land. The new Challenge America initiative will go even further to address those concerns by continuing to expand the NEA's reach in underserved areas.

As for the humanities, what are they are doing? They are saving precious manuscripts, newspaper runs that go into the 19th century and into the 20th century. This material, because of the acid in the paper since the 1830s. That newsprint is very combustible and easily destroyed. It is important that the Nation's heritage be saved in every part of the country.

Every American has made our history as a nation. All of us are immigrants or sons and daughters of immigrants. That is where the $10 million is going, including the 50 States and the the six United States trust territories. We need to catalog and preserve the newspapers that have been in America since the 1690s.

I urge my colleagues to vote for this Slaughter amendment, and the $10 million for the arts endowment and the $10 million for the humanities. It is a drop in the bucket, given our heritage, given the need, given the response and the new type of administration we have there. I have not heard a complaint in 6 months on anything about either of those endowments.

It is long overdue that we increase their funds. This is simply an adjustment for inflation. I urge my colleagues to vote in support of this worthwhile amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong support of this amendment. I would call the attention of my colleagues to Mr. Ivey's new program called Challenge America, because he is committed to doing exactly what this body has wanted the National Endowment for the Arts to do all along. He is challenging America at the neighborhood level to develop the arts in our schools, in our neighborhoods; to make partnerships between neighborhoods and old established art museums and symphony orchestras on a level and with a variety of creative approaches that simply is unprecedented.

Little tiny bits of money can leverage partnerships between businesses, schools, and outstanding art museums that are simply unprecedented.

Some have had the idea that the NEA does not affect them. I got a letter citing my district as one of the ones that did not get one brown cent from the NEA, and I want to tell the Members, that was so far off base it was really tragic. I have walked into schools in my home town and seen fifth graders with their shiny faces looking up at me and saying, you know, we are a HOT school. So what is a HOT school? A HOT school is a higher order of thinking school.

As we walk through these HOT schools, an NEA idea, NEA money, local money, school money, do Members know what they have to do to get a HOT school grant? The principal, the teachers, and the parents have to go to a summer education program that is at least a week and some years 2 weeks. When we get this approach in place, our kids have an opportunity to integrate the arts and every other aspect of learning that is unprecedented.

□ 1300

The kindergartners were doing self-portraits in the style of Miro. He is a very abstract painter, but when we see how he paints a head, think of the discussion among kids of communication, of self-concept, of cultural issues, of history, of our times.

So this little fifth grader was showing me how on the hallway these were the kindergartner's self-portraits in the style of Miro. And then she showed me in another hallway the fifth grader's renditions of Lascaux cave drawings as if they were in a Connecticut hillside in contemporary America.

Mr. Chairman, these kids are learning history, they are learning the arts, they are drawing themselves. Every 2 weeks they have an assembly at which kids perform. They read their poetry and their stories; and throughout this curriculum they are integrating the arts, the performing arts, communications.

When we came to the school, the kids were lined up. There were two people who followed me around all day drawing everything I did, two taking notes to write up everything that went on and so on and so forth.

These kids are in a public school system in a city with the old kind of inner city where the jobs have flown, the difficulty of property taxes supporting our education system is just a struggle every single year. And yet these kids's scores are going up like we would not believe because they are a HOT school in every sense of the word. And the idea that this kid would look at me and say, ''We are a Higher Order of Thinking school'' really blew me away.

The arts matter in our lives. The arts are not just about symphony orchestras and art museums, as important as they are. They do help our kids grow. They do help our kids learn, and the evidence, the research shows it. If a kid is exposed to the arts when they are young, they do better as an adult because their intuitive thinking has developed along with their logical thinking.

HOT schools, if our kid came home from school all excited because now his trumpet playing, his trombone, whatever it was, he has had the chance to learn to play with those who are experts in the music of Duke Ellington and compete in a high school jazz band competition and festival, we would not ask him who paid for it. He would not tell you it was the NEA because he probably did not know, but that is exactly what happened in the high school in the town next to me.

The New York City Ballet Hispanico was up at Plainville High School in my district. How else would they have an opportunity unless someone could help, that is, the Federal Government could help share that tremendous resource of New York City with the small towns around?

I urge support for this bill. It is just $10 million more for the NEA, $10 million more for the NEH, and we owe it to our kids.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong support of the Slaughter amendment to make important increases to the NEA and the NEH. I do so not only as a proponent of Federal support for the arts and the humanities but also as one who has seen firsthand the inner workings of the NEA.

Along with the gentleman from North Carolina (Mr. BALLENGER), I have the privilege of serving as one of five congressional Members on the National Council on the Arts, which basically serves as the board of directors. In reviewing and voting on NEA grant applications, the members of the National Council take their responsibilities to United States taxpayers very seriously. They are united by their commitment to making the arts accessible to all Americans, which is what this debate is all about.

Mr. Chairman, we know that the arts are crucial to the development of our culture and our economy and beneficial to all our citizens.

This year, NEA Chairman Ivey unveiled a major new initiative called Challenge America which would further arts education outreach and organizational initiatives, particularly in underserved areas. At this bill's current funding level for the NEA, this worthy and creative initiative will remain unfunded.

We need to support this amendment to provide a Federal commitment to this program and the other important activities the NEA offers in our communities. Likewise, we know that the

National Endowment for the Humanities provides funding for student essay contests, teacher seminars, museum exhibitions, documentary films, research grants, public conferences and speakers and library-based reading and discussion programs. Through all of these programs, the NEH helps to provide a greater understanding of our Nation's history and culture.

One of the standards by which we judge a civilized society is the support it provides for the arts and the humanities. In comparison to other industrialized nations, the United States falls woefully behind in this area, even with a fully funded NEA. In a Nation of such wealth and cultural diversity it is a sad commentary on our priorities that year after year we must continue to fight about an agency that spends less than 40 cents per American each year and in return benefits students, artists, teachers, musicians, orchestras, theaters, dance companies, and their audiences across the country.

Polls overwhelmingly show that the American public supports Federal funding for the arts. And if those reasons are not compelling enough for some, let us just talk dollars and cents. For every one dollar the NEA spends it generates more than 11 times than that in private donations and economic activity. That is a huge economic return on the government's investment, and we certainly do not have to be from New York to see the impact of the arts on a region's economy.

Mr. Chairman, let us use this opportunity to begin to provide a level of resources to the NEA and the NEH which we can all be proud of. And I urge my colleagues to support this amendment and funding for cultural expression, celebration.

Ms. SLAUGHTER. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, I thank the gentlewoman from New York (Mrs. LOWEY) for yielding to me. It is very difficult for a southern-born woman to speak fast enough to get everything into 5 minutes, and so that I can finish the rest of my speech, if any of my colleagues would be generous enough to throw me 30 seconds or a minute, I would be grateful.

I need to talk about the National Endowment for the Humanities because it plays an important role in our society. For the past 35 years, that agency has been at the forefront of efforts to improve and promote education at the humanities level in school. At a time when our State and local governments are struggling to hire new teachers, this small amount of money goes a very long way towards making sure that teachers are well-trained in history, government, literature, civics and social studies.

Through its summer seminars and institutes for teachers, the NEH is working to enhance and expand the knowledge of our educators on such topics as the Lewis and Clark expedition and Homer's Iliad. Prior to the 36 percent cut in 1996, the NEH was able to offer close to a hundred of these seminars. This year, that number will be closer, unfortunately, to 29.

In addition, the NEH is using its Teaching With Technology Initiative to bring the humanities to life in the Information Age. Through the use of computers, educational software, and the World Wide Web, the NEH is ensuring that none of our students are left behind.

Mr. Chairman, as I said before, I completely understand the budgetary constraints that our chairman and ranking member are under and to that extent I applaud them for the wonderful work they have done. I particularly applaud their efforts to increase the budgets for the Smithsonian Institution, the Woodrow Wilson Center, the National Gallery of Art and the Kennedy Center. However, not all of our citizens have the ability to work or to travel to the Nation's Capital.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. LOWEY) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mrs. LOWEY, was allowed to proceed for 2 additional minutes.)

Ms. SLAUGHTER. Mr. Chairman, if the gentlewoman would continue to yield, my amendment would simply expand our commitment to bringing the arts and humanities to the streets, the theaters, the schools and the front porches of all Americans. It does so by reducing the $20 million fund for the Strategic Petroleum Reserve, a program I also support, but I feel that it is vitally necessary that we do more for these agencies because they do so much for us.

Mr. Chairman, it is finally time in the House of Representatives to close the door on the tactics which have made the arts and humanities a political hostage for far too many years. The benefits that we receive for our economy, for our children, for our communities far outweigh the small financial investment that we are making. This amendment would simply provide a modest increase for two programs that have been ignored and antagonized for nearly 5 years. It is time now to correct this injustice.

I believe this is a reasonable amendment, a fair amendment, and a responsible amendment. I urge all of my colleagues to support it and add simply one thing and that is we have been assured that every cent of money, if this amendment passes, will be used for new grants.

Mr. SHAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise first to acknowledge the fact that for the last 4 years Congress has funded the NEA at $98 million and the NEH at $110.7 million. There has not been a change in this funding in 4 years. I feel extraordinarily compelled to come and speak in support of a modest amendment, really, offered by the gentleman from California (Mr. HORN) and the gentlewoman from New York (Ms. SLAUGHTER) to change this funding level by adding $10 million to the NEA for a total of $108 million and $10 million to the NEH for a total of $120.7 million. We are talking about an increase of only $10 million in each.

I rise in support of the Horn-Slaughter amendment because it's a very modest amendment which will have a large impact by bringing the arts to more communities previously underserved, like our inner-cities and rural areas, and by encouraging more support for preserving and promoting our cultural heritage.

Mr. Chairman, national support of the arts is a measure of the success of a thoughtful Nation. Funding for the NEA and the NEH helps thousands of performers who may not be celebrities but who enrich their lives by performing and who enrich the lives of everyone who enjoys their performance. They contribute, I think, to the soul of the community. Arts and humanities improve the lives of so many people, including children, the elderly and those on limited budgets who might not otherwise have the opportunity to see very beautiful art and enjoy enriching performances.

Mr. Chairman, as I said before, the NEA and the NEH have not received an increase in funding in 4 years, and I urge us to wake up and begin to fund sufficiently these two important government programs.

Mr. HINCHEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to say also a few words in support of this amendment which allows the National Endowment for the Arts and the National Endowment for the Humanities to expand their outreach and educational efforts. What the endowments want to do and what we want them to do is support education and extend the excellent programs that they provide to all Americans.

For example, NEH has programs to provide training for elementary and high school teachers to help them update and improve their curriculum, they are popular, but NEH would like to reach more teachers and, therefore, obviously more students. NEH is developing web sites as well to provide material that teachers can use in their course work.

NEA is reaching out to minorities and getting children at risk in our cities interested in and excited about art. We have heard from Justice Department officials that these programs are enormously effective in reducing delinquency as well as an appreciation for the art itself.

Those are practical effects, but there are also intangible values as well. NEA and NEH help to build and develop our culture. They also help to democratize it, to demonstrate that art and music

are not the property of the wealthy and the elite alone but something that can enrich the lives of all of us.

In that sense, they belong in the Interior bill since it is the Interior bill that protects our beautiful places simply because they are beautiful and that offers recreation to our citizens because enjoyment and recreation is in and of itself a good.

Mr. Chairman, the increases we are requesting in this amendment are small, too small in my judgment, but they are an excellent investment. It is the culture we foster now that will be remembered for the next 100 years. This is a good amendment. I hope it has the support of the Members of the House.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong support of the Slaughter-Horn amendment to add $10 million for the National Endowment for the Arts and the National Endowment for the Humanities. There are many reasons to support Federal funding for the NEA and the NEH. When the arts are allowed to put down roots in the culture of the community, they create jobs and they stimulate the economy. The nonprofit arts industry generates more than $36 billion annually. It generates $1.3 million jobs and returns more than $3 billion to the Federal Government in income taxes.

□ 1315

Arts programs are basic to a thorough education, improving students' communication skills, self-discipline and self-concept. Studies show that young people who study music indicate an increased ability in math. According to a study conducted by the College Entrance Examination Board in 1995, students who studied the arts more than 4 years scored 59 points higher than those with no arts background. That is pretty incredible.

Arts in education produces the kind of resourceful and creative problem solvers that employers prefer. The arts inspire creativity in all aspects of a person's life regardless of whether his or her career path leads to technology or engineering.

The humanities are a foundation for getting along in the world, for thinking and for learning. The NEH spends about 70 cents per person on the humanities, on history, English, literature, foreign languages, sociology, anthropology, and other disciplines.

I know that each of us in Congress can point to worthwhile projects in our districts that are aided by the NEA and the NEH.

In my district, Montgomery County, Maryland, the NEA funds the puppet theater at Glen Echo Park, just a few miles from the Capitol. It is a 200-seat theater created out of a portion of a historic ballroom at Glen Echo Park. The audience is usually made up of children accompanied by their families and teachers, representing the cultural and economic diversity of Maryland, Virginia, and the District of Columbia.

An NEA grant allows the puppet company to keep the ticket prices low so that many young families can attend the performances.

In my district, the NEH has provided Montgomery College with a $500,000 challenge grant to help create the Montgomery College Humanities Institute. This institute is a permanently endowed college-wide center for scholarly activity and public programming in the humanities.

In addition, the college is working in partnership with the Smithsonian Institute, using the resources that are available at the Smithsonian and providing internships for students who are interested in the humanities.

Both the arts and the humanities teach us who we were, who we are, and who we might be. Both are critical to free and a democratic society. It is important, even vital, that we support and encourage the promotion of the arts and humanities so that the rich and cultural story of our past can be made available to future generations.

I urge a ''yes'' vote on the Slaughter-Horn amendment.

Mr. FARR of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. I want to ask my colleagues, look around us. Look at the room we are in and think about how much art has touched our lives, our daily lives. Art is our flag. Art is this Chamber. Around this Chamber is sculptured relief of 23 law givers who represent the humanities which we are trying to support.

This whole Capitol, the Nation's Capitol, is filled with art. It is one of the most attractive tourist places in America.

The engine of America's creativity is based in our arts and centered in our humanities. America's technology and leading technological advances are based on creativity.

Fortune 500 companies support the National Endowment for the Arts because they know that, if we are going to be the engine of creativity in the world, we are going to have to nurture our schools and our children and the populous of this great Nation in understanding how to express themselves in art form.

We need to remain the center of creativity, and we are only going to do that by nurturing the arts. We can do it in two forms. We can do it by private sector contributions, and we can do it by public sector contributions.

This issue is about public sector contributions. Why is that so important? Because there needs to be a leader in being able to determine how to best invest one's monies. That is why so many of the Fortune 500 companies support the National Endowment for the Arts because they put up corporate money to match that. And they want the leadership of the National Endowment to point out the direction that money ought to go. So we need to increase and keep that funding.

Frankly, the amount of money we put into the National Endowment for the Arts for the function it serves is absolutely embarrassing for this country. Many other countries in the world put more money into art creativity than this Nation does.

So I ask my colleagues, join us in supporting this amendment. I challenge my colleagues to think about it in their own lives. Think about it, whether my colleagues are walking around this Capitol, whether they are watching their children at play, about how this Nation was founded, and see the important role that arts and humanities play in the everyday theater of our own lives.

Support funding for the National Endowment for the Arts and the National Endowment for the Humanities. Support America. Make it stronger.

Mr. BALLENGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, once again, it is time for our infamous and often contentious debate on the funding for the National Endowment for the Arts.

In the years past, I supported cuts of the NEA based upon budget realities and concerns over questionable NEA funding choices. However, I rise today to urge my colleagues to support the funding level included in the Fiscal Year 2000 Interior Appropriations Act.

Some people would like to see this funding level increase, while others would like to see the level decrease or NEA eliminated altogether. But I suggest that, in the light of the tight budget caps enacted by the Balanced Budget Act of 1997 and the needs of our Nation in terms of the arts, the funding level is on target.

Over the last few years, Congress has helped to make NEA into a better organization. The NEA has instituted its own reforms to ensure that taxpayer money is used efficiently and wisely. Six Members of Congress now sit as nonvoting members on the National Council on the Arts, the governing board of the NEA, acting as an added check on the endowment's activities. I am one of these Members and have found significant and positive changes have been made in the NEA to address past concerns.

There has been much controversy in the past over grants to individual artists whose work has offended the sensibilities of many of us. I am glad to report that these individual grants, except the literature fellowships, have been eliminated. Also, the practice of allowing third parties to gain access to NEA funds through subgrants has been terminated to ensure that the agency keeps control over the projects being funded.

Applicants, like local museums and arts centers, must apply for specific project support, and changes to the

project cannot be funded unless the agency approves such changes.

In North Carolina, the NEA funds, in whole or in part, projects that I believe are beneficial to our citizens, like the North Carolina Symphony Society or the Opera Carolina or the North Carolina Museum of Art Foundation, just to name a few.

Let us give the recently enacted reforms a chance to work so that NEA can help fund meaningful projects in our States.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am embarrassed. I am embarrassed as a Member of Congress. I am embarrassed for this House of Representatives. I am embarrassed for our country. Because, once again, this House is inadequately funding the arts and the humanities.

This is the fourth year in a row where funding for the National Endowment for the Arts and the National Endowment for Humanities has been held level. We all know that what that means is that it is a cut in the funding.

Opponents of NEA cry fiscal discipline as if the richest nation in the world needs to be culturally impoverished.

I fear that money is not what this is all about, because we know, we absolutely know that every dollar we invest in the arts leverages matching grants and multiplies the same dollar many, many times, 11 times for every dollar that is spent on the arts through the NEA.

With flat funding and with the proposed cuts in the NEA that the gentleman from Florida (Mr. STEARNS) will propose later today, I fear that we could be witnessing an assault again on free expression, a war on culture. It is a battle as old as the stockades in Puritan times, and it is a battle that is wrong headed.

The arts teach us to think. The arts encourage us to feel, to see in a new way, and to speak. The arts help us to grow.

I hope that all of my colleagues will support the Slaughter-Horn amendment to increase funds for the NEA and the NEH. It is a very small investment. The returns are vast. They are vast in many, many ways, including being as vast as our imagination.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise reluctantly to, I guess, maybe throw a wet blanket over a love fest that we have been listening to for the last hour, 45 minutes.

This will be the fifth amendment that cuts energy programs for America. I find it interesting and troubling. We found that weatherization was ahead of having a strategic oil reserve. This will be the second amendment that strikes at the funds that are needed to manage the future energy supply for this country.

A few hours ago or yesterday, we provided that State parks were more important than energy research. We also yesterday said payment in lieu of taxes, an issue that I have always fought for, was more important than energy. I was forced to not support the PILT amendment.

Now we are having a very impassioned argument for NEA and NEH. But this will be almost $100 million taken from the future of America's energy needs. Have we forgotten 1973 and 1974? Have we forgotten the lines in this country? Have we forgotten what it did to our economy? Have we forgotten what it did to job opportunities and growth in this Nation? Have we forgotten how it made us vulnerable?

This country does not have an energy policy. We have drifted to where we are more than 50 percent dependent on foreign oil. Are we comfortable with Venezuela, Iran, Nigeria, Kuwait, Iraq, Indonesia, and Russia as our source of energy?

We have been fortunate to have Saudi Arabia, our friend. But remember when Iran was our friend, how quick that can change. If Saudi Arabia leadership would change and we lose that cheap source of oil, this country would be in jeopardy. Our future and all of these things that we are talking about would seem minuscule to the energy resources that are important to this country.

The energy resource that we have cut here previously is about clean air. It is about better use of our energy.

The Strategic Oil Reserve that was to give us a 90-day supply in case of one of these foreign countries turning against us has never been filled because Congress and the current administration has not had the will to fill it. In fact, a few short years ago, we were selling $30 oil for $12 to run it because we did not fund it. That has been changed.

This is the second cut. I am not arguing what the money is used for. But is the future energy needs of this country so insignificant that everybody is going to target energy to fund their program?

I think the future energy needs of this country are far more important than collectively all the programs we funded by taking the money.

We need to continue clean coal research. We need to continue to get more oil out of the ground more efficiently and more cost effectively so that we have to import less. All of those things are important to clean air, to clean water, and to the safety and future of this country.

I just find it incredible that amendment after amendment attacks the energy line items that are about our future for something that may be nice, that may be good. But is it more important than the future economy of this country, the future energy needs of this country?

We see oil prices double, and we will see weatherization needs skyrocket. We see oil prices double, we will see our economy go in the tank real quick. And we will not have money for anything here. We will be cutting all kinds of programs.

The future of this country's military might depends on a sufficient supply of energy, and it appears we have somehow swept that aside, and this is the year to attack energy, a budget that is underfunded in its own right.

I guess I have to stress that, collectively, in my view, these amendments have a negative impact on our environment.

□ 1330

Because the research that we are cutting, the oil reserve that we are cutting is so vital to our economic future and for the clean and more efficient use of fuels and the realization that we have planned for our children's future by providing an energy source when something goes wrong in this world that destabilizes our current sources, to not have the reserve full is a tragedy, to cut its budget is a mistake.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would acknowledge that it is no small feat that we have arrived at today, an opportunity to have a positive discussion on the Nation's cultural investments and our priorities without the acrimony that we have seen in recent years. And I tip my hat to the members of the committee for their leadership in guiding this forward, in taking a deep breath and sort of exhaling to make sure that we can be clear about what we are trying to achieve, rather than making it an opportunity to score partisan political points on a philosophic basis.

I think the next step is for us to see how our cultural investments fit with the committee's marker that they have set down in terms of beginning the discussion for this important budget and what is going to happen over the course of the next 50 years. I think in that context we ought to be looking at the direction of the budget, and it is why I support the amendment that has been offered up by the gentlewoman from New York (Ms. SLAUGHTER) and the gentleman from California (Mr. HORN).

The investment that we have made in cultural activities in my community that have served as a catalyst by Federal investment has been a key to the partnerships that have characterized what we have seen around the country. It has leveraged, as has been referenced on the floor, many times over the resources from the private sector, from philanthropic undertakings, and it has inspired people to be more entrepreneurial in the delivery of services. These partnerships are key in all of our communities but, unfortunately, the Federal Government has been lagging in terms of its involvement with these partnerships. It has not been keeping pace.

The Federal Government, ironically, would end up making more by investing in arts activities because we can

see in every one of our districts cultural investments that have provided a spark economically for local festivals, arts districts, for community events that have made a huge difference and that are a significant and growing economic presence across the country. It enables us to coax more out of our educational investments, as has been referenced by the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentlewoman from Maryland (Mrs. MORELLA). I have seen it in the school districts in my community where these dollars have leveraged spectacular results from young people.

It has made a difference in terms of how people regard their communities, in the activities and the way that they invest themselves. Indeed, in a number of communities, we have seen arts organizations provide regional cohesion in a way that governments have been unable to. And we have seen artificial boundaries that have divided our solutions for things like storm water runoff or watershed or air pollution come together as a result of arts organizations putting together voluntary regional approaches that really can be a pattern to show how we can solve problems generally.

It is not a subsidy for those who are well off. In all of our communities, most of the people of means would actually be money ahead if they would not spend their time and energy that they do in making these partnerships work but simply buy their tickets to go to San Francisco, New York or Seattle. But what we are doing is we are coaxing them to make the investments locally so that they can share the resources in terms of symphonies and in terms of museums. It is not for the wealthy and the well-positioned, it is for the young, the old, and the poor.

I strongly urge support of this amendment and hope that it will begin our efforts to reinvest in a wiser fashion in the future. It is time for us, for America, to catch up with where our citizens want us to be and how the rest of the world is treating their arts and cultural resources.

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to support the Slaughter-Horn-Johnson amendment to increase funding for both the National Endowment for the Arts and the National Endowment for the Humanities by $10 million each.

Being from Westchester County, New York, my neighbors and I have the benefit of our proximity to New York City, which provides us access to the premiere cultural center in this country. However, we do not take the impact of our exposure to the arts for granted. If anything, it has highlighted for us the important role that the arts can play in all of our lives. Without the NEA and their aid, the private sector is unlikely to replace Federal funding; and this, Mr. Chairman, would be a great tragedy.

There are thousands, literally thousands of people employed in the arts in my district, authors, painters, applied arts conservationists, TV production people. As a matter of fact, the City of Peekskill has been able to encourage and engage in real urban renewal based around the arts.

For the last 4 years, we have not given the NEA and the NEH any substantial increase in funding. We have asked, however, that the NEA institute reforms in their grant process and reduce the size of infrastructure. The proposed $10 million increase to each, the National Endowment for the Arts and the National Endowment for the Humanities, is much needed. These are jobs we are talking about.

As a former teacher, I can attest to the fact that the impact of the arts on our children is instrumental in their education. And with this small increase, the NEA will be able to reach more teachers and more students. They cannot do this alone. They need our support.

Mr. Chairman, I ask my colleagues to support the Slaughter-Horn-Johnson amendment and support this modest increase for the NEA and the NEH. As we work to create a solid foundation for our children, we need to ensure that they have the opportunity to understand and appreciate all of the arts.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to support this amendment to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities by $10 million each. It is about time we had a fair, open debate on increasing funding for the arts.

In the past, we have funded NEA as high as $167 million. But, since 1995, Congress has consistently cut funding for the NEA to below $100 million. This amendment is a very modest increase, and it is still far less than the President's request of $150 million. We should do more for our artists and cultural institutions, not less. We should remember that, because NEA funding is matched by private dollars, for every dollar we have cut from the NEA's budget at least double that amount has been cut from organizations that receive NEA funding; and for every dollar we restore now, at least double that will be restored for NEA recipients.

In addition to budget reductions from the Federal Government, private funding for the arts has been slipping as well. This has been occurring at a time when more and more Americans are seeking out the arts and benefiting from our cultural institutions. Recent reports are that museum attendance nationwide is at an all-time high, yet museum visitors are finding higher entrance fees from Philadelphia to Seattle and from Portland to Chicago. Visitors to New York's Metropolitan Museum of Art recently have been jolted by a suggested admission price of $10. The world-famous Metropolitan Opera finds itself with a deficit expected to be more than $1.5 million just for the year. The Met, long a favorite of private and corporate donors, will survive, but the survival of other institutions, especially smaller, less well-known institutions, is much more problematic, especially since many of them have been hit by cuts in government support at every level. Many have already been forced to close their doors or to scale back their programs dramatically. We should increase the funding to keep these arts institutions alive and well in America.

It is important to realize how the funds distributed by the NEA intrinsically connect the entire country. For example, last year, the NEA, working in association with the New York-based Chamber Music America, made a $300,000 grant to underwrite the development of a special project celebrating the millennium. In carrying out the project, Chamber Music America is working with more than 300 organizations and artists around the Nation to produce a 3-year musical celebration. The NEA's $300,000 grant has been leveraged into more than $4 million in support for the projects widely distributed throughout the country. This is just one example of how the effort which began at the NEA at the Federal level soon blossomed into musical programs all over the country.

It is particularly unfortunate that this bill places an artificial limit on funding to areas that have a concentration of arts institutions. We in New York are proud that New York City attracts the best and the brightest artists from around the country, but this legislation places an artificial cap on funds to New York City and to other such areas. It is unfair. It is time to stop punishing and start rewarding States and localities that nurture the arts. We send our agriculture subsidies to agricultural States, and New York City does not complain for not getting any part of the wheat subsidy, and that is entirely appropriate. But it is also appropriate to send support for the arts to the regions that produce the most arts and culture. We should acknowledge that certain regions offer products and services that benefit all of us, even though they originate, in some cases, from concentrated areas.

The NEA is a good investment for American taxpayers. It helps improve our economy, educate our children, enrich our every day lives and, therefore, should receive increased Federal funding, especially since it leverages a lot of private funding.

The National Endowment for the Humanities complements the work of the NEA and provides critical Federal support to the Nation's educational and cultural life. The humanities are critical to any free and democratic society. The study of history, philosophy, literature and religion are critical to creating an informed public, which is the bedrock of democracy. How can we

expect people to make intelligent decisions and govern themselves well without the study of the humanities?

The NEH is crucial to our efforts to preserve the writings and ideas of American culture. In fact, the endowment plays a critical role in efforts to preserve the writings of American presidents such as George Washington, Thomas Jefferson and Dwight Eisenhower. We should support the increase in funding for a program whose primary purpose is to preserve American history and culture.

What happened to the Met—and what has affected hundreds of cultural institutions nationwide—is that the Reader's Digest Association, facing stagnant sales in 1997, began a retrenchment that included a cut in its stock dividends. The handsome annuity from the company's dividends, that had found its way to cultural institutions nationwide through the Lila Acheson Wallace Foundation, was slashed. The Met, long a favorite of private and corporate donors, will survive, but the survival of other institutions is much more problematic, especially since many of them have been hit by cuts in government support at every level. Many have been forced to close their doors or dramatically scale back their programs.

In fact, the NEA has specifically worked to expand the geographical reach of its programs. IN 1994, the NEA provided $300,000 to start the Rural Residency Program, which is designed to enrich the musical life of underserved rural communities. Since its inception the program has placed 98 musicians with 23 different rural host organizations in 11 states. They have worked in schools, visited nursing homes, performed outreach concerts, and taught individual students. NEH is to promote research, education, and the preservation of our cultural heritage. We should demonstrate our support for these goals by increasing funding for this agency.

The NEH promotes the study of the humanities in numerous ways. The endowment has funded professional development for 50,000 teachers in its summer seminars, and they have reached in turn 7½ million students. Due to the severe cuts in funding sustained since FY 1996, the NEH is now able to fund only about one-third the number of summer seminars and institutes for teachers as they had before. They are seeking additional funds this year to reverse that trend and to expand on the educational mission of the agency. They will continue to support the premier Internet resource for humanities teachers, EDSITEment, which provides links to and lesson plans for 50 top-quality humanities websites.

The NEH also funs multimedia database programs on the Supreme Court, the Civil War, and the philosophies and civilizations of ancient Greece and Rome. The NEH plans a special initiative that will bring online tens of thousands of digital images of manuscripts, maps, photographs, and artifacts. The NEH also provides national leadership for efforts to digitize and make more accessible such important tests as the Dead Sea Scrolls, ancient Egyptian papyrus fragments and the works of Shakespeare. The endowment has preserved 750,000 brittle books and 55 million pages of American newspapers. The NEH is planning a new program of awards to small libraries and museums to support staff attendance at preservation training sessions, on-site consultations by preservation experts, and the purchase of preservation supplies and equipment.

Mr. Chairman, these two programs, the NEA and the NEH, with the very modest $10 million increases in this amendment, will still be funded at levels 40 percent less than that 5 years ago. We should restore them to at least what they got 5 years ago, but, failing that, this amendment is a small first step in that direction. I congratulate the sponsors, and I urge my colleagues to vote for it.

Mr. BENTSEN. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BENTSEN asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. BENTSEN. Mr. Chairman, I rise in support of the Slaughter-Horn-Johnson amendment. I will say at the outset that I am a little reluctant, because it takes funding from the strategic petroleum reserve, but I am going to go ahead and support the amendment. I hope that it passes, and I hope when this bill goes into conference with the other body that it is worked out and the SPR funding can be worked out as well because it has an impact on industry in my State.

But I also think this adjustment in the funding for both the National Endowment for the Arts and the National Endowment for the Humanities is terribly important. Over the last 15 to 17 years this body has had a number of very controversial debates over whether or not the Federal Government should be involved in the funding of these activities. I strongly believe that we should.

The gentleman before me just spoke about wheat subsidies and whether or not that affects people in New York City. I would argue, in effect, that it does because it involves stabilizing the price of food that ends up on the shelves of grocery stores in New York City and every city and every town across this country. In the same respect, funding for the National Endowment for the Arts and the National Endowment for the Humanities affects every sector of American society.

And what it really is about is preserving and collecting and preserving our heritage, the American history, American arts, American culture. And when we compare what we have done in this great country in the last 218 years and the heritage we have, the amount of resources that we provide to it compared to other industrialized nations is really woefully lacking.

□ 1345

I think that it is important that we do provide these resources. I think it is important that, as part of growing the American experiment and showing what it has been and how it has worked, that we provide some resources through the NEA and the NEH.

I would also add, over the last years of this debate, and I had the opportunity to watch them both as a Member of this body and as a member of the staff to this body in the 1980s, we have seen through both the previous Bush administration and the Clinton administration safeguards put into effect to deal with the question of controversial funding. And I think that those have worked.

We have also seen the funding through the administrators of the agencies, particularly the NEA, spread more evenly across the country, in my opinion. The funding does not just go to artists in New York City or Los Angeles. There is a lot of funding that comes to my area, in the greater Houston area, and it does not just go to the arts. Yes, the Houston Symphony gets funding. The Museum of Fine Arts in Houston gets funding. The Contemporary Arts Museum in Houston gets funding. But so does San Jacinto Community College get funding through the NEA. I think it has been a successful program.

I think it is important for the United States to invest in our cultural heritage, and I strongly support making this adjustment, which I think is fair in the context of a balanced budget to do.

I do hope that we can work out the funding in the long-run so we are not taking it outside of the SPR funding. But I do support the amendment of the gentlewoman.

Mr. COOK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from New York and the gentleman from California.

The National Endowment for the Arts and the National Endowment for the Humanities provide opportunities for Americans to experience art, culture, and humanities far beyond the small amount of Federal money we invest each year. The money serves as a catalyst that is used in my State of Utah for programs such as the Mother Read/Father Read, which is a family reading project combining parenting and reading skills. It targets at-risk elementary school children and teenage parents and shows them the importance of reading to their children and helps them improve their own parent and reading skills.

Our small Federal investment is combined with State, local, and private funds to provide grants to organizations like the Utah Symphony, the Salt Lake Opera, the Ryrie Ballet, and Utah Arts Festival. It makes possible the annual Living Traditions Festival, which brings together artists, native and folk craftsmen. The Great Salt Lake Book Festival is a gathering of readers and writers and anyone who loves books. The Utah Arts Councils offer free summer concerts that allow urban and inner-city residents the exposure to forms of music they otherwise would never hear.

Arts programs have helped reach children who have difficulty learning to become more interested in school. The Art Access program partners artists and teachers to help teach disabled and special education children learn through visual arts, dance, and storytelling.

If my colleagues talk to their local arts councils, they will tell them story after story of children who were disinterested in school who through art and music programs learned self-worth, confidence, and gained a renewed interest in their studies.

A film project for rural children in Monument Valley in Utah allowed them to learn the art of filmmaking while studying mineral deposits on their land. The resulting film has gained national recognition. A similar project in northern Utah lets children film and study a local bird refuge, and the resulting film is now being used by the Utah Department of Parks and Wildlife.

I commend the gentleman from Ohio (Chairman REGULA) for his recognition of the fine work in support of the NEA and NEH. But I believe this small additional funding will allow its fine work to be even more effective.

I urge my colleagues to support this amendment.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in very strong support of this amendment.

I have done my very best to be faithful to what the subcommittee did, but I made it very clear in this process that I favored some increase in the funding for the National Endowment for the Arts and Humanities.

I have served on this subcommittee for 23 years. I can remember in the early days when Livingston Biddle was chairman of the National Endowment for the Arts, we had three major challenge grants out in Seattle, and in those days Seattle was just emerging in the arts. And those three challenge grants led to a tremendous Pacific Northwest Ballet, to the Seattle Art Museum, the Seattle Symphony. All of those institutions have become major performing arts institutions in our Nation. But particularly in the Northwest, it brought the arts at a very high level to these communities. And it also created jobs.

Sometimes we forget that the arts and the humanities create jobs in our country, particularly when we think about the performing arts. I can remember the days when we had to fight to preserve this budget even at a 50-percent reduction. But I am pleased today to hear the bipartisan support that there is on this floor and the understanding about the importance of the arts and humanities to the American way of life.

I can tell my colleagues, in my own hometown of Bremerton, Washington, our local community came together to restore the Admiral Theater, and our local symphony performs there and other arts institutions; and we have the touring arts groups that go over all our State. I believe that the Federal participation here, even though it is meager, is still very significant because it demonstrates to the American people and to the private sector that we in the Congress and at the executive branch support the performing arts, support the National Endowment for the Humanities.

We have a school in Tacoma, Washington, Jason Lee School. Dale Chihuly is one of the world's renowned glass artists. There is an after-school program now where literally dozens of kids who would otherwise be on the streets or have nothing to do after school are involved in creating glass art. And these kids love it. I went up and I participated with them to see them actually involved in the creation of pots and various items that are important in terms of producing glass art. These kids enjoyed these programs.

I think the police are correct when they say that, if we have programs like this for kids, they will not get in trouble. And these are things that the Endowment has supported, and youth education.

I can remember being out with Jane Alexander in Garfield High School in Seattle and seeing the kids in the after-school program there involved in the creation of art and have them explain what they have created. It gave them something positive in their lives. I believe that these programs are very important. And I believe that for 4 years now we have not had any increase whatsoever.

I am glad that we have reached a point where we are not trying to eliminate these programs, which would be dreadful. But my hope is that today we can show that we have gotten beyond this kind of reactive anti-approach to the arts and humanities and that we now support them.

I want to compliment our chairman, the gentleman from Ohio (Mr. REGULA). He and I worked on language in several instances to try to get the Endowment to focus on quality, recognizing that we cannot fund everything, that we had to focus on quality to fund those projects which reach the highest levels of artistic and human expression. And by doing that, we have gotten away from some of the more controversial areas. That will always be a debate in the arts.

But I think the committee has succeeded, and I think it has met some of the criticisms; but I think now it is time to show that there is still in this Congress a majority that will support this modest increase for the arts and humanities. They deserve it. The country deserves it. It will be wisely spent. Our kids will benefit from it. Our communities will benefit from it. And the American people support it.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have listened to the speeches, and I think, of course, that they have some positive merits. I think that the National Endowment for the Arts, under the rule changes that we have made, has been much more effective.

I believe that Mr. Ivey, as chairman of the NEA, has done a good job of trying to reach out across the Nation to ensure that the money is used to stimulate art activity in small villages, small cities, as well as in the large cities. I think the program has done some very positive things.

I have to point out that this bill is flat funded. We did not have any increases. We did have increases in the parks, but we had to decrease elsewhere. By and large, we have only been able to flat fund all of the programs.

For these reasons, I think that what we have in the bill is a responsible number. It is not an increase, but it is not a decrease. And there are different shades of opinion in the House as to increasing and decreasing the arts number and more so with the arts than with the humanities.

It would be nice if we had a lot of money to provide for some increases. But in the absence of having a larger allocation, I think what we have tried to do is fair to the NEA and the NEH.

I am pleased that the conditions that we have put in in the last several years have worked well in ensuring that the money spent does not go to projects that are offensive to the American people. I give credit to Mr. Ivey, as well as others who have worked to ensure that that happens.

I think our representatives on the board, and I might say this was a suggestion of Mr. Yates, as a matter of fact, that we have three members from the House and three from the Senate to be on the NEA board. I would say, and I hope Mr. Yates is watching this because he was the champion of the arts and the humanities, and his suggestion, which we adopted, of having six of our Members and of the other body has worked out well. I think if my colleagues would talk with them, they recognize that the programs have worked as we would hope they would.

I have to say that I would oppose this amendment simply because I think what we have done is fair in light of the allocation that was made to our committee. Right now, we are about a million dollars under last year. And what we have done with the arts and the humanities have kept them at last year's level, so that I would like to see it stay at that level.

I would also point out that if we take more money out of SPR, we have already taken $13 million out of SPR in a recent amendment, this would add to that another $20 million and we are talking about $33 million coming out of SPR. I do not think it is good policy for our country to take that much money out of SPR, because this is our insurance policy that we are not going to be trapped in another embargo that was so difficult and created so much in the way of problems in the 1970s.

Still, as I said earlier, the fact that it is there, I believe, is a deterrent to an embargo such as OPEC imposed on the United States.

So, for all of those reasons, I hope that we will maintain the level of funding that is in the bill. There will be some amendments to cut NEA and NEH funding. I will oppose those, also.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the gentleman mentioned the name of Sid Yates, who for many years was chairman and then ranking member of this subcommittee. I have had the honor of trying to fill those very big shoes.

I just wanted my colleague to know that, if Sid were looking at the TV today, Mr. Chairman, he would be in support of this amendment.

Mr. REGULA. Mr. Chairman, reclaiming my time, he would probably already have a larger amount in the bill. I understand.

But, as the staff just reminded me, Mr. Yates is also a strong supporter of SPR, so he might have some concerns about where the offset is located.

Mr. DICKS. Mr. Chairman, if the gentleman would yield further, what he would say, Mr. Chairman, is that we will find a better source in the conference for this.

Mr. REGULA. Well, the conferences have some pluses I must say. But I hope the Members will maintain the level that we have in the bill. I think it is a responsible amount.

Again, I commend the chairman of NEA and also the chairman of NEH. Both have provided excellent leadership for the programs, and that is very important in maintaining public acceptance and Congressional support.

□ 1400

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Slaughter-Horn amendment to the Interior appropriations bill to increase funding for the NEA and the NEH by $10 million each. In doing so, I too want to pay tribute to our former colleague, Sid Yates. Everyone who enjoys the arts in America owes a great debt of gratitude to Sid Yates. We miss him.

The gentleman from Washington (Mr. DICKS) is doing a good job in managing his first bill and of course it is with great admiration and respect for the chairman of the subcommittee that I respectfully disagree with him and in support of this amendment.

Next I want to congratulate the gentlewoman from New York (Ms. SLAUGHTER) for her leadership as head of the Arts Caucus in the Congress. This is a very, very important part of our congressional agenda and it is one that deserves a great deal of attention from Members. We are all in her debt for the time and the commitment she has given to the arts on behalf of everyone in America and on behalf of her colleagues.

Mr. Chairman, the poet Shelley once wrote that the greatest force for the moral good is imagination. In the challenges that our young people face today, they need all the imagination that they can get. The exposure to the arts that they get through the NEA helps them build confidence in their classwork, honors their creativity and it is just good for their personal enrichment as well as their ability to earn a living later.

The increase that is requested in the President's budget for the NEA will enable the NEA to implement its Challenge America initiative. Challenge America would ensure that increased funding would go directly to underserved populations in order to increase participation and exposure to the arts by focusing on arts education and broadening access to the arts, after-school programming for young people at risk, preservation of cultural heritage, and building strong community-based arts partnerships. Again, encouraging imagination.

Bringing the arts to the center of community life through partnerships with arts organizations, school districts, chambers of commerce, social service agencies, city parks departments, tourism and convention bureaus and State arts agencies is a crucial part of the agency's mission and of the Challenge America initiative.

Federal support for the arts is necessary to ensure that broad access is possible for people of all economic backgrounds and in all regions of the country. Today, arts agencies in 50 States and six territories receive Federal funding through the NEA to support the arts. Over the last three decades, the NEA has substantially increased arts activities in every State in this country.

We have talked about building confidence, we have talked about the arts being a bridge to greater academic achievement and what that means in a young person's life. The gentleman from Washington cited some examples in his experience. I just wanted to convey to my colleagues my experiences, I will just do one example, though, of town meetings I have had in areas of our community which would fall into the category served by Challenge America, underserved populations. In those communities where crime is a big issue and unemployment is a fact of life, the parents who come to my town meetings say to me, ''Please, please, please do not cut the arts programs in our schools.'' This is the one source of encouragement, the one place where our children gain confidence, the one place where they express themselves freely. We must retain it. It is interesting, because one would think that these parents would start talking about other issues relating to crime or to joblessness or other concerns that challenge the community. But they see and recognize how fundamental the arts are to the self-fulfillment of their children and how indeed through imagination they can attack some of the problems that they face in society and that they will face as they grow older.

Again echoing the words of the poet Shelley, imagination is the greatest force for moral good. Let us support imagination. Support the Slaughter-Horn amendment.

Mr. BALDACCI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to recognize the good work of the gentleman from Washington (Mr. DICKS) and the gentleman from Ohio (Mr. REGULA) and to support the Slaughter-Horn amendment to increase the funding for the NEA/NEH.

Americans in communities all across the country benefit from the small Federal investment in the arts and humanities.

In Maine, NEA funds have been used for a statewide training program to help identify traditional artists and build partnerships to promote local culture in Maine communities; to allow students to participate in the national ''Essentially Ellington High School Jazz Band Competition and Festival'' and to support appearances of nationally recognized dance companies, among other things.

NEH funds have allowed the Maine Humanities Council to implement the Born to Read family literacy program which this year will provide more than 3,000 Maine families with high quality children's books that they can keep as well as tips and techniques for having fun interacting with their babies and children around the books.

These are just a few examples of the high quality programs that are available to rural Maine families that without this Federal funding would not otherwise be able to be provided.

Our investment in the arts and humanities provides seed money for private development. For every dollar of NEH money that goes into Maine's Born to Read program, it has generated three additional dollars of private dollars, a good match between the Federal Government and the private sector working together to make sure that rural communities throughout Maine and the country have these advantages for their families and children and for our future. Our long-standing Federal investment also ensures access for all families to these rich cultural resources. I strongly support this amendment which will provide a very modest increase in Federal support for the arts and humanities.

To paraphrase President John Adams in a letter to his wife Abigail, ''I must study politics and war so that my sons and daughters may have the liberty to study mathematics, natural history and agriculture, in order so that their sons and daughters may have the right to study painting, poetry, music and architecture.''

Since that time, we have been able to be fortunate to have the humanities and arts education become an important part of our children's overall education. The arts and humanities are also important in and of themselves. They enrich our children's lives and the world around us. This amendment represents a very small but a significant investment in our national culture. I urge my colleagues to support it.

Mr. GILMAN. Mr. Chairman, I rise today to express my strong support for my colleagues' amendment to increase the funding for the National Endowment of the Arts and the National Endowment of the Humanities. For the 4th straight year, the National Endowment for the Arts and the National Endowment for the Humanities have not received any increase in funding. As a result, my colleagues, Representatives SLAUGHTER and HORN, have offered an amendment to increase the budget of both agencies by $10 million.

The National Endowment for the Arts helps bring the arts to millions of young people through classes and after school programs. Recently, both the National Endowment for the Arts and the National Endowment for the Humanities have launched major new initiatives to reach out to more Americans. The Endowment has been criticized for not reaching out to enough people in every congressional district. That argument is without merit, but an increase in funding for the National Endowment for the Arts will provide more small to medium sized grants that will help bring arts programs into areas that had been previously under served by the National Endowment for the Arts.

Increased funding for the arts is about improving the quality of life for communities by allowing families to come together to learn and experience the arts. The National Endowment for the Arts is trying to address congressional requests that priority be given to providing services or awarding financial assistance to populations historically underserved by the National Endowment for the Arts. By increasing the funding for the National Endowment for the Arts, we can help ensure a nationwide access to the arts.

An education through the arts improves a student's overall ability to learn, it instills self-esteem and discipline, and provides creative outlets for self expression. A recent study by the endowment has concluded that participating in the arts leads to improved academic performance, increased ability to communicate, a commitment to finishing tasks and a decrease in frequency of delinquent behavior. Young people who are involved in the arts are more likely to become involved with positive people who can help steer them in the right track. Participating in the arts can be the constructive influence that helps ignite children's imaginations, making a difference in their lives that will help keep away from drugs and violence.

The National Endowment for the Arts is committed to strengthening America's families and communities through the special powers of the arts. The $10 million increase in funding that this amendment provides is specifically targeted to fund arts programs for at risk youth. The increase of funding by $10 million for both agencies will help create stronger, more creative outlets for our children, as well as stronger, more creative people for our communities. Accordingly, I urge my colleagues to support this amendment.

Ms. DELAURO. Mr. Chairman, I rise in strong support of the Slaughter-Horn amendment to provide a desperately needed increase for the National Endowment for the Humanities and the National Endowment for the Arts. Since 1995, serious funding cuts have endangered the work of the NEA and the NEH across the country. Today, we have the opportunity to provide the first meaningful increase for these programs that are so deserving of our support.

The cuts on Humanities programs have fallen disproportionately on programs which bring Humanities into our communities, for example, library based reading programs, lecture series, historical exhibits and radio and television programming.

Some of my colleagues would have you believe that the NEA only supports projects in a select few cities, and that it is not worth our time or money to make the arts and humanities a national priority. But the NEA's new Challenge America program is designed so that nearly 1,000 communities nationwide would receive modest arts program grants, and 150 communities across the country would benefit from larger grants.

One of the most exciting aspects of the Challenge America program is its potential to help at-risk youth—children who are slipping through the cracks and need exposure to a constructive new way of self-expression and self-esteem.

Recent studies have shown that participation in arts programs helps children learn to express anger appropriately and enhance communication skills with adults and peers. Students who have benefitted from arts programs have also shown an improved ability to finish tasks, less delinguent behavior, and a more positive attitude toward school. The results are in: we must support these programs now, while their benefits are just beginning to be realized.

The NEH and NEA make up just a tiny portion of our budget—and that investment pays off in so many ways, spurring jobs and private investment and preserving our heritage for generations to come. Who knows how many children have had their interest sparked in a whole new subject thanks to an NEA or NEH sponsored program. Don't put out that spark. Don't destroy our heritage. Vote for this amendment, support the NEA and the NEH.

Mrs. CAPPS. Mr. Chairman, I rise in support of this critical amendment to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities. This funding would support grants for arts education, access to underserved areas and other outreach projects proposed under the NEA's Challenge America Initiative.

The arts represent the finest that American culture has to offer. Funding for the arts provides a life line for many arts organizations in communities throughout our country. In Santa Barbara and San Luis Obispo Counties, which I am proud to represent, the NEA supports programs such as the Children's Creative Project, the Cal Poly Arts Program, the Cuesta College Public Events Program and the Santa Barbara Museum of Art. The seed money provided by the NEA allows these programs to flourish and contribute to their respective economies.

The NEA broadens Americans' access to the arts and promotes lifelong learning. Arts education improves the lives of young people by teaching them self-esteem, teamwork, motivation, discipline and problem solving skills that will assist them later in life. Research has shown that students who studied the arts scored an average of 83 points higher than non-arts students on the Scholastic Achievement Test (SAT). Yet sadly, many students today do not have access to arts education in our schools.

Mr. Chairman, working in our local schools for over twenty years, I have seen first-hand the benefits of arts education. I have also seen arts programs stripped from schools and unfortunately our children have suffered the consequences. Arts education demands discipline and perseverance, requires critical judgment and self-reflection, and teaches decision making, problem solving and teamwork. We all know that these are necessary skills for success in today's workplace—and more importantly, success in life.

The arts boost our national economy as well. The nonprofit arts community generates an estimated $37 billion in economic activity, employs a work force of nearly three million people, increases tourism, and generates new business in communities. An investment in the arts is not only an investment in culture and community, but also in the economic vitality of our country.

Mr. Chairman, the NEA budget accounts for less than one tenth of 1 percent of the federal budget and provides invaluable services to our communities and students. I strongly support this amendment and encourage my colleagues to vote in support of this pragmatic investment in our nation's future.

Mr. INSLEE. Mr. Chairman, I rise today in support of the Slaughter amendment to strengthen our commitment to the National Endowments for the Arts and Humanities (NEA/NEH). It is extremely important that we do what we can to support the artists, educators and students in our communities.

Mr. Chairman, the people of the First Congressional District have directly benefited from NEA and the NEH. Without the support of these groups, many of our children would not have access to the arts and humanities that are a vital component of their education.

The NEA and the NEH reach out to underserved communities—communities that traditionally do not have access to our cultural treasures. The Slaughter amendment would allow the NEA and the NEH to provide more grants to our underserved communities so that all of our children receive important exposure to the arts.

The Slaughter amendment will go a long way to provide the NEA and the NEH with the means to offer greater participation in our cultural heritage. The NEA and the NEH were created with the intention to help preserve and foster the culture of America. Our communities deserve to continue to be exposed to the rich cultural legacy of the United States.

I urge my colleagues to support the Slaughter amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. REGULA. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) will be postponed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $72,644,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: *Provided*, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: *Provided further*, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

In addition to other authorities set forth in this Act, the Secretary may accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and prosecute projects using such fees and contributions in cooperation with other Federal, State or private agencies or concerns.

The Secretary of Energy hereafter may transfer to the SPR Petroleum Account such funds as may be necessary to carry out draw down and sale operations of the Strategic Petroleum Reserve initiated under section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) from any funds available to the Department of Energy under this or previous appropriations Acts. All funds transferred pursuant to this authority must be replenished as promptly as possible from oil sale receipts pursuant to the draw down and sale.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,085,407,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That $12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That $395,290,000 for contract medical care shall remain available for obligation until September 30, 2001: *Provided further*, That of the funds provided, up to $17,000,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further*, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 2001: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $238,781,000 shall be for payments to tribes and tribal organizations for contract or grant support costs for fiscal year 2000 associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, of which $5,000,000 is for new and expanded contracts, grants, self-goverance compacts or annual funding agreements and such new and expanded contracts shall receive contract support costs equal to the same proportion of need as existing contracts: *Provided further*, That, notwithstanding any other provision of law, no new or expanded contract, grant, self-goverance compact or annual funding agreement shall be entered into once the $5,000,000 has been committed.

POINT OF ORDER

Mr. KILDEE. Mr. Chairman, I make a point of order against the language beginning on page 76, line 16 that reads:

''And such new and expanded contracts shall receive contract support costs equal to the same proportion of need as existing contracts: Provided further, That notwithstanding any other provision of law, no new or expanded contract, grant, self-governance compact or annual funding agreement shall be entered into once the $5,000,000 has been committed.''

Mr. Chairman, this language clearly violates clause 2(b) of House rule XXI against legislating on an appropriations bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. REGULA. Mr. Chairman, we concede the point of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

For the reasons stated by the gentleman from Michigan, the point of order is sustained and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $312,478,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided*, That in accordance with the provisions of the Indian Health

Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further,* That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended: *Provided further,* That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further,* That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further,* That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further,* That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding, said amounts to remain available until expended: *Provided further,* That notwithstanding any other provision of law, hereafter any funds appropriated to the Indian Health Service in this or any other Act for payments to tribes and tribal organizations for contract or grant support costs for contracts, grants, self-governance compacts or annual funding agreements with the Indian Health Service pursuant to the Indian Self-Determination Act of 1975, as amended, shall be allocated and distributed to such contracts, grants, self-governance compacts and annual funding agreements each year on a pro-rata proportionate basis regardless of amounts allocated in any previous year to such contracts, grants, self-governance compacts or annual funding agreements: *Provided further,* That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further,* That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. SIMPSON. Mr. Chairman, on behalf of the gentleman from Alaska (Mr. YOUNG), I make a point of order against the language beginning on page 80, lines 11 through 23 that reads:

Provided further, That notwithstanding any other provision of law, hereafter any funds appropriated to the Indian Health Service in this or any other Act for payments to tribes and tribal organizations for contract or grant supports costs for contracts, grants, self-governance compacts or annual funding agreements with the Indian Health Service pursuant to the Indian Self-Determination Act of 1975, as amended, shall be allocated and distributed to such contracts, grants, self-governance compacts and annual funding agreements each year on a pro-rata proportionate basis regardless of amounts allocated in any previous year to such contracts, grants, self-governance compacts or annual funding agreements.

This language clearly violates clause 2(b) of House rule XXI against legislating on an appropriations bill.

The CHAIRMAN. Does any other Member wish to be heard?

Mr. REGULA. Mr. Chairman, we concede the point of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? If not, for the reasons stated by the gentleman from Idaho, the point of order is sustained and the provisions referred to are stricken from the bill.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we conceded on this point of order because obviously it is legislative language, but I would point out that it is a basic fairness issue. Unfortunately, we do not have enough money to do 100 percent of contract support costs. The result is that if the funding is not distributed on a pro rata basis, it ends up that some tribes will get 100 percent of what they should and others will get less or nothing. The Bureau of Indian Affairs uses the pro-rata distribution of contract costs, and we would hope that the Indian Health Service could do the same. I think our position is fair, and we recognize that the limited funding results in some tribes getting very little or nothing. However, that is a policy issue that should be addressed by the authorizing committee and we recognize that. I hope that the authorizers will take a look at it and perhaps we could get more money so that we could provide funding for everybody that has need of health services.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word. In response to the gentleman from Ohio, I am pleased that he accepted the point of order. We had this discussion last year. We have started the process of the hearings. We have had a report back from the GAO. We are looking into this issue. But I would like to stress one thing for those that may not be aware of this. Just disbursing moneys to all the tribes does not solve the health issue. One of the problems that I have had with the BIA, and especially this present administration, is that in my State they recognize 227 tribes. We do not have 227 tribes in my State. We have probably 11 tribes in my State. Those 11 tribes supply very good health services to all the members of those tribes because they have enough money to do the job correctly. And because of administrative costs, I would suggest all the smaller tribes would apply for money but yet not provide the health care.

I have no one in my State that is asking for this type of pro-rata formula be used in my State. They think it would destroy a very efficient, very high class health system. And so for that reason, we are going to look at this. But I hope we are not trying to give everybody a little piece of the apple when there is not enough apple left to make a pie. Really that is what we are attempting to do.

I want to thank the gentleman for his accepting the point of order, but this issue goes far beyond just supposedly being fair. This goes to the basics of good health care. We have the Yukon-Kuskokwim area which has one of the finest health care systems, it provides health care for basically 58 tribes. If we were to split that up in 58 small groups, we would have no health care for the recipients. So this is a health care issue which I feel very strongly on. We are going to work on it and try to get more money so that we can do it for everyone.

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But just to spread it out does not solve the problem of good health care.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, the gentleman is satisfied that all of the Native Americans in Alaska that need health care will have access. There may be great distances involved, but they will have access in the points where we are now providing funding.

Mr. YOUNG of Alaska. They will have access; they will have good health care; they will have the ability to take and receive the health care as they have in the past, in fact, improve upon it. But if we disburse it in very small areas, they will not have that.

Mr. Chairman, I yield to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, there is no question that both the gentleman from Ohio (Mr. REGULA) and the gentleman from Alaska (Mr. YOUNG) are deeply concerned about Indian health care. They have demonstrated that time and time again. I think the question that the gentleman from Alaska

(Mr. YOUNG) and I have and the problem we have is so diluting and spreading these funds so thin that they become meaningless; and we have to address this, and we can address it perhaps in the authorization process or appropriate more money for this service.

But I think this would dilute and make money ineffective, the money that is available right now, and I certainly commend both the gentleman from Alaska (Mr. YOUNG) and the gentleman from Ohio (Mr. REGULA) for their concern here, but I think this provision in the appropriations bill, which has been stricken, would spread too thin the money.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $13,400,000, to remain available until expended: *Provided,* That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further,* That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further,* That no relocatee will be provided with more than one new or replacement home: *Provided further,* That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; $371,501,000, of which not to exceed $48,471,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended, and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: *Provided,* That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: *Provided further,* That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H St., N.W. building in the District of Columbia: *Provided further,* That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: *Provided further,* That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H St. building or of planning, designing, and constructing improvements to such building.

REPAIR, RESTORATION AND ALTERATION OF FACILITIES

For necessary expenses of repair, restoration and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $47,900,000, to remain available until expended: *Provided,* That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price: *Provided further,* That funds previously appropriated to the ''Construction and Improvements, National Zoological Park'' account and the ''Repair and Restoration of Buildings'' account may be transferred to and merged with this ''Repair, Restoration, and Alteration of Facilities'' account.

CONSTRUCTION

For necessary expenses for construction, $19,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to initiate the design of any expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

None of the funds in this or any other Act may be used to prepare a historic structures report, or for any other purpose, involving the Holt House located at the National Zoological Park in Washington, D.C.

The Smithsonian Institution shall not use Federal funds in excess of the amount specified in Public Law 101–185 for the construction of the National Museum of the American Indian.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $61,538,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $6,311,000, to remain available until expended: *Provided,* That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $12,441,000.

CONSTRUCTION

For necessary expenses for capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $20,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $7,040,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $83,500,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

AMENDMENT NO. 17 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. STEARNS:

Page 87, line 19, insert ''(reduced by $2,087,500)'' after the dollar figure.

Mr. STEARNS. Mr. Chairman, my amendment would reduce the NEA funding by about $2 million, and, Mr. Chairman, this is about 2½ percent of the budget. And I noticed earlier that a

lot of Members coming down to the well and my good colleague, the gentlewoman from New York (Ms. SLAUGHTER), who indicated that we need to increase the funding. I think it is appropriate that I come forward also. So there are many of us do not think we need to increase the funding for NEA; and in fact over the years I have been in the House, the funding for the NEA has always been in question.

There was a colleague of ours, Tim Penny from Minnesota. I think a lot of Members on that side will remember him, a Democrat who was an outstanding distinguished Member. He used to come on the House floor and always have an amendment to reduce funding of every appropriation bill by about 2½ percent. Sometimes it would be 5 percent. I think we remember that.

Mr. Chairman, his thinking was to get the budget under control, we could take a modest reduction in every government program, and so the huge amount of savings that comes from across-the-board cut of 2½ percent or 5 percent is enormous. It is just this little small trim, modest amount, has a major impact on the budget.

So I think this particular agency is obviously one of the agencies that I think that we could trim. So my amendment takes a very modest step in beginning a process of reduction; and of course, budget reduction requires discipline, and I think it is important that we look at the NEA. This is an agency that many of us question whether it should be in existence; but, as my colleagues know, the sentiment today, a lot of the pro NEA folks have won out, and when Congressman Sid Yates was here we used to debate, he and I, all the time. But it appears that a lot of sentiment is on my side to increase the funding for the NEA. I am still one of those who think that we can do a modest across-the-board cut of 2½ percent.

I am not here to argue the merits of the NEA; we have had that discussion together with the gentleman from Washington (Mr. DICKS) and I and the gentleman from Ohio (Mr. REGULA) and the gentlewoman from New York (Ms. SLAUGHTER). We have taken that question of merit of the NEA and pounded it into the ground, and I am not necessarily hoping that the folks are going to get up and argue the merits of the NEA. But I am here to say that I think even though we have a surplus, it would not hurt to have a little fiscal responsibility here; and so I think on this side of the aisle there are many people who say, yes, we can reduce the Federal agency, no matter what agency in question. We can reduce it by 2 percent or 2½ percent.

The NEA is not necessarily an agency that is absolutely mandatory. It does not shield us from economic hardship. It is not there to defend us against invasions. It does not guarantee Medicare. It does not guarantee Social Security. It does none of the things that one would say, well, the government programs should do this. This is simply a program that provides government funding for the arts.

But I say to my colleagues, the Federal Government currently supports over 200 programs for the arts and humanities. Let me just give my colleagues a couple of examples so when my colleagues think, well, the NEA is the only agency that does it, there is over 200 of these programs. These programs just sort of fan out like minnows: the Commission on Fine Arts, the JFK Center for the Performing Arts, the National Gallery of Arts, the Indian Arts and Crafts Board, just to name a few.

So my colleagues here tonight get very sensitive about the NEA, but, I mean, there are over 200 of these programs. It is not the sole source of art funding in America i.e. the NEA. If we decrease the NEA funding, the art community is not going to fall apart. So I do not think we have to throw up our hands and say this is an emergency, a dire crisis.

It only accounts for only less than 1 percent, 1 percent of the approximately $10 billion we spend in this country for art work, and there is going to be a new charitable revolution in America as a result of the stock market and the good economics times we have today. This revolution is going to come about because of private investment and not because of the United States Government. And that is why I am really puzzled to see this side of the aisle and a few Members on that side say we have got to increase the funding for the NEA.

As my colleagues know, I would like to conclude by just putting this in perspective for some of my colleagues. Let us go back in history now to the framers of our Constitution in 1787. During the Constitutional Convention, Charles Pinckney of South Carolina offered a motion to authorize and ''establish seminaries for the promotion of literature and the arts and sciences.''

The motion was overwhelmingly defeated because the framers of our Constitution did not want the Federal Government to promote the arts with Federal funds. It did not want to tax Americans and say we are going to take your money, send it to Washington D.C. and then we are going to hand out all this money to the artists, the elite groups that the government thinks are the talented artists of the day.

So from that point on, we never had the Federal Government involved with supporting the arts. We let the private sector do it. But around 1967, as my colleagues know, that all changed with President Lyndon Johnson.

I am reminded of a remark by the noted American artist, John Sloan.

The CHAIRMAN. The time of the gentleman from Florida (Mr. STEARNS) has expired.

(By unanimous consent, Mr. STEARNS was allowed to proceed for 2 additional minutes.)

Mr. STEARNS. Mr. Chairman, the American artist John Sloan, this is what he said:

''It would be fine to have a ministry of fine arts. Then we would know where the enemy is.''

So, I mean, this is an American artist talking about the government taking over the arts program. Even artists today recognize that the government bureaucracy today cannot create art. As my colleagues know, when we put this in perspective, we are spending $10 billion in the private sector for art. Surely we have to question the value of this little program. But I will grant that the program is getting more support in Congress, and I accept that fact.

So we have a modest cut of 2½ percent, and if the amendment earlier that all of my colleagues supported, i.e. increasing $10 million, goes forward, then this reduction will even be less. It will probably be about a 1 percent reduction in the NEA budget.

So I say to my colleagues, and they have been kind enough to give me 2 additional minutes, that they have many on their side advocating more spending on the NEA. As my colleagues can see, I am pretty much defending the leak of more spending in the wall here with my thumb. So I am glad to have this additional 2 minutes.

As my colleagues know, I think the NEA is a luxury. Let us face it, it is a luxury; and my colleagues want to continue this luxury, and I think at this point there is lots of us who say we can cut this program by 2½. If it is increased by $10 million, like my colleagues wanted to do earlier, then my amendment will eventually provide a cut of only 1 percent. Let's keep Congress on budget.

So in honor of Tim Penny, who used to come on the House floor and try and cut 2½ percent, I think we should pass the Stearns amendment. I think the bottom line is simple. We need to eliminate excess. We need to trim all Federal programs across the board, because this surplus is not going to go on forever. I mean, the President is projecting surpluses for the next 10 to 15 years, but all of us know this is not going to happen. We have never seen a country go forward with its economy without any recession in 10 to 15 years.

So ultimately this surplus is going to be gone, and we are going to have to start reducing Federal spending, I think this is one program, if we are serious about reducing government, I think this is a good place to start; and I thank my colleagues for the 2 additional minutes.

Mr. DICKS. Mr. Chairman I rise in strong opposition to the amendment offered by the gentleman from Florida (Mr. STEARNS).

Mr. Chairman, the gentleman will remember in fiscal year 1995 there was $170 million in funding for the National Endowment for the Arts. Today, it is $98 million. The National Endowment for the Arts has been cut back dramatically by this Congress, by previous

Congresses. I think that was a terrible mistake.

The gentleman is right. There are many of us on this side who strongly support the National Endowment for the Arts, and we have today heard many more than just one on the other side who stood in this well and supported the National Endowment for the Arts and Humanities.

Now we are faced with the prospect of a cutting amendment, of .49 percent, which would mean a cut here of $470,000. So there is another chance if people feel compelled, and I will be opposing that amendment to make some modest cuts, but I also would say to the gentleman, since the revolution of 1994 this budget has been on hold, and inflation has already cut it by at least 8 or 9 percent over that 4-year period; and I think the gentleman understands how that works. Inflation, as my colleagues know, and then we keep it at a fixed level, and so the purchasing power of the money has eroded by at least 8 to 10 percent since 1994.

So I think what we have heard today I think in this House is that there is strong support for the Endowment because it is doing a fine job, and it is helping bring the arts all over this country and there may have been a day when the arts were focused in New York and Chicago and some of the large cities. That is not true today.

Get the list of the National Endowment grants in all of the communities of this country and my colleagues will see that the arts have proliferated. We have literally hundreds of ballets, hundreds of symphonies, hundreds of orchestras. I mean, there has been a revolution, and I would argue that that revolution was moved forward dramatically in 1965 when this Congress created the National Endowment for the Arts and the National Endowment for the Humanities.

□ 1430

I think those were incredibly bold acts, and the private sector growth in funding has paralleled the creation of the endowments. The private sector looks at the National Endowment for the Arts as kind of the Good Housekeeping Seal of Approval.

We do not pick these things, by the way. The government does not pick. We have panels that review all the applications. The panel system has worked brilliantly, I think, to help in supporting the arts around the country.

Mr. Chairman, I stand here today and tell the Members that I think this is a mistake. Let us have a vote on the Slaughter amendment. Let us try to do the right thing, which is to increase funding for the arts, not decrease it. I think that there is a strong consensus in the House that because we have had no increase in 4 years, that the Slaughter-Horn $10 million increase is the appropriate direction. Let us not confuse this with the Stearns amendment.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment of my good friend and colleague, the gentleman from Florida (Mr. STEARNS). First, I would like to speak in support of the underlying bill.

The gentleman from Ohio (Chairman REGULA) and the ranking member, the gentleman from Washington (Mr. DICKS), have put forward a very balanced and thoughtful bill. I commend them for keeping the horrible anti-environmental riders and many other commercial riders that were attached to the Senate version off, and I commend them on putting forward this product.

I would like very much to be associated with many of the comments of my colleague and friend, the gentleman from Washington (Mr. DICKS), who pointed out that the National Endowment for the Arts and the National Endowment for the Humanities has been cut dramatically since 1994 and is now at a mere $98 million for the National Endowment for the Arts, and that I strongly support my colleague, the gentlewoman from New York (Ms. SLAUGHTER), who has come forward with a thoughtful amendment, a very modest one, to increase the funding to the NEA and NEH by $10 million each.

Right now, Mr. Chairman, we spend more on the Marine Corps Band than we do on the NEA and NEH. In fact, we give less to the arts than any other Western country. Even during the Middle Ages, the arts were something to be protected. The humanities were supported and preserved. Their importance was understood.

Mr. Chairman, we have heard many testimonies from my good friend, the gentleman from California (Mr. HORN) on the other side of the aisle that the arts are good for the public. He is a former professor, and he cited study after study that shows that children who are exposed to the arts and humanities do better in school and have higher self-esteem.

Mr. Chairman, the money for the National Endowment for the Arts and the National Endowment for the Humanities touches the lives of millions of Americans. In my own home district, the Metropolitan Museum of Art, thousands and thousands of people flood in and out of their doors each day. The American Ballet Company travels around the country bringing the grace of ballet to every area of our country.

Before the NEA was created in 1965, there were only 58 orchestras in the country. Today there are more than 1,000, and I am building on the comments of the gentleman from Washington (Mr. DICKS) on how the seed money from the NEA spurs the arts in communities clear across the country.

Before the NEA, there were 37 professional dance companies in America. Now there are over 300. Before the NEA, only 1 million people attended the theater each year. Today over 55 million attend regional theaters. Mr. Chairman, many of these institutions that have grown are there because of the support from the NEA, which then attracts private dollars.

I would like to mention that the new director of the NEA, Mr. Ivey, has come forward with an innovative program that my colleague, the gentlewoman from Connecticut (Mrs. JOHNSON) spoke on called Challenge America, which reaches out to neighborhoods across America through community-driven grants.

I would like to be associated, really, with the fine analysis that my colleague and friend, the gentlewoman from New York (Ms. SLAUGHTER) gave about the economic benefits of the arts to communities, and how the investment grows to more dollars in our economy, more tax dollars coming back to the Federal treasury.

She also pointed out very forcefully that all of the additional monies that she included in her amendment are direct grant monies. None of it will be used for administration in either the NEA or the NEH, but will be going to community groups through the challenge grant across America.

In closing, in addition to the economic benefits, the impact the arts have on our culture and the development of our children and our society is priceless. It is a small part of our budget. I fully support the Slaughter amendment, I support the underlying bill, and I am opposed to the amendment offered by my good friend, the gentleman from Florida (Mr. STEARNS).

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, President John F. Kennedy said of the arts, a nation without the arts has nothing to look backward to with pride nor look forward to with hope.

In the Middle Ages it was the archdukes, the doges, the princes, who selected out of their treasures the arts to be supported; who set the tone, who set the quality, and decided what was art.

We do not have doges or princes or kings in our pluralistic society today, but we do have the public trust, a public that understands that it is the arts, that it is the neighborhood theaters, that it is the small community concerts that express the conscience of a Nation, the spirit of a people.

These small amounts of public funds that have stimulated neighborhood theater, that have encouraged social commentary, that have lifted the spirit of a people have come out of the National Endowment for the Arts and National Endowment for the Humanities.

To say that the arts and this small amount of funding are a luxury is to misunderstand the spirit of a Nation. I think it is unreasonable to propose such a petty amount of cut in a program that has such a broad social appeal and that serves to lift the spirit of a people, a community, such as Moose Lake in my district, which put on a

marvelous performance, written locally, produced locally, with local participants, about the ethnic history of that area, about the devastating fire at the turn of the century that destroyed communities but which were rebuilt, and the story was told through this neighborhood community theater.

These are the kinds of things that the National Endowment for the Arts can and does and should continue to support. The small amount, as portrayed, of cut is big for those small communities. We should be generous enough to support the arts through the public means, through the public support that we offer the National Endowment for the Humanities. I urge a ''no'' vote.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I am sorry that the gentleman from Minnesota (Mr. OBERSTAR) just left the Chamber. I wish he was here. He was quoting President Kennedy. I think this quote by President Kennedy is more appropriate. He stated his opposition to government involvement in the arts.

Let me repeat that, President Kennedy, a Democrat president, voiced his opposition to the government's involvement in the arts with this quote: ''I do not believe public funds should support symphonies, orchestras, or opera companies, period.''

Now, the gentlewoman from New York (Mrs. MALONEY) talked about the increased attendance at all these different functions, arts festivals and operas and ballets. The NEA provides less than 1 percent of the overall amount that is spent in the arts, $10 billion in the private sector and under $100 million in the government. So surely all this attendance is not because of the NEA. It is because of the increased funding in the private sector.

I would point out to my colleagues that before 1967 there was not an NEA, so for 200 years in this country we functioned without the government involved. Surely we had priceless artwork, we had activities available for our constituents without government funding. As I pointed out earlier, the Framers never intended that the government should get involved with supporting the arts.

The last point I would make, Mr. Chairman, I would say to the gentleman from Washington (Mr. DICKS), 166 congressional districts get no money, and mine is included. So when the gentleman talks about fairness, the fairness is that the large cities get the money, but there are 166 congressional districts that get zero.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the numbers are very good, though, because that means that 269 districts do get money. And I do not believe those numbers are correct, and we will check on them for the gentleman from Florida. But even under the gentleman's math, a vast majority of these districts do get funding and support.

Remember this, if we have the ballet in Seattle but it tours all over the State of Washington, it is benefited by that. So I would just suggest to the gentleman that there are some positive implications of this.

Mr. STEARNS. Mr. Chairman, if the gentleman will yield further, statistics are clear, the education and labor provided those statistics that 166 congressional districts get no funding. So it is not something I made up. I think if the gentleman is talking about real democracy, then every Member of Congress should benefit from a government-funded program by taxpayers, and it is not happening. There is an elite group it goes to. It does not go to a lot of congressional districts. That is just a point.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I might just add to that. I represent 20 percent of Pennsylvania, which includes State College, a fast-growing suburban type area. My district has historically received no NEA funding.

Ms. SLAUGHTER. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Pennsylvania. I yield to the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, Bushnell, in Florida, I believe in the gentleman's district, I would say to the gentleman from Florida (Mr. STEARNS), is a participating school. Ocala, Florida, does the gentleman represent Ocala? Orange Park, the Orange Park High School. Those three had NEA grants last year.

Mr. STEARNS. If the gentleman will continue to yield, Mr. Chairman, what happens is that money is given to the State and then the State gives it to them, but it is not given from the Federal government to these agencies.

Ms. SLAUGHTER. If the gentleman from Pennsylvania will yield further, Mr. Chairman, I would say, this is NEA money.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as I was sitting and waiting my turn to speak, I happened to glance straight over the Chairman's head at that quote there from one of the great members of the other body, Daniel Webster.

The quote says, ''Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered.''

What do we remember nations for? What do we remember 16th century Italy for? Can we name her kings? Can we name her doges? Can we name her wars, her conquests? No, but we can name her artworks. We can name da Vinci. We remember Leonardo da Vinci. We still treasure the Mona Lisa. We remember Erasmus and his contributions to the humanities.

What do we remember of ancient Greece? Can we name her generals? Can we name the dictators of Sparta, the leaders of Athens? Very few of them, but we remember the Iliad and Odyssey. We remember her philosophers, we profit from them. We remember the humanities and the arts. This is ultimately much of what a nation is remembered for, and what gives us much of our value and our humanity.

The Federal budget this year is about $1.7 trillion, $1.7 trillion. The budget for the arts is about one ten thousandths of 1 percent, if I have my decimal places right, about $100 million, and we are debating whether to increase that by one one hundred thousandths of 1 percent, $10 million, or to decrease it by two-tenths of one one hundred thousandths of 1 percent of the budget, $2 million.

Of course, the gentleman from Florida (Mr. Stearns) does not really care about the $2 million. What he really objects to, as he said himself, is we should not be funding the arts in the first place. That is what this really is. It is a symbolic amendment against funding for the arts.

□ 1445

But the fact is before the NEA. Yes, the NEA is only $100 million. It ought to be $150 or $160 million. And it is only a small part of all the arts funding in the country. But we have heard the speakers say before, we know the facts, that for every NEA dollar that an institution gets it leverages a lot of private money, that it brings forth private money into the arts.

We have heard people speak about the economic value, that it is worth billions and billions of dollars for the economy of this country. We have also heard some bogus arguments against it. We have heard that 166 districts get no funding, no funding directly. But the fact of the matter is that, first of all, it is not even true, because the money is given to the State Arts Council which is going to those districts. But, second of all, there are plenty of institutions in New York, in Los Angeles, and many other places which may be headquartered in those places but which have traveling arts shows, traveling dance troupes which go to all of these other places around the country.

One of the real worths of the NEA is that it has spread the arts and made it available. Before the NEA 30 years ago, citizens could be exposed to the arts if they lived in New York or Los Angeles or Chicago. But if citizens lived in a small town in rural America, there were no symphonies, no plays, no traveling arts troupes to go to. The NEA provides the funding for that to spread

the arts all through this great Nation of ours. That is really what it is. That is really what it does.

And then we hear again the same bogus argument: Too few places get too much of the money. That is absurd. Do we ever hear representatives from New York complain that the district of the gentleman from Florida (Mr. STEARNS) or districts in Indiana get too much of the wheat subsidy, too much of the agricultural subsidy? Manhattan does not get a dime in agricultural subsidies.

Mr. Chairman, it would be ridiculous to say that. We do not have agriculture in Manhattan. We give the subsidies and the aid where the industry we are aiding or subsidizing is. And if agriculture is in Indiana and Illinois and wherever, that is where the money should go. And if the arts and arts institutions are headquartered in New York or L.A. or wherever, that is where more of the money should go, especially if they spread their benefits all through the breadth of this land as they do.

Mr. Chairman, it has been said the Framers never intended subsidy of the arts. The Framers never intended Social Security or Medicare either. The Framers never intended a lot of things that most people in this country support. We advance. Times change. The people of this country decide through their representative institutions what the Federal Government should be doing. It is not simply limited to what an 18th century people thought it should be doing at that time.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I would ask the gentleman from New York if he thinks the Federal Government should discriminate based on who they give their artwork to?

The CHAIRMAN. The time of the gentleman from New York (Mr. NADLER) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. NADLER was allowed to proceed for 1 additional minute.)

Mr. NADLER. Mr. Chairman, I did not understand the question.

Mr. STEARNS. Mr. Chairman, if the gentleman would continue to yield, in his speech here he has indicated that the government should have the right to decide what cities it is going to put the art in, which indicates they are deciding, which means they are discriminating against people who are not getting the art. So would the gentleman allow the Federal Government to discriminate?

Mr. NADLER. Mr. Chairman, reclaiming my time, I do believe that in any grant program we have provisions to make sure that it is broadly spread and should not all go to a few places. But, obviously, it cannot be exactly evenly spread.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, as the gentleman well knows, we have a panel system and all the people send in their applications and a group of distinguished panelists review those applications and pick those of the highest quality. That is about the best way to do it.

Mr. NADLER. Mr. Chairman, reclaiming my time, I would simply add we do it the same way in medical research. Maryland gets a disproportionate share of our medical research dollars because the National Institutes of Health is there. Is that unfair? No, it is simply the way the world operates. We have a good research institution. We subsidize research. We have wheat fields. We subsidize wheat. And we have arts institutions, and we subsidize art.

Ms. MCCARTHY of Missouri. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong opposition to the amendment offered by the gentleman from Florida (Mr. STEARNS) to reduce funding for the National Endowment for the Arts. NEA has not had a funding increase since 1992 when their budget was almost $176 million. In fact, in the 104th Congress when I arrived, efforts were made to eliminate the NEA. The funding level in this bill, $98 million, is inadequate; and another cut of $2 million is unacceptable.

Mr. Chairman, as I said in my remarks during general debate yesterday, we need additional funds to support grants for arts education which we know is key to reducing youth violence and enhancing youth development. If we are serious about curtailing youth violence, cutting funds to an agency that is getting positive results with its youth arts project is counterproductive.

Three years ago, the NEA and the U.S. Department of Justice took the lead in jointly funding this national project so that local arts agencies and cultural institutions across the Nation would be able to design smarter arts programs to reach at-risk youth in their local communities.

One of the primary goals of this project is to ascertain the measurable outcomes of preventing youth violence, preventing them from getting involved in delinquent behavior by engaging them in community-based arts programs. This program has had a dramatic impact across the Nation, and we must preserve adequate funding for NEA to continue it and to expand it.

We should also be requesting additional funds to expand NEA's summer seminar sessions to provide professional development opportunities to our Nation's teachers who are on the front lines in our efforts to reach out to our children. Mr. Chairman, arts education programs extend back to the Greeks who taught math with music centuries ago. And current studies reaffirm that when music such as jazz is introduced by math teachers into the classrooms, those half notes and quarter notes become real live examples for students to use to learn.

In my district, NEA is currently funding the 1999 Ailey Camp of the Kansas City Friends of Alvin Ailey, which is a national dance troupe. This 6-week dance camp has a 10-year history and has provided opportunities for more than 1,000 children. This camp provides a vehicle, through art, for children to grow and enjoy the experience of success. Beyond the dancing, they also have creative writing, personal development, antiviolence and drug abuse programs.

The Second Company of the Alvin Ailey dance troupe will be doing outreach this fall to children who will ultimately perform in the Gem Theater in Kansas City. The statistics confirm the success of this program on behavior and learning of these at-risk children.

Mr. Chairman, I urge my colleagues to reject the Stearns amendment and send a message that art and music in the classroom increase academic achievement and decrease delinquent behavior and that it is a critical component in reducing youth violence.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Stearns amendment and in support of the Slaughter-Horn amendment to add $10 million to the National Endowment for the Arts and $10 million for the National Endowment for the Humanities.

Mr. Chairman, these are small sums of money in actuality, but the reality is that the arts and humanities are such important components of American life that in ways that oftentimes it is difficult to see they perform invaluable services, bringing people together who otherwise would never interact with each other, giving people an opportunity to share history and culture, bringing people from different sectors of communities and walks of life into the same setting.

I could imagine what it would be like without the arts and humanities bridging some of the gaps that exist in our society. I know very minor sounding programs like Imagine Chicago, which brings people from all over the city into groups, are programs that are so simple but yet so complex, yet so effective and yet so cost-conscious.

I would urge us to recognize the tremendous value of the arts and humanities, recognize the value of a Peace Museum, the value of just a little bit going a long way. I urge support for the Slaughter-Horn amendment and urge that we reject the Stearns amendment to cut funding for these invaluable programs.

Ms. SCHAKOWSKY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand here as the follower to Representative Sidney Yates who was our Nation's most articulate,

passionate, and outspoken advocate for the arts and humanities. He was in this body for nearly half a century and never gave up on the fight to protect the arts.

As his successor I feel a particular obligation to stand here today in opposition to an amendment that would reduce what I think is a too-small budget of the National Endowment for the Arts by $2 million, an amount that may mean little in other agencies and other aspects of government but means so such to the National Endowment for the Arts.

I hope that my colleagues will honor Sidney Yates's long tradition of advocacy by voting against this amendment and in support of the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) which promotes a larger role for the arts and humanities in our community.

Budgets are about priorities, and if any of us were to talk to ordinary people in our districts and ask them what was important in their life they would begin to talk about things that they may not classify so much as the arts but really are.

In Chicago, particularly in the summer, it is just pulsing with different kinds of events and festivals that allow us to celebrate our diversity together in song and in dance and in cultural performances. This is all art. And in fact, in our city, more people are engaged in arts and cultural events and more money is generated by those than all of our sports franchises put together, and that includes even the days when Michael Jordan was playing for the Chicago Bulls.

When we look at what the gentlewoman's amendment would do by adding $10 million to the NEA and $10 million to the NEH, who can say that these are not valuable and important things that we as a Nation should be spending money on? For example, the NEA would use its money for a program called Challenge America; and that new funding would help improve arts education. Educators now understand that the key to learning for many children, particularly at-risk children, is through the arts, through music, through performance, through dance, through the visual arts. That is how we can reach so many of our children that cannot learn any other way.

It helps increase access to the arts for all communities, not just a select few. We are talking about an estimated 1,000 communities nationwide that would receive small- to medium-sized art project grants. It would fund cultural and heritage preservation, establish community arts partnerships.

In my State, the Illinois Arts Council has proposed an initiative that could be financed through Challenge America. They could collaborate with arts and education organizations to develop programs that encourage parents to attend and discuss arts events with their children, Parents and Children Together. That is what we have all been talking about as a solution for learning problems and for violence and for the culture of violence.

The program would include event-specific material to assist parents and children in sharing their arts experiences. They would also include ticket subsidies to assist parents. The initiative would specifically target generations of parents who receive little or no arts education themselves in the schools.

And the NEH's additional money would fund Teaching with Technology programs. One part of the program has already begun to research and highlight the best humanities sites on the web.

Right now in my community someone who learned about hate through the web killed a person and shot six Jews on their way to synagogue.

□ 1500

What we need to do is to be encouraging our children how to seek out Web sites that provide them with positive inspiration. That is what this money would do. It would fund schools, with the consortia of community organizations, local colleges, parents, or businesses to design and implement professional development activities for teachers throughout the school around a given humanities team.

Using technology will also be a focal point. Some examples of the program being developed include the Navaho Heritage and Culture, Steinbeck's California, the Immigrant Experience, and Shakespeare. This is where we should be directing kids on the Web, and that is what this money is about.

How can we even think about cutting programs that are going to be doing so much for all of us? I urge a no vote on this amendment and a ''yes'' vote on the amendment of the gentlewoman from New York (Ms. SLAUGHTER).

Mr. RILEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to enter into a brief colloquy with the gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Interior.

Mr. Chairman, as the gentleman from Ohio (Mr. REGULA) knows, I planned to offer an amendment today to the Interior appropriations bill that would have allocated funding and directed the United States Geological Survey to install and continue to operate new water gauges on the Alabama, Coosa, Tallapoosa, and Apalachicola, Chattahoochee, Flint River Basins. This is an issue of high priority for me and the people impacted by the water allocation on the ACT and ACF River Basins.

In 1997, Congress enacted the Water Compacts between Alabama, Georgia, and Florida. Currently, we are in the process of negotiating water allocation formulas for the ACT and the ACF River Basins. The States only have until the end of the year to reach an agreement and obtain the Federal Government's concurrence to the allocation formulas.

It is my strong belief that, in order to ensure both water quantity and quality compliance for the allocation formulas entered into by the States, those gauges must be installed and made operational as soon as possible.

I would appreciate the commitment of the gentleman from Ohio (Mr. REGULA) to work with me to ensure the funding of these water gauges and that it is made a top priority.

Mr. Chairman, I yield to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I thank the gentleman from Alabama for yielding to me.

I want to commend the gentleman for his efforts and note that the committee is equally committed to ensuring that additional and much-needed water monitoring gauges are installed on the ACT and the ACF River Basins.

I also want to thank the gentleman from Alabama for his leadership on this issue and assure him that I will continue to work with him to address the need for the installation and continuous operation of the water gauges.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to inform our colleagues who are watching in their offices that, after we have completed the next Stearns amendment, we will have two votes. One will be on the amendment from the gentlewoman from New York (Ms. SLAUGHTER) raising the amount of funding for the arts and the humanities, and then a vote on the amendment by the gentleman from Florida (Mr. STEARNS) cutting the arts and humanities.

I would say to my colleagues I will vote no on both of those. I say that because I think we have a balance that we have achieved here. Our bill is slightly under last year's number overall, and yet we kept both the arts and the humanities at last year's level. I think it recognizes a balance that we hope would be acceptable to all the Members. Therefore, I urge Members to vote no on both of the amendments.

I am particularly concerned that the amendment to raise the arts and humanities by $10 million each would come out of SPR. We have already taken $13 million out of SPR. I believe that would be a mistake in terms of our energy security.

I would say to the supporters that the opponents did not raise the point of order, which they would be entitled to do without a waiver, and they are giving us an opportunity to add to or take away. But in the final analysis, I would urge the Members to vote no on both.

I would also say that both Mr. Ivey and Mr. Ferris have made a real effort to reach out. We had the issue of congressional districts not getting any programs. Part of the reason is they do not apply. I would hope that in their newsletters, and however else, the Members would say to the small schools, the small communities around this Nation, that they should apply for

these programs. I know Mr. Ferris at the National Endowment for Humanities and Mr. Ivey at the National Endowment for the Arts would like to spread the programs across a broader spectrum.

The language that is in the bill urges this result that we put in a couple of years ago. So here is an opportunity for Members to provide assistance to their constituents by letting them know that these grants are available.

Again, I appreciate the very good way we have handled this. I have been here when it has not been quite as easy or as amicable in terms of the debate. I think parties on both sides of this issue have been very positive in the way they have presented their cases. But I do hope we can maintain the amount in the committee. I think it is a fair resolution of these programs.

Ms. SLAUGHTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to echo what the gentleman from Ohio (Chairman REGULA) said. This has been an enormously wonderful debate this afternoon, but it would not be complete without the gentleman from Florida (Mr. STEARNS) and I having our little do over the NEA. Despite that, I consider him a friend.

I point out with the gentleman from Florida (Mr. STEARNS) he has NEA in three projects in his district. I would like to tell the gentleman from Pennsylvania (Mr. PETERSON), who spoke previously, that he got no NEA money, if the gentleman from Pennsylvania (Mr. PETERSON) would pay attention a moment, that he got money at St. Marys, Russellton, Franklin, Lewisburg, Lock Haven and Philipsburg, again, and State College. The State College band was in the national finalist competition with NEA money.

This NEA money, Mr. Chairman, is exclusive of what their State gets. So many Members simply do not know, Mr. Chairman, whether or not they get the NEA money or not.

One of the things that the gentleman from Florida (Mr. STEARNS) had said was that this money goes out of here like little minnows skittering around. That is what I like best about it. If we get the $10 million, if we are lucky enough to add that to both of these agencies this afternoon, more money will be going skittering into places that have not had that advantage before.

The best part about it is it leverages local money and makes it possible for people to see and do and be exposed to things that they might never have seen before.

Once again, we have used these two agencies as whipping boys for the past 5 years, taking out some kind of anger on them that was totally unjustified for the kind of work that they do. I hope that all of my colleagues in their offices now will recognize that the National Endowment for the Arts is important to us.

There has to be a reason why the Conference of Mayors, why the National League of Cities, why the Governors Association, why the State legislatures, all 50 of them, why all of them say that, at every level of government, Federal, State, and local, we must increase the money that we are putting in the arts.

We get nothing bad from good. In addition to the good that we get back, $3.5 billion to the Treasury is not bad.

Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I want to say to all of our colleagues who are back in their offices watching us on television that the first vote is going to be on the Slaughter-Horn amendment, and I very strongly urge them to support that.

The second vote would be on the Stearns amendment, and I urge them to oppose that.

I want to commend the gentlewoman from New York (Ms. SLAUGHTER) for her leadership of the Arts Caucus and her tremendous advocacy for the arts. I hope today we can turn around a tradition here that has been anti-art for several years and show the people of this country that Congress supports the National Endowment for the Arts and Humanities.

Ms. SLAUGHTER. Let me close, Mr. Chairman, with just saying that the Founding Fathers, whatever they felt about art, we are certainly blessed they gave us a work of art to work in. Again, I urge a ''yes'' vote on the Slaughter amendment and a ''no'' vote on the Stearns amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

AMENDMENT NO. 18 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. STEARNS:

Page 87, line 25, insert the following before the period:

, except that 95 percent of such amount shall be allocated among the States on the basis of population for grants under section 5(g) notwithstanding sections 5(g)(3) and 11(a)(1)(A)(ii) of the Act

Mr. REGULA. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. DICKS. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Washington reserves a point of order.

Mr. STEARNS. Mr. Chairman, I appreciate the gentleman from Ohio (Mr. REGULA) reserving a point of order so that I could at least have an opportunity to present my amendment to my colleagues.

This amendment is an enlightening new idea for us in this debate dealing with the NEA. I think my amendment would take a questionable, controversial program and place it in the hands of the States.

The gentlewoman from New York (Ms. SLAUGHTER) indicated that the States are providing money, and somehow this dribbles on down to congressional districts. My amendment would simply say that 95 percent of the funding of the NEA would go directly to the States. We just block grant it, bingo, it would all go to the States. That way, we would ensure that the State of Florida, the State of Ohio, the State of California, the State of Wyoming, and all the States in the union would get funding proportional to the population of their State. So we would not have a Federal bureaucracy deciding where this money is going to go.

As I mentioned earlier, 166 districts, including mine, never see this NEA funding. These are not my statistics. This information came from the Education and Labor Committee.

I also point out to my colleagues, one in every three direct NEA dollars went to just six cities, only six cities: New York City, Baltimore, Boston, Minneapolis, Saint Paul, the District of Columbia, and of course San Francisco.

That is nearly over $30 million of this roughly $99 million that is only going to six cities. It is not going to Ocala, Florida, Leesburg, Jacksonville, Paluka, and some of the cities in any district.

In 1996, the number one recipient of NEA funding was the Metropolitan Opera of New York. The NEA is a government subsidy for many cultural elite groups. I suggest and I hope my colleagues will, maybe perhaps not this time, but at a later time, help me with this idea of block granting 95 percent of the funding of NEA to the States. We will leave about 5 percent up here just to have the U.S. government able to have an opportunity to direct the money to the States.

In this way, the States would have freedom to distribute this money throughout their State, and we would not see this large amount of money going to six major cities.

I also want to bring up something just lightly here, and I think we have talked about this before. There was an audit of the NEA. These audits occurred from 1991 to 1996 by the inspector general of the NEA. These are statistics that were provided during the hearing of the NEA at the Subcommittee on Education, and Labor.

During this audit, they audited 79 percent of the projects, in 63 percent of the cases, the books did not even add up; 53 percent of the grant recipients failed to seek help from outside auditors; and 21 percent of the grants had

absolutely, absolutely no accounting whatsoever. Those are not my figures. Those basically came from the inspector general at the NEA.

Again, these figures would show that we have a Federal bureaucracy that does not have a good accounting on their own programs. So why do we not just block grant this whole program to the States?

As a side note in 1951, a poll of the American Symphony League found that 91 percent of the members disapproved of Federal subsidies.

As was pointed out, we both agree, it was not until the 1970s that this whole NEA agency came into being. So I suggest to my colleagues, did we not have good art before the 1960s in fact for 200 years of history of this Republic we had great artistic works.

I am not going to give graphic examples from the NEA, which we would all disapprove of, that are antithetical to our cultural values, to the tradition of this country. We have had that debate.

But I would suggest that the amendment that I have, by block granting, actually increases to the States more money for the arts program than the present situation. So if my colleagues supported my amendment, they would be actually supporting more money for the States.

In fact, this amendment would increase by approximately 55 percent the money given to the States. We should not have the District of Columbia receiving enormous amounts of money relative to some of the other cities and States. The awards should all be proportional in terms of population.

So I suggest to my colleagues that the debate on this amendment is for another day. Obviously, my colleagues have been kind enough to reserve a point of order so I can make my point, and I will not belabor the point out of courtesy to them.

□ 1515

I suggest somewhere down the line that this body should block grant 95% of the NEA funds because more money will go to the States. It is a fairer way to do it and, in the end, it eliminates the Federal bureaucracy.

The CHAIRMAN. Does the gentleman from Ohio (Mr. REGULA) insist on his point of order?

Mr. REGULA. Yes, Mr. Chairman.

Mr. STEARNS. Mr. Chairman, I ask unanimous consent that the amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman's amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $14,500,000, to remain available until expended, to the National Endowment for the Arts: *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $96,800,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $13,900,000, to remain available until expended, of which $9,900,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES:

GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, $24,400,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided,* That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further,* That funds from nonappropriated sources may be used as necessary for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $935,000: *Provided,* That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956(a)), as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $3,000,000: *Provided,* That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $6,312,000: *Provided,* That hereafter all appointed members of the Commission will be compensated at the daily equivalent of the annual rate of basic pay for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day such member is engaged in the actual performance of duties.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388 (36 U.S.C. 1401), as amended, $33,286,000, of which $1,575,000 for the museum's repair and rehabilitation program and $1,264,000 for the museum's exhibitions program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $24,400,000 shall be available to the Presidio Trust, to remain available until expended, of which up to $1,040,000 may be for the cost of guaranteed loans, as authorized by section 104(d) of the Act: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $200,000,000. The Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed $20,000,000.

TITLE III—GENERAL PROVISIONS

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 243, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: Amendment No. 16 offered by the gentlewoman from New York (Ms. SLAUGHTER), and amendment No. 17 offered by the gentleman from Florida (Mr. STEARNS).

The Chair will reduce to 5 minutes the time for the second electronic vote in this series.

AMENDMENT NO. 16 OFFERED BY MS. SLAUGHTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 16 offered by the gentlewoman from New York (Ms. SLAUGHTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 217, not voting 10, as follows:

[Roll No. 286]

AYES—207

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Coyne
Crowley
Cummings
Danner
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilman
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu

NOES—217

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Everett
Ewing
Fletcher
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Baldwin
Brown (CA)
Davis (FL)
Ehrlich
Kasich
McDermott
McNulty
Rivers
Thurman
Wynn

□ 1540

Mr. GILCHREST and Mr. LEWIS of California changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 243, the Chair announces that he will reduce to a minimum of 5 minutes the period within which a vote by electronic device will be taken on the additional amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 17 OFFERED BY MR. STEARNS

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 17 offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 124, noes 300, not voting 10, as follows:

[Roll No. 287]

AYES—124

Aderholt
Armey
Bachus
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Boehner
Brady (TX)
Bryant
Burton
Buyer
Callahan
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Crane
Cubin
Cunningham
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Emerson
Everett
Fletcher
Fossella
Gibbons
Goodlatte
Goodling
Graham
Green (WI)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hostettler
Hulshof
Hyde
Istook
Jenkins
Johnson, Sam
Jones (NC)
King (NY)
Kingston
Largent
Latham
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McInnis
McIntosh
Metcalf
Miller, Gary
Myrick
Nethercutt
Ney
Norwood
Nussle
Packard
Paul
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Riley
Rogan
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shows
Skelton
Smith (NJ)
Smith (TX)
Stearns
Stump
Sununu
Talent
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Toomey
Vitter
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Wicker
Wolf

NOES—300

Abercrombie
Ackerman
Allen
Andrews
Archer
Baird
Baker
Baldacci
Ballenger
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Calvert
Camp
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Gordon
Goss
Green (TX)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hutchinson
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee

Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Thomas
Thompson (CA)
Thompson (MS)
Thune
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Whitfield
Wilson
Wise
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—10

Baldwin
Brown (CA)
Ehrlich
Granger
Kasich
McDermott
McNulty
Rivers
Thurman
Wynn

☐ 1551

Mr. DEUTSCH changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. GRANGER. Mr. Chairman, on rollcall No. 287, I pushed the "no" button but it did not register. I would have voted "no."

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment made in order by the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 106–228 offered by Mr. YOUNG of Florida:

On page 6, line 13, strike ''$20,000,000'' and insert in lieu thereof ''$15,000,000''.

On page 68, line 20, strike ''$190,000,000'' and insert in lieu thereof ''$256,000,000''.

And at the end of the bill insert the following:

''Sec. . Each amount of budget authority for the fiscal year ending September 30, 2000, provided in this Act for payments not required by law, is hereby reduced by 0.48 percent: *Provided*, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.''

Mr. YOUNG of Florida. Mr. Chairman, before I begin on the amendment, I want to say a strong congratulations to the chairman of the subcommittee, the gentleman from Ohio (Mr. REGULA) and the ranking member on the subcommittee, the gentleman from Washington (Mr. DICKS), and all of the members of the subcommittee and the staff for having produced an outstanding appropriations bill, especially outstanding considering all of the budgetary restraints and all of the changes that had to be put in place during the consideration of the bill in the markups. They have done an outstanding job as usual. I would hope that all Members would be supportive of this bill.

The amendment that I offer is the manager's amendment that most of us have been accustomed to so far on appropriations bills this year. The amendment has three parts:

First, the amendment decreases land acquisition in the Bureau of Land Management by $5 million. This will eliminate the acquisition at the Upper Missouri National Wild and Scenic River in Montana. It is our understanding and the committee understands that there is local opposition to the acquisition at this time. We believe this amendment is compatible with the wishes of the people of that region.

Second, the amendment increases the deferral of clean coal funding in the Department of Energy by $66 million, for a total clean coal deferral of $256 million. This, Mr. Chairman, conforms to the administration's budget request which proposed a $256 million deferral of clean coal funding.

Third, Mr. Chairman, in order to get to the number, the bottom line, that we have all been determined to arrive at on this bill, maybe I should not say all of us but some of us, the amendment provides for something that I really am uncomfortable with but I am not sure of any other way to get where we have to be, and, that is, a 0.48 percent across-the-board reduction to domestic discretionary programs in this bill. The result of this will be a reduction of approximately $69 million, which will be assessed on a pro-rata basis against each account and each individual project in the bill.

In total, the amendment will reduce the bill by approximately $140 million. In combination with the amendments that have already been adopted thus far, this amendment will result in a final total for the bill which is approximately $100 million below the freeze level as identified by the Congressional Budget Office for domestic discretionary programs in this bill.

In a year of very tight budget restraints with the 1997 budget agreement that placed our budget cap at $17 billion below last year's spending, there are things that we might have to do that we do not like to do in order to get where we have to be. This amendment is part of that process.

And so I offer this amendment, Mr. Chairman, for the Members of this House to work their will to determine if they want to bring this bill down below the freeze level which is where we would ask them to come.

Mr. Chairman, I ask for support of the amendment.

Mr. DICKS. Mr. Chairman, I rise in opposition to the amendment.

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. Mr. Chairman, it sounds nice, just 0.48 percent across the board. But let me just give my colleagues an idea of some of the things that this does to our bill.

If the across-the-board reduction is taken from the uncontrollable cost increase requested in the President's budget, there is a 24 percent reduction. The budget request was $139 million. This would eliminate a significant amount of funding needed for mandatory pay and benefit increases and other uncontrollable costs which will otherwise be funded by reductions in program levels.

Funding will be below the 1999 enacted level for the Solicitor and the Office of the Secretary, impacting the ability of the Solicitor to support programs including habitat conservation plan implementation, trust management improvement.

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Funding available to the Office of Insular Affairs will be reduced by $226,000 impacting the capability of the Department to support its responsibilities in four U.S. territories and three affiliated autonomous nations. Funding for the Office of the Special Trustee will be reduced by almost $.5 million, slowing efforts in trust management reform. Funding increases for BIA elementary and secondary school operation provided by the House are cut by almost one half. The across-the-board reduction to school operations is $2.4 million. This reduces the $5 million increase provided by the House for school operations despite anticipated increases in enrollment and needed improvements to education programs. This reduces tribal priority allocations by $3.6 million. This reduces the increase provided by the House by over one-half. The House provided an increase of $5 million over 1999 enacted levels to fund basic necessities in programs critical to improving the quality of life and economic potential on reservations.

Park operations. The chairman of the committee has made a major effort to add $99 million to improve park operations. This amendment will reduce that by $7 million, eliminating $7 million of the $99.4 million increase provided in the House mark. This will reduce the capability of the parks to handle increased visitation and cultural and natural resource conservation needs.

Seven million would fund the annual operation costs for the Big Cypress National Preserve and the Biscayne National Park in Florida. This reduces funding for the National Wildlife Refuge by $1.3 million. This reduces the

amount the House provided for refuge operation below the President's budget request and eliminates 7 percent of the $18.1 million increase provided by the House for refuge operations.

Endangered species funding will be reduced by half a million dollars below the House level. This increases the cut the House made to the President's budget request for candidate conservation listing consultation and recovery activities to $10.5 million.

Mr. Chairman, I will put the rest of these in, but I think one here is very important. Funding for abandoned mine land reclamation will be reduced by $1.3 million. This is a 12 percent reduction to the $11 million provided by the House to increase environmental restoration of abandoned mine lands.

Efforts by the Minerals Management Service in royalty reengineering will be slowed as a result of the $.5 million reduction, and I am particularly disturbed by this cut in the Upper Missouri National Wildlife and Scenic River. The Upper Missouri River retains the historical character of the Lewis and Clark expedition of 1805 and 1806 and offers a diversity of natural and cultural resources including timber and fish species habitat and riparian and recreational resources.

It supports a wide variety of wildlife: raptors, songbirds and waterfowl, sports fish and the endangered pallid sturgeon, a wide variety of predators and prey and big-game animals. The acquisition includes several historic sites as well as large inholdings of the Judith River, one of the last free-flowing rivers along the Missouri and a fully functioning riparian ecosystem.

There are a lot of people who have been supporting this: Pheasants Forever, the Conservation Fund, the River Network and the Trust for Public Lands, and the most important thing is this is done by a voluntary seller and is very, very unusual for us to on the floor of the House overrule a decision of the committee on a subject of this importance.

And then of course the whole idea here is that somehow by making this across-the-board cut that we will comply with the budget caps of 1997 and that somehow this will move us down the road to enacting all 13 appropriations bills and under these caps.

And I would just say with all due respect that this cut is so infinitesimal, so small, that it will have very little, if anything, to do with dealing with the size of the budget gap that exists when we look at the important bills on HUD, VA, Health and Human Services and State, Justice, and Commerce which are coming down the road.

The CHAIRMAN. The time of the gentleman from Washington (Mr. DICKS) has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

Mr. DICKS. Mr. Chairman, I would like to indulge the chairman, who is my friend and who I admire and was a former chairman of the Subcommittee on Defense, one of the finest Members of this body. I know he did not want to do this, but he had to do it, and he is doing his duty.

Mr. Chairman, I yield to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding, and I would just like to ask the gentleman a question.

If this cut is so small and so infinitesimal, how does it do so much damage as the gentleman spelled out in the earlier part of his comments?

Mr. DICKS. It is small and infinitesimal in terms of solving the overall problem. That is why it is kind of like, as my colleagues know, in the sea; and I would just say to the gentleman that it does hurt a number of specific programs, and it overturns the committee's work. But it does not help solve the big problem. It is just a very small step, and I think the gentleman from Wisconsin (Mr. OBEY) is going to give further explanation to the committee about that fact.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman would yield further, I want to say to the gentleman that he and I have worked together for so many years on the Subcommittee on Defense, as he has so ably pointed out. The gentleman from Washington is one of the most outstanding Members of this House, and he is totally dedicated to the principle of a strong national defense, totally honest, while sometimes a little abrasive, but totally honest and sincere; and I look forward to continuing our great relationship.

Mr. DICKS. Mr. Chairman, I appreciate that, and the chairman and I also appreciate the gentleman's kind remarks about our work on this bill. I just wish that we could have left our work alone.

UPPER MISSOURI NATIONAL WILD AND SCENIC RIVER

The upper Missouri River retains the historical character of the Lewis and Clark expedition of 1805–1806 and offers a diversity of natural and cultural resources, including T&E species habitat and riparian and recreational resources. It supports a wide variety of wildlife: raptors, songbirds and waterfowl; sports fish and the endangered pallid sturgeon; a wide variety of predators and prey; and big game animals. The acquisitions include several historic sites, as well as a large inholding of the Judith River, one of the last free-flowing rivers along the Missouri and a fully functioning riparian ecosystem.

BUREAU OF LAND MANAGEMENT—NARRATIVE

Upper Missouri National Wild and Scenic River

| | Montana (to date) | Chauteau and Fergus Counties | | Congressional District | |
|---|---|---|---|---|---|
| | | FY 2000 | Acquisition total | Estimated out year costs/yr (development, O&M, etc.) | Total (over 10 yrs) |
| Cost | $2,694,000 | $5,000,000 | $15,000,000 | $80,000 | $15,800,000 |
| Acres | 6,096 | 12,848 | 32,850 | N/A | 32,850 |

Location: Central Montana, on the Missouri River, 65 miles northeast of Great Falls.

Purpose: Inholding acquisitions within the Upper Missouri National Wild and Scenic River (UMNWSR) corridor, offers T&E species habitat, opportunities for historic interpretation and a variety of recreational opportunities.

Acquisition Opportunities: Five historic ranches within the UMNWSR corridor threatened with conversion from agricultural use to rural residential subdivision.

Other Cooperators: Pheasants Forever, The Conservation Fund, The River Network, and the Trust for Public Land.

Project Description: The major means of transportation for Lewis and Clark's Corps of Discovery, the Wild and Scenic portion of the Missouri River remains largely unchanged since their time, with the exception of some abandoned homesteads and working ranches along its banks. With the enormous popularity of Stephen Ambrose's book ''Undaunted Courage'', interest in the explorations of the Lewis and Clark Expedition is at an all time high.

The 149 miles of free-flowing UMNWSR offer a diversity of resources: T&E species habitat; scenic, ecological, historical, cultural, riparian and recreational resources, as well as key access points. It supports a wide variety of wildlife: birds, including raptors, songbirds and waterfowl; fish, including sports fish and the endangered pallid sturgeon; mammals, from predators to prey. These acquisitions would support both BLM's Recreation and Fish & Wildlife 2000 initiatives.

These acquisitions contain the last seven miles of the Judith River, as well as it's confluence with the Missouri, allowing the Judith River to become eligible for Wild and Scenic River status. One of the last free-flowing rivers on the Great Plains, the Judith contains a fully functioning riparian ecosystem described by the Montana Riparian Association as a ''gem''. A subsequent land exchange with the Montana Department of Natural Resources and Conservation would remove all state-owned land within the UMNWSR corridor in exchange for agricultural wheat fields. These acquisitions would acquire historic sites such as the ruins of Camp Cooke, Montana's first military post, Fort Clagett, the original townsite of Judith Landing (with several intact original buildings) and the PN Ranch Headquarters. These sites are extremely important to Native Americans as many village sites, buffalo jumps and burial grounds are found here. A Lewis and Clark campsite and the 1851 Stevens Treaty Site, which was attended by every major tribe in the northern Great Plains, lie across the river. These acquisitions would also bring the Fortress Rock

landmark under public ownership, would provide additional bighorn sheep, elk and mule deer habitat in the White Cliffs portion of the river corridor and eliminate threats of resource development within the UMNWSR landscape.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there are some actions in this House that should be taken seriously, and there are others that should not, and with all due respect to my good friend from Florida this is one of those actions that should not be taken seriously.

Mr. Chairman, the leadership of this House has two choices in trying to run the House this year, especially when it comes to finishing our appropriations bills. The first choice is to try to pass our legislation with a great bipartisan coalition of the middle, with the majority of members of both parties finding nonpartisan or bipartisan solutions to our budget problems. That is the choice I profoundly would prefer.

But the leadership seems to have chosen a different path. They have decided that because they have a hardcore of right-wing Members in their caucus who are largely term limited, who detest government and who want to have one last swing before they walk out the door, and evidently the Republican party leadership in the House has decided that to satisfy that group they need a budget strategy and an appropriation strategy which will pass all of these bills only on the Republican side of the aisle, or at least with 90 percent of their votes and 10 percent of ours.

That is too bad because that polarizes the House, and it also causes a lot of what I call political as opposed to substantive actions, and this amendment is a perfect example; and it is the fifth time that this has happened.

If my colleagues take a look at the history of appropriation bills so far this year, what do they see? They see that my good friend, the gentleman from Florida (Mr. YOUNG), produced on the Republican side of the aisle earlier in the year a decision in the committee to go forward on a bipartisan basis. And he produced a supplemental appropriation bill which had great bipartisan support. And then instructions came from on high from their leadership in his party that the bill had to be changed. And so that bill was changed. It was made into a much more partisan document; they walked away from the bipartisan agreement we had. That was Episode One.

Then on the agriculture appropriation bill, again the same thing. Because of the demands from that small cadre of Members, a bipartisan bill was turned into a partisan slugfest because the majority party unilaterally decided to change that bill. The same was true on the legislative appropriations bill; the same thing happened on Treasury Post Office; and now we have it happening on the Interior bill today.

What is this all about? What it is about is simply this: the allocations that the majority party has provided to the committee to pass our bills this year are about $35 to $40 billion short to where they need to be if we are to have passable bills in the end which are signed by the President. So we have a $40 billion gap. We have got to find some way to close that $40 billion gap between the budget caps and the amount of demand that we have for appropriations.

So what we have here is a series of amendments on the cheap. They give the impression of trying to reach the $40 billion goal when, in fact, they are simply token mini-cuts, and if we take them altogether out of a total $40 billion gap, including this amendment, we have less than $600 million to fill up the fund-raising cookie jar or the fund-raising thermometer, to put it in a different vernacular.

So I would simply say to that side of the aisle if they are satisfied with political tokenism, if it helps them to cover their ''fizaga'' to go ahead, but the fact is we all know this is not real when all they have done is saved enough money to fill this small amount of the gap between promise and performance.

They are not doing anything real. They are taking up the House's time, they are going through the motions, they are perhaps fooling some of the Members in their own caucus. I would say it is bad enough to fool the taxpayers; that should never happen. But an even more amazing thing is when they fool themselves.

So, go ahead, pass it; but they should not think that they fooled anybody on this side of the aisle.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

I appreciate very much the hard work through the years the gentleman from Wisconsin (Mr. OBEY) has done in terms of the appropriation process, but I would remind the gentleman that we are going to work hard towards that goal and that he voted for a motion to recommit not to spend $1 of Social Security money; and if in fact we do not save that money, what he is saying is that it is okay to spend the Social Security money.

And as my colleagues know, one of the things about Washington, and I want to give our chairman of our Committee on Appropriations his full due, they have worked hard. For the first time in a long time we will have passed five bills that are essentially at a hard freeze out of the House, and the appropriators have done that, and to accuse them of playing a game; it is not a game.

$150 million is not a game to anybody in this country, and if we can make it 700 million after this bill, and we can make it 2 billion after the next two or three bills, then we are well on our way of meeting and living up to the commitment that every Member of this body made to the seniors of this country and their children who are going to pay for Social Security.

So although his position may be that it is a facade and that we are trying to fool people, the fact is it is hard not to spend money in Washington. That has been proven by the last 50 years of the Congresses up here, and our appropriation leadership and our leadership has said we are going to try to do the best we can to keep the commitment to the American public.

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The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from Florida (Mr. YOUNG) will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, expect where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that remainder of the bill through page 108, line 14 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of the bill through page 108, line 14 is as follows:

SEC. 302. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 303. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 304. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 305. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 306. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(d) The provisions of this section are applicable in fiscal year 2000 and thereafter.

SEC. 307. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1999.

SEC. 308. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 309. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided,* That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 310. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 311. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2000, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 312. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, and 105–277 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 1999 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 313. Notwithstanding any other provision of law, for fiscal year 2000 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the ''Jobs in the Woods'' component of the President's Forest Plan for the Pacific Northwest to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, and northern California that have been affected by reduced timber harvesting on Federal lands.

SEC. 314. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

SEC. 315. (a) None of the funds made available in this Act or any other Act providing appropriations for the Department of the Interior, the Forest Service or the Smithsonian Institution may be used to submit nominations for the designation of Biosphere Reserves pursuant to the Man and Biosphere program administered by the United Nations Educational, Scientific, and Cultural Organization.

(b) The provisions of this section shall be repealed upon enactment of subsequent legislation specifically authorizing United States participation in the Man and Biosphere program.

SEC. 316. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 317. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 318. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 319. No part of any appropriation contained in this Act shall be expended or obligated to fund new revisions of national forest land management plans until new final or interim final rules for forest land management planning are published in the Federal Register. Those national forests which are currently in a revision process, having formally published a Notice of Intent to revise prior to October 1, 1997; those national forests having been court-ordered to revise; those national forests where plans reach the fifteen year legally mandated date to revise before or during calendar year 2000; national forests within the Interior Columbia Basin Ecosystem study area; and the White Mountain National Forest are exempt from this section and may use funds in this Act and proceed to complete the forest plan revision in accordance with current forest planning regulations.

SEC. 320. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 321. None of the funds in this Act may be used to support government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 322. Notwithstanding any other provision of law, none of the funds in this Act may be used for the National Telecommunications and Information Administration (Spectrum), GSA Telecommunication Centers, or the President's Council on Sustainable Development.

SEC. 323. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

SEC. 324. Amounts deposited during fiscal year 1999 in the roads and trails fund provided for in the fourteenth paragraph under the heading ''FOREST SERVICE'' of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The Secretary shall commence the projects during fiscal year 2000, but the projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 325. None of the funds made available in this Act may be used to establish a national wildlife refuge in the Kankakee River watershed in northwestern Indiana and northeastern Illinois.

SEC. 326. None of the funds provided in this or previous Appropriations Acts or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be transferred to or used to support the Council on Environmental Quality or other offices in the Executive Office of the President, or be expended for any headquarters or departmental office functions of the agencies, bureaus and departments covered by this Act, for purposes related to the American Heritage Rivers program.

SEC. 327. None of the funds in this Act may be used to operate telephone answering machines during core business hours except in emergency situations.

SEC. 328. (a) ENHANCING FOREST SERVICE ADMINISTRATION OF RIGHTS-OF-WAY AND LAND USES.—During fiscal year 2000 and each fiscal year thereafter, the Secretary of Agriculture shall deposit into a special account established in the Treasury all administrative fees collected by the Secretary pursuant to section 28(l) of the Mineral Leasing Act (30 U.S.C. 185(l)), section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)), and any other law that grants the Secretary the authority to authorize the use and occupancy of National Forest System lands, improvements, and resources, as described in section 251.53 of title 36, Code of Federal Regulations.

(b) USE OF RETAINED AMOUNTS.—Amounts deposited pursuant to subsection (a) shall be available, without further appropriation, for expenditure by the Secretary of Agriculture to cover costs incurred by the Forest Service for the processing of applications for special use authorizations and for inspection and monitoring activities undertaken in connection with such special use authorizations. Amounts in the special account shall remain available for such purposes until expended.

(c) REPORTING REQUIREMENT.—In the budget justification documents submitted by the Secretary of Agriculture in support of the President's budget for a fiscal year under section 1105 of title 31, United States Code, the Secretary shall include a description of the purposes for which amounts were expended from the special account during the preceding fiscal year, including the amounts expended for each purpose, and a description of the purposes for which amounts are proposed to be expended from the special account during the next fiscal year, including the amounts proposed to be expended for each purpose.

(d) EFFECTIVE DATE.—This section shall take effect October 1, 2000 and remain in effect through September 30, 2005.

SEC. 329. The Secretary of Agriculture and the Secretary of the Interior shall:

(1) prepare the report required of them by section 323(a) of the Fiscal Year 1998 Interior and Related Agencies Appropriations Act (Public Law 105–83; 111 Stat. 1543, 1596–7);

(2) distribute the report and make such report available for public comment for a minimum of 120 days; and

(3) include detailed responses to the public comment in any final environmental impact statement associated with the Interior Columbia Basin Ecosystem Management Project.

SEC. 330. Hereafter, and notwithstanding any other provision of law, a woman may breastfeed her child at any location in a building or on property that is part of the National Park System, the Smithsonian Institution, the John F. Kennedy Center for the Performing Arts, the United States Holocaust Memorial Museum, or the National Gallery of Art, if the woman and her child are otherwise permitted to be present at the location.

SEC. 331. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

The CHAIRMAN. Are there amendments to the remainder of the bill?

AMENDMENT OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAHALL:

On page 108, after line 14, insert the following new section:

''SEC. 332. None of the funds appropriated by this Act shall be used to process applications for approval of patents, plans or operations, or amendments to plans of operations in contravention of the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior.''.

Mr. RAHALL. Mr. Chairman, I offer this amendment on behalf of myself, the gentleman from Connecticut (Mr. SHAYS), and the gentleman from Washington (Mr. INSLEE).

Mr. Chairman, enough is enough. The greatest giveaway this Nation has ever experienced should end right now. Here today, on this floor of the House of Representatives, we should join in a resounding voice in saying that enough is enough.

The Mining Law of 1872, enacted with Ulysses S. Grant as the President of the United States while Union troops still occupied the South, and when the invention of the telephone and Custer's stand at the Little Bighorn were still 4 years away, that Mining Law of 1872 still stands. Did it serve to help settle the West, as it was intended? Yes, it sure did. Has it worked to produce valuable minerals for our economy? Indeed it has. But today, I submit, it stands as the Jurassic Park of all Federal laws.

Today, in this day and age, the Mining Law of 1872 still allows valuable minerals found on Western public lands to be mined for free: No royalty, no return to the American taxpayer. It is our names that are on the deed to these lands. Today, in this day and age, this law allows mining claimholders, for the most part multinational conglomerates, to actually obtain title to these public lands for as little as $2.50 an acre.

I know some of my colleagues may find this hard to believe, but it is true. I looked to see if the Mining Law of 1872 was listed in Ripley's Believe It or Not. It was not, but it should be.

Mr. Chairman, I would say to my colleagues that we have tried, we have

tried long and hard to reform this law. The chairman of the subcommittee, the gentleman from Ohio (Mr. REGULA) has been one of our friends along this way in trying to make these reforms. We have tried to comport the law with the values of our modern society as they exist today. We will still continue to try in this endeavor.

But today we are seeking to address a single issue in this whole debate. That single issue is this: When one stakes a mining claim, the law says that one can obtain up to five acres of additional public lands, non-mineralized in character, for the purpose of dumping the mining waste. These lands are known as millsites. Indeed, the claimholder can also obtain a title to those lands for that $2.50 an acre price I spoke of earlier.

Not content with this arrangement, some in the hardrock mining industry are seeking to gobble up unlimited quantities of public lands in association with their mining claims for waste dumps. The amendment we are offering today simply says no, they cannot do this. The existing law's ratio of mining claims to millsites will stand.

The public domain is a public trust. There is an effort under foot to subvert that public trust. It is a land grab at the American taxpayers' expense, a pure land grab. Can they mine, can they mine ore under the existing arrangement? Of course they can. Will the industry continue to profit under the Mining Law of 1872? Certainly it will. But we are here to say that enough is enough.

Mr. Chairman, I urge the adoption of the amendment.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the gentleman from West Virginia knows, he and I have seen eye to eye on a number of the proposed mining law changes, and recognize that this is a matter that should be addressed by this body and the other body.

My concern with this amendment is that we are letting one person in effect make law for the United States. I have always been of the opinion that the Constitution says that legislation should be passed by both houses and signed by the President. I think that is the proper way to do it. I do not believe that the Solicitor of the Department of the Interior should be given the privilege of making law, taking our responsibility. That to me would be a derogation of power that I think would be totally wrong.

I would point out that the BLM manual, and the BLM has been under the control of the Democrat party and the presidency as part of the executive branch, says, ''A millsite cannot exceed 5 acres in size,'' which is what the attempt to do here is.

It also goes on to say, ''There is no limit to the number of millsites that can be held by a single claimant.'' Further the United States Forest Service Manual provides, ''The number of millsites that may be legally located is based specifically on the need for mining or milling purposes, irrespective of the types or numbers of mining claims involved.''

These are policies. I think the public is entitled to conform with what is the policy of this Administration as set forth in the BLM manual and the United States Forest Service Manual.

I agree with the gentleman from West Virginia. There ought to be changes. We have joined in legislation in the past to do so. That is the proper way to do it, because these are policies that require a legislative solution and not a decision by the Solicitor that this should be the policy of the United States. That the Solicitor of the Department of the Interior should be making laws and not the Members of this Chamber and the other Chamber is not acceptable.

For these reasons, I oppose this amendment. I would hope that the gentleman from West Virginia would offer this as a legislative bill to be heard in the authorizing committees and achieve the changes. In some of those I would join him. But I just think it is the wrong policy to let one person in our government decide what the policies should be that are the responsibility of this legislative body.

Mr. RAHALL. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I appreciate the distinguished subcommittee chairman for yielding to me. The points he makes about the legislation, I would note, there was no point of order made against the amendment.

In addition, while the Bureau of Land Management manual may have erroneously stated as the gentleman has accurately described it stated, the law and the regulations I believe do have this 5-acre limit.

The statute, section 42, title 30, U.S. Code, imposes a limitation that no location for land for use as millsites shall exceed 5 acres in connection with each mining claim. So the manual from which the gentleman quotes accurately is in error, and the law and the statutes are correct.

Mr. REGULA. Reclaiming my time, Mr. Chairman, I think the issue is whether there is a multiplicity of 5-acre sites by one claimant. The gentleman's proposal is a limitation so it is not subject to a point of order, but I believe the gentleman's proposal would limit a claimant to one 5-acre site, and the BLM standard does not do that. That is where there is a difference in what the BLM requires versus what the gentleman would require in his amendment of limitation.

Mrs. CUBIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to make the record straight on part of the testimony that has been given on hardrock mining.

First of all, I have to say that I have very, very little hardrock mining in my State, but I do know the history of what has gone on with the hardrock mining law.

In my opinion, the Interior Department Solicitor and Vice President GORE are attempting to rewrite our mining laws without the benefit of congressional sanction nor public input. Why? Perhaps it is because the 104th Congress passed significant amendments to the mining law.

Let me say what some of those amendments were, the very things that my colleague, the gentleman from West Virginia, complained about.

The law that we passed in the 104th Congress imposed a 5 percent royalty on all the minerals that were extracted. It required fair market value payment for lands, including the millsites. Also it established an abandoned hardrock mine land fund which would reclaim, which would clean up and restore any of the mining lands that had been deserted, that anyone who currently is mining could be forced to clean up and to reclaim.

However, the President vetoed it. Why did he do that? He did that because the Congress refused to give the Secretary of Interior unbridled authority to just say no to mining. This Solicitor has been wrong before when it comes to hardrock mining. As a matter of fact, there is a Supreme Court decision seven to one against the Solicitor on the way he has interpreted some of the regulations for hardrock mining.

So Mr. Chairman, let me get to the specific issue. On the issue of millsites, he recently concluded that our mining laws contain a limit on the ownership of such millsites, despite the fact that no previous Solicitor ever nor any court ever has interpreted the law to limit the number of millsites, the number of 5-acre millsites that are available.

The law is very, very clear. A mining claimant may only utilize non-mineral-bearing lands as millsites, and only as much as is necessary in the conduct of one's mining and milling operation. If more than 5 acres is necessary, then they have to get another site.

That is exactly what the Solicitor and the Vice President are trying to stop, which will basically truly impede hardrock mining, and in some cases, stop it. In no way is the miner limited to only as many millsites as he holds mining claims. No one ever has made that ruling except the current Solicitor. I challenge anyone to show me in the United States Code, title 30, section 42, where a mining claimant is so limited. It is not there, and the Solicitor knows it.

He argues in his opinion that a 1960 amendment makes clear that Congress intended to limit ownership of millsites to one for one, but this law references placer mining, not lode claims.

So in truth, Congress has had the opportunity not only in the 104th Congress, where they took the opportunity

to reform the mining law, but in 1960 to legislate the very rule that this amendment would impose, and in 1960 they affirmatively chose not to do it.

Mr. Chairman, the Rahall-Shays-Inslee amendment is an attempt to cede legislative branch authority to an unelected lawyer who is working for the Interior Department, and he is and has continued to work feverishly to impose his unorthodox views about mining before he and the Vice President leave office.

But the property clause of the Constitution is very, very clear. I quote: ''The power to dispose of and make all needful rules and regulations respecting the territories and public property lies with the Congress.''

□ 1630

So I implore the Members of the House to not abandon our power, not abandon our responsibility. It is up to us. Yes, I believe that we need mining law reform. I believe that we need royalty. I believe that we need an abandoned mines fund. I believe that we need to get fair market value. Had the President not vetoed that, we would have that in place today.

Mr. NETHERCUTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am rising today to oppose this amendment offered by the gentleman from West Virginia (Mr. RAHALL), the gentleman from Washington (Mr. INSLEE), and the gentleman from Connecticut (Mr. SHAYS) because it seeks to ratify a decision by the Solicitor of the Department of the Interior which restricts the acreage available for mining under the existing mining law and the existing interpretation of the metals mining law.

This, pure and simple, is politics at its worst; and it is legislation being fomented by one person in the Department of Interior who seeks to manipulate the process of approval of mining claims and the conduct of mining in this country.

Goodness knows that mining is under assault in any event. But the worst kind of assault is by one person in the Solicitor's Office who claims intellectual superiority over the Congress or anybody else in the country by his sole interpretation of the mining law relative to mining claims and millsites.

Make no mistake about mining law in America today. It requires extensive environmental protection, analysis, review and approval both by Federal statute and by State statute. So what our friend down at the Department of Interior seems to want to do today is force this issue on this House and force the issue of his opinion on the mining interests and the mining jobs that are created all over this country but that are fast dwindling.

In February of this year, the Solicitor issued an opinion, an opinion that would virtually overturn the 1872 mining law by allowing a miner one 5-acre millsite claim per mining claim plan to be developed. This is an unprecedented decision by the Solicitor and in over 100 years of analysis and interpretation of mining law the law has never been interpreted this way. In fact, our friend, the Solicitor, is expressing an opinion, and again it is an opinion, contrary to the long-standing Bureau of Land Management and U.S. Forest Service policy, which is directly contrary in the regulations of the Bureau of Land Management to the Solicitor's interpretation.

So it is a nice try, but no sale because it is a misinterpretation and it is an aberration and it should be rejected by the House, by every one of us in the West who respect the mining interests that have been a tradition in the West for years. We ought to be offended by this. We are offended by it, and we ought to resist it. And the rest of the House should not be, shall I say, persuaded by the opinion, the opinion of one person downtown who wants to be dramatic in terms of affecting mining policy in this country.

It is not an environmental issue, Mr. Chairman. Companies that are petitioning to operate mines and millsites must still go through, as I said a moment ago, strict environmental law. Stricter than they have ever been. Stricter today than ever in history. And goodness knows also that there needed to be some changes made in mining practices. But the sins of the past should not be presented here today in the present, because mining companies and the mining industry is an honorable business, and the mining companies and the small and large employees and employers who are affected by mining law comply to the strictest environmental requirements in history today. So what happened then is not now.

But this Solicitor is living in the past. He has a bone to pick. He has a point of view. He has a particular persuasion relative to the goodness or badness of mining, and he is trying to persuade the rest of the country by one opinion, by an ill-advised opinion I must say, and persuade the House that he is right. Well, he is wrong, and the Solicitor is wrong, and the Department of the Interior is wrong, and it is outrageous that the Department would allow this to stand.

So, Mr. Chairman, I would say to my colleagues all of us in the West and all of us across the country ought to be very concerned about one opinion trying to affect the industry of this country that has been an honest and honorable one and is currently a respectable environmental practice that is undertaken by companies across this country who are trying to mine the minerals and the resources of this country in a responsible way. We should reject this amendment.

Mr. INSLEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. This amendment is not a giant leap forward for mankind, it is simply a step to make sure that we do not take a giant leap backward for the American taxpayers.

Taxpayers actually have one and only one protection in the 1872 mining law, and that protection says if someone is going to open a mine and pay nothing for it on public land, they cannot dump their mine waste on more than 5 acres of the public's land. This is common sense, existing, on the books, black and white law in the country.

Now, to make sure, I have this blowup; and if my colleagues can see the blowup, what it says is simple. I think we as Members of Congress ought to take a look at it. It says miners can use offsite land for millsites, but no location made on and after May 10, 1872, of such nonadjacent land shall exceed 5 acres. Five acres.

So why are we here? We are here because in the other Chamber's bill they order agencies to ignore the clear protection of this law. They argue that miners can have 5 acres here, 5 acres there, 5 acres over there, until maybe they get a thousand acres. That is no limitation. That is a nothing law. That is not a law. That would be a bad joke on the American taxpayers.

Mr. Chairman, their argument reminds me of my son. One of my sons likes ice cream, so we imposed a two big-scoop limit on him for dessert. And after he finished he came back and said, ''I am done with those two scoops. Now I want my second dessert for the second two scoops.'' He thinks just like the mining industry, and he was wrong and that argument did not wash. He gets two scoops of ice cream and they get 5 acres to pile up their tailings on American taxpayers' land without paying a dime for it.

Why is this important? It is important because there is no justice to the America taxpayers if we take their lands, give it to privately held corporations and give them nothing but 20, 50, 100, 1,000 acres of crumbled stone and cyanide. That is why the Taxpayers for Common Sense support this amendment.

In 1872, Congress said 5 acres was the limit. In 1960, Congress passed a bill that would have given unlimited acreage but recognized the need for the 5-acre limitation and struck that language. And now in 1999 we ought to put our foot down and say the same thing.

In this case, the Solicitor General has rendered a opinion that agrees with our amendment, happens to agree with our position. But I really do not give a fig what the Solicitor General thinks about this. What matters is what the law of the country says and what Congress thinks and what Congress says and what the American public deserves. The worst thing Congress could do is take one provision of the 1872 mining law protecting the public and then gut it, which will happen if we do not pass this amendment.

Some say everything is hunky-dory in our mining industry, all the problems taken care of, miners can put their 5 acres or hundred acres anywhere they want. But that did not help the gold mine in Montana that closed in 1997 and now has ended up with cyanide in residents' drinking water. This law is a clear antiquity. It is broken. We need mining reform, not mining deform. We need to go forward on mining law, not backward.

Pass this law and follow the law of 1872 to the extent that it gives Americans at least one protection.

Mr. HILL of Montana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Rahall amendment; and the reason for that is it overturns what is, in essence, a hundred years of practices in public land management. The issue here is whether or not a mine can use more than one 5-acre parcel for a millsite. And, as a matter of fact, both the BLM and Forest Service manuals say yes.

The BLM manual says, quote, ''A millsite cannot exceed 5 acres in size. There is no limit to the number of millsites that can be held by a single claimant.''

The BLM Handbook for Mineral Examiners says, quote, ''Each millsite is limited to a maximum of 5 acres in size and must be located on non-mineral land. Millsites may be located by legal subdivision or by metes and bounds. Any number of millsites may be located, but each must be used in connection with the mining or milling operation.''

And the U.S. Forest Service Manual says, quote, ''The number of millsites that may legally be located is based specifically on the need for mining or milling purposes, irrespective of the types or numbers of mining claims involved.''

Mr. Chairman, this has been the practice for well over a hundred years. Basically, this issue is that the Clinton administration has decided it wants to wage war on mining on the public lands. The average hard rock mine employs about 300 people, more or less. In Seattle, Washington, or Bridgeport, Connecticut, or here in Washington, D.C., 300 jobs is not a big deal. More than that number of people work in one floor of any of our office buildings. But in rural Montana it is a big deal. We need those jobs. And often they are the only jobs in those communities.

The President just toured rural America and talked about the high poverty rate and the high unemployment rate that is out there. We need these jobs. Our communities need these jobs. Our families need these jobs. Our schools need these jobs. I think the 1872 mining law needs to be updated. It has been four or five dozen times, and I would support an effort to try to do that. But that reform is the responsibility of Congress. It is not the responsibility of one lawyer in the administration, and it should not be done by executive fiat.

The Clinton-Gore new interpretation of this provision is done without any court oversight. It has been done without any public input. It has been done without any hearings. There has been no consultation with the Congress. This is the wrong way to reform the 1872 mining law. It is a disaster for rural Montana, and I would urge the defeat of this amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. Those who oppose this amendment would suggest that somehow one day the Solicitor in the Department of the Interior woke up and redefined the law. The fact is that the law is clear on its face and no location of a millsite shall exceed 5 acres. That is what it said in 1872, and that is what it says today.

The history is, in 1872, a month later the General Land Office issued the regulations expressly limiting millsite locations to 5 acres.

In 1891, the Secretary of the Interior rules that it limits it to 5 acres.

In 1903, the Acting Secretary of Interior rules in the Alaska Copper Company, the area of such additional tracts is by the terms of the statute restricted to 5 acres.

In 1914, ''Lindley on Mines'' says it is restricted to 5 acres.

And it goes on through this in 1960, when Congress looks at it and goes back and says, ''A millsite may, if necessary for the Claimant's mining or milling purposes, consist of more than one tract of land, provided it does not exceed 5 acres in the aggregate.''

In 1968, the American Mining Congress says that it is 5 acres. They do not like it, but it is 5 acres.

This is not about that. What this is about is the mining industry that has done everything they can to keep us from having a reform of the mining law. And the gentlewoman from Wyoming (Mrs. Cubin) recited the pale effort of the other side to pass mining law reform with royalties that turned out to be phantom royalties that meant nothing. It was 5 percent of nothing is nothing when they got done, and the environmental protections and all the rest. And the President is absolutely right to protect the environment and to protect the taxpayers of this country by not going along with that legislation.

But this is the law as it is today. And what the mining law companies have decided is they want to go out onto public land and dump their waste onto public land, to build their cyanide heap leaching pads out on public land, and when they are done extracting the ore, they will leave, and the public would be the steward of these waste sites.

Well, they have already done that. We have seen this movie. This mining industry has left us with 12,000 miles of streams that suffer from toxic metals and wastes that dribble into those steams; 180,000 acres of lakes where toxic metals are there loaded with lead, cadmium and arsenic.

□ 1645

There are more than 500,000 abandoned mines. Yes, this is a boom and bust industry. Right now it is not looking so good. Gold is down below $300. When they leave these facilities, yes, they leave us with the waste; they leave us with the toxics.

Right now we expect that the government is going to have to pay between some $32 to $72 billion to try and reclaim these mines, to try to get rid of the toxics, to try to get the materials out of our streams, out of our lakes so that people in the West can enjoy the land that has been spoiled by these mining operations.

To have them now come along and dump their waste on public lands in violation of law, the Solicitor was absolutely correct in his opinion. He was restating the law as it is today.

The mining companies do not want to come into the authorizing committee and have a mining law reform and change this to make it 10 acres or 20 acres or whatever they think it should be, under whatever conditions. No. They want to come into an appropriations bill like they did when we were worried about funding the war in Kosovo. They thought that would be a good vehicle to allow them to dump their waste onto public lands, and they got away with it.

It turned out to be such a good deal in the Kosovo appropriations that here they are now back in the appropriations process in the Senate.

These people do their best work in the middle of the night. They do their best work in the middle of the night. They do not want a debate on policy, about where the waste should be, and the size of these tracks for waste. They do not want a debate on royalties. They do not want a debate on rents. Why? Because since 1872, they have been fleecing the taxpayer. They have taken billions off of the lands that are owned by the people of the United States and paid nothing.

Now, if they take it off of the land of a rancher next door, they pay him 7, 8 percent gross royalties. If they take it off State lands, they pay them a percent of royalties. It is just Uncle Sam that does not get paid.

No wonder they are in here with a single shot amendment in the Senate bill to try to overturn the Solicitor's opinion, because they do not want this debate. They do not want the debate.

So what are we left to? We are left to, on the appropriations bill, trying to stop them from continuing to fleece the taxpayer and take over these public lands for the purposes of dumping their waste.

For those of my colleagues who were not familiar with this process, these leach pads are hundreds of feet high. They are huge. They are constantly

sprinkled with cyanide to leach out the gold. We move hundreds of tons of dirt and rock and ore and waste to get an ounce of gold. That is this process.

Technology has changed the nature of gold mining. Why do we not have a debate on modernizing the gold mining industry? Why do we not have a debate about this industry that now can go into such low grade ore to make this kind of profit? Can they not pay the people of the United States something for the use of the land? No. Their alternative is to come here in the middle of the night and try to strike another rider on the appropriations bill so that they will not have to have that debate.

We ought to support the Rahall-Shays-Inslee amendment.

Mr. GIBBONS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Rahall amendment. I want to bring it back into a little bit of focus, if I can. It has been a long time since I was in the third grade and when I learned basic volumetric analysis about what we can do and what we cannot do.

One thing my parents always told me is, one cannot put 10 pounds in a 5-pound bag. Here we have got a 20-acre load claim, 20-acre site, and now we are restricting it to 5 acres, attempting to take most of the material off of a 20-acre area and put it into a 5-acre parcel. That is an impossibility. It is physically impossible. It has to be understood.

But other than that, let me say that I rise to oppose this amendment for several reasons, one of which, it is going to allow a Solicitor, it is going to put law behind an opinion that was not a final judicial opinion. There has been no debate on this. It did not come through the committees. There was no debate on the merits of this issue. There was no hearing on this. It suddenly appeared from the dark of night, as the gentleman from California (Mr. GEORGE MILLER) has said, and now it is before us. There has been no public input on this measure, all for the purpose of destroying a mining industry.

I want to say that, in March of this year, the Solicitor at the Department of Interior reinterpreted a long-standing provision of the law, then relied on his new interpretation to stop a proposed gold mine in the State of Washington.

Well, this proposed gold mine has gone through a comprehensive environmental review by Federal and State regulators which was upheld by a Federal district court.

They had met every, and I repeat, every environmental standard required and secured over 50 permits to operate. The mine qualified for their permits after spending $80 million of their money and waiting 7 years to get into operation.

The local Bureau of Land Management and Forest Service officials informed this mine and their sponsors that they, in fact, had qualified for the permit, and they should come to their office to receive it. It was then noted that the Solicitor in Washington who intervened used his novel interpretation of the law to reject the permit.

The Rahall amendment is cleverly designed to codify this administrative reinterpretation. This interpretation has been implemented without any congressional oversight, as I have said, or rulemaking, which would be open for public review and input and comment on this proposal.

This was a calculated effort to give broad discretion to the Solicitor to stop mining projects that met all environmental standards; and yet we are opposed by environmental extremists and special interest groups.

This amendment should be defeated, and the Solicitor should be required to seek out a congressional change in the law or either a formal rulemaking, giving the impacted parties an opportunity to comment on the change.

If allowed to stand, this Interior Department ruling will render the mining law virtually meaningless and shut down all hard-rock mining operations and projects, representing thousands of jobs and billions of dollars of investments throughout the West.

This amendment will destroy the domestic mining industry, and with the price of gold at $257, not near $300, $257, which is a new 30-year low, the second largest industry in my State will cease to exist.

I think Congress must pay attention if it is intending to put industries, valid industries, legal industries out of business. If the Secretary or his Solicitor has problems with the United States mining law, then they should take these problems to Congress to be debated in the light of day before the American public.

Laws are not made by unelected bureaucrats. Bureaucrats administer those laws that we enact here in Congress. Congress has to approve whether or not they agree with the laws.

It is the duty of the government in a democracy to deal honestly with its citizens, not cheat them.

As the Wall Street Journal stated recently, and I quote: ''If the Solicitor's millsite opinion is allowed to stand, investment in the United States will be as risky as Third World Nations.''

The International Union of Operating Engineers oppose the Rahall amendment on the basis that, if it passed, it will force the continued loss of high-paying jobs in the U.S. that are directly or indirectly related to the industry. These are many blue collar jobs in every congressional district we have in the United States.

Furthermore, Mr. Chairman, the Constitution gives the people control over the laws that govern them by requiring that statutes be affirmed personally by legislators and the President elected by the people. Majorities in the House and the Senate must enact laws, and constituents can refuse to reelect legislators who have voted for a bad law. Many Americans no longer believe that they have government by and for the people.

Mr. Chairman, I oppose this amendment very strongly.

Mr. BOEHLERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment. It is important that the House take a stand on this mining issue in this bill because the Interior bill in the other body already contains a rider on this matter.

Let me start with an assertion that probably would receive broad agreement across the ideological spectrum: the current state of American mining law is a travesty. Mining is governed by an outmoded law passed over a century ago, and Congress has not significantly modified it since 1960. One result is that taxpayers have been denied billions of dollars as mining rights are given away at rates that were probably even a cause for celebration back in 1872, when the law was originally written.

So we have an outmoded law that cheats taxpayers, and what do some want to do? They want to override the one provision of the 1872 law that actually provides the taxpayers some protection. That is the effect of the language that was in the supplemental appropriation and the language that has been proposed in the other body. That language would, in effect, repeal the clear language of the 1872 act that prevents mining companies from despoiling unlimited amounts of Federal land, land they get at a bargain rate, destroying that land with hazardous waste.

This amendment would put the House on record against efforts to give away more Federal land so that mining companies can use it as a waste site. It would block those efforts, not by doing anything radical, but simply by reaffirming long-standing Federal law. That is environmentally responsible and fiscally responsible.

If we are going to revisit the 1872 mining law, we need to do it comprehensively. What we should not do is attack the 1872 act piecemeal as part of the appropriations process in ways that remove the few provisions that protect taxpayers and the environment.

I urge support of this amendment which reaffirms current law and protects taxpayers.

Mr. RAHALL. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I thank the gentleman from New York for yielding to me, and I appreciate very much his support. He has always been one that speaks with an even hand and wants to balance our environmental needs along with the needs to provide jobs in industry.

Several comments were made by the gentleman from Nevada (Mr. GIBBONS) in regard to trying to stuff a 20-pound

waste into a 5-pound bag, something to that effect, alluding to the fact that this particular provision needs to be changed, this 5-acre limitation that has existed even prior to 1872 actually when we consider the load claims and the Placer Act that were combined in the passage of the mining law of 1872.

I am not adverse to looking at changes. That is what I have been trying to do since I have been in this body for 20 some years now is make amendments and make reform of this mining law of 1872 so that we can have jobs in the industry and have protection of the environment at the same time.

So I say to the gentleman, I will be glad to look at the comprehensive reform of the mining law. We have tried that in this body. Unfortunately, it has not passed the other body. So I think, if we can have that type of reform, we can probably address some of these needs.

I would say also to industry, many of whom when we have tried to reform in the mining law have been moderate and responsible and wanting to sit down at the table and work with us, including the gentleman from Ohio (Mr. REGULA), the subcommittee chairman.

There is always, of course, as there is in any facet of society, that fringe out there that does not want to sit down at the table and wants to torpedo any effort at reform.

So we have tried to reform this law. We have even passed a bill out of this House of Representatives in a bipartisan passion only to see it move nowhere in the other body.

So what we are doing here in this particular amendment, while we cannot look at the entire reform in the mining law, and we are not doing that in this amendment, we are looking at that 5-acre limitation that has been current law that the Interior Department has decided of late to try to enforce, and that is what we are trying to do here with this 5-acre limitation.

So I say to the gentleman from Nevada (Mr. GIBBONS), if that is not sufficient, I am willing to look at it in the context of overall reform.

Mr. GIBBONS. Mr. Chairman, will the gentleman from New York (Mr. BOEHLERT) yield?

Mr. BOEHLERT. I am glad to yield to the gentleman from Nevada.

Mr. GIBBONS. Mr. Chairman, I really appreciate the comment of the gentleman from West Virginia (Mr. RAHALL), only because, if one looks at the law and one interprets it from a reasonable person's standard, it says a single 5-acre millsite. But it does not limit the number. Five acres was there because they did not want to have more property used than was necessary. One can go out and get a number of 5-acre millsites if it needs more than one. That is the purpose and that is what the practice has been.

To restrict it to a single 5-acre millsite, as the gentleman is attempting to do with his amendment, would say to them that they can no longer have the room to put the excess waste from a 20-acre claim on more than one 5-acre parcel, which then has the effect of shutting down every mine, because it is retroactive according to the language the gentleman has got. It will go back, and it will destroy an industry that has long been one that has produced the quality of life that we have today.

Mr. MARKEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Rahall-Shays-Inslee amendment. The Senate Committee on Appropriations has included an anti-environmental, anti-taxpayer rider offered by Senator LARRY CRAIG in its version of the Interior appropriations bill that would allow all hard-rock mines operating on public lands, retroactively and prospectively, to claim as much public land as a mining company deems necessary to store mining waste. The mining company decides how much land it needs, public land.

Now, why do they call it a rider? Where does that come from? An anti-environmental rider. What that means is that this is a vehicle, a horse, something that is moving.

□ 1700

And the rider jumps on board something that is legitimate, and it holds on. It is a rider on something it does not belong on. They should not be legislating, putting a rider on an appropriations bill, changing the 1872 Mining Law. That is a big legislative debate out here on the floor.

God knows, the mining industry has known how to kill all mining reform in my 24 years in Congress. It must come as a shock to them that they are forced now, once there is one favorable interpretation of the mining law that helps the environment, that they are out here on the floor, not even going through the regular legislative process, but rather trying to put a rider on a bill that does not even belong on.

So what we are trying to do here today is knock that anti-environmental rider, knock that anti-taxpayer rider out of the appropriations process. It does not belong on this bill. We should not be debating such a fundamental change.

What we are talking about here today is something called the Crown Jewel Mine at Buckhorn Mountain in eastern Washington State. We are talking about the Crown Jewel Mine as a rider, as something that does not belong on an appropriations bill. Something as central as that. And what will it allow to happen? It will allow tons of rock from the mountain, which would be placed on huge uncovered leach pads where cyanide would percolate down through the soil to remove the gold from the rock. Cyanide. That is what we are talking about.

When the mining industry finally decides that it wants to legislate, since 1872, it picks one great subject to put the rider on, cyanide leaching into the land of our country.

So, my colleagues, that is what the Craig rider is all about. The rider was attached to the Senate version of the bill after the Departments of Interior and Agriculture released a joint decision earlier this year denying the large open-pit cyanide-leach gold mine in Washington State. The government told the mining industry that it could not steal the public's crown jewels, its public lands and its public resources in order to dig the mining industry's Crown Jewel cyanide leach Pit Mine.

The government has been able to lock up, to block the Crown Jewel Mine only because of the millsite waste dumping limitation, which is the only provision of the 1872 Mining Law which protects the environment. It is the only provision in the whole law which protects the environment. And, of course, it is the only provision over the last 20 or 30 years that the mining industry wants to see any legislation considered here on the floor.

In addition, the amendment would also effectively limit taxpayer liability for cleaning up the waste when and if mining companies go bankrupt, a not-too-infrequent occurrence, by the way, in the United States. There are 500,000 plus abandoned mines around the country, and the taxpayers' cleanup bill for these mines is $30 to $70 billion, $30 to $70 billion to clean up these mines. The Rahall amendment protects against it.

My colleagues, let us reject the mining industry's attempts to attach these anti-environmental riders to the Interior appropriations bill. Let us prevent our Nation's public lands from being turned into toxic waste dumps. Let us vote for the Rahall-Shays-Inslee amendment.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 10 minutes to be equally divided. And let me say that I am just trying to expedite things here. We want to finish this bill tonight, and we have a number of amendments yet to go.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. VENTO. Mr. Chairman, reserving the right to object, I do not know how many Members there are.

Mr. REGULA. We have one more on our side.

Mr. VENTO. We have two or three over here. So I think if the gentleman would consider, and I do not know if we need to proceed or if I am going to use all 5 minutes.

Mr. REGULA. How about 20 minutes?

Mr. RAHALL. Each side?

Mr. REGULA. No, total.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. RAHALL. Reserving the right to object, Mr. Chairman. I think we have several more speakers on our side; and I would ask that that time be expanded, please.

Mr. DICKS. What about 30 minutes?

Mr. REGULA. Well, obviously, the gentleman has the right to object, so he can call it. I was hoping we could get it for 20 minutes, but if 30 is all I can get agreement on, then it has to be 30.

The CHAIRMAN. The gentleman's unanimous consent request is that debate on this amendment and all amendments thereto conclude in 30 minutes equally divided 15 minutes to each side.

Is there objection to the request of the gentleman from Ohio?

Mr. SHAYS. Reserving the right to object, there are a number of speakers who support this amendment who would like to speak, and the gentleman from Ohio (Mr. REGULA) is basically saying there is only 15 minutes, and the gentleman also says he has one gentleman who wants to speak in opposition. So I am just having a little bit of trouble with that.

The CHAIRMAN. Does the gentleman choose to object?

Mr. DICKS. I think we should just proceed, Mr. Chairman.

The CHAIRMAN. The gentleman withdraws his request.

Mr. HASTINGS of Washington. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to this amendment, Mr. Chairman, and I do so following my friend from Massachusetts, who is always a joy to hear on the floor, although sometimes what he says is not entirely all the facts. So let me point out what the facts are in this particular case and why we are addressing this issue today.

First of all, this gold mine that started all this process is indeed in my district. The plan of operation started in 1992. They went through the draft environmental process and the record decision was let after 5 years, in January of 1997. Nearly 2 years later, after going through a number of appeals, the Federal Court upheld the EIS that was arrived at going through that process.

I might add going through this process the Crown Jewel Mine project secured over 50 permits to comply with State and national environmental laws. In fact, the director of the Washington State Department of Ecology said, and I quote, ''The most rigorous environmental analysis the State has ever conducted on a project of this type,'' referring to the Crown Jewel Mine. ''No other proposal has received this level of environmental scrutiny.''

Now, the reason that I bring this up is because what caused the amendment to be brought forth on the supplemental budget that we passed earlier this year is that in December of 1998 the Federal District Court upheld the EIS and the record decision. In other words, Battle Mountain Gold project could proceed forward. They were advised in January of 1999 by the BLM, the United States Forest Service, that the final formal approvals of the project were imminent and ready to go. Specifically, on February 4, the U.S. Forest Service advised Battle Mountain Gold to come in the next day, on February 5, for approval of the plan of operations.

On February 5, a day later, they went in to talk to the Forest Service; and the Forest Service advised them that this decision was kicked up to Washington, D.C.

And we heard a number of Members mention about the solicitor. That caused, then, the rider to be put on the supplemental bill to protect this project. Because they played by the rules, as was laid out when they went through this whole process.

That is exactly what they did, is played by the rules. They have invested $80 million in this project. From the standpoint of employment in an area where unemployment is high in my district, this would provide somewhere between 150 and 250 jobs over the life of the project.

So the response here is not something that deals, I think, as the debate has been going on, because in the short time I have been here, when I served on the Committee on Resources, there has been a lot of talk about reforming the 1872 Mining Law, and I think everybody wants to sit down and probably arrive at a reasonable accommodation. But the specific reason, I want to point out again, was because this company acted in good faith under existing rules and applications to go through with this project, and all of a sudden it was pulled out.

Now, we do not always react positively in terms of how the Senate reacts. We have to do what we think is the right thing to do. I believe the Rahall amendment really is a step back from where we were when we passed that rider on the supplemental bill. As a matter of fact, as I mentioned, that rider was specifically for the Battle Mountain Gold Company. But if the Rahall amendment were to pass and there were further permits that were required of the Battle Mountain Gold it could, therefore, end that project again. And again, to reiterate, that project proceeded under existing rules.

So I oppose the Rahall amendment, and I would certainly encourage Members of the respective authorization committee to work on the 1872 Mining Law, because it has certainly been talked about enough. And perhaps this debate may be the emphasis to continue forward. I do not know. But I believe the Rahall amendment is ill-advised here, and I urge Members to vote against it.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I would like to ask the other side here, because here we have a memorandum from the Office of the Solicitor of the Bureau of Land Management, I guess it is the Solicitor of the Department of the Interior, I would like to hear if anybody here disputes this. The Mining Law of 1872 provides that only one millsite of no more than 5 acres may be patented in association with each mining claim. Does anybody disagree with that?

The CHAIRMAN. The time of the gentleman from Washington (Mr. HASTINGS) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. HASTINGS of Washington was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, if the gentleman will continue to yield, I would like to hear somebody address the law here. What we have heard is a lot of rhetoric, but I would like to hear somebody address the statute and tell us, and is there a difference in language here? Because when I read this statute, it looks as if it does have this limitation.

Mr. HASTINGS of Washington. Reclaiming my time, Mr. Chairman, my understanding is that that is an opinion and not specifically in law, but the gentleman from Nevada (Mr. GIBBONS), who is on the committee and whose State has a great deal of mining law, may have a more elaborate response for the gentleman.

Mr. GIBBONS. Mr. Chairman, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Nevada.

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for yielding to me and the gentleman from Washington (Mr. DICKS) as well.

It is true, if we look at the statute that was proposed by the gentleman from Washington up there, it is specific as to the size of it, but it does not restrict it to only a single claim. It allows for a millsite to be attached to and contiguous to a mining claim, but the millsite is only 5 acres.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Washington.

Mr. DICKS. But as I understand it, if there are multiple claims, then there could be multiple millsites on each of 5 acres. Is that the understanding of the gentleman?

Mr. GIBBONS. If the gentleman from Washington (Mr. HASTINGS) will continue to yield, that is not the understanding, not according to the law. And I will read to the gentleman from the BLM manual.

Mr. DICKS. Wait a minute, not the manual.

Mr. GIBBONS. Well, the manual interprets the law.

Mr. DICKS. The statute here. Maybe this is where we hit the rut. Maybe the manual was wrong, but we have to go back to the statute. And I am asking the gentleman about the statute. As I read the statute, it appears to limit each millsite to 5 acres per claim. And that is the law.

Mr. GIBBONS. What the gentleman is reading from is the opinion of the solicitor which limits it, versus the statute which is on the board. There is no limitation as to the number.

The CHAIRMAN. The time of the gentleman from Washington (Mr. HASTINGS) has expired.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

I would like the gentleman from Washington (Mr. INSLEE) to put up his chart for me, and then I would like to enter into a colloquy. We can just go through this section.

Mr. INSLEE. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Washington.

Mr. INSLEE. First off, this is the law. This is the statute from the United States Annotated Code. This is the law.

□ 1715

What the executive branch says in some manual or letter or memorandum or written on the back of an envelope, or they can say it every day until doom's day, but it does not make a difference. This is the law passed by the United States Congress, signed by the President in 1872. Anything else is quite meaningless, frankly.

What it says, very clearly: ''Where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notices as are applicable to the veins or loads; but no location made on and after May 10, 1872, of such nonadjacent land shall exceed five acres.''

Now, I understand that the argument is, well, they could have 5 acres here, and they can have 5 acres right next to it, and they could have another 5 acres right next to that; they could have 5 acres until they go all the way from Canada to Oregon and the State of Washington.

Let me suggest to my colleagues, if the Congress in 1872, and we have some very articulate members, Daniel Webster, I cannot remember when he was around in 1872, these are intelligent people. But if they were intending to give the mine everything they wanted, they did not need any limitation.

Mr. DICKS. Mr. Chairman, reclaiming my time, I want to also quote from Section 2 from (30 U.S.C. 41) subsection (b) where it says again: ''Where nonmineral land is needed by proprietor of a placer claim for mining, milling, processing, benefication, or other operations in connection with such claim,'' and then I will insert at the right time the rest of this. But when we get down to the bottom line it says: ''No location made of such nonmineral land shall exceed five acres and payment for the same shall be made at the rate applicable to placer claims which do not include a vein or lode.''

So when we get to these two different types of claims, I understand what happened here. In the old days, they would go into the earth to get the minerals and would only need a small area, like 5 acres on top, in order to have a place to bring the minerals out and deal with them. But now with these open-pit mines, all of a sudden they have tremendous amounts of earth that have to be moved and they cannot possibly do it on 5 acres.

So this limitation is a very serious one for this type of mining. But as I read the law, the law does limit them to 5 acres.

Mr. GIBBONS. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Nevada.

Mr. GIBBONS. Mr. Chairman, it says here clearly, ''each location.'' Every millsite is a location. It is not the totality of it. Every mining claim is a location. So they can have five locations.

Mr. DICKS. Mr. Chairman, reclaiming my time, they could have five claims; and for each claim, they could have a 5-acre millsite.

Mr. GIBBONS. It does not restrict it.

Mr. DICKS. But they have to have separate claims. They cannot have one claim and a 500-acre millsite unless this special legislation is enacted. That is the only way we can do this.

Mr. HASTINGS of Washington. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I thank the gentleman for yielding.

I am just going back to what has prompted all of this, and that was the Battle of Mountain Gold. The fact is they had multiple millsites within their claim. That is the distinction and the interpretation.

Mr. DICKS. Mr. Chairman, reclaiming my time, but they can only have one claim, 5 acres for a millsite for dumping the waste. That is what the law says.

Mr. HASTINGS of Washington. Mr. Chairman, if the gentleman will continue to yield, that is the gray area that we are talking about here and that is why probably this issue should probably be taken up in the proper committee.

Again, I want to reiterate, the reason what prompted all of this was because of one company in my district that had multiple sites and were playing by the rules, as had always been applied, had always been applied, not with an exception, had always been applied; and then the Solicitor General came up with that one opinion, which, of course, changed the whole thing.

Mr. DICKS. Mr. Chairman, I think that the constituent of my colleague may have a great claim in equity, but I am not sure that he has got much of a leg to stand on when we look at the actual underlying statute. It appears that the Department, for many years, had misinterpreted the statute.

Now, I am still willing to listen to other points of view, but I think we have got to deal with this statute.

The CHAIRMAN. The time of the gentleman from Washington (Mr. DICKS) has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, I think we have to look at this underlying statute. I would love to hear from somebody on the side of my colleagues or have somebody show us where they think the statute says something different than I have just read on the placer claims or on this law under this particular provision.

We have to have some basis for saying that somewhere it says they can have more than 5 acres of a millsite per claim. And that is what I do not see here in the law.

Mr. INSLEE. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I point out to make sure people understand, the problem my friend from Washington has alluded to, the Crown Jewel Mine, has been solved, if we look at it that way, by the previous rider. That is a red herring. That problem has been solved. We are talking about the future, the year 2000 on.

Just one closing point: if the interpretation placed on this by the industry is correct, there is no reason on this green Earth that the Congress in 1872 would have imposed any language as to any limitation as to any acreage. Because if the Congress wanted to give the industry all it wanted for free, it could have just said so, they can have all they want for free.

There is no reason for this 5-acre limitation if we mean they can have 5 acres here, 5 acres there, 5 acres everywhere. This ought to be enforced.

Mr. HASTINGS of Washington. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, one final point. The millsite law, and this has been conceded, it does limit acreage to 5 acres per millsite. But there is no limit on the number of millsites in a claim. That is the distinction.

Mr. DICKS. Mr. Chairman, reclaiming my time, I think the distinction is, for every claim they get a millsite with 5 acres. That is how I read this. So if they have multiple claims, they get multiple millsites, each of which is 5 acres.

The problem here I think is that we have got a fewer number of claims than the size of the needed millsite to deal with the waste. So I just think we need to get this clarified.

I appreciate what the gentleman is suggesting that the Committee on Resources might help us all out by taking this matter up.

Mr. SHAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is a big deal. This is an important issue. And this land is

your land, and it is my land. It is Government land that has been extraordinarily abused by a law we all know needs to be reformed. We all know it needs to be reformed. But instead of reforming the law, we are ignoring the law.

The Lode Act of 1860 which dealt with veins and it contained the 20-acre and the 5-acre millsite limits. The Placer Act of 1866 dealt with mineralized earth. It had 20 acre mining site and 5 acre millsite limits. And it was codified in 1872. We are not objecting to the law. If a mining claim has 100 acres, then a mining claimant has 25 acres they may use as a millsite. That is not our objection.

In the case of Crown Jewel Mine, Battle Mountain Gold Company, has four patents approved and 11 unpatented claims. They have a total of 15 mining claims, for a total of 300 acres. But they want 117 millsites. They want 585 acres when they are entitled under law to only 75 acres.

We are seeing mining interests trying to ignore the law, and then we blame the Solicitor General, whose job it is to make sure the law is enforced. That is the law. The Soliciter General is going to make sure it is enforced. It was ignored. The other side may argue we have to amend the law and deal with some legitimate concerns. But we do not ignore the law. And that is what I believe is the attempt of these riders in the Senate Interior Appropriations bill.

I have a gigantic problem with the fact that this is our land. Mining companies do not pay a dime for it unless they are extracting oil or gas and then they pay a minimal royalty. But hard rock miners do not pay anything for the minerals they extract. They can destroy the land and leave it behind, and we are left to deal with an environmental disaster.

Some can say, well, why should we care in New England? Because it is our land, it is our country, and we care about it and we want something to happen to deal with this outrage.

So I wish the committee of jurisdiction would deal with this law, and I wish we would abide by the law that exists today. And that is 20 acres and 5; and if a claimant wants 40, then the claimant gets 10. And if the claimant wants 100, the claimant gets 25. That is the law.

We can criticize the Solicitor General all we want, but he is saying the law needs to be abided by. I'd like to add that if mining interests do not like the law as it is being interpreted by the Solicitor General, then they can go to court.

I just hope we can pass this amendment, and then I hope the committee of jurisdiction can deal with this issue as it needs to be dealt with. It is a law that goes back to 1872. It is a law that needs changing. I hope we change it but not ignore it.

Mr. VENTO. Mr. Chairman, I rise in support of the Rahall-Shays amendment.

Mr. Chairman, I want to first of all start by commending the subcommittee of the Committee on Appropriations for maintaining the 1994 moratorium on the 1872 mining patents.

I know we have got quite a few that proceeded that date, I think that their efforts here are helpful, I think, in trying to force the Senate, frankly, which has been the problem in terms of reforming the 1872 mining law, to in fact face up to reality and try to deal with the problems that exist concerning this 1872 law, which is badly in need of modification and modernization.

The fact is that the issue that we have before us today is because of actions on the part of the other body, the Senate, trying to circumvent the clear meaning of what this law is.

The fact of the matter is that the Department of the Interior and those that are responsible for administrating this law have found a way to try to mitigate some of the damage that is being done by these mining claims and by the millsites that have propped up around them.

It is not just the millsites. It is the access points, the roads that go in. There is a whole host of environmental problems and concerns that are affecting us with regards to public land. These are public lands, part of the public domain, often being located in maybe a national forest, maybe in terms of range lands which are being used for a variety of other purposes and become very important for recreation, and, of course, for maintenance of various types of wildlife, flora and fauna.

But the major point I think that needs to be brought out here is that, obviously, mining practices have changed. And the American Mining Congress, the predecessor organization, pointed to this in some of the testimony we have from the Committee on National Resources, and they point out that instead of the 5 acres that typically would have been used for a tailing site near a 20-acre claim or patented claim, today the amount of land is 200 acres typically. It is 10 times the amount of land that is outlined from the configuration of the claim. Today it is 10 times that amount of land that is used because of an industrial site, basically, that is being built alongside of the mine.

And very often, as we looked at the hard-rock minerals, the cyanide leaching for gold and other types of valuable hard-rock minerals, in fact, are what are causing these serious problems. Now, besides which, of course, I think we could point out that, while we would like to think all of these entities that are making the patented claims and using these mill tailing sites responsibly, it has been estimated that anywhere from 30 to $70 billion's worth of damage in terms of restoration because of the toxic and other problems associated with cleanup have been abandoned on the Federal lands, on these lands.

So not only does the taxpayer lose the initial impact, and when my friend said that they do not get a dime for these lands, he is almost right. I think we get about $2.50 to $5 an acre for these lands. But of course, the minerals that are extracted from them may actually be minerals that are into the hundreds of millions or even billions of dollars of value.

So I would urge my colleagues to support this amendment. It does not go far enough. Frankly, on the appropriations bill we cannot reform and modify greatly the 1872 law. But what we can do is to send a signal and to arm our appropriators with an amendment that will in fact try to stop the type of raid that is going, on the type of riders, as it were, that are being put on often in the Senate and sometimes in the House when there is not consensus, where this is, in essence, trying to undo and unglue the existing precepts of the actual 1872 law, a weak law, a law that needs to be modified, that needs to be modernized, that the Senate refused to deal with. When we repeatedly sent language on various bills to them to deal with this, they have refused to do so.

□ 1730

I commend the subcommittee for maintaining the 1994 moratorium, but we have to deal with this issue because we are being challenged to do so by the actions of the body and by the work of the administration. They have done good work on this. We should leave the tool in their hand to limit the millsites. We ought to force the Senate to deal with modernizing this law, support the Rahall-Shays amendment, and I think we will have done a good deed both for the taxpayers and for the natural resources that are the legacy of all Americans, not just to benefit the special interests.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had intended to stay out of this debate but it has dragged on and I feel it merits some additional points be made.

I serve on the authorizing committee. I authored a number of amendments the last time we tried to modernize and amend the 1872 mining law. This is an antiquated law which begs for change. In fact I think the committee, even though they are attempting to basically erode some provisions of the law here, recognizes that by continuing the moratorium on patents.

Let us just understand what is ultimately at stake here. It is the ability of someone operating a mine for which if they have patented it they pay the government, and the taxpayers, $2.50 an acre. No royalties, no other fees are involved. $2.50 an acre. Many times these mines can return tens if not hundreds of millions of dollars on a relatively small number of acres. It is a very, very lucrative enterprise.

Now, enter heap leach mining. It requires a lot more Federal land, a lot greater number of acres to extract a

small amount of gold through the process of heaping up the land and dosing it with cyanide.

Now, they say because we are having to extract from many, many more acres of land, which we paid $2.50 an acre for and make bigger and bigger piles, we need more places to process the ore and more acres of public land, for which they will pay $2.50 an acre if they patent it.

Now, I just want to relate this to the debate we are going to have in a few moments over the issue of recreation fees and since the gentleman from Massachusetts did not bring Grandma, who he often brings up in these issues, into this, I want to bring Grandma in. He always talk about Grandma and the kids going out to the forest and doing this and doing that.

Let us just envision Grandma today. She drives up to the national forest, she drives her car to the end of the road and wants to take the grandkids for a little hike to see the wildflowers. Guess what? There is a little metal box there that says you have got to pay $3 to park your car. And she does. Her car occupies maybe 200 square feet. She has got to pay three bucks to park the car. The mining company wants to park wastes forever for $2.50 an acre.

Now, Grannie would be better off if she filed a claim and got a patent and paid $2.50 for an acre, she could open a parking lot and other people could park there, she could charge them a buck and a half, they would save a buck and a half, and everybody would come out ahead.

This is absurd. Because we are not asking people to pay their fair share, we are now sticking it to the little guy, and the fair share is an industry that makes hundreds of millions, billions of dollars a year, many of them foreign-owned and operated, operating on lands in the western United States, paying not a penny in royalties to the Federal Government and getting the land for $2.50 an acre.

This law must be reformed. If by adopting this amendment we squeeze a little bit and it hurts a little bit and we get a rational debate in the committee of jurisdiction on which I serve and we then finally, finally bring this law into the 20th century and finally begin to protect the taxpayers and the environmental interests, this will be a very meritorious and historic moment.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from Ohio.

(On request of Mr. REGULA, and by unanimous consent, Mr. DEFAZIO was allowed to proceed for 1 additional minute.)

Mr. REGULA. Mr. Chairman, I just wanted to advise the gentleman that there has been a moratorium on patenting mining claims since fiscal year 1995. So Grannie has not been able to get a patent because of the appropriations riders. Please tell Grannie there are no more patents.

Mr. DEFAZIO. I thank the gentleman for that. I hope it becomes permanent or we extract a royalty in the future. I thank the gentleman for his clarification.

Mr. DELAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to express my very strong opposition to the Rahall amendment.

This amendment to me is nothing more than a cheap attempt to impose on the Congress the anti-mining political agenda of unelected bureaucrats at the Department of the Interior, an agency with a proven track record of hostility towards mining and the industries upon which they depend.

In November of 1997, the Solicitor of the Department issued an opinion which concluded that our mining laws contain a limit upon the patenting of millsites, despite the fact that no previous solicitor has ever interpreted the law to do so, nor has any court of law and nor has Congress.

This opinion reinterprets a longstanding provision of law that would require mines to drastically reduce the size of their millsites connected to mining claims. The opinion was not based in reality and neither is this amendment.

Like many in this body, I seek to reform the mining laws of this country. But the 104th Congress passed significant amendments to our mining laws, including the imposition of a 5 percent royalty, payment of fair market value for lands and establishment of abandoned hardrock mined land fund.

But President Clinton vetoed that bill because Congress refused to give the Secretary of Interior unbridled authority to ''just say no'' to mining.

Do not be fooled by its proponents. This amendment is not mining reform. The Rahall-Shays-Inslee amendment is an attempt to cede legislative branch authority to a small group of unelected bureaucrats and lawyers working feverishly to impose their unorthodox views on mining before they pack up and leave office. It is just that simple.

Reject this amendment.

Mr. UDALL of New Mexico. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first of all I would like to thank the gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS) for the bipartisanship they have shown in crafting this piece of legislation. All of our committees and subcommittees, I think, would be a lot better off if we worked in the bipartisan way that they have demonstrated in their subcommittee. I applaud them also on maintaining the moratorium on the patents.

But I rise here today, one, to disagree with the gentleman from Texas, because the law is clear and the law should be interpreted the way it is. And so I rise in strong support of the Rahall-Shays-Inslee amendment, because I think it sends a strong message to the Senate to stop loading up appropriations bills with antienvironmental riders.

Why is the Senate attempting to legislate in this way? Why do we here in this body attempt substantive legislation in appropriations bills? The simple answer is, these kinds of proposals could not survive in the normal legislative process. They could not survive in the light of day. This, plain and simple, is a giveaway. If we want to reform the 1872 mining law, let us do it in our committees.

This body in 1993 passed with a large bipartisan majority an 1872 mining law reform bill. There were hearings. We heard from all interested parties. We addressed this issue in a thoughtful and substantive way. The other body is doing just the opposite with this antienvironmental rider. There is no bill. Interested parties have not been given an opportunity to testify. This issue has not been considered in a thoughtful, substantive way. Plain and simple, this is a special interest provision to help one mining company.

Now, an amendment I think is always known for its supporters and this amendment is supported by over 70 taxpayer and environmental organizations, including the Taxpayers for Common Sense, the League of Conservation Voters and the Sierra Club.

A vote for this amendment is a vote for responsible legislating. A vote for this amendment is a vote for protecting the environment. A vote for this amendment is a vote to leave future generations with a cleaner, better world.

Vote ''yes'' on Rahall-Shays-Inslee.

Mr. GIBBONS. Mr. Chairman, I rise to oppose the Rahall amendment to the FY 2000 Interior Appropriations Act. This amendment will allow the Solicitor of the Department of the Interior to amend the existing mining law without congressional authorization.

In March of this year, the Solicitor at the Department of the Interior reinterpreted a longstanding provision of law and then relied on his new interpretation to stop a proposed gold mine in Washington State.

This proposed mine (Crown Jewel) had gone through a comprehensive environmental review by federal and state regulators, which was upheld by a federal district court.

They had met every environmental standard required and secured over fifty permits. The mine qualified for their federal permit after spending $80 million and waiting over seven years.

The local Bureau of Land Management and Forest Service officials informed the mine sponsors that they qualified for the permit and they should come to their office to receive it.

It was then that the Solicitor in Washington D.C. intervened and used his novel interpretation of the law to reject the project. The Rahall amendment is cleverly designed to codify this administrative reinterpretation.

This interpretation has been implemented without any Congressional oversight or rulemaking which would be open to public review and comment.

This was a calculated effort to give broad discretion to the Solicitor to stop mining

projects that met all environmental standards yet were still opposed by special interest groups.

This amendment should be defeated and the Solicitor should be required to seek a congressional change to the law or enter a formal rulemaking giving the impacted parties an opportunity to comment on the change.

If allowed to stand, the Interior Department's ruling will render the Mining Law virtually meaningless and shut down all hard rock mining operations and projects representing thousands of jobs and billions of dollars of investment throughout the West.

This amendment will destroy the domestic mining industry and with the price of gold at a new 30 year low, the second largest industry in Nevada will cease to exist. Pay attention Congress, mining will no longer exist in Nevada!

If the Secretary or his solicitor has problems with the United States mining law then he should take these problems to Congress, to be debated in the light of day, before the American public.

Laws are not made by unelected bureaucrats. Bureaucrats administer the laws Congress approves whether or not they agree with those laws.

It is the duty of Government in a democracy to deal honestly with its citizens and not to cheat them.

As the Wall Street Journal stated, ''if the Solicitor's millsite opinion is allowed to stand, investment in the U.S. will be as risky as third world nations''.

The International Union of Operating Engineers opposes the Rahall Amendment on the basis that if passed it will force the continued loss of high paying U.S. direct and indirect blue-collar jobs in every Congressional district.

The Constitution gives the people control over the laws that govern them by requiring that statutes be affirmed personally by legislators and a president elected by the people.

Majorities in the House and Senate must enact laws and constituents can refuse to reelect a legislator who has voted for a bad law.

Many Americans no longer believe that they have a government by and for the people.

They see government unresponsive to their concerns, beyond their control and view regulators as a class apart, serving themselves in the complete guise of serving the public.

When regulators take it upon themselves to legislate through the regulatory process the people lose control over the laws that govern them.

No defensible claim can be made that regulators possess superior knowledge of what constitutes the public good. Nor to take it upon themselves to create laws they want because of Congressional gridlock—the value laden word for a decision not to make law.

The so-called gridlock that the policy elites view as so unconscionable was and is no problem for people who believe in the separation of powers doctrine contained in the Constitution which holds that laws indeed should not be made unless the broad support exists to get those laws through the Article I process of the Constitution, i.e. ''All legislative powers herein granted shall be vested in Congress.''

Let us debate the merits of the proposal, do not destroy the lives of hundreds of thousands of miners just to appease special interest groups whose entire agenda is to rid our public lands of mining.

If you have problems with mining on our public lands come and see me, together we can make positive changes but do not destroy the lives of my constituents today by supporting the Rahall amendment.

Without mining none of us would have been able to get to work today, we would not have a house over our heads—because without mining we have nothing.

Give our mining families a chance to earn a living, to work to provide the very necessities that you require. Oppose the Rahall amendment and support common sense on our public lands.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) will be postponed.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I direct the attention of the gentleman from Ohio (Mr. REGULA) to the energy conservation budget in the Department of Energy. Energy conservation promotes reductions in energy use, reductions in waste of raw materials, and reductions of effluent discharge. It thus promotes cleaner water, cleaner air and cleaner soil.

Specifically, Mr. Chairman, the Department of Energy has admirably focused on energy-intensive and waste-intensive processes.

The U.S. Department of Energy has identified steel forging processes as an area that is ripe for improvement in energy conservation. Additionally, the U.S. Department of Defense has identified forging as a significant industry in the Department of Defense national security assessment.

The National Center for Manufacturing Sciences' Precision Forging Consortium, better known as NCMS, has outlined Phase II of a specific, comprehensive, collaborative R&D project to establish new U.S. domestic precision forging capabilities. For a modest investment of $1.2 million this year, with well over 50 percent of the cost being borne by private partners, this second phase will complete the successful Phase I exploratory project.

Phase II of this project will achieve very real and substantial returns in 18 months, and they are, namely, a tenfold improvement in tool-life; decreased die system cost; reductions in raw material consumption; reductions in effluent discharge; less scrap; reduced secondary machining requirements and billet design; lower forging temperatures; an overall 20 percent reduction in input energy.

And importantly I wanted to note, too, Mr. Chairman, that this project has the support of the administration's Department of Energy Office of Industrial Technologies.

Finally, Mr. Chairman, I just want to tell the gentleman from Ohio how I appreciate his kindness and courtesy in allowing me this time for the colloquy. I would urge obviously his consideration and support for this project in conference.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentleman from Ohio.

Mr. REGULA. I thank the gentleman from Michigan for bringing this proposal to my attention. This energy conservation project sounds very interesting, and it appears as though its continuation would fit appropriately with the work of the Department of Energy. I will be happy to work with him and with the Department of Energy to explore continuation of this effort as we move to conference on the Interior bill.

Mr. KNOLLENBERG. I thank the gentleman. I look forward to working with him in that regard.

Ms. WATERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to speak in opposition to the Young amendment which would cut the funding for all the discretionary programs in this bill. I am particularly concerned about the effect this amendment would have on Native Americans. I am deeply disappointed by the amount of funding provided in this bill for the programs of the Bureau of Indian Affairs and the Indian Health Service. This bill provides $114 million less than the administration requested for the Bureau of Indian Affairs and $15 million less than the administration requested for the Indian Health Service program.

The cuts in Indian school construction programs will be particularly devastating for Native Americans. The administration had proposed a new initiative to provide $30 million in bonds for school construction by Indian tribes in addition to an increase of $22 million in the funding for new school construction by the Bureau of Indian Affairs.

□ 1745

The Committee on Appropriations did not provide any funding for the bond initiative, and the funding in this bill for school construction is virtually the same as last year.

I realize the Committee on Appropriations has limited funds to work with in providing for programs in this bill; however, new school construction is desperately needed by many Indian tribes. Without new schools, Indian children will be unable to receive the education they so desperately need to succeed in our society.

The Young amendment would make further cuts in school construction, health care, and other programs that serve Native Americans. This draconian amendment is unwise and unfair. The funding in this bill for programs serving Indians should be increased, not cut. The economy in the United States today is extraordinarily

healthy. Nevertheless, the people who live on Indian reservations are some of the poorest people in our Nation. They desperately need funding for new schools and other infrastructure, health care and economic development. We cannot allow them to be left behind.

Let me remind my colleagues that the President just took a tour of the poorest areas in our country to talk about new initiatives to help bring these communities on line with the new possibilities that are being created with this well-performing economy. I had a long conversation with the President when he finally reached California.

He had been on an Indian reservation. The President of the United States, President Clinton, said he had never ever seen poverty like he saw on this Indian reservation. He said it was beyond comprehension. He said if someone thinks what they have seen in any inner-city in America is bad, they need but go on some of these Indian reservations and see the abject poverty that they are experiencing.

So, to have this kind of an amendment that would further exacerbate this kind of poverty is unconscionable, and I will ask my colleagues to reject the Young amendment and do not support this kind of cut in our discretionary spending.

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment on behalf of myself and the gentleman from Georgia (Mr. BARR).

The Clerk read as follows:

Amendment offered by Mr. WELDON of Florida:

Page 108, after line 14, insert the following new section:

SEC. 332. No funds made available under this Act may be expended to approve class III gaming on Indian lands by any means other than a Tribal-State compact entered into between a State and a tribe, as those terms are defined in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

Mr. WELDON of Florida. Mr. Chairman, this amendment is very simple. It ensures that the integrity of a law that the U.S. Congress passed, the Indian Gaming Regulatory Act, is preserved. I have here in my hand letters of endorsement of my amendment by both the National Governors' Association and the National Association of Attorney Generals, two bipartisan groups.

Why have they endorsed this amendment? Because it protects the rights of States that this Congress granted them under the Indian Gaming Regulatory Act or the IGRA. Under IGRA, in order for Indian tribes to engage in Class III gambling, otherwise known as casino gambling, tribes must have an approved tribal-State compact.

However, recent actions by the Department of Interior would enable Indian tribes to circumvent State governments when negotiating these compacts. Regulations issued by the Secretary of Interior on April 12, 1999, established a process by which a tribe can essentially bypass the State and open a casino in the absence of a tribal-State compact.

This severely weakens the rights of States to determine gambling activities in their own communities. These regulations are inconsistent with IGRA. The Department of Interior has exceeded the authority granted under IGRA by issuing a regulatory remedy on a matter that both Congress and the Supreme Court have stated should be determined by the States. My amendment prohibits the Secretary from allowing a tribe to open a casino in a State where the tribe has not negotiated a compact with the State.

Allow me to review for the Members what my amendment does and does not do.

What the Weldon-Barr amendment does: My amendment maintains the status quo of the Indian Gaming Regulatory Act. It ensures that tribes can still use the current IGRA process to engage in Class III casino-style gaming. It preserves the right of Congress to pass laws and make majority policy changes. It continues incentives for tribes and States to pursue legislative changes to IGRA. It prevents the Secretary of Interior from bypassing Congress and allowing tribes to establish Class III gaming in the absence of a tribal-State compact. It protects State rights without harming Indian tribes.

What my amendment does not do: This amendment does not amend the Indian Gaming Regulatory Act. The Weldon amendment does not affect existing tribal-State compacts. The amendment does not limit the ability of tribes to attain Class III gaming as long as valid compacts are entered into by the tribes and the States pursuant to existing law.

I encourage my colleagues to vote to protect the rights granted by this Congress to the States. Vote to protect the rights of our local communities to have a voice in whether or not casinos will be opened in their communities. Vote to support our Governors and State attorneys general. I encourage my colleagues to vote yes on this amendment, and I again point out that this amendment has been endorsed by the National Governors' Association and the National Association of States Attorneys General.

Mr. KILDEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to the Weldon-Barr amendment. This amendment would keep the Secretary of Interior from fulfilling a congressionally mandated obligation that requires him to develop alternative procedures on Class III gaming compacts.

Mr. Chairman, on April 12, 1999, the Secretary published proposed final regulations on Class III or casino style gaming procedures that allows the Secretary to mediate differences between States and Indian tribes and Indian gaming activities. These regulations are a long awaited development in the stalemate between Indian tribes and certain States over Class III gaming.

The Secretary developed the regulations because of the United States Supreme Court ruling in Seminole Tribe versus Florida, which found that States could avoid compliance with the Indian Gaming Regulatory Act by asserting immunity from suit. By enacting IGRA, Congress did not intend to give States the ability to block the compacting process by inserting immunity from suit. In fact, IGRA enables the Secretary to issue alternative procedures when the States refuse to ratify the compacts.

This is why the Secretary is exercising authority to issue regulations governing Class III gaming with the States that refuse to negotiate in good faith. The Weldon-Barr amendment would prohibit the Secretary from fulfilling his obligations under IGRA on the grounds that it bypasses State authority.

Nothing could be further from the truth, Mr. Chairman. The regulations would give great deference to the States' role under IGRA. Only after a State asserts immunity from suit and refuses to negotiate would the regulations apply.

Mr. Chairman, I think it is particularly important to note that the regulations would not give tribes a right to engage in gaming, but only create a forum where all interests, State, Federal and tribal, can be determined. The Secretary's role would be subject to several safeguards including oversight by the Federal courts.

In April, one day after the Secretary published the Class III gaming regulations, the States of Florida and Alabama sued in the Federal district court in Florida claiming the regulations were beyond the scope of the Secretary's authority under IGRA. On May 11, 1999, the Secretary wrote to the House and Senate Committees on Appropriations, saying that he would refrain from implementing the regulations until the Federal court has resolved the authority question. We should not interfere in a matter currently under Federal court review. Allowing the Weldon-Barr amendment to become law now would interfere in that process.

Furthermore, Mr. Chairman, the Interior appropriations bill is not the vehicle that should be used to debate the issues of Class III gaming regulations. The Committee on Resources spent months and months writing IGRA, and I helped write that bill.

Mr. Chairman, the gentleman from Illinois (Mr. HASTERT) and the Republican leadership are meeting today with several tribal leaders on their support of Indian sovereignty. How ironic it is that we are here today considering an amendment that would devastate our policy and laws promoting tribal sovereignty and Indian self-determination. Downstairs they are talking to them, giving them certain promises,

and I encouraged that meeting. I commend Speaker HASTERT for having that meeting; It is a historical meeting. But while they are talking to them downstairs, our deeds up here are far more important, and I urge the defeat of that amendment.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is an amendment that has nothing to do with tribal rights; it has nothing to do with policies that the Speaker might engage in with Indian tribes or that the administration or the minority leader might engage in with Indian tribes.

That is the reddest of herrings, perhaps exceeded only in its redness of herrings by the statements by the previous speaker that the amendment that the gentleman from Florida (Mr. WELDON) and I are proposing today would somehow thwart the congressional intent embodied in the provisions of the Indian Gaming Regulatory Act. That is an absolute inaccuracy that the previous speaker noted.

The authority that the Secretary of the Interior has, Mr. Chairman, under the Indian Gaming Regulatory Act clearly contemplates and expressly provides that the Secretary has the authority to step in and mediate a dispute between a State and a tribe seeking to set up gambling operations in that State only after a judicial finding of fact.

The regulations that the Secretary is proposing and that the gentleman from Florida is supporting run roughshod over the rights of the States. Now he may firmly believe that the rights of a tribe should run roughshod over the rights of a State. The gentleman from Florida (Mr. WELDON) and I and others disagree with that and believe that there needs to be a balance here.

That balance, Mr. Chairman, that balance is reflected in the very careful language of the Indian Gaming Regulatory Act, which gives the States and the Governor of that State the authority to decide based on the best public interest whether or not to allow casino type gambling. It does provide for the Indian tribe a mechanism to contest that and to ensure that the State engages in good faith negotiations, and it does indeed provide a role expressly for the Secretary of the Interior.

Once there has been a judicial finding of fact, what the Secretary is seeking to do is to circumvent that and to interpose his decision, his view of the world, over that of the State, and that is wrong. That indeed does subvert the congressional intent embodied in the careful balancing act which is the Indian Gaming Regulatory Commission.

Now the previous speaker also referenced a letter from the Secretary of the Interior saying that the Secretary promised not to do anything until these court cases have gone through. I would urge the gentleman from Florida to read the second page of the letter which apparently he has not, or he has but he elects to ignore it.

□ 1800

The Secretary of the Interior has left himself a huge loophole in that he provides that this promise that he has made not to move forward on the final regulations, but to do everything up to the final publication of the regulations, would, however, be null and void if in fact the court had not ruled within 6 months. In fact, there is no way the courts are going to rule in 6 months on this, despite the wishful thinking of the previous speaker and other speakers on the other side.

The fact is that the only way that States' rights can be kept intact as contemplated by the Indian Gaming Regulatory Act is to adopt the Weldon-Barr amendment, which maintains the status quo. It simply maintains the status quo as contemplated by the Congress, and for the life of me I do not know why the previous speaker, who takes great pride, as he should, in his role in formulating and passing the Indian Gaming Regulatory Act 11 years ago, he seems now to have changed his mind and seeks to undo the carefully crafted balance in there between States' rights, the role of the tribe, and the role of the Federal government as mediator once there has been a traditional finding of fact.

I give the gentleman more credit than he gives himself. I say, yes, that act that he was instrumental in formulating does indeed provide a proper framework. It recognizes States' rights. It ensures that in a State where the public interest, as determined by the elected officials of that State, do not want a Class III casino-type gambling operation in their State, they, as long as they have engaged in good faith negotiations reflecting the will of the people, cannot have it forced on them by an unelected Federal bureaucrat, namely, the Secretary of the Interior.

The act was correct in striking that balance. We should not allow the Secretary of the Interior unilaterally to undo that. And the way we do that, of course, is to adopt the Weldon-Barr amendment maintaining the status quo of the carefully balanced Indian Gaming Regulatory Act.

Mr. Chairman, I rise today to vindicate a basic principle. That principle, embodied in the Tenth and Eleventh Amendments to our Constitution, holds that decisions are best made at the level closest to the people they will affect.

Of all the commercial enterprises that could be located in a community, there are none that more dramatically alter the local culture and economy than gambling casinos. When these casinos are located on newly-created Indian reservations, which are exempt from many local and state laws and taxes, the effect on communities is increased.

While gambling promoters frequently make wild promises of economic growth, they just as often don't tell the whole story. For example, according to a study by Dr. Valerie Lorenz, in states with two or more forms of legalized gambling, 1.5%–3% of the population become compulsive gamblers. Even worse, the number of teenagers who will become addicted is much higher, reaching levels of 5%–11%. Among compulsive gamblers, 99% said they committed crime, and 25% surveyed said they attempted to commit suicide.

Casino gambling can put an increased drain on law enforcement and social services. Furthermore, when it takes place on Indian lands, it can siphon away local tax revenues.

Any way you look at it, it is obvious gambling significantly impacts any community it touches. Therefore, on such a critical issue, surely, every member of this House would agree that states should be able to determine for themselves whether or not they want to locate gambling operations within their borders.

Unfortunately, the Department of the Interior seems unable or unwilling to grasp or recognize this fact. Beginning in 1996, the Secretary attempted to promulgate rules allowing the Department to approve Class III gaming in any state, regardless of whether or not the state wants it. Keep in mind, Mr. Chairman, Class III gaming does not apply to traditional tribal games, or even to bingo halls; it includes and refers to the types of gambling operations associated with a casino in Las Vegas or Atlantic City; in other words, massive gambling.

Our amendment aims to prevent this travesty from occurring, by requiring all Class III gambling on Indian reservations be approved by state-tribal compacts, as it has been for years. It is a sensible, limited step, that is supported by the National Association of Attorneys General, the National Governors Association, the Christian Coalition, the Family Research Council, and others.

Any Member who thinks their district will never have a problem with powerful gambling interests should think again. Georgia's Seventh District is hardly the first place where one would consider locating an immense casino. However, in the past three years, three counties in my district—Bartow, Carroll, and Haralson—have been the target of concerted, well-funded efforts by gambling promoters from outside our state, seeking to establish casinos on newly-identified Indian lands, despite intense local opposition.

Already, these promoters are chomping at the bit to take advantage of Secretary Babbitt's dogged support for forcing casinos on states and communities that don't want them. As casino promoter Kenneth Baldwin recently told the Atlanta Journal-Constitution, "[w]e have the legal right to proceed with this project whether the governor likes it or not" (May 26, 1999).

This statement is outrageous, reflecting as it does the notion that a community can be radically changed by gambling promoters, backed by the heavy hand of the federal government running roughshod over the policies and wishes of the state population. The Weldon-Barr amendment returns a small level of balance to the law, and to public policy, and I urge its adoption by the House.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, for the Members who would like to get the facts on this one, the other body has had an amendment identical to this. What happened in the conference on the supplemental a few months ago was that Senator ENZI had this amendment, and then he decided to withdraw it on the strength of a letter from the Secretary of the Interior, Mr. Babbitt, that he would take no further action until such time as this

issue is resolved by the courts; that is, as to the authority of the respective parties.

What basically is at issue here if this amendment were to pass, would be that the governors would have the last word. So if an Indian tribe were to want to start a casino, they would have to go to the Governor to get approval. Under the present law, they can go to the Secretary of the Interior as an alternative.

All I want is to make it clear to the Members what the situation is as they try to make a decision as to whether or not they think the Governors should have the last word, which would be the effect of the amendment, or whether they think that we should wait. What we decided in the conference on the supplemental is that we should wait until the courts have ruled on it.

I will say that the Secretary of the Interior did state in a letter that he would not grant any applications until such time as there was a final ruling by the court, and then at that time we in the Congress would need to address this as to what we think the policy should be.

If Members agree that the Governors should have the last word, then I think the Barr-Weldon amendment does that. If Members think we should wait until the court makes a ruling, and that was the decision in the conference on the supplemental, then we would wait until that time. Then, depending on what the court would rule, we will have to decide as a matter of policy whether we in the Congress think the Governors ought to be the final arbiter of the issue of a casino, or whether it should be an appeal process to the Secretary of the Interior.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Florida.

Mr. WELDON of Florida. I thank the gentleman for yielding to me, Mr. Chairman.

Mr. Chairman, I appreciate the hard work that the gentleman from Ohio (Mr. REGULA) did in crafting this bill. The gentleman and I and his staff did talk at length before offering this amendment on this issue. I just want the chairman and my colleagues to understand that I believe we should decide this issue and not defer to the courts to decide.

I consider the courts a place where the laws are interpreted, but I believe that we write the laws and the statutes, and in this particular case I believe the administration, via the office of the Secretary, are trying to go around the intent of the law.

My amendment simply, I believe, reinvigorates IGRA to its original intent. I understand the chairman's position.

Mr. REGULA. Mr. Chairman, reclaiming my time, I am just trying to lay out the facts.

Mr. WELDON of Florida. I am very supportive of the work the gentleman does in the committee, but I believe we have the right to decide on a very, very important issue.

If I might also add, one of the parties to this suit is the Attorney General from Florida, who encouraged me to go ahead and offer this amendment. So clearly he has decided that he would rather see this settled legislatively, rather than wait to see how the court decides the issue.

Mr. REGULA. Reclaiming my time, Mr. Chairman, I think there is probably a little more at issue in the courts. That is the issue of sovereignty. That becomes a question of what rights the Native Americans have by virtue of treaties as to their sovereignty.

It is kind of a murky area, frankly. We keep trying to address it. We have the issue on the right to not pay any taxes at stores, and there is another issue as to whether or not a tribe could go out and buy a piece of land away from the tribal lands, and then consider that to be tribal lands for purposes of building a casino. I think we concluded in the supplemental conference that there were so many issues that we did not feel we could address them at that moment.

So everyone understands what the question is here, the amendment would leave the responsibility with the Governors on that issue.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to begin by answering my two colleagues who just spoke.

My colleague, the gentleman from Florida (Mr. WELDON) who mentioned about circumventing the process, we are circumventing the process right now by not taking this up in the appropriate committee. That is the House authorizing committee of the Committee on Natural Resources. That is where this ought to be taken up. This is an amendment to an appropriations bill. It has no place on the floor right now being taken up on this issue.

For the Members to say that somehow we are going to have the court decide what the law of the land is and be offended by that is really quite startling to me. The court is the arbiter. The court should be the arbiter. The fact of the matter is that when IGRA was written, it was written to mitigate the court.

Let me just read what the court decided in the California versus Cabazon Band of Michigan case. It said, ''The attributes of sovereignty,'' which the former speaker said is a murky issue, but the Supreme Court court of the United States said that ''attributes of sovereignty over both their members and their territory,'' that ''tribal sovereignty is dependent on, and subordinate to, only the Federal government, not the States.'' Do I need to repeat that? To the Federal government. Because these are sovereign nations, in case no one has read the Constitution of the United States, which they were sworn to uphold, and which, I might add, one of the cosponsors of this amendment has so vehemently protected in every speech that he has given about how he is going to defend the Constitution.

Let me read the gentleman some of the Constitution. The Constitution, Article 1, Section 8: ''The Congress shall have the power . . . To regulate commerce with foreign nations, and among the several States, and with Indian tribes.''

Do Members know why the Constitution said that? Because they wanted to make sure Indian tribes were treated on the same basis as States were, and as foreign nations. This is about the basic tenets of our Constitution. How the hell do Members think we got the country that we are living in? We struck agreements with Native American tribes to get the land. It was predicated based upon an agreement, and this country has never lived up to that agreement. It is why we have so much of Native American country living in destitute poverty.

What do the proponents of this amendment want to do? They want to say, well, our constituents do not like gaming. Okay, they do not like gaming. Guess what, they have an alternative, tell the State to ban gaming. That is what I did in my State. I voted against gaming. But while the State of Rhode Island has lottery and has Keno and everything else, I say to them, hey, listen, if it is good enough for the people of Rhode Island to have, then why are Members going to prohibit the Narragansett Band in my State?

I would venture to say each and every one of the Members in their own States, unless their State prohibits gaming altogether, they have no alternative but to play by the same rules that they allow their own people in their own State to play.

Keep in mind that these Native American tribes rely on this funding. This is not just for some casino operation where the money goes into someone's pocket. This is about money that goes to help subsidize housing for Native Americans, which I might add is in deplorable condition in this country. This money goes to subsidize education, which is in deplorable condition in the Native American reservations.

This money goes to supporting health care. If Members look at every indice in this country with respect to Native American populations and non-Native American populations, the difference is unbelievable. The difference is unbelievable. Do Members know what it points out? It points out the historic discrimination against native peoples in this country.

If this Congress can come here today and say that they want to pass the Barr-Weldon amendment, then they want to join the legacy of shame of this great country of ours, the legacy of shame of what we have done to Native Americans by playing roughshod over them.

God forbid we play roughshod over the States, because we have been playing roughshod over Native Americans our whole lives. God forbid our Members come up here and try to protect States. They are the ones. We have had Native Americans. God forbid States ever get run roughshod over.

Now Native Americans have some leverage. They have this thing called sovereignty, which we never bothered to examine in the Constitution. Guess what they have done with that sovereignty? They have done the very same thing that every other State in this country has done, with the exception of maybe two or three other States that have outright prohibited gaming. They have said, listen, we want to take advantage of the same thing that every other State in this country is doing.

Do Members know what? The Constitution and the Supreme Court decision says they can do it. Do Members know what their amendment is saying? It is saying no, they cannot do it. Do Members know why? Because Congress passed IGRA, and IGRA was unclear on this. IGRA watered down the Supreme Court decision. Now Members want to water down IGRA. It is not fair.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LAHOOD). The Chair would remind all Members that the use of profanity during debate is not permitted.

Mr. GIBBONS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Florida (Mr. WELDON) and the amendment offered by the gentleman from Georgia (Mr. BARR), and I would like to thank them for their leadership on this very important matter, important to all Americans.

I want to remind my colleague, the gentleman from Rhode Island (Mr. KENNEDY), that I am sure his support for bringing a bill of this magnitude or the magnitude of the other amendment offered by his colleague, the gentleman from West Virginia (Mr. RAHALL), before the committee would be very important prior to bringing it to the floor, as well.

I urge my colleagues here to support this amendment that would protect States' rights and ensure that the Federal government allows and follows the Indian Gaming Regulatory Act of 1988. The passage of the Weldon-Barr amendment will stop the Department of the Interior from implementing regulations that will erode these rights.

On January 22, 1998, the Secretary of the Interior, Bruce Babbitt, unilaterally made a decision that stripped the States of most of their fundamental rights under IGRA. Secretary Babbitt promulgated new regulations that gave him sole approving authority over Indian gaming, despite the objections of Governors and States, even over the unanimous opposition of the people in those States.

The Tenth Amendment of the Constitution states that the powers not delegated to the United States by the Constitution nor prohibited to it by the States are reserved to the States respectively, or to the people. However, Secretary Babbitt again is trampling on these rights and taking them from Members' States and Members' Governors.

The presence of casinos has commonly evoked among States very strong feelings and requires decisions to be made at the State level, not here in Washington, D.C. Currently the Indian Gaming Regulatory Act allows our Governors to negotiate with Indian tribes regarding the construction of Indian casinos on reservations. Secretary Babbitt wants to take away our Governors' authority in that area, and the Secretary further wants that authority himself to decide whether gaming will be allowed in any State, and which types of gaming will exist.

If we want Indian casinos, great. If we do not, we and our Governors should have the authority to protect our States' rights and stop what could potentially become a very serious issue. Protect States' rights and let States make their own decision on Indian gaming. Stop the Secretary from taking what is not his to take.

This is truly an issue of States' rights, because these regulations are inconsistent with current Federal law. The Department of the Interior has exceeded that authority granted under IGRA by issuing a regulatory remedy on a matter that both Congress and the Supreme Court have stated should be determined by the States.

□ 1815

Last month the federally appointed National Gambling Impact Study Commission issued their 2-year study and among the sweeping recommendations that they made included that ''tribes, States and local communities should continue to work together to resolve issues of mutual concern rather than relying on Federal law to solve problems for them.''

The study also recommended that Congress should specify constitutionally sound means of resolving disputes between States and tribes regarding Class III gaming. Further, the Federal commission recommended that all parties to Class III negotiations should be subject to an independent impartial decisionmaker who is empowered to approve compacts in the event a State refuses to enter into a Class III compact. However, this should happen only if the decisionmaker does not permit any Class III games that are not available to other citizens of that State and only if the effective regulatory structure is corrected.

Clearly, the Secretary of the Interior is not an impartial decisionmaker on this issue as he has a fiduciary duty to protect and act on behalf of tribal rights.

Mr. Chairman, I urge my colleagues to support the Weldon-Barr amendment and prevent this power grab by the Secretary of the Interior.

Mr. Chairman, I yield to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman from Nevada (Mr. GIBBONS) for yielding to me, and I want to make a couple of points.

Regarding the issue of the courts, the courts have ruled that the Congress has the authority to cede this responsibility to the States to make the decisions. And what has spurred my interest in this issue is a tribe is trying to buy a piece of property outside of Disneyworld in my congressional district and when we asked them if their attempt was to build a Class III gaming facility, their response was that they would not rule that out.

The gentleman from Rhode Island (Mr. KENNEDY) said, why do the States not outlaw this? We had a ballot referendum on this in Florida, and 79 percent of the people in the State of Florida voted in opposition to establishing Class III gaming in the State of Florida.

Now, my amendment does not address any of those issues. All my amendment says is stick to the law in IGRA and do not violate the principles that this Congress passed 11 years ago and was signed by the President of the United States.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it appears to me after listening to this that basically what we have got here is a situation in which either we are going to wait for the court to determine whether under IGRA the Secretary has the authority to promulgate these regulations or we are going to adopt an amendment that basically says that if the States say no, it is no, that there is no other authority to intervene here.

Now, as I have talked to the distinguished former chairman of one of the subcommittees that wrote this legislation, he believes that IGRA gives the Secretary of the Interior the authority, when there is an impasse between the tribe and the State, to come in. And he has promulgated regulations that would allow him to do this so that he can try to negotiate an agreement to settle the impasse.

Now, Mr. Chairman, that makes sense. If we did not have that, then the State could just say no, and that would be the end of it. I think that would be very unfair. The tribes do have sovereignty. The tribes have a relationship, a government-to-government relationship with the Federal Government. And it seems to me that the Secretary of the Interior would be playing a constructive role if he would try to negotiate an agreement and, if the States just adamantly refused to do anything, to actually implement an agreement. But it has to be consistent with State law. That is what I understand.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I am pleased that the gentleman from Washington has actually put it very clearly. I would like to suggest to my colleagues that they are interfering with something that really I believe would be unconstitutional because of the Sovereignty Act.

Mr. DICKS. The Weldon-Barr amendment would be unconstitutional?

Mr. YOUNG of Alaska. Absolutely, as far as the sovereignty tribes. I understand those who are against gambling, but this was set up very carefully. The Secretary now is an arbitrator. And, very frankly, in most cases, in some cases rarely, there has been an agreement with the State and with the governor for the establishment of gambling activity. And I have studied this very carefully. If we go into this and adopt this amendment today, as good as it may feel for some, I can guarantee it will make an awful lot of lawyers rich, and I do not want any more lawyers rich.

Mr. DICKS. Mr. Chairman, reclaiming my time, I want to say for those who did IGRA, it has worked well over the past 10 years with over 200 compacts negotiated in 24 States. And, frankly, and I do not particularly like gambling. But I think Indian gaming has been for certain tribes very successful in terms of raising money to improve the quality of life for those tribes. So I can understand why some of the tribes have done it. And as I understand the law here, they cannot do anything that the State does not allow. In other words, if a State allows a certain level of gambling, then the tribe can allow it.

Mr. Chairman, my view is that we should defeat this amendment. That we should wait and see what the court does with the regulations that the Secretary has promulgated. And he has said that he is not going to approve, where there is a conflict, any new compact until those regulations are tested in court. That seems to me to be a very reasonable approach, and I would urge my colleagues to defeat this amendment, which is unnecessary and which would, I think, violate the law and maybe even the Constitution.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Weldon-Barr amendment. It continues previous law which prohibited the Department of the Interior from using Federal funds to approve tribal gambling which was not approved by a host State. Keep in mind, and I know other Members can tell about this, one tribe came to my congressional district and was going to buy a ski lift and create a gambling casino in that district. I know a tribe was going to Cape May, New Jersey, and do the same thing.

There is danger here if this amendment is not adopted. I would also call the attention of my colleagues to the gambling commission study which was reported out 2 weeks ago or 3 weeks ago. The commission said, and I quote, ''Policymakers at every level may wish to impose an explicit moratorium on gambling expansion because it is running rampant in the country.''

Mr. Chairman, it has been found that more than 15 million Americans are problem or pathological gamblers. Half of them are children. Rather than going into a lot of statistics, to put it in words that we can understand, there are currently more adult and adolescent problem and pathological gamblers in America than reside in New York City. There are six times as many adolescent problem or pathological gamblers in America, 7.9 million, than men and women actively serving in the combined Armed Forces of the Army, the Navy, the Marine Corps and the Air Force. Our Nation's youth is disproportionately impacted by gambling.

And so the current Department of Interior regulations preempt States' rights. And without prejudging, and nobody can say without implicating, the Secretary of Interior is currently involved in a litigation in a State in the Midwest with regard to an issue with regard to Indian gambling.

Mr. Chairman, I would urge that the Weldon-Barr amendment is a good amendment. I think it is the intention of what the Congress wanted to have, and I think it is one that gives us the pause that the commission recommended. And I might say that all the Members of this Congress, except for those who are freshmen, voted for this commission. The fact is, there was such unanimous support and anxious desire to have this commission that there were actually no votes on the floor in opposition to it. It was a voice vote.

With that, I urge support of the Weldon-Barr amendment.

Mr. KILDEE. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, I appreciate the remarks of the gentleman from Virginia (Mr. WOLF). This is not really a debate about gaming. It is really a debate about sovereignty.

The State of Michigan in its 1835 Constitution outlawed all gaming in Michigan. And about 1972, the legislature presented an amendment to the people to change that. I voted against putting it on the ballot. I wanted to keep the ban on all gaming in Michigan. To use the term, I am pretty ''conservative'' on gambling. Not very conservative in all areas, but conservative on gaming. I voted not to change the Constitution. And had Michigan, for example, kept that prohibition on gaming, then it could have prohibited gaming all over Michigan, including on sovereign Indian territory.

That is what the court decision says. This is about sovereignty, not about gaming.

Mr. WOLF. Mr. Chairman, reclaiming my time, keep in mind that the case down in Cape May, a tribe came into Cape May, and clearly perhaps there was at one time a tribe in Cape May, but they were no longer there and they had not been there for hundreds of years. They were going to buy several acres of land and establish a gambling casino there where there was no basic record of them having been.

So I think the Weldon-Barr amendment is a good amendment. It brings us to where the country I think should be.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to speak in opposition to the Weldon-Barr amendment which will, if passed, have a devastating impact on many Indian tribes in my home State of California as well as throughout the country. This amendment would prohibit the Department of the Interior from implementing important new regulations for mediating differences between States and Indian tribes on Indian gaming activities.

These regulations are a long-awaited development in the stalemate between tribes and States over gaming compacts. The Indian Gaming Regulatory Act requires Indian tribes to negotiate compacts with State governments for the operation of certain types of gaming facilities. In the event that States and tribes are unable to negotiate a compact, the act gives the Department of the Interior the authority to mediate between the States and the tribes.

Congress never intended to give States a blanket veto power over an Indian tribe's right to conduct gaming. The supporters of this amendment claim the regulations would bypass State authority. Nothing could be further from the truth. The alternative procedures proposed by the Department of the Interior would come into play only after a State has refused to negotiate. Furthermore, during the mediation process the State has 10 different opportunities to join the process and participate as a full party to the negotiations.

Mr. Chairman, this amendment would encourage States to ignore their obligation to negotiate with tribes that seek to operate gaming facilities. It would permit States to refuse to negotiate gaming compacts and thereby prevent tribes from operating gaming even when other citizens of the State are permitted to do so. This unfairly discriminates against Indian tribes.

Gaming is to Indian tribes what lotteries are to State governments. Indian gaming revenues are used to fund essential government services, including law enforcement, tribal courts, economic development, and infrastructure improvement. These revenues serve to promote the general welfare of the tribes. Through gaming, tribal governments have been able to bring hope and opportunity to some of the country's most impoverished people.

Mr. Chairman, a few minutes ago when I got up to speak against the Young amendment, I mentioned the President's visit to an Indian reservation and this trip that he did around the Nation to try and initiate economic development opportunities in poor communities through this new initiative. Again, I would like to reiterate the look of shock on the face of the President of the United States when he described the poverty on this reservation. He said it was absolutely off the scale.

Now picture an Indian reservation that has gotten involved in gaming who is now providing health services, who are building schools, who are educating their young people. They are literally doing what America teaches us to do, pulling themselves up from their bootstraps.

□ 1830

We have people who have been relegated to nothingness out on the reservation with little or no help, and they decide they are going to do something about it, self-determination. What do we see? We see rising opposition from suspicious sources such as this amendment would do.

We know of this game. In California, we just defeated a proposition that was placed on the ballot to deny Indians the right to have gaming on their own reservation, on their own land.

Mr. Chairman, this is not right. This is not fair. This is discriminating. Someone challenged us, I do not know who it was, just a few minutes ago. I think it was the gentleman from Rhode Island (Mr. KENNEDY), when he said, if one does not like gaming, if one does not like gambling, outlaw it for one's entire State. But one cannot with a straight face stand up and say it is all right for some, but it is not all right for others.

Who are those others? The same people whose rights have been trampled on. The same people who have been discriminated against historically. Shame on my colleagues for even attempting this kind of thing. This is beneath the dignity of anybody who is elected to represent all of the people. People deserve better representation. My colleagues deserve to be better representatives themselves.

I ask us to reject this discriminatory amendment that would simply put the foot of the United States of America on the necks of the Indians and Native Americans one more time. I do not believe my colleagues would actually carry this out.

Mr. HAYWORTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment offered by the gentleman from Florida (Mr. WELDON). I think it is important, Mr. Chairman, to turn to the document, Mr. Chairman, that we swear to uphold and defend.

Article I, Section 8 of this Constitution reads that ''the Congress shall have the power to regulate commerce with foreign nations and among the sovereign States and with the Indian tribes.''

Mr. Chairman, that very enumeration ensures that Indian tribes enjoy rights of full sovereignty and sovereign immunity.

The problem and the difficulty before us and why we have to reject this amendment in part is based on this fact, not only Article I, Section 8 of the Constitution, but subsequent precedent in terms of treaties ratified by the Congress of the United States that sets up, not only a tribal trust relationship, but a government-to-government relationship between our Federal Government and the sovereign Indian tribes.

Mr. Chairman, when we look at that government-to-government relationship, there is a difficulty we have, we would all admit it, in terms of fulfilling treaty obligations and dealing with the States and the whole notion of funding and set-asides that exist. That thorny issue is also addressed in the Indian Gaming Regulatory Act.

As originally crafted, IGRA provided States with a role of regulating Class III gaming, but it was never intended to give States absolute authority to preclude tribal gaming. Moreover, if we accept the Constitution, the document that we swear to uphold and defend, and we take a look at what is transpiring, two of our sovereign States dealing with this constitutional question have already sought relief in the courts.

Mr. Chairman, I need not school my colleagues in civics. They understand clearly the separation of powers. But the question will be decided through interpretation by the judiciary. The process is already well under way. Why, then, would we come to the floor of this House and attempt to circumvent the judicial process? Worse, Mr. Chairman, we are attempting to legislate in the appropriations process.

If the gentleman from Florida (Mr. WELDON), if the gentleman from Georgia (Mr. BARR) have meaningful policy differences to debate, let them bring action through the authorization committees. Let them go to the full Committee on Resources that is facing the challenge of the jurisdiction of tribal trust questions.

If there are questions of taxation, let them come to the Committee on Ways and Means on which I serve and must return, as we are in the middle of a legislative markup.

But this is not the vehicle to use for this policy difference. Let the courts do their job. Uphold the Constitution. With all due respect and affection to the gentleman from Florida (Mr. WELDON), please stand together as one, Republican and Democrat, and reject this.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I gladly yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to compliment the gentleman from Arizona for a very fine statement. I think he very succinctly brought this issue to bear. His work on the committee has certainly been important and impressive, and I agree with him. I think we should not interrupt what the courts are doing, and I think we ought to let the authorizers solve this problem.

I compliment the gentleman on his statement.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I think many of the points have been made, but let me suggest that, in two instances, the suggestion was that we need this amendment because an Indian tribe was seeking to build a reservation on some land that they would purchase that was not part of their trust lands or not part of their reservation. In that instance they cannot build that casino.

That land cannot be taken into trust under the existing law today without the Governor's approval. That has been true in a number of different States. Whether it is in Cape May or whether it is in Florida, to take lands into trust for that purpose under IGRA is not allowed without the approval of the Governor.

In other instances, this Congress has decided that lands would be given to Indian Nations, and the restrictions were that they could not be used for gaming purposes, because that decision was made both in some cases by the tribes who were seeking recognition and seeking the lands and those who did not.

But let me just say that this amendment is a very dangerous amendment, because this is not about States' rights. This is about whether or not we try and nullify the sovereign rights of the Indian Nations in this country.

Because as we now recognize, and as we recognized when we passed IGRA, the Indian Nations have a right to engage in gaming if, in fact, that State is engaged in gaming. That is settled.

We put in IGRA so that it could be a process by which the State would then be included in that decision-making process. There would be a process to develop a compact in the case of Class III gaming if the State had Class III gambling.

The problem comes when the State does not bargain in good faith, and then the State goes and hides behind the immunity, that they cannot be sued, that somehow, then, that ends the process. That is why IGRA envisions the Secretary of Interior then coming in as a trustee for the Indian Nations, an arbiter of this to try to put together a process by which then the Indians can have the rights that they are guaranteed under the Constitution. So this is not about usurping the States' rights. It is about protecting the Indians' rights.

Again, as said by a number of people here, if States do not want casino gambling, all they have to do is outlaw casino gambling.

We had a ballot measure to allow Indians in California to have casino gambling, to have slot machines, which we do not readily have in California, or it is open to discussion. A big campaign was run against that. It was run by the Nevada gaming and hotel people. They did not think California should have gambling. It looked to me like somebody trying to protect market share, not a high moral principle.

But the fact of the matter is the State decided that they wanted to go ahead and have these compacts, and the Governor and the Indian Nations are now working out those compacts to provide for some form of Class III gambling. That is the process that is at work.

But in some instances, even in the early days in Arizona, the Governor said no. But we cannot be arbitrary here because they have a right to this. That is why we created this escape valve measure. That now is being challenged in court. Properly so. People have a right to do that.

The State of Florida and Alabama have sued over these regulations. The Committee on Appropriations made the wise decision to wait and see what the outcome of that lawsuit was before we put our thumb on one side of the scale of justice here.

So this amendment, not only is misguided in terms of the problems that people have in fact described, because those are taken care of, and the Governor can keep that from happening, but it is also misguided in terms of the effort that somehow this is about a protection of States' rights when, in fact, the law recognizes the problem when a State simply says we will have Class III gambling in our State, we just will not allow the Indian Nations to do it.

The Supreme Court says they have a right as sovereign nations to engage in those same activities that are legal in those States. If we have a law that says it is not legal, then they cannot engage in that. But recognizing the sovereignty of these nations and their trusted responsibility and all the history that goes along with it, the court said they have a right to engage in that same legal activity.

This is an amendment to strike that down, because this is an amendment that lets the chief executive officer of a State in the most arbitrary fashion decide that he will not approve or she will not approve a compact, and the game is over.

That is contrary to the sovereignty of these nations. It is contrary to the IGRA legislation that was passed by this Congress. I think it is contrary to the best judgment of the Committee on Appropriations to await the outcome of the court in making this determination.

I hope that we vote against the Weldon-Barr amendment. It is an ill-conceived and misguided amendment that does not address the problem that it is purported to speak to.

Ms. BERKLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment in an effort to help stem the tide of bureaucratic overreaching by the Secretary of the Interior when it comes to trampling on the rights of States to regulate gaming activities within their borders.

This amendment would prohibit funds from being expended to approve Class III gaming on Indian lands by any means other than a tribal-State compact entered into by a State and a tribe.

There are four compelling reasons to vote in favor of this amendment:

First, the United States Supreme Court has ruled that it is unconstitutional for the Indian tribes to force the States to allow gaming within their borders by suing in Federal court. There is nothing in the Supreme Court decision that allows the Secretary to take it upon himself to approve compacts where the States and tribes have not agreed. In many cases, the tribes are now completely bypassing negotiations with the States because they know they will receive a more favorable ruling from the Secretary of Interior.

Second, the National Governors Association and the States Attorney General believe that the Secretary lacks legal authority for rulemaking and that statutory modifications to IGRA are necessary to resolve State sovereignty immunity issues.

Let me share with my colleagues what the National Governors Association stated on this issue. They strongly believe that no statute or court decision provides the Secretary of the United States Department of the Interior with authority to intervene in disputes over compacts between Indian tribes and States about casino gambling on Indian lands. Such action would constitute an attempt by the Secretary to preempt States' authority under existing laws and recent court decisions and would create an incentive for tribes to avoid negotiating gambling compacts with States.

Third, while not an entirely enthusiastic supporter of the National Gaming Study Commission, I do agree with its adopted language that opposes the Secretary of Interior empowering himself to grant Class III gaming licenses to Indian tribes. Why, my colleagues say? Because the Gambling Commission, after a 2-year exhaustive study, determined that Indian gaming was poorly regulated throughout this country and out of control.

Finally, there is nothing in the Indian Gaming Regulatory Act which grants this authority to the Secretary of the Interior.

This amendment would prohibit overreaching by the Secretary of the Interior of the worst kind.

I urge my colleagues to support this amendment and help reign in a bureaucracy that is so obviously out of control that it would grant gaming licenses in States and jurisdictions where both the Governor and the people do not wish to sanction this activity.

May I say before I close, I have lived in Las Vegas for 38 years. I grew up there. I know gaming. I agree that the poverty on the Indian reservations is horrific. But if anyone thinks granting Indian tribes gaming licenses is a panacea for the reservations' abject poverty, they are sadly mistaken.

☐ 1845

Certainly there must be better ways of bringing economic development to chronically poverty stricken Indian reservations and of correcting a failed and disgraceful national policy when it comes to our Indians. Giving them carte blanche support to have gaming on their reservations by the Secretary of the Interior is not the way to go.

Mr. EVERETT. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong support of this amendment.

(Mr. EVERETT asked and was given permission to revise and extend his remarks).

Mr. COBURN. Mr. Chairman, will the gentleman yield?

Mr. EVERETT. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I thank the gentleman for yielding to me. I just want to raise a couple of new points and reiterate several that I have already made.

First of all, on the sovereignty issue, the courts have ruled on this issue and determined that the Congress has the authority to delegate the decision-making on this issue to the States, and that is exactly what we did in IGRA. My amendment does not amend IGRA. It does not change IGRA at all. It does not affect the existing tribal State compacts. There are 200 compacts right now involving 200 different tribes and 25 different States, and it does not limit the ability of tribes to obtain Class III gaming as long as a valid compact exists between the tribe and the States where they want to establish gaming.

What does my amendment do? It is worth repeating because there has been a lot of discussion and I think we need to get back to that issue. It ensures that tribes can still use the current IGRA process if they want to engage in Class III gaming. It maintains the status quo of the Indian Gaming Regulatory Act. It preserves the right of Congress to pass laws and make majority policies. But what my amendment does say is that the Secretary cannot do an end run around IGRA.

Now, if my colleagues want to know what happened in Florida, we had a referendum, and it was overwhelming. Four out of five people said they do not want casino gambling in the State of

Florida. And what the Secretary is proposing in this regulatory approach that he is taking is to do an end run around the will of the people in the State of Florida. And I think that is obviously wrong but, moreover, regardless of the right or the wrong of it, it violates the very intent of the law that this body passed. And all my amendment says is we are going to stick to the intent of the law as it was originally proposed.

Now, if my colleagues do not like IGRA and they think we should cede all authority on this issue to the Secretary to allow gambling to come into anyplace that he sees in his decision-making authority to be appropriate, then I guess Members should vote against my amendment. And watch out, because they may be buying land in other congressional districts. Who knows? They might be buying land in my colleagues' neighborhoods.

And, yes, they have to get, as was pointed out by the gentleman from California, they have to get approval from the governor before that can be taken in as part of the reservation. I understand that. And that is a regulatory hoop that they would have to go through. But, clearly, my amendment simply states that we should stick with IGRA.

Mr. EVERETT. Mr. Chairman, reclaiming my time, I would just like to point out that I represent a small community in Alabama by the name of Wetumpka. Indians from other parts of Alabama have attempted to build a casino there on what was Oklahoma Indians' territory and includes a burial ground.

Now, nothing has been said here today about the impact on these small communities whose infrastructure would be threatened by the traffic and what comes in to that casino. Surely they have some right to determine what will and will not destroy their infrastructure. They have no way to tax for this. None at all.

Mr. Chairman, until Congress has had a chance to take into consideration the findings of the National Gambling Impact Study Commission with regard to Indian gaming, the Secretary of the Interior should refrain from considering Class III gaming licenses outside of the Tribal/State Compact process. the Weldon/Barr Amendment to put a hold on any further gambling compacts is a sensible approach to help address this aspect of the national gambling crisis.

I have testified before the Senate Indian Affairs Committee in the past on this very issue of Indian gaming. Since that time, the U.S. Supreme Court decision on the Seminole Case, followed by the Department of the Interior's draft regulations on Tribal-State Compacts, have added new dimensions to an already complex issue. I became interested in the issue of Indian gaming when the Poarch Band Creek Indians of Alabama began their efforts in 1993 to seek approval for Class III gaming, or casino gambling, at Hickory Grounds in Wetumpka, Alabama.

Hickory Grounds is a sacred burial area that was deeded into the federal trust in the late 1980's for the purpose of preserving the Creek culture. As you can imagine, it came as quite a shock to the people of Wetumpka and other Native Americans in Alabama that the Poarch Band intended to build a gambling casino on this sacred ground.

Frankly, the local community, which will have their infrastructure and public services strained by the operation of a gambling casino, should have a voice in the approval process, in addition to the State. A full-fledged casino, as envisioned by the Poarch Band Creeks, would place new burdens on the police, fire, rescue and other public services of a small town like Wetumpka. The roads, bridges and water and sewer capabilities of the town would be inadequate to handle the added demand.

Mr. Chairman, until a proper judicial review of the proposed regulations of the Department of the Interior has been completed and Congress has had an opportunity to reevaluate the Indian Gaming Regulatory Act, at a minimum, the Secretary should be prohibited from granting Class III gaming licenses. I urge all members to support this amendment.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 20 minutes to be equally divided.

Mr. OBEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I apologize to the gentleman for objecting, and I am, frankly, uncertain about how this amendment affects my district, but I want to use this time to get something off my chest about the whole question of Indian gambling.

I find it fascinating, because this amendment, as I understand it, attempts to take away the authority of the Secretary to fashion a compact if States have not been able to agree with the tribes. And yet the Secretary of the Interior at this point is the target of an investigation because he refused to approve a gambling casino in my State where three tribes (the nearest of whom was 100 miles away from the proposed casino), wanted to purchase a dog track which was collapsing economically. And the owners of the dog track thought that if the tribes could buy it they could convert a loser into a winner. And so, in my view, three tribes abusing the theory of tribal sovereignty attempted to take over that casino.

So I find it ironic that the Secretary is being pushed in one direction in this amendment and he is being pushed in another direction by the review that is going on now of his activity.

I just want to say this with respect to this issue. I detest what gambling has done to my own State. I detest what gambling has done to the politics of my own State. I also have reluctantly accepted the idea that there is not much under court decisions that we can do about on-reservation gambling. But I certainly think that we ought to do everything possible to prevent tribes from abusing the concept of tribal sovereignty, buying a piece of land 25, 50, 100, 200 miles away from their reservation, having it converted to trust status and then being able to set up a gambling casino on that land.

So I have doubts about this amendment. In fact, I suspect this amendment, in the case of Wisconsin, where we have a compact, does not even apply. And I may be making a mistake when I say this, but I intend to vote for this amendment simply because I believe that this country has gone far too far in both allowing the kind of gambling that is going on. Secondly, I believe in the concept of tribal sovereignty. I believe, however, that we should not sit here and allow that concept to be abused by its beneficiaries to the point where it loses all public support.

And that is what happens when we have these ridiculous land transfers that take place which take land off the tax rolls 100 miles from a reservation. For instance, one of the tribes in my district tried to establish a gambling casino one block from a major high school in a community. They had no damn business trying to put it in that place. And so while I do not think this amendment is exactly on point and there may be some problems that would need to be fixed up in conference, I, for one, will vote for it simply out of my sense of frustration with what has happened.

And when I hear people talk about the BIA, I frankly have this view about the BIA. I think for 30 years the BIA did nothing but hammer Indian tribes and fail in their responsibility to deal with tribes with respect and dignity. But for the past 15 years or so I think the BIA has not been able to say no to any tribe. And the problem there is that when we refuse to say no to our friends when they are pushing something that is not right, we do not do them any long-term favors. We, in fact, allow them to get into trouble. And I think the BIA has been lax for a long time in that regard.

Everybody around here needs to say no once in a while. That includes the Secretary of the Interior, that includes the BIA, and that includes congressional appropriation subcommittee chairs and ranking members.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, my comments may not exactly be on point on this amendment, but I am supporting this simply out of frustration with what has occurred on an issue that, at its inception, appeared to be fairly benign but has grown into a monster.

One tribe in my State established a casino more than 180 miles away from their reservation by simply persuading the city council of a major city to approve their request over the objection of the mayor. I think that is nuts.

Mr. KOLBE. Mr. Chairman, I move to strike the requisite number of words,

and I rise in opposition to the amendment.

I have listened with interest to the debate that has been going on this evening, and I have listened to my distinguished colleague and friend from Wisconsin, and I share some of the concerns that he expresses about what has happened in our country, in our society as a result of the proliferation of gambling, which no doubt has, in large measure, stemmed from the extent of gambling on Indian reservations.

I listened to my colleague from Arizona talk about why we need to allow this to be settled by the courts, and I have listened to the people talk about the issue of tribal sovereignty, and I have listened to the people talk about States' rights. And I am aware of what has gone on in my State, where our governor has taken a position and we have had a struggle in our State with many of the Indian tribes trying to reach compacts.

But I want to talk to my colleagues tonight for just a moment about it from a different level. Because just 5 days ago I was on one of my reservations in southern Arizona where I saw the impact of what has happened as a result of this gaming. The Pasqua Yaqui tribal reservation is a very small tribe and a very small reservation in an urban setting on the edge of the City of Tucson, with land that has no economic value other than what they have been able to do in terms of scraping it together to make their homes but which now has a casino there which is used by those in the urban area of Tucson.

I was there last Saturday for the dedication of the Boys and Girls Club. Now, the construction of this came from a Department of Justice grant that goes to the Boys and Girls Clubs of America. And, by the way, this was the 49th Boys and Girls Club on a Native American Indian reservation. By the end of next year we will have over 100 of those Boys and Girls Clubs on Indian reservations. I think that, in itself, speaks monuments to what we are accomplishing. But the operation of this Boys and Girls Club and the programs that are going to take place there come as a result of the revenue that they receive from Indian gaming.

I talked to the director of the tribal health service, and he told me about some of the programs that they are doing with teenagers, with teenage mothers and the prevention of pregnancies; and what they are doing to prevent diabetes, which has been so rampant in so many of the other Native American tribes of the Southwest; and some of the other programs they are doing to deal with heart disease and all kinds of medical problems. It is the most innovative program in health care probably in our whole area.

I talked to an Anglo doctor who is their consultant on medical issues, and he told me what this tribe is doing with the limited amount of resources they have been receiving from the small casino that they have on their reservation is truly remarkable and has really turned around this tribe and made them a healthier people and created a better life for them.

□ 1900

I talked to many of the young men who were there as policemen that day who were providing protection for people who live on this reservation that they had never had before, an area which was subject to rapes, to burglaries, to robberies. And I talked to some of the firemen that were there that day during this dedication, and they are providing fire protection and emergency medical care that was not available before, and all of this comes as a result of this revenue that comes from Indian gaming.

This was not there before for this tribe. This was a tribe that lived in absolute abject poverty that was shuttled off to the edge of the city of Tucson, and they have been able to make something of themselves as a result of this.

Now, I realize there are legitimate questions which have been raised by the gentleman from Florida (Mr. Weldon). The gentleman from Virginia earlier spoke very eloquently about what gambling does in our society, and I think these issues need to be addressed. But as long as we have this in our society, as long as this is there, I think we need to understand what a difference this can make for native American tribes and how it has changed the lives of their people.

For that reason alone, I think that what we are trying to do with the Indian gaming legislation, as we try to maneuver our way through this, we ought to think very carefully about any kind of changes that we make to this. And it is for that reason that I would oppose the kind of amendment that is being proposed here today, which I think would really stop it in its tracks and make it impossible for tribes to really enjoy the economic fruits of the rest of us today as a result of a very healthy and good economy we are enjoying.

I urge that we oppose this amendment.

Mr. FALEOMAVAEGA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have great respect for the gentleman from Florida, and certainly this Member does not question his integrity and sincerity in wanting to present this proposed amendment. But I have to respectfully oppose his amendment and would like to echo the sentiments that have been expressed earlier by both gentlemen from Arizona (Mr. HAYWORTH) and (Mr. KOLBE) about the situation we are dealing with now at this point in time in the appropriations process.

Mr. Chairman, I am reminded of an early Christian missionary by the name of John Wesley who said, ''Oh, how great it is for us to go and convert the Indians. But who will convert me?''

I need to plead with my colleagues in this chamber to say simply that the matter that is now before us is before the courts. The States of Alabama and Florida have duly filed a lawsuit in the Federal District Court addressing this very issue. The regulations have been issued. I plead with my colleagues, let the district court, the judiciary process take its place in view of the fact that on account of numerous hearings for years before Congress eventually passed IGRA in 1988, it was not just a haphazard fashion in the way we crafted this piece of legislation.

I might also add, and this is what really bugs me, Mr. Chairman, the Indian gaming industry is fully regulated by the Congress of the United States because of the obvious provision of the Constitution it has to deal with the Congress. I am asking my colleagues, let the court take its proper place by allowing the judiciary process to take place. If we do this, the Weldon amendment is moot and is not necessary.

Mr. Chairman, I heard earlier something said about a carte blanche given to the Indians about the gaming industry. Then I heard earlier also about the need for a moratorium as a result of this 2-year study of the National Commission on Gaming that we now found out there are pathological gamblers.

How come no one ever talks about pathological alcoholics? Why have we not gone after the beer industry and alcohol and wine industry? Do they not have an impact on the lives and welfare and needs of this great Nation? To me it is somewhat hypocritical. We talk about gaming and gambling, but let us not talk about the problems we have with drunk driving. More people are killed by drunk driving every year than by any other.

I plead with my colleagues to reject the Weldon amendment. Let the court take its proper place in this process. And if it does not work out, the Congress will always be here to correct this deficiency. So I ask my colleagues to vote down the Weldon amendment.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words. I am very hoarse, but I am compelled to speak.

I listened to my colleague from Florida as he has proposed an amendment which would gut the Indian Gaming Act in Florida. I served in the State legislature in Florida for 12 years; and never once did I see the Indians treated fairly, never once. Never once did I see them being negotiated with in good faith.

Why are we trying to do an end-around play on the Indians? That is what we are trying to do here. It is not time for this. As a matter of fact, it adds an impasse, more of an impasse than we now have. If this amendment were to pass, it is going to take longer than the Federal courts will take to resolve the situation in Florida.

This is unfair, Mr. Chairman. Because I am hoarse, I will end this by saying, white man speaketh with

forked tongue if they let this amendment go. They know it is unfair. They are doing the end-around play to keep the Indians from getting their statutory rights as a sovereign State.

Mr. ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Weldon amendment. I think it is important that we understand what it is not before we talk about what it is. This amendment is in no way a rejection nor in any way does it show ignorance of the abject poverty that Native Americans have suffered throughout this country's history.

I would certainly want to be very clear that those of us who will support this amendment also support a comprehensive effort to reverse the desperate straits and abject poverty that are seen on Indian reservations throughout this country.

That is not the question before us tonight. Nor is this amendment a question about whether we support or oppose legalized gambling.

I come from a State, New Jersey, which 23 years ago by referendum elected to legalize casino gambling in Atlantic City. There are others in this chamber that would strongly disagree with my State's judgment that legalized gambling is proper. I believe it is. I think it has brought very positive effects to New Jersey. It has brought thousands and thousands of jobs to the area of New Jersey that I represent, and I think it is a good thing. But I understand there are differences of opinion about that. But that is not the issue before us in the Weldon amendment, either.

There are those who would say that the Weldon amendment is about process, whether this should be brought forward while the court is examining this. With all due respect, the litigation affects only two States. The decisions that will be rendered by the court will not necessarily bind other applications in other States. And by no means are we compelled under the doctrine of separation of powers to wait to see another branch work its will. In fact, I can argue we are better suited to work our will being a democratic, with a small ''d,'' soon now and hopefully with a large ''d'' in a few months, a democratic institution.

I think the Weldon amendment is about a level playing field. It is about equality of regulation.

Let me talk about my own State in particular. There are presently discussions in two counties in southern New Jersey with respect to tribes which are claiming that they have antecedent legal claims or legal rights to certain lands, and they discuss the plan to operate gambling casinos on those lands. There is significant local opposition.

Now, even if they are able to overcome that opposition by the legal rights that they have under Federal statutes or under the Constitution, there is a question here of equality of regulation. Because if they want to operate a gambling casino in Atlantic City in New Jersey, they may only operate it in Atlantic City, nowhere else in the State, because we have made a judgment that we want to limit casino gambling only to that one municipality.

If they want to work in a gambling casino in Atlantic City, they need a background check that is equivalent to the background check that one would need to be a cabinet officer in State government or a member of the State police. They have to have references and criminal background checks and tests for drug and alcohol. And we make very certain that individuals who work in our casino industry in New Jersey are thoroughly investigated and vetted.

We prohibit employees of our gambling casinos in New Jersey from active participation in political campaigns. We prohibit the owners from making contributions to people running for the Governor's office or for the State legislature because we have a very precise set of understandings about how we want to regulate casino gambling.

I believe it has been a success in New Jersey. And I think it would be completely unfair to New Jersey, where billions of dollars have been invested to build a regulated casino industry, to permit an unregulated industry to come in and compete under a different set of rules.

So whether my colleagues think that tribal claims are right or wrong or whether my colleagues think that gambling is right or wrong, I would suggest that they should support the Weldon amendment because it takes the position that the same rules ought to apply to everyone.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Florida.

Mr. WELDON of Florida. Mr. Chairman, I just want to make a very quick point. I appreciate the gentleman from New Jersey yielding to me.

Several Members have gotten up and spoken about the beneficial effects of Indian gaming in some of these tribes. The gentleman from Arizona talked about Tucson. I just want to point out that that tribe has a compact with the State of Arizona. And all my amendment says is stick to that system; it works really well.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. ANDREWS) has expired.

(By unanimous consent, Mr. ANDREWS was allowed to proceed for 1 additional minute.)

Mr. ANDREWS. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I ask the gentleman from New Jersey, what do they do when the State refuses to reach a compact with the tribe? That is the problem we have here. That is why this is a much more complicated issue.

Mr. ANDREWS. Mr. Chairman, reclaiming my time, I think that if a State arbitrarily and capriciously refused to enter into a contract that individual's rights could be violated and that can be addressed in the courts.

Mr. DICKS. Mr. Chairman, if the gentleman would yield further, and we are now in court to see whether we have authority under IGRA for the Secretary to resolve this under the regulations.

So I would suggest to the gentleman that the State should not be in a position to just arbitrarily say no.

Mr. ANDREWS. Mr. Chairman, reclaiming my time, I completely agree that, if a State acts in an arbitrary fashion, they should be overruled in court. But the State should have the authority to create a level playing field and treat all casinos on that level playing field.

Mr. DICKS. Mr. Chairman, the law is, as I understand it, that the State can only allow the tribe to do what the State allows everyone else to do; and so, if they have an agreement, the tribes cannot go to a higher level of gambling.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. ANDREWS) has again expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. ANDREWS was allowed to proceed for 30 additional seconds.)

Mr. ANDREWS. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, so there is an effort here to do that. The problem here we have is what happens when there is an impasse? That is why we have got to have the Secretary have some way to negotiate this between the State and the tribe. That is what we are trying to preserve here.

What this amendment does is says the States have complete authority that overrides sovereignty and is probably unconstitutional.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Florida.

Mr. WELDON of Florida. Mr. Chairman, the gentleman from Washington (Mr. DICKS) I think has really gotten to the point.

Under my amendment, they stick to the language of IGRA.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. ANDREWS) has again expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. ANDREWS was allowed to proceed for 30 additional seconds.)

Mr. ANDREWS. Mr. Chairman, I yield to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, under my amendment, they stick to the language of IGRA. And under IGRA, the tribe can go to court. But what the Secretary is trying to do is try to take the authority to resolve

this into his hands, and that was not the original intent of the Congress of the United States under IGRA.

I thank the gentleman for yielding.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, what happens if the State refuses to go to court? I mean, that is the problem here. We have got a situation where some of the States are unwilling to negotiate.

Mr. STUPAK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Weldon-Barr amendment.

Mr. Chairman, Congress did not create or permit Indian gaming when it passed IGRA, the Indian Gaming Regulatory Act of 1988. Rather, it sought to regulate an industry that had been growing throughout the previous decade that was legally outside the scope of State regulatory powers. So now tribes can only game to the extent the State authorizes gaming within that State. For Class III gaming or casino gaming, a compact is required with the State.

I have numerous casinos in my district, Indian gaming facilities. I have heard tonight about all these promises we are going to help out with the Native Americans. Well, Native Americans have been hearing these promises for over 200 years from this Congress, BIA, and Interior and it does not materialize.

I still remember in my lifetime where the city fathers of the local communities would only count the Native Americans for their population base and their poverty level so they could get Government grants to put in roads, to put in water and sewer; and the water and sewer and roads never made it to the Native American reservation.

□ 1915

Now, what has happened, at least in my district, Native Americans have the right to game, and gaming has been the only successful economic development tool many of these tribes have known. Tribes all over the country are rebuilding their infrastructure long neglected by the Federal Government and providing an increased level of social services to their own members.

Are there problems? Yes, there are problems. But can they be worked out? You bet they can. Take Michigan. After IGRA was passed in 1988, we have had two different governors philosophically worlds apart politically, John Engler and Jim Blanchard. But yet they were both able to work out their differences with the Native Americans and enter into compacts. We hear all these arguments about, ''Well, jeez, if they come in and try to open up a casino, they will destroy the infrastructure of these small communities.'' I have got small communities like Christmas, Michigan, and Hessell. You cannot get much smaller than that. But underneath our compact, they get 2 percent of the profits. The State of Michigan takes another 8 percent for any problems they may cause the State of Michigan. The governor can limit the number of casinos, the governor can limit the number of slot machines, the governor can limit the type of games that are being played. The governor can limit whether or not there is ever casino gaming on a piece of land, whether it is by a school, by a church, 150 miles from their reservation. The governors can do it if they are willing to step up to their responsibility. And since 1988, the governors can deny opening casinos on any piece of property.

Mr. Chairman, the two compacts we have had in Michigan have worked well. I would oppose this amendment and I would ask that we oppose prohibiting the Secretary as the arbitrator, final arbitrator before we always have to go to court. We should not always have to go to court to try to address differences.

Because of sovereignty, I believe this amendment is unconstitutional, and I hope, I really hope, that we would not try to pass this amendment tonight.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. STUPAK. I yield to the gentleman from Florida.

Mr. WELDON of Florida. Mr. Chairman, the point I wanted to make is you have a successful compact. Your governor has that authority under the compact. That is under the provisions of IGRA. What the Secretary is trying to do is to do an end run around the language in IGRA, to claim the authority to decide these decisions rests with him and away from the States and the governors.

Now, I think your example in Michigan is a good one, but I think we should stick to the intent of IGRA. My amendment will not affect anything that is going on in Michigan.

Mr. STUPAK. Reclaiming my time, I would not say the Secretary is trying to do an end run around IGRA. We had the gentleman from Wisconsin come here and say the Secretary denied the Native American tribes in Wisconsin from taking over the dog track down off U.S. 141 down there. They denied it. There the Secretary did not agree with the Native Americans and denied it. Now, he is being investigated for denying it.

I mean, if Florida and Alabama have difficulties, I do not want to change law to accommodate just two States when it is working well in 48 other States. I would tell Florida and Alabama, go back and work it out. Whatever concerns you have in Florida and Alabama can be addressed if the parties want to. But if one side is not going to negotiate, there has to be someone other than just running to court all the time. That is where I think the Secretary should be and that is what it currently gives him and I think that is a proper use of authority, because the Federal Government is the only one that can really negotiate with these tribes on impasses because of sovereignty that must be respective of all Native American tribes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. WELDON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KILDEE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from Florida (Mr. WELDON) will be postponed.

Mr. STENHOLM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am intending to offer an amendment to reduce by $3.9 million the funds provided in this bill to add new species to the Endangered Species List. The U.S. Fish and Wildlife Service listed the Concho Water Snake as a threatened species in June of 1986. Since that time, the Colorado River Municipal Water District has spent $3.9 million studying the snake and documenting its health.

In June, 1998, after documenting a species population and distribution much larger than previous fish and wildlife estimates, the water district submitted a petition to delist the snake. In addition, the water district has documented that the construction of the lake, which the Fish and Wildlife Service argued would threaten the snake, has actually benefited the species by stabilizing stream flow and its habitat.

According to the statute, the U.S. Fish and Wildlife Service is supposed to provide a preliminary finding within 90 days of a petition to delist and a final decision within 12 months. It has been almost 13 months since this petition was submitted, and we are still waiting for their so-called 90-day response.

The U.S. Fish and Wildlife Service continues to propose adding a number of new species to the threatened or endangered list. Frankly, I find it difficult to fund an agency that is intent on expanding its responsibilities while failing to adequately handle the responsibilities it presently has. I would encourage them to prove they can handle proper listing and evaluation and delisting procedures regarding at least one species before they add any more to the backlog.

There are certainly a number of larger problems with the Endangered Species Act, particularly with the whole delisting process, but that is a subject for the authorizing committee. However, I chose to simply limit funding by the same amount that the U.S. Fish and Wildlife Service has forced the folks in my district to spend on studying the snake.

I hope my amendment will send a message to Fish and Wildlife that they cannot ignore the law regarding

delisting with total impunity. I believe the U.S. Fish and Wildlife Service should demonstrate they can complete their existing statutory obligations before taking on any additional responsibilities through expanding the Endangered Species List. Once they act on pending petitions, like the one for the Concho Water Snake, then we should talk about any funding for new species listings.

Given the ongoing saga of the Concho Water Snake, adding more species to the current backlog might just demonstrate that common sense is the most endangered species in this Congress.

At this time, Mr. Chairman, I am willing not to offer this amendment in the interest of moving this bill forward if the chairman and ranking member would kindly agree to work with me when the bill goes to conference to include conference report language that will require the U.S. Fish and Wildlife Service to issue a decision on the petition regarding the Concho Water Snake.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Ohio.

Mr. REGULA. I certainly will agree to work with the gentleman from Texas to address this important issue in conference. I am also willing to work with him right now to get to the bottom of this issue with the Fish and Wildlife Service.

Mr. STENHOLM. With those assurances, Mr. Chairman, I will not offer my amendment. I look forward to working with the chairman and the ranking member as this bill goes to conference. I thank the gentleman for his courtesy.

AMENDMENT OFFERED BY MR. KLINK

Mr. KLINK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLINK:

At the end of the bill, insert the following:

SEC. 332. No funds made available under this Act may be used to implement alternatives B, C, or D identified in the Final Management Plan and Environmental Impact Statement for Gettysburg National Military Park dated June 1999.

Mr. KLINK. Mr. Chairman, this amendment is very simple. We have heard a lot of discussion today about the fact that it should be Congress that has oversight over these matters. There is a discussion right now, in fact, there is a proposal to build a $40 million visitors center at the Gettysburg National Battlefield, one of the most important battlefields in this Nation, the battlefield where really virtually the Civil War was decided. At that point, after Gettysburg, the South never made that much of an intrusion again and the republic was held together.

There is an attempt now to build a visitors center for $40 million using private funds on private land within the borders of the battlefield. But the people in Gettysburg have not had their say. The elected officials have been run roughshod over by the Parks Department, by the Department of Interior, and we think that Congress should have oversight over what is being built there.

This amendment simply would prohibit the Park Service from spending taxpayer funds on what we think is a misguided endeavor, and it would make sure that the Gettysburg Visitors Center is treated like all other similar visitors centers. Other visitors centers have required congressional authority before they were built. It is only because this visitors center is slated to be built on private land that it allows the Park Service to avoid having congressional approval.

I think that the proposed visitors center should be treated like those at Valley Forge, Independence National Park in Philadelphia, Zion and Rocky Mountain National Park. None of those were built without Congress having oversight. That is clearly what the Constitution said that we should.

Having watched the Park Service completely disregard the wishes of the people at Gettysburg and the committees of Congress, my bill simply closes this loophole and would require that the Gettysburg Visitors Center is treated like all other visitors centers built with private support and with Federal dollars as well. No more, no less.

This should not be a partisan issue. I would challenge anybody who would oppose this amendment to explain why they would rather have an unelected Federal bureaucrat in the Parks Department or the Interior Department decide the future of a $40 million visitors center in Gettysburg rather than have Congress have oversight over it.

We do not know much about this site. I talked to Secretary Babbitt. They do not have a final design that they can show us. We do not know if it looks like a shopping mall, if it looks like an amusement park. It could have a roller coaster they call Pickett's Charge. We do not know. It could have General Longstreet's Carousel or General Meade's Arcade or Robert E. Lee's Wild Ride. We do not know. We are being asked to buy a pig in a poke. We are simply saying, enough is enough. Let us step back and let Congress authorize this before we move forward.

I had mentioned before about the problem with the photographs that the Department of the Interior had taken by going into private businesses. The whole matter of the intrusion into private businesses, taking surreptitious photographs, has not been answered. Many of us, both on the Republican side and on the Democrat side, have raised that issue. We need to make sure that this is the best thing for the people of America, and we are not sure without Congress having that oversight.

This position is supported by the Borough of Gettysburg. It is supported by the Cumberland Township Board of Supervisors, by the Gettysburg Area Retail Merchants Association, by the Gettysburg Convention and Visitors Bureau, by the Civil War Roundtable Association, and the Association for the Preservation of Civil War Sites. I would just say, Mr. Chairman, with all of those people for us, who could be against us? I would ask that this amendment be approved.

Mr. HANSEN. Mr. Chairman, I move to strike the last word.

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Chairman, as chairman of the Subcommittee on Public Lands and National Parks, I rise in strong support of this amendment.

There are major and serious problems with the proposed visitors center at Gettysburg National Military Park. Praised by the Park Service as a model of public-private partnership, this proposal has soured the general public's perception of the Park Service and infuriated the public with this project. This attitude is not without merit.

The Park Service has withheld relevant information that should have been readily and openly available to the general public concerning this visitors center and the funding behind it. The Park Service has not given the public a reasonable range of alternatives which is mandated by NEPA. Instead, the Park Service has tried to justify a decision they have already made to demolish the historic Cyclorama Building and proceed with the construction of a visitors center that the Borough of Gettysburg and many Civil War associations do not want. If this indeed is a model of things to come, we are in serious trouble.

Of major importance, the proposed construction of the visitors center is on land which has remained essentially undisturbed since 1863 and within the boundaries of the military park. Construction of any facility runs counter to the very intent of the military park's boundary extension legislation just passed in 1990. That legislation made it clear that the Park Service was to preserve all aspects of the battlefield, including the proposed site of the visitors center. It is impossible for the Park Service to preserve the battlefield, yet authorize construction of a large complex of buildings and infrastructure on this site.

Furthermore, the proposed site is located about a mile from the current visitors center. The current site is within easy walking access to the 110 small businesses of Gettysburg. It is doubtful that the public will walk or even drive the extra distance to buy food, beverages, gifts and books available at the proposed site. Thus, many of these small businesses are sure to go under.

□ 1930

Loss of the business would be devastating to the borough, which has a very limited tax base as it is.

Many of the public have raised a concern that this complex will commercialize one of the most sacred and important battlefields of the country. Clearly the future tenants of the visitor center are running their businesses for profit. Moreover, all of the services proposed are currently available in Gettysburg.

It is Park Service policy that, if adequate facilities are located outside of a park, they will not be expanded within the park. One may argue semantics here, but the fact remains that a commercial enterprise is a commercial enterprise, and if it is available outside of the park, the park should not be planning to construct the same facilities within the boundaries.

The gentleman from Pennsylvania (Mr. GOODLING) listed all of the organizations that are against this. Some would have us believe that the sum total of opposition is from a few disgruntled people who submitted proposals which were not selected. This is definitely not the case. This amendment would prohibit the expenditure of funds on any of the alternatives which implement the construction of the visitor center at Gettysburg National Military Park; but more, this amendment puts the brakes on construction of a visitor center which desecrates the very ground the Park Service is sworn to protect and which does not have local government support.

Mr. Chairman, it is the right thing to do, and I ask my colleagues' support for this amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GOODLING asked and was given permission to revise and extend his remarks.)

Mr. GOODLING. Mr. Chairman, what I do not want to happen is to have this debate on the proposed Gettysburg National Military Park visitor center become politicized, which it is becoming. I am no Johnnie Come Lately to this issue, and I do not want to see Members throwing themselves in the line of fire at Gettysburg like it was a repeat of 1863 all over again. I have been refereeing this present Civil War battle during the last 4 or 5 years. I do not want it to now become a political war because I will lose; no one gains.

I, too, am outraged over the Park Service out of control and its attitude towards the citizens of Gettysburg. I have never seen such a display of arrogance and disregard for the well being and the opinions of those who will be most impacted by the new visitor center at Gettysburg, the residents and local businessmen and elected officials.

Over the past 3 years I have tried to be a mediator between many opposing sides to help bring about a compromise that can be acceptable to all with interests in preserving and protecting Gettysburg National Military Park. I regret that what should have been an opportunity to unite the community in an effort to improve the Gettysburg National Military Park as well as enhance the local economy has only restrained relations between the National Park Service and the Gettysburg residents and severely hampered efforts to make the Gettysburg National Military Park a model park for the 21st century.

The most important issue at present to be addressed regarding the Gettysburg National Military Park is the preservation and display of priceless artifacts currently unprotected and at risk. Such protection is long overdue and desperately required.

The existing visitor center is entirely inadequate, as all who have ever visited there would certainly have to agree. Over the past few years I have hosted numerous meetings with the National Park Service, the Gettysburg National Military Park personnel, with both the authorizing Committee on Appropriations chairmen, Gettysburg Borough elected officials, local business people and concerned citizens, not just in the last month, but the last 3 or 4 years.

The purpose of these meetings was to ensure that the process of selecting a general management plan was in an atmosphere that encourages cooperation between the Park Service and community with the goal of choosing a plan that works for the betterment of all parties involved. Unfortunately this has not happened. We cannot afford to lose sight of the fact that the one goal for which we should all be united is maintaining the Gettysburg National Military Park, one of the crown jewels of the national park system, into the 21st century and beyond and protecting and preserving the legacy of our heritage for future generations.

At the same time, Mr. Chairman, I do not want anyone to use Gettysburg as a pawn for their own ambitions. It is sad that we are faced with a vote on the floor of the House over an issue that should have been properly dealt with administratively. Since the day after the battle of Gettysburg, when residents started collecting artifacts off of freshly bloodied battlefields, controversy has plagued this town. I have represented this area for 25 years, and it is a most divisive community to represent because of the Gettysburg National Military Park.

This present civil war has been raging for the 25 years that I have been here in Congress. Fortunately at this point we have had no deaths. Do we kill the deer that are in the park? If we do, how do we kill them? Are we chasing the deer into Gettysburg, and if we are, are we endangering the lives not only of the deer, but the Gettysburg residents? When does that tower come down, and how much does it cost to purchase it, and how much will it cost to renovate the area?

Can the much-needed sewer cross the hallowed ground? It was tied up for years. And now for the last 3 or 4 years, where does a much needed visitor center get located? Should it be a private-public partnership? What should be included? Three or 4 years ago a very prominent entrepreneur living in the Gettysburg area presented a well-documented, well-designed plan; and he was going to have it within the park, and he was going to weather the storm. It was going to be on what is called fantasy land which cost taxpayers a tremendous amount of money to purchase. He was going to do a private-public partnership. He was going to have a Cineplex theater and a restaurant and other things of that nature. This was going to be within the boundary.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. GOODLING) has expired.

(By unanimous consent, Mr. GOODLING was allowed to proceed for 5 minutes.)

Mr. GOODLING. Mr. Chairman, there was such an uproar because this was going to be in the park, that this well-respected entrepreneur withdrew his proposal. And so the park then decided to put out bids. It was amazing. The bids were very, very similar to the proposal that was given by this local entrepreneur, and to my surprise, two people from my district were bidding on this proposal, one who had presented the previous plan and one who helped organize the previous plan.

It was to my surprise because I learned it when it was presented in one of the newspapers that it was awarded to one of the two from my district. Again, another uproar; and so I suggested why do you not put it where it presently is?

That brought the next civil war battle. How could one suggest that? That is hallowed ground. Well, as I knew the area, it was a quarry, and after it was a quarry, it was a municipal dump, and after it was a municipal dump, it was covered over with macadam and is the present parking lot for the present visitor center. But it is on hallowed ground.

What they all agree is that a visitor center is a must if they are going to grow and even if they are going to maintain existing visitor numbers. All agree that the artifacts should be preserved and on display. This raging civil war has never been political, and I do not think it should ever become political.

What the Gettysburg Borough, the township, school districts have to say is very important to me. I am their voice in Congress. The representatives of the borough council told my staff this afternoon that they oppose this amendment even though they strongly oppose the location of the planned visitor center. They oppose it because they fear it will mean the loss of any new visitor center which would be a disaster, which would adversely affect the entire Gettysburg area.

We must have a new center. We must protect the artifacts. We must display them. But I have the same concerns as were expressed by some borough council officials this afternoon, and that

concern is that we could lose the opportunity to have a visitor center, and I would ask all to oppose the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, if there is ever a situation that cries out for oversight, this is one that does. As my colleague, Mr. GOODLING, has recounted, this project has been controversial from the outset; and he has played a continued and constructive role in trying to mediate that process. But it started because the process started backwards. It started with the National Park Service trying to avoid congressional authorization for a major visitor center, a visitor center that all of us agree is sorely needed and must be brought to fruition.

But the fact of the matter is that the visitor center plans that have been devised before were ones where they took the plan and then tried to develop a management plan to make it fit. When we asked them for actuarial information and we asked them for their business plan, when we asked them for the facts and figures with respect to the cash flows and whether or not this would be sustainable or not, or whether or not the Park Service would end up inheriting the facility that could not carry itself financially, they dodged the information. They hid the information from all of us for a very, very long period of time, came up with inaccurate information, came up with information that they knew in fact was inaccurate and presented it to our staff on the Committee on Resources.

I think the fact what we see is that by trying to skirt the process, they have probably lengthened the process. The committee, the authorizing committee, has established authorized major visitor centers throughout this country, and we have done it in the midst of great controversy, but we have provided the forum by which those controversies could be reconciled. So far the National Park Service has been unable to do that. We still do not know what the economics of this plan will be and whether or not they believe the taxpayer holding, if, in fact, the projections, which are fairly robust and fairly optimistic, turn out not to be true.

So I think the gentleman is quite correct in asking for this limitation on the expenditures of money for this agreement until such time as we have an opportunity to provide that kind of congressional oversight, and I say that with all due respect and great respect for my colleague and my chairman on the Committee on Education and the Workforce, the gentleman from Pennsylvania (Mr. GOODLING).

I had talked to him about this almost 2 years ago when I was trying to get information from the Park Service and recognized his ongoing involvement, and I have tried to pull back from that because both he and the gentleman from Pennsylvania (Mr. MURTHA) and others were working out to try to see whether or not something could be resolved. We still find ourselves in a situation where the Park Service has failed to come up with a workable plan both from the point of the affected community and from, I think, economics in terms of one that is sustainable for this magnificent battlefield park.

And I would say that I absolutely agree with the gentleman, and I think the gentleman from Pennsylvania (Mr. KLINK) and the gentleman from Pennsylvania (Mr. MURTHA) and others who have been involved in this process. The goal is to get a new visitor center. This park deserves better. The artifacts, the history, all of that that is being maintained there needs to be preserved in a better fashion, needs to be more accessible to the public and to the people who study the history of the Civil War, and certainly the battle of Gettysburg; and I think this amendment is quite proper, and I would hope that the committee would support it

Mr. KLINK. Mr. Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Pennsylvania.

Mr. KLINK. Mr. Chairman, I would say to my dear friend, the gentleman from Pennsylvania (Mr. GOODLING), and he has been a dear friend and a great colleague, I agree with what the gentleman from California (Mr. MILLER) just said.

We think that those artifacts need to be preserved as well and would pledge to work with the gentleman in whose district this battlefield lies to make sure that those artifacts are not left to disintegrate and to make sure that this is done in a correct manner. We will do everything that we can on our side to work with the gentleman to make sure that whatever can be done will be done to protect those and make sure that a visitor center, once congressional oversight is conducted, that a visitor center is done as expeditiously as possible.

□ 1945

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words.

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, it would be a great tragedy if this amendment passes. It would be a tragedy to every Civil War buff in America, everybody concerned about the preservation of the artifacts.

I very much respect the chairman of the Committee on Education and the Workforce, and it has been an honor to serve under him and his tremendous outline of the history on this.

Also, as a member of the Subcommittee on National Parks and Public Lands, I have great respect for the gentleman from Utah (Chairman HANSEN), and I know his frustration was also expressed by the gentleman from California (Mr. MILLER), the frustration about a lot of the processes that go on with the Park Service.

But I spent 3 hours listening to the hearing and to the concerns of the local community, and I understand some of their concerns, that business may drop off if the visitors center is moved a half to three-quarters of a mile away from the downtown business district.

But I do not agree. The studies do not show that. As a retailer myself, I think the business is actually going to go up. There is no business argument, and I believe their concerns, as are always there when there are changes, but they in fact are not anchored in economic reality. A new visitors center will be a boost to tourism and to those very businesses that are concerned. It may extend the length of stay.

But more importantly, Gettysburg is a national site. Nine hundred Americans were killed, wounded, or captured at the very point where the current visitors center sits. It is on the critical fishhook of the Union Army, and the establishment of that fishhook was critical to the preservation of the Union.

The visitors center sits smack in the middle of that. The traffic is so high that when one visits there, as I did a few weeks ago, they have more park rangers right now trying to handle the overflow parking on the grass as you try to tour the battlefield than they have park rangers at Antietam, which was the bloodiest single day, because we do not have adequate parking facilities.

The compromise, the fantasyland area sometime ago where they proposed to put the new visitors center, is in an area that is part of the Park Service now, but was not part of the battle.

Jeb Stuart, in the Confederate Army, took on the calvary over in a side battle because he was not where he was supposed to be. The main battle was over here. By putting the visitors center down in between, people can move around to the cemetery where Lincoln spoke and gave the Gettysburg address. The fishhook will now be available to walk around and see as part of the critical battlefield line, so you can see how the battle actually worked. Now you stand there, there is a big tower, a cyclorama building, a visitors center, cars all over the place. You cannot get the line of sight. There are trees there that are not supposed to be there. There is a peach orchard. One thinks, why did he hide there? The trees are fairly young yet.

If we really believe in historic preservation, in appreciating this site, it is not enough to just talk about a visitors center, because quite frankly, we do not have enough money to keep up our sites. Every park we go to, whether it

is a natural resource or a cultural resource, they do not have the budget to even keep the things from falling down in our primary parks in the United States.

We can talk about preservation, but it is not occurring. We spend hundreds of thousands of dollars to keep some of these rifles in historic condition, and they are in non-humidified areas where they are not even preserving some now because we do not have adequate facilities.

We can argue about this, but one of the fundamental things, in addition to the importance to every Civil War buff in America and every person who is interested in historic preservation in America, is a fundamental premise here. If we do not have enough money to keep things as they are, are we going to allow public-private partnerships in the parks? It is a fundamental question that is undergirding this debate.

If we can extend public dollars through nonprofit corporations, I favor that. That is one of the fundamental fights here. It is very hard, when we go through years and years and years of delay and arguing, to come up with figures. It is hard for a private developer to come in and said, okay, I want this size bookstore, this size gift shop, this size restaurant. Then they come back after the hearing and say, no, you cannot have the restaurant, it has to be scaled back to this; the gift shop has to be scaled back to this.

Legitimate arguments, but then it is a little cute to argue that there were not financial projections that were consistent all the way through because the gentleman is forcing the alternate projections on the cost.

This is the realistic way, a legitimate way to get the visitors center, to preserve the cyclorama that is wrinkling, that is going to start to crack if we do not start this project immediately. If this gets stopped, to come up with an alternative plan, by the time an alternative plan could be executed, if we ever have the funds here in Congress, the cyclorama will be cracked, articles will be destroyed, and we will not have the fishhook for all the tourists who are going through there. For years it will delay the process another couple of years.

This is a realistic alternative. It may have problems. Perhaps the Federal dollars will have to pick up some of the gap, but our alternative is, as the chairman of the committee full well knows, is the public is going to pick up all the costs of the visitors center.

So for those who are really looking for creative solutions to the national park dilemma, this is one. It would be a tragedy if this amendment passes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. KLINK).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KLINK. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. KLINK) will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I offer an amendment that is yellowed and crumbling for the length of time it has been sitting there.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. DEFAZIO:

Insert before the short title the following new section:

SEC. __. None of the funds appropriated or otherwise made available by this Act may be used to carry out, or to pay the salaries of personnel of the Forest Service who carry out, the recreational fee demonstration program authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104–134; 16 U.S.C. 4601–6a note), for units of the National Forest System.

Mr. DICKS. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The gentleman from Washington (Mr. DICKS) reserves a point of order on the amendment.

Mr. DEFAZIO. Mr. Chairman, we have contained within the Interior appropriations from past years an embedded tax, a tax on the American people which was never authorized by the Committee on Resources or the Committee on Ways and Means, the two committees that would split jurisdiction over taxes or fees, if it is a fee on use of public land.

Let us get one thing clear, the amendment being offered today does not affect user fees for national parks, for developed areas and campsites. But what it would say is that it is outrageous for the government, in a mishmash, a plethora of programs, forest by forest, to have different reciprocities between forests, and I have one forest where they have two different passes, that they proliferate the new fee programs, forest by forest, charging people $25 a hit or $3 a day to drive to the end of a gravel road in a forest and go for a hike, or view the wildflowers, or go hunting or go rockhunting, rockhounding.

These activities have traditionally been free. These are not activities which are drawing upon a capital-intensive developed site. Yet, with this so-called pilot program, unauthorized program, millions of Americans are now breaking the law. This year the Forest Service is going to begin seriously attempting to cite and prosecute people who park at distant, remote trailheads, trailheads that are often subject to car clouting and other problems. The Forest Service does not seem to be too much concerned about that, but they are going to be out there ticketing them for not having paid a fee.

In many cases, you get to the end of a road, the sign is about 150 feet to the end of the road, and it says, to park here you need a pass, and you can obtain a pass 20 miles back that way at the nearest grocery store or other place which dispenses these passes.

This is an inconvenience. It raises very little money. It is about 6 percent of the recreation budget. Surely this Congress does not need to double tax the American people and those who live on or near or recreate on these lands and charge them this new user fee, this new tax. We can find that other 6 percent to fund the recreation programs of the Forest Service.

Further, we are adding a new slush fund to an agency that the GAO says they have one of the worst financial management and accounting systems, and now we have another new off-budget slush fund which is being used by each forest as they see fit, and as the Assistant Secretary admitted to me last night, with no supervision from Washington, D.C.

So whatever fees they cook up for whatever project they want to do, whatever burden they want to put on the American people, they can do it with no oversight from Washington, D.C. or from the Congress under this unauthorized program.

The committee itself says they are concerned about the management, accountability, and performance of the Forest Service. The accountability problems of the Forest Service are much more of a problem than just bad accounting. Far too much, with little congressional control and knowledge, has been transferred for administrative functions of the department.

This program, this so-called pilot program, goes right to the heart of those concerns. The committee was talking about a different program at that point, C.V. fund, but guess what, they have just now created another one that is proliferating around the country, around the country, and putting an extraordinary burden on people.

Take, say, the city of Oak Ridge, Oregon, in my district, totally surrounded by the Forest Service. If you just want to drive out of town and park on a gravel road and go hunting or go for a hike, you have to pay a user fee. For what? To use the gravel road which was built 25 years ago for logging, and is not maintained anymore? Or for beating through the brush? Why? Why should people pay for undeveloped sites on access to public lands? This has been a right that Americans have enjoyed for so many years, and it is very unfair to begin to assess a fee of $3 per hike or $25 per pass per forest, with very little reciprocity.

On one forest in Oregon, the Deschutes, visitors to the Lavaland Visitors Center dropped off 40-percent in one year when this pilot project was put into effect. As was stated in an interview, the people at the visitors center said the people drive up, look at the sign, they turn around, they drive away; a 40-percent dropoff. Why? So they can buy a few more little gee-

gaws for that visitors center, or make some other change on the forest?

We should not be depriving Americans and their families of this opportunity. It is unfair. It is unauthorized. It should be stopped.

The CHAIRMAN. Does the gentleman from Washington (Mr. DICKS) insist on his point of order?

Mr. DICKS. No, Mr. Chairman, I withdraw my point of order.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Chairman, this program has worked. If we talk to superintendents across the country, in the forests, the parks, the Wildlife refuges, the BLM lands, they are happy. They get to keep the money. They used to have to send any fees they collected to the Treasury and never saw it again. Now they keep it. They invest it in the facility.

We were at Olympic National Park recently. They are doing some work on a magnificent chalet that the public loves to see and enjoy, and look out over the mountains. They had a sign up, ''This work is being done with user fees.''

Mr. DEFAZIO. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I say to the gentleman, just remember, this amendment does not affect parks.

Mr. REGULA. I understand. I am going to read an editorial about the Sawtooth National Recreation Area. The paper was against the fee and is now for it because it has worked so well.

Let me say this. The superintendent of the Olympic National Park said this: ''Morale is affected. People feel good to know that the public is participating, and they care about this facility. Vandalism is down because those who pay a little bit get a sense of proprietorship.''

I hear that story all over, from the forests, the parks, and other facilities. In the period of time that this will be in place, it will raise $400 million. It does not affect their budget. This money is used for things that otherwise would not happen, for visitor enhancement, to make the visitor experience better.

In Muir Wood, for example, the superintendent said she was able to improve the trails, put up signs. And we talked to people in the facilities and asked them. They said, we do not mind paying a modest amount. It is less than a movie ticket, and the money stays there. They get to use it. They get the benefit of it.

The people that the gentleman is talking about, I would say to the gentleman from Oregon (Mr. DEFAZIO), they are using it every day. They can buy an annual pass. How much is the annual pass?

Mr. DEFAZIO. If the gentleman will continue to yield, the annual pass is $25 for that forest, but it is $25 for the other forest 20 miles that way, and it is $25 for the other forest 60 miles that way, and it is a different charge for the park, which is 40 miles that way, and then the BLM is looking at doing it also. So it starts running into a lot of money.

Mr. REGULA. Reclaiming my time, they get to use a lot of facilities: Three forests, a park, and the BLM land.

Mr. DEFAZIO. No. If the gentleman will continue to yield, those are all different passes. There is no transferability.

Mr. REGULA. I understand. And the forest is working on developing a universal pass. This is an experimental program. They want to address it.

Let me read the editorial. This says it more eloquently than the words I could use.

This is from the Idaho Statesman in Boise, Idaho. Headline: ''Keep User Fees that Restore Trails and Improve Parks.''

''When a test of user fees was initiated a couple of years ago in the Sawtooth National Recreation Area, there was some grumbling. 'We pay taxes, don't we? Why is it even more money to visit public lands?' but the fee projects were approved and even extended a few years ago by Congress. Why? Because people don't mind. They even seem to want to pay the fees, and because the money is put to good use.''

□ 2000

In fact, in Olympic National Park they had a little jar and even though they paid a fee, they were still putting money in as an extra contribution. That shows how the public feels about it.

''Why not make the fees permanent? Give credit to three important steps of the success of the fee program: One, the money collected has stayed on the ground. Those paying the fees can see their money at work.'' That was true. We saw that several places.

''Two, the fees have remained reasonably priced and are getting less complicated.'' And I might tell the gentleman from Oregon (Mr. DEFAZIO) that they are getting less complicated. I believe probably in short order the Forest Service will have one pass that will work in all the forests in the area, and I would hope they do that and maybe even include the parks and the BLM. That is the goal, to have a universal pass, that visitors pay a modest amount and can use it anyplace for a period of a year.

And thirdly, ''Forest managers are listening to visitors and addressing their concerns.'' And I hope the managers in the gentleman's district are doing that.

''So far, for the SNRA, the fees have paid off. More than $162,000 has been collected since the start of the project in July, 1997. The money has been used to maintain hundreds of miles of trails, open new restrooms, hire additional visitor center staff,'' and so on.

And the article concludes, ''When compared to many other family entertainment or vacation options, parks and recreation areas, even with the fees, remain a tremendous bargain.''

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(By unanimous consent, Mr. REGULA was allowed to proceed for 1 additional minute.)

Mr. REGULA. Mr. Chairman, the article continues, ''Given that forest officials are responsive to what the public is asking and that the money is well spent. Clearly the fee program is a winner and should remain in place for years to come.''

Mr. Chairman, I have several editorials along the same vein. The people support it. The park professionals support it. It is working extremely well. And as we eliminate some of the glitches just as described by the gentleman from Oregon, it will be even more effective, and visitors will benefit. That is the bottom line.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I do not want to take a lot of time with this amendment, but I want to join the gentleman from Ohio (Mr. REGULA) in his remarks against the amendment. I think the fact of the matter is there is a reason this is a pilot program. There are a lot of glitches. We still have problems.

The gentleman is on the Committee on Transportation and Infrastructure. I still cannot get from one bus system to another bus system in the Bay area, but they are working on it. It is coming together. And here maybe the forests in the gentleman's district are too narrowly defined in terms of fees, and we will go to an annual pass.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(On request of Mr. GEORGE MILLER of California, and by unanimous consent, Mr. REGULA was allowed to proceed for 1 additional minute.)

Mr. GEORGE MILLER of California. Mr. Chairman, if the gentleman would continue to yield, the fact is, improvements are being made. The public appreciates those improvements. These places are much more friendly to the user.

Yes, there is a problem if visitors go to a remote trailhead, and the Forest Service ought to think about if these people ought to be ticketed. The people made the effort to buy a pass. But that is no reason to curtail this program.

It is 6 percent, and the fact of the matter is the gentleman knows we cannot find that 6 percent anywhere else. Especially in this budget. The gentleman has fought off all kinds of issues to cut off resources from this

bill. We have an issue that is pending to cut off resource from this bill. Without these user fees, the fact of the matter is that the public is going to be denied the kind of access and the use that they want to put these forests to.

I appreciate the problem faced by people in the local area, and it is a tough one. They have always viewed this as their ''divine right'' to enter in and out of the forests. But somebody has to maintain them, and we ought to continue this program and support the committee on this and reject this amendment.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. REGULA was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I was very impressed both this year and last year when the committee took its trip at the work that is being done with the 80 percent of the money that stays in the local area. There is no doubt that if we cut this program off we are going to hurt these areas.

Now, I realize the gentleman from Oregon (Mr. DEFAZIO) has limited this only to the Forest Service areas. But, believe me, I think this program is working; and I pledge that I will be glad to work with the gentleman. I suggest we invite Mr. Lyons up here and see if we cannot straighten out this thing as it relates to the Forest Service in the gentleman's area, or the BLM in his area. Lets see if we cannot come up with a common pass or something that will satisfy the gentleman.

But, Mr. Chairman, to undermine the work that the gentleman from Ohio (Chairman REGULA) has put into this program which is helping us reduce the backlog across the country and if we take it off the Forest Service, it will undermine the Park Service.

The ironic thing about this, public opinion has been tested, and 83 percent of the people favor it, and most of them say they think the fees are too low. They cannot see why we are not charging more.

The gentleman from Oregon is a very senior Member of the House. I urge him to work with us to straighten out the problems that obviously exist in Oregon. And take the gentleman from Ohio at his word, but do not undermine a program that is doing so much positive good for our parks and Forest Service around the country.

Mr. Chairman, I am afraid that if this amendment passes then it will undermine the other program as well. So I want to compliment the chairman of the subcommittee. He has done an outstanding job and stayed with this. Let us stay and back him and defeat this amendment.

Mr. DEFAZIO. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I have had Mr. Lyons in my office last year and this year telling me he was going to rationalize the program and take care of the accountability problems and the proliferation of passes. Nothing has happened. I would appreciate it if something would happen.

But I would further urge that if the committee is going to travel that they travel to my district and perhaps hold a hearing on the issue in my district and hear of some of the concerns and problems or meet in the district of the gentleman from Oregon (Mr. WALDEN), from whom you will hear later. Because I think the committee will hear a little different story, perhaps because we have so many forests in our State and the proliferation is a problem.

Finally, if it is so popular, and I am not sure of those polling numbers, I suggest that perhaps I should offer my other amendment, which is to turn it into a voluntary system and turn do away with the enforcement. The Forest Service could save money on the enforcement, and perhaps the gentleman from Ohio would look favorably upon that amendment.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I would say to the gentleman from Oregon (Mr. DEFAZIO) the next time he has Mr. Lyons in for a visit, invite me and the gentleman from Washington (Mr. DICKS), and we will come and see if we cannot resolve these problems.

Mrs. BONO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the DeFazio-Bono-Cook amendment to end the United States Forest Service's Adventure Pass program.

The citizens within the 44th District of California brought to my attention a great injustice: The Federal Government was charging people to park and use our beautiful forests twice, first through the Federal income tax, second through a per car fee at the forest.

Mr. Chairman, we should not give Uncle Sam permission to tax citizens twice. If Congress believes that the Service is underfunded, then we need an increase in appropriations. The fact is, taxpayers' money already goes to the Forest Service, and it is up to the Forest Service to manage their funds properly.

But I question whether or not the Service can manage its finances well. In January of this year, the General Accounting Office named two Federal agencies to its financial accountability high risk list. One of those was the Forest Service's financial management system. According to the GAO, the Inspector General of the Agriculture Department found a lack of documents to verify accounts for land, buildings and equipment.

Mr. Chairman, I have a proposition. First, the Forest Service needs to manage its finances properly. Then once proven that it is making the most of the monies already allocated, it can come back to Congress with additional requests. I promise to give the Forest Service the due consideration it deserves.

Mr. Chairman, I am a great supporter of the United States Forest Service. The local Rangers within my district are dedicated, intelligent, and extremely kind individuals. However, I do not believe that the Washington office of the Service is giving them the adequate support for them to do their job properly.

Mr. Chairman, there are some officials who claim that forest visitors like this program. A recent survey conducted by Cal State San Bernardino says otherwise. Within the survey the following information was gathered: 83 percent of visitors noticed no improvement to the area since Adventure Pass began, but only 16 percent said the program greatly improves their recreation experiences. And only 4 percent mentioned that they would like to see improved security and patrol. The Service has constantly said that our constituents say this is a top concern.

Although visitors have not noticed improvements, the Service has taken great care to say how it has spent this money. But in Washington and at home we know that a government agency will spend money if we give it to them. Therefore, the question is how much they should spend and in what way they should spend it.

But, Mr. Chairman, this issue goes beyond the issue of financial accountability or what the survey says. In fact, this tax goes against the very concept of experiencing our free and open land. To residents in the communities of Idyllwild, Anza, Hemet and San Jacinto and tourists who come to enjoy these precious lands, this fee is a source of hardship. We have come to expect the freedom to enjoy this area without the burden and inconvenience of the tax imposed on us today. This is why the California State Assembly and the Los Angeles County Board of Supervisors wrote resolutions in support of eliminating the Adventure Pass program.

We must encourage people to visit, not discourage them from doing so. When tourists go elsewhere, it hurts small businesses and it hurts our efforts to educate individuals on the importance of protecting this precious resource. This tax serves as a barrier to working families, hikers, nature lovers, and all of those desiring access to our national forests.

Mr. Chairman, if we are going to be a user fee country, then we should have that debate and be consistent. We would never want to charge visitors for sitting in the Supreme Court, declaring every Federal highway a toll road, or even charging people to sit in this gallery. All of these Federal properties need maintenance like these forests do, but I never want any of these fees to become a reality.

Mr. Chairman, I hope my colleagues will join me in repealing an onerous tax and returning the forests back to the people. To tax the great outdoors is offensive to the very concept of the national forest system.

Mr. HANSEN. Mr. Chairman, I move to strike the requisite number of words.

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Chairman, a poll was done not too long ago that asked the American people what they like most about the United States Government, and they answered the parks and the land. Number one of everything we do, the parks and land. They liked it the very best.

The question was asked: ''What do you like the least?'' Surprising enough, they said the IRS, which did not surprise too many. But when we look at the parks and land and find out where it is going, as chairman of the Subcommittee on National Parks and Public Lands, I do not think people realize the amount of money that we have in infrastructure that we are behind on. It is actually billions of dollars that we are not taking care of.

Water systems that are out. Sewer systems that are out. We have gates that are out. We have dozens of things that are not working. When we go to a national park or the Forest Service or go to the BLM, we want it fixed. Every one of these agencies is in a position that we do not have enough funds.

The gentleman from Oregon talks about the idea that maybe we can come up with some. Somebody ought to do it. We cannot even keep up with payment in lieu of taxes around here. We are shortchanging the States. Here we find ourselves in the position where the thing that the people like better than anything else that the government offers we are letting deteriorate. And why? Because we do not have the money to take care of it.

So why is it so wrong to ask the people, when they seem to agree, when they write us letters, in fact, I have even received letters that have had money in them. They said, ''I went to the park'' or ''I went to this national area and, doggone it, it was so nice I felt I ripped you off.'' We take the money and send it to the Treasury because we are not taking care of these areas.

Mr. Chairman, the biggest fear I have with these demonstration projects is that the appropriators and authorizers will reduce the amount of money that we give them, and we are already in arrears. We look and say, is this working? I agree with the gentleman from Ohio (Mr. REGULA). Let the thing have an opportunity to work. Let us find a time when we can say we finally got our act together.

I think when we first got into this thing we envisioned kind of like a Golden Eagle pass that visitors pay $50 and they can go to the parks or BLM or the Forest Service, the reclamation things. And I think we will get to that, but why nip it in the bud? Why kill it when it is in the crib? Let this thing grow a little bit. This would be a dramatic step backwards to go along with this particular amendment.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I just want to point out that in our budget we have $10 million more than requested by the President for recreation in the Forest Service. So I am saying this to emphasize that we have not in any way reduced our commitment to support these facilities. The money coming from rec fees takes care of extras that otherwise simply would not get done to enhance the visitor experience.

That has been the emphasis that we have made to the public lands administrators, is take the rec fee money, fix things that otherwise might not be, just as the gentleman pointed out, that are neglected. So that the visitor has clean facilities, good campsites, good trails, good signage. And we in no way have reduced their budgets as a result of the fee program. In fact, we have increased the budgets.

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Mr. HANSEN. Mr. Chairman, I appreciate the comments of the gentleman from Ohio (Mr. REGULA), and I hope it continues that way, because that is how it was intended to work.

The nice thing about what these programs do, Mr. Chairman, is if the superintendent of a park has a problem, he does not have to come back and ask for a supplemental. He has the latitude to do something with it. If the forest supervisor of a forest has a problem, he can work with it. We give the person some latitude with which to work.

Why would we want to do away with it? The American public seems to like the idea. I feel we finally caught on to something that really works well. Let us not end it now by accepting this amendment. I strongly disagree with the amendment.

Mr. DEFAZIO. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Oregon.

(On request of Mr. DEFAZIO, and by unanimous consent, Mr. HANSEN was allowed to proceed for 1 additional minute.)

Mr. DEFAZIO. Mr. Chairman, just in reflection, on my forest, perhaps we have raised in this bill the amount of money that the committee has appropriated for recreation above what the President asked for, but obviously the President did not ask for an adequate amount, and the budget overall is reduced. In fact, I am finding, on a number of my forests, it happens that the collections are basically keeping them even. They were reducing recreation and other needs elsewhere.

But to go beyond that, I remember that the gentleman last year approached me after this vote and said we would work together to authorize a program where we would have a universal single pass so we would not have this mish mash, and we have not done that. It still has not happened.

I had one forest that had two passes for one forest. They have gone to one pass for that forest this year, but it does not have reciprocity with the other forests. I mean, this is insane. I asked the supervisor of one of my forests last Friday, I said, ''If I buy your pass, can I use it on the next-door forest?'' He said, ''No, you cannot.'' Then he called back on Monday and said, ''No, I was wrong. You can.'' I mean, it is so confusing. Average people cannot figure it out.

Mr. HANSEN. Mr. Chairman, let me say to the gentleman from Oregon, I hope that the amendment that he has brought up will somewhat trigger the Forest Service to start working on the exact problem he did bring up.

The gentleman mentioned the President talking about this. Does the gentleman realize that the President of the United States has asked to make this program permanent at this point? I think we can work out the problems the gentleman from Oregon brought out. I think it will be to the benefit of the people of America.

Mr. WALDEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I first want to start by commending the gentleman from Ohio (Mr. REGULA) and the gentleman from Utah (Mr. HANSEN) for the work they do to make our parks as good as they are and their commitment that they have shown in their work.

So it troubles me to stand here in some respects today, but we have a problem in Oregon. We have a problem in our forest with some of these fees. It is a confusing morass where one does not know, as the gentleman from Eugene, Oregon, (Mr. DEFAZIO) said, one does not know where to go and what fee to have and what park permit to get.

Let me cite a story that ran recently in the Bend Bulletin, because I think they said it as well as anyone has. ''In the Deschutes National Forest, for example,'' and I am quoting here, ''a $3 day-use pass or a $25 annual pass is required to use more than 80 trails, virtually the forest's entire inventory.

''But wait. This year, a separate day-use fee to enter Newberry National Volcanic Monument has been scrapped; Newberry now falls under the trail park pass. At Lava Lands Visitor Center, which is not part of the trail pass program, the carload price actually went down from $5 last year to $3 this year.

''If you want to use the two boat ramps at East Lake you can, free of charge. But because a trail rings Paulina Lake, the boat ramp parking there is part of the trail fee program (except

in one boat ramp in Little Crater Campground).

''And that's just in the Deschutes. Oregon state parks charge day-use fees, the Bureau of Land Management levies boating fees on the Lower Deschutes River, and national parks in the region require separate passes for visitor centers and to climb mountains. Campgrounds are an additional charge. Confused?'' says the story.

Well, they go on to talk about it. And people are. They are coming up to the Lava Lands Visitor Center, and the visitor count there plummeted from 83,515 people in 1996 to 46,170 last year and remained depressed.

''We're still getting people driving up it the booth, seeing there's a fee, and turning around,'' said Mr. Lang, who is in charge of the Lava Lands.

So we have got that going. I have no problem charging people to go into the campgrounds and the really improved areas. My problem in my district, which is larger than 33 States. It is virtually all Federal land, 60-some percent. Thirty-six million acres in Oregon are Federal lands. It is like, no matter where one goes, one is on Federal land if one wants to get outside of any of the towns.

Then it gets confusing about what little store one has to go to, where to find a permit for what, and are they open on the one sunny day in Oregon when one wants to go out hiking.

My other concern is this, that even if we can perfect this process, and perhaps we can, at some point this is the base level, 3 or 5 bucks to get a pass, what is it going to cost a family? How far in advance are they going to have to book their trip to go on a hike in the Federal forest?

Can my colleagues imagine telling visitors to Washington, D.C. that they have to book 6 months ahead of time and buy a pass to determine if they can walk on the Mall. Because, in Oregon, our forests are the equivalent of the Mall. It is the place we have to go. We feel like we are paying for them once. And for just the opportunity to park along a road and hike out there, I do not think we ought to have the fee.

I understand the need to make the improvements. If I had my way, I would take money for future land acquisitions. There always seems to be billions around for that in some quarters, not necessarily ours, and target that into the improvements we all could agree need to be made.

Mr. Chairman, I commend the gentleman from Ohio (Mr. REGULA) for the work that he does.

Mr. Chairman, I yield to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I understand. But as my colleagues saw yesterday, we even took $30 million out that we had targeted for lands, and there is a pressure here to take even more. So that is probably not a source.

I tell my colleagues that it is our understanding that the Oregon forests and Washington Management Team and the Forest Service and the State, are working on a universal pass that one would buy that would go to any forest in Oregon or Washington, including a State forest. We have urged them to do that.

We understand some of the concerns that the gentleman's constituents would have. We want to make this as user friendly as possible and still have the revenues to fix those trails and fix those comfort stations and those camp sites. So that is our goal.

This is only a 3-year program. We are still trying to work out some of the problems. But I think, on balance, in the long haul, that the gentleman's people will be very pleased because they are going to have a much better quality experience and get a universal pass at a reasonable cost.

The CHAIRMAN. The time of the gentleman from Oregon (Mr. WALDON) has expired.

(By unanimous consent, Mr. WALDON of Oregon was allowed to proceed for 30 additional seconds.)

Mr. WALDON of Oregon. Mr. Chairman, I appreciate the comments of the gentleman from Ohio. I would say that we have a good program in Oregon called the Snow Park Permit Program. One buys one permit in the winter, and one can park in any of these cleared-out snow park areas if one wants to go cross-country or down-hill skiing. I have no problem with that. But the system we have in place today is one that concerns me because of its complication.

The other element is I do not want to see us price families out eventually. I detected that was perhaps beginning to happen along with just the whole idea of reservations. One hiking trail, for example, in Mount Hood, do not hold me to exact numbers, but averages 200 people a day. The forest people wanted to reduce that to 20.

The CHAIRMAN. The time of the gentleman from Oregon (Mr. WALDON of Oregon) has expired.

(On request of Mr. Hansen, and by unanimous consent, Mr. WALDON of Oregon was allowed to proceed for 1 additional minute.)

Mr. WALDON of Oregon. Mr. Chairman, I yield to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, we understand that. We want to work with the gentleman from Oregon to solve those problems. I will be interested to talk to him about this snow pass. That may be the kind of thing we can put together.

But on balance, the program has worked well in enhancing the visitors' experience. I think something that is important is the vandalism reduction in these public facilities, because people who pay have a sense of proprietorship.

Mr. WALDON of Oregon. Mr. Chairman, I concur with the gentleman from Ohio on that point.

Mr. GOODLATTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment. I want to commend the gentleman from Ohio (Mr. REGULA), chairman of the subcommittee, for his leadership in advancing this program in the past. It is vitally important that we have a program that allows each forest system to raise funds to take care of the infrastructure in that system. It is not being done. This new program is the best opportunity we have had to see that occur.

Let me give my colleagues an example that occurred in my district with a national park. I know this amendment only applies to national forests. But the same principle applies, and it is one I think we should extend everywhere.

A few years ago, when I first arrived here, the Shenandoah National Park superintendent proposed closing two-thirds of the national park for 6 months of the year. We had a meeting up here with the representatives, and we asked him why on earth would he want to do that?

He said, ''Well, to save money.'' We said, ''Well, certainly the fees that you collect on entry to the park would offset the cost of the money that you save by having folks in the booths.''

This is what he said, ''You are going to save about $250,000 by closing the booth and not collecting the fee.'' He said, ''Oh, yes, it would save us $250,000 because we do not get to keep any of the funds that we receive when we collect those fees. So all of the funds received go into the general Treasury, $250,000 off of our budget. It makes sense for us to close one of the largest, most visited national parks in the eastern United States, two-thirds of it, for half of the year, because we do not collect the fees.''

We have changed that, both in our national parks and in our national forest to allow the collection of the fees. It gives the people on the ground in the parks the incentive to improve the conditions, to keep the facilities open.

How many people visit our national forest today and find chains across the road, tank traps built because the Forest Service does not have the resources to maintain the facilities? So they shut them do down in large measure.

If they are given the incentive to have the opportunity to collect a fee, they are going to open up more roads, they are going to open up more areas, they are going to open up more access to recreation. That is why this program, while it certainly can be improved, we certainly want to make sure that local residents who want to visit the park on a regular basis have a reasonable year-round pass that they can use in combined force. I think the gentleman is exactly right that that should be corrected and changed.

I certainly, as the chairman of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry of the Committee on Agriculture would also extend my offer to work with him to see that that kind of improvements to the system are made.

But please do not cut out the incentive to improve our national forest by allowing people who use them to collect a fee.

In addition, I would point out that many people travel great distances to visit our national forests. They will pay money for gasoline, for hotel rooms, for meals, and so on. Then when they get to these destination places, they will either pay nothing or a nominal fee to visit them. That to me is not logical.

If these places are, and they certainly are, great attractions for people to come long distances to visit them, it is not entirely unreasonable to think that we could collect a small fee to help to maintain and improve these facilities.

So I urge the Members of the House to oppose this amendment and see that this program, which is evolving and which will, I think, lead to great improvements in the recreational facilities of our national forest, that this amendment is defeated.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am very pleased that the problem that my colleagues from Oregon have highlighted has been put in the spotlight and that we have had assurances from Members of the subcommittee that they will work with us to make sure that some of these anomalies are, in fact, corrected.

But I would hope that we would keep in mind three things: that it is not just the money that is involved here, although that is significant. A number of us have been struggling, trying to be supportive of what the committee has been working on in the course of the debate here in the last 2 days. This is an important step to try to tie the benefits and the costs together. This is something a lot of people understand that government needs to be more entrepreneurial in a number of areas.

We have seen, I think, here in Washington, D.C. the contrast between the way that we are treated here and other parts of the country. I think there is an opportunity for us to take small steps in this area. It also gives important incentives to local managers. We are getting a different behavior from people who are managing facilities, because they can be a little bit entrepreneurial.

The amount of money involved is infinitesimal for most of the people that are there. If we look at CDs, if we look at things that people are carrying, not just comparing to other types of activities that they involve for recreational purposes, but the impact that it says on the managers and their employees in terms of being able to have a little discretion, in terms of being able to tie it back to needs that they have on-site that, frankly, would have a difficult time making it through the bureaucratic process.

So putting aside for a moment the money, which is significant, put aside for a moment the connection between the benefits and the costs, which I think is not inappropriate, that we have had some opportunity here where we have assurances that we will work to try and make work better, and I think that is appropriate as well.

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But I do think it is important for us to look at the impact this has on managerial behavior in and around the facilities. And I think that that may be the greatest legacy of all, is that it helps engage in a different type of thinking, more flexibility, and more rapid reaction to give the taxpayers and the users a better product.

I am confident that the committee chair and staff will follow through. And as a Member of the Oregon delegation, I, too, would like to have the fine-tuning, but I hope that we will have a chance to look back in a couple of years at how it has changed the behavior, because I think that may be the most important legacy.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I thank the gentleman for yielding, and I just wanted to point out we just received a phone call from Mr. Lyons. He said he was prepared to meet with the gentleman from Oregon (Mr. DEFAZIO) and the chairman and myself tomorrow, if necessary, and also that they are working with OMB to fund a study on the Pacific Northwest Forest Service problem. And the gentleman from Oregon has pointed this out.

I think there is a way to solve his problem administratively, and I hope we can move on to a vote on this amendment, and of course a negative vote because it will no longer be necessary.

Mr. DEFAZIO. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Just in response to the gentleman's comments, Secretary Lyons came to me last year and asked me to forego the amendment, saying he understood their problems and he would fix the program. Yesterday, he showed up in my office again, said he understood there were problems and he will fix the program. Now today he has called and said he understands there are problems and he wants to fix the program.

I think if perhaps he meets with the chairman, who controls his budget and his salary, ultimately, and that of all his employees, and the ranking member, maybe this time he will deliver. But I have to tell my colleagues, I am put out by the fact that this is a year later and it has not happened.

And, also, I have to say that I have concerns that go beyond that to the concerns of the committee in terms of how these funds are being spent. And Mr. Lyons admits there is no authorization or control process beyond the local forest. I think that goes to the grave concerns.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I would tell the gentleman from Oregon (Mr. DEFAZIO) this. I would rather trust the local forest, because of the way this national financial system has been handled. I have more faith in the people out there to do the right thing with the money that they collect in their forest. That is why I think this program is working and working so successfully.

Mr. ROEMER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the pending amendment and do so for the following three reasons:

One is that our national parks are national treasures and jewels in our system out there in America today. And just as they are places where our families enjoy bonding experiences and places that we went with our families as young people, now we are taking our families to the different national parks and Forest Service lands and visiting our national treasures and jewels across America.

These are important to us for many reasons, and they are currently under great stress and great pressure externally for environmental reasons, internally with a host of different problems that are caused, quite frankly, by some lack of resources. So these demonstration fees not only support the parks and the national treasures that they serve for us as environmental treasures and places for families to visit together, but they also help us address huge problems that we are undergoing at our national parks.

For instance, the Shenandoah National Park, not far from here, an hour and 20 minutes, it is undergoing internal stress, it is undergoing external stress from acid rain, from the PH content in some of the brooks and streams that are polluting and killing fish, and we do not have enough resources to address this right away. Well, the demonstration fees provide a way with this lack of resources to provide the money to address these things right away.

And, thirdly, besides families, besides the stress, the demonstration fees keep 83 percent of the money right there in the local park. They do not ship the money off to Washington, D.C., or back to the national treasury. That money is preserved right there at that park where they can immediately apply it to local concerns, to those concerns indigenous to that park system and address it in an expeditious way, keeping the taxpayers' dollars from that local park, from that State, from that region in that local park.

So I think that this amendment, while the gentleman from Oregon (Mr. DEFAZIO) is trying to correct some problems I think with some frustrations that he has encountered personally in Oregon, I think we should give

this program some time to work. And I think to make sure the program works in these national parks throughout the country that so many people are visiting today and which are at historic levels of visitation and tourism in these parks and that are undergoing huge problems of stress, with lots of pollution problems, with lots of traffic problems, we need to be creative and original. This demonstration fee is an original way to do that, with the people that are coming into the parks to use the parks putting that money right in that park to immediately address local concerns.

I think it makes a lot of sense to continue this program, and I would hope that we would defeat this amendment.

Mr. DEFAZIO. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I appreciate the gentleman's position, but he has used the word ''parks'' at least 50 times. This does not apply to the parks, and it does not apply to developed areas on the Forest Service or BLM.

Mr. ROEMER. Reclaiming my time, Mr. Chairman, I would say this confuses the issue. The gentleman is trying to apply this to the Forest Service. He has had some individual frustrations with it in Oregon. We are doing this not only in the Forest Service but at the national parks as well.

It is working fairly well, very well in most places. We need to give it the opportunity to work. The parks vitally need the resources here, and I would encourage my colleagues to defeat the amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I just read the gentleman's amendment again, and it says, ''None of the funds appropriated or otherwise made available by this Act may be used to carry out, or to pay the salaries of personnel of the Forest Service who carry out the recreational fee demonstration program.''

Mr. DEFAZIO. If the gentleman from Indiana (Mr. ROEMER) will continue to yield, that is amendment No. 2. We are doing No. 1.

Mr. DICKS. I am reading from No. 1. It does not say anything about undeveloped areas. The gentleman said this several times, but if we have No. 1 here, it does not say that. It says ''anything'' on the Forest Service.

The point I am trying to make is that the Forest Service provides more recreational opportunity than the Park Service.

Mr. ROEMER. Reclaiming my time, Mr. Chairman, I would just say I support the demonstration fees in the Forest Service and the national parks and urge defeat of the underlying amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The amendment was rejected.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT NO. 3 OFFERED BY MR. FARR OF CALIFORNIA

Mr. FARR of California. Mr. Chairman, I offer amendment No. 3.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. Farr of California:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. __. None of the funds made available in this Act may be used to authorize, permit, administer, or promote the use of any jawed leghold trap or neck snare in any unit of the National Wildlife Refuge System except for research, subsistence, conservation, or facilities protection.

Mr. FARR of California. Mr. Chairman, I have an amendment which affects the national wildlife refuges. These are set aside by Congress as special habitats for wildlife conservation; and, since 1903, when President Theodore Roosevelt first established one to protect wildlife, we have set aside 517 wildlife conservation refuges. These are areas that are part of our national heritage where people go to see wildlife.

In some cases, we even allow regulated hunting on certain refuges, but nobody has been aware that we allow commercial and recreational trapping to occur. Look at these photos. A Golden Eagle and a Red Fox. Does this look like recreational activity that our wildlife refuges tax dollars should go to? I do not think so.

The American people have said no to trapping or using steel-jawed traps. According to a May, 1999, poll, 84 percent of Americans oppose the use of steel-jawed traps in national wildlife refuges, and yet we allow them to occur. Eighty-eight countries have banned them altogether. Four States, Arizona, California, Colorado and Massachusetts, have totally banned the use, but the only way we can ban the use of steel-jawed traps and neck snares on Federal lands is for Congress to pass an act.

Now, the underlying bill is a great bill, and the chairman of the committee and the ranking member have done a tremendous job, and this amendment in no way reflects on that. This is an amendment that only sets a prohibition on using steel-jawed traps and neck snares for commercial and hunting purposes. Let me repeat that again. It only prohibits this cruel and inhumane use of this trap to painfully kill animals for profit.

Imagine using steel-jawed traps for recreational hunting. That does not fit with me at all. Using this device to hunt would be like using land mines to hunt. It makes no sense, which is probably why recreational trapping is already banned in 446 of the 517 national wildlife refuges in this country.

The amendment does not stop trapping. It allows trapping. It merely bans two devices. It bans the steel-jawed traps for commercial purposes and neck snares. Trappers can use other devices. They can still trap with Conibear traps, with foot-snare traps, with box traps, with cage traps. So I ask Members of this august body to join me in stopping the recreational torture in our national wildlife refuges. Please vote for this amendment which is very narrowly drafted.

Just three years ago, Sidney Yates, the distinguished and former long-serving chairman of the Interior Appropriations Subcommittee, expressed concerns about the use of steel-jawed leghold traps on National Wildlife Refuges. A long time opponent of the use of these traps and cosponsor of legislation to bar their use, former Representative Yates was instrumental in securing report language, with the consent of the distinguished chairman of the Interior Appropriations Subcommittee, Mr. REGULA, in the FY 1997 Interior Appropriations measure, requesting that the Fish and Wildlife Service create a task force to examine the humaneness of the leghold trap and assess the prevalence of trapping on refuge lands and waters.

Regrettably, the Service did not follow through on several of Congress's directives expressed in the report language. To my knowledge, there was no task force created and no assessment of the humaneness of this barbaric and indiscriminate trap, which has been outlawed throughout he world because it is so cruel. Nonetheless, the Service did send questionnaires to managers of nearly 500 refuges and queried them on the extent of trapping activity.

The report noted that there were approximately 467 trapping programs on 280 refuges; thus, more than half of the refuges had some form of trapping.

Trapping on refuges occurs for a number of reasons—for predator control to conserve endangered species or waterfowl, for facilities protection, for commercial fur trapping, for recreation, for subsistence, and for other purposes. In conducting these programs, trappers use a wide variety of traps, from box and cage live traps to killing traps such as steel jawed traps, neck and foot snares, and Conibear traps.

According to the report ''[e]ighty-five percent of the mammal trapping programs on refuges were conducted primarily for wildlife and facilities management reasons. The remaining 15% occurred primarily to provide recreational, commercial, or subsistence opportunities to the public.'' The Farr amendment would not have an impact on wildlife and facilities management programs, subsistence programs or research programs. Thus, the amendment would affect less than 15% of the trapping programs on the refuges. It is a narrowly crafted amendment to combat an egregious commercial abuse of the refuge system. It does not ban trapping, so critics who claim this is a purely anti-trapping amendment would be overstating their case.

It is extraordinarily incongruous to allow the commercial and recreational killing or our wildlife with barbaric traps on lands called ''refuges.'' Surely, they cannot honestly be called refuges for wildlife if wildlife are killed by these means.

Americans do now want their tax dollars used to administer trapping programs that feature steel jawed devices and neck snares. My

amendment seeks to stop the U.S. Fish and Wildlife Service from misusing its funds for these purposes.

The amendment will pose no threat to wildlife and no difficulty to wildlife managers. These traps have been banned in 88 countries throughout the world; surely these countries cope with their occasional wildlife conflicts without resorting to the use of steel traps. What's more, a large number of states, including states with numerous wildlife refuges, like my own state of California, bar the use of these traps.

July last year, I was proud to support a ballot measure that was overwhelmingly adopted by California voters that barred the use of leghold traps, except in cases of public health or safety or the protection of endangered species. This amendment carried in almost all parts of the state, as have similar ballot initiatives in Arizona, Colorado, and Massachusetts. Other major refuge states, such as Florida and New Jersey, have also banned the leghold traps. Wildlife living on National Refuges in these states are not victimized by steel traps.

The steel jawed leghold trap has been banned in so many jurisdictions because it is inhumane and indiscriminate. It has been declared inhumane by the American Veterinary Medical Association, the World Veterinary Organization, the American Animal Hospital Association, and The Humane Society of the United States. These traps are designed to slam closed and grip tightly an animals' leg or other body part. Lacerations, broken bones, joint dislocations and gangrene can result. Additional injuries result as the animal struggles to free himself, sometimes twisting or chewing off a leg or breaking teeth from gnawing at the metal jaws. Trapped animals can suffer from thirst and starvation and from exposure to the elements or predators. An animal may be in a trap for several days before a trapper checks it—with the interminable period in the trap severely compounding the animal's misery.

The steel jawed leghold trap is indiscriminate. Any animal unlucky enough to stumble across a trap will be victimized by it. In addition to catching ''target'' animals, traps catch non-target, or trash, animals, such as family pets, eagles, and other protected species.

National Wildlife Refuges should not allow commercial and recreational trapping with inhumane traps. Refuges are the only category of lands specifically set aside for the protection and benefit of wildlife. It is unacceptable that there is recreational and commercial killing of wildlife on refuges with inhumane traps.

A May 1999 poll conducted by Peter Hart Research of a national sample of 1100 Americans revealed that 84 percent of respondents oppose the use of steel-jawed leghold traps on national wildlife refuges.

Please support this amendment and restore compassion and fiscal responsibility to our National Wildlife Refuge System.

Mr. WHITFIELD. Mr. Chairman, I move to strike the requisite number of words, and I would like to commend the gentleman from California for offering this important amendment.

As the gentleman has already very clearly stated, this amendment simply says that if someone is within the boundaries of a national wildlife refuge they cannot use steel-jawed traps or neck snares for the purpose of catching animals. Wildlife refuges were created for the express purpose of benefiting and protecting animals, and it seems quite to the contrary that we allow in our national wildlife refuges this type of activity that is so inhumane.

As the gentleman stated, we have 517 national wildlife refuges, and already the decision has been made that they would allow steel traps and neck snares in only 71 of those, and 88 countries around the world have already outlawed steel-jawed traps and neck snares. Hunters, with their rifles and their shotguns and with their clever stalking and with their intellect and with their thinking ability, already have an advantage over animals, so why do they need to use these kinds of devices and particularly within a wildlife refuge?

They can be used elsewhere. But remembering that the purpose of the refuge was to protect animals, to benefit animals, and now to allow these devices to be used for commercial and recreational purposes seems to be not the right policy.

As the gentleman from California aptly stated, we can still use these devices for research, for subsistence, for conservation, or for a facility's protection. But I think it is a great amendment, and I would urge everyone in this body to support this amendment.

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Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think this is a good amendment. These steel-jawed traps cause gratuitous cruelty. I do not see the reason why we need these when there are a number of other trapping devices that accomplish the purposes that are served on wildlife refuges to keep various populations under control.

This amendment only applies to commercial trapping.

I think it is an appropriate amendment. I think we ought to pass it. I would be surprised if we could come up with substantive arguments against it. But I would not be surprised if certain of our colleagues do oppose it, because they seem to oppose any attempt to protect our environment or to respect the other innocent beings who attempt to inhabit it.

Mr. HANSEN. Mr. Chairman, I move to strike the requisite number of words.

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Chairman, let me point out that in the State of Utah there is the Bear River Refuge. It is one of the oldest in America. It was founded in 1928. Literally thousands and thousands of acres. It is called a ''duck factory'' by a lot of people. Mallards, pintails, gadwalls, you name it. Teal all over the place, Canadian Honkers like my colleagues cannot believe, literally millions of them. There are all kinds of shore birds. There is all kinds of interesting things that go through there.

People up there tell me that three red foxes can probably kill 500 birds in about 2 weeks' time. And they normally get them when they are nesting. They go in and they break the eggs; they kill the young. And so we work for years to try to establish waterfowl. It does take water. It does take habitat. But somebody has to take care of the predators. As we talk to the people who are in this business, they say this is the effective way to do it.

Now, what are we talking about? We are talking about a fox. We are talking about a coyote. We are talking about muskrats. We are talking about these predators that are in these areas. If somebody could come up with a more humane way to come up with it, then fine, let them come up with it.

But let us get real. This is not Bambi around here. We are not talking about things like the white stallion. We are talking about things that really wreck things that we are trying to do in producing things that are important to us.

I think there are a lot of things that we could consider, but let us get down to the fact, do we want to wipe out these areas for the very reason they were created. They were created to perpetuate these things. So just a few, an infinitesimal minority of these animals, could ruin the whole thing.

Now, apparently I am not the only one that thinks this way. I have something here from the Department of the Interior that opposes strongly the amendment from the gentleman of California. Here is a letter from the International Association of Fish and Wildlife agencies strongly opposing this amendment because they think it will throw the whole thing out of balance.

Sure our hearts go out. No one likes to see a little animal suffer or a bird suffer. We can go along with that. But what is a better way?

Mr. FARR of California. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from California.

Mr. FARR of California. Mr. Chairman, with all due respect, I do not know if the gentleman read the amendment. Because it makes exception for all the purposes the gentleman indicated. It only bans the commercial use of steel-jawed traps for recreational hunting. It allows all the kinds of management techniques that are necessary to protect endangered species and so on.

The amendment specifically excepts all of those things. It excepts research, subsistence, conservation, or facilities protection.

Mr. HANSEN. Mr. Chairman, reclaiming my time, well, I wish someone would explain that. Then maybe we better teach these people to say, this one is commercial and this one is recreational. They do not know that.

It is just like hunting is a tool, this is a tool. And maybe that is nice to

say, but we are going to have all types of these people in doing that type of problem.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding.

I stand with the gentleman on this issue. I stand with the trappers of my district, the young men who have earned their way through college for years trapping responsibly and reliably. I think this is a very misguided amendment, and I stand with the gentleman.

Mr. HANSEN. Mr. Chairman, reclaiming my time, I appreciate the comments of the gentleman. Let me point out to my colleagues that this is a very effective way to control a big problem we have got in America in many of our areas.

I would sincerely appreciate a ''no'' vote on the amendment of the gentleman.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, as my good friend from Utah has mentioned, the administration is adamantly opposing the amendment and so is the International Association of Fish and Wildlife.

But it never ceases to amaze me. The gentleman from Virginia (Mr. MORAN) has never seen a trap in his life. He has never seen a trap. He has never trapped. I am the only licensed trapper in this whole Congress, the only person who has ever done any trapping commercially and for subsistence.

I will tell my colleagues what really disturbs me is that they are not looking at a management tool. But more than that, my colleagues wonder why I am upset about this.

We have in my State a group of people that have to have trapping for their welfare. These are native people that they have surrounded by refuge lands. Yes, they say, they can do it for subsistence. But this is not for subsistence. This is for a livelihood. And my colleagues are going to take it away from them.

I did not want that refuge, but it was created by this Congress around most of the villages of native people in my State.

What the gentleman from California (Mr. FARR) is doing is taking the poor little guy and squishing him and eliminating his ability to make any livelihood at all.

Now, I am ashamed of the gentleman for not even thinking of that. If my colleagues want to exclude Alaska, that is their business; but that is what should have been done. But they are hurting my people.

I again say I am the only trapper that has done this professionally. I have never hurt an animal. The trap works efficiently, as the Department of the Interior says it does. It is a tool that must be used.

By the way, if my colleague has an antitrap law in his State, he cannot trap on Federal lands. If he wants to do it, pass it in his State. But do not mess with my State.

Mr. FARR of California. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from California.

Mr. FARR of California. Mr. Chairman, we have passed it in California State lands. But remember that this also allows the trappers that the gentleman just talked about to use all of the other tools of trapping.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, the other traps do not work. So the gentleman does not know what he is talking about. The other traps do not work. It is impossible for them to transport those traps out to the areas they have to trap in, and they are not effective.

The Conibear trap, which my colleague just talked about, is the most unselective trap of all. If one is a good trapper, they can set these traps to where they catch what they are seeking. They can do that. The Conibear catches anything and everything that touches it. That is what the gentleman does not understand.

The leghold trap is not the most humane trap. The Conibear trap is a killer and it kills everything that steps into it. Not a leghold trap. If they are after mink they use one. If they are after a little larger, one and a half. It goes right on up. And they set them appropriately for the species they are trying to catch.

This is a bad amendment. Like I said, the administration, every Fish and Wildlife person involved is against it. This amendment should be defeated, if not for good sound wisdom and science, but for the poor people of my State. Go ahead and take away their livelihoods. Feel proud of yourselves. Eliminate their chances. If it makes my colleagues feel good, then go right ahead and do it. But remember, they will have that on their conscience, especially when any scientist or any biologist will tell them that the leghold trap is the proper method to be used.

I think the gentleman should reconsider his amendment, and I urge the defeat of his amendment.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not a trapper so I do not preface my comments with that fact. However, I do believe that this Farr amendment deserves to be passed. I want to thank the gentleman from California (Mr. FARR) for bringing it to the floor.

What it does is it seeks to bar the use of Federal funds to administer or promote the use of steel-jawed, leghold traps, or neck snares for commerce or recreation on any unit of the National Wildlife Refuge System.

Now, speaking of endorsements, I have heard from the American Veterinary Medical Association, the American Animal Hospital Association, the World Veterinary Association; and they all agree that steel-jawed leghold traps are inhumane.

They are designed to slam violently shut on a body part of the animal, usually breaking bones or dislocating joints. An animal can suffer for days while exposed to weather, starvation, and predators. Animals who are victimized by these traps are often family pets, eagles, and other protected species.

These traps have been condemned throughout the world community, with 88 nations banning them, including the European Union. California, Arizona, Colorado, Florida, Massachusetts, and New Jersey have also banned leghold traps. There are dozens of wildlife refuges in these States that have suffered no adverse impact from banning recreational and commercial killing of wildlife.

Eighty-five percent of the mammal trapping programs on refuges are conducted primarily for wildlife and facilities management reasons. The Farr amendment would not have an impact on the wildlife and facilities management program or the subsistence programs on the refuges. It is a narrowly crafted amendment to combat an egregious commercial abuse of the system which was designed to provide sanctuaries for wildlife.

The pain and suffering caused by steel-jawed leghold traps are incalculable. I think it is irresponsible to continue barbaric practices with so many less cruel methods of trapping for capturing wild animals that are available to us today. Let us look for those.

I urge my colleagues to join me in supporting the Farr amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from California.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentlewoman for yielding, and I thank her for her statement and wish to associate myself with her remarks.

As she quite properly points out, this has very, very limited impact on the total amount of trapping that takes place on the refuges.

Mr. GILMAN. Mr. Chairman, I rise today to express my strong support for the Farr amendment to H.R. 2466, an effective compromise that will prohibit the use of taxpayer funds for the inhumane use of steel-jawed leghold traps for recreational or commercial purposes on national wildlife refuges. I thank Congressman FARR for bringing this amendment to the floor.

The Farr amendment is specifically tailored to put an end to recreational and commercial trapping using steel-jawed leghold traps, which occurs on approximately 15 percent of our national refuges. Trapping programs used for animal and facilities management would not

be affected by this bill. It is not an aimless, arbitrary attack on our American trappers, but an effort to protect animals where they should be protected, on our national wildlife refuges.

The bottom line is that steel traps are inhumane. Already banned in 88 counties in the United States and nearly 90 countries around the world, steel traps result in serious and debilitating injuries to animals that can often lead to painful and misery-filled deaths. Moreover, the traps are indiscriminate, and thereby will harm any animal that falls in its path. Trappers will often catch animals that they were not even intending to capture, many of whom are endangered and need our protection.

It is time that we address this issue and take the initiative to prevent recreational and commercial trapping of wildlife on our national refuges using steel-jawed leghold traps.

I urge my colleagues to stand up for the protection of our wildlife on our national refuges and support the Farr amendment to the Interior appropriations bill.

Mrs. LOWEY. Mr. Chairman, I rise today in strong support of the Farr amendment. This narrowly crafted, common-sense amendment would improve a bill that I believe is good.

As the sponsor of H.R. 1581, a bill that would outlaw the overall use of steel-jawed leghold traps in the United States, I have been trying to rid this country of these barbaric traps. Steel-jawed leghold traps slam with bone-crushing force upon their victims. Even worse, these devices are completely indiscriminate. Like land mines, they make a victim of any animal that happens upon them, threatening pets, endangered species, other non-target animals and even small children. Steel-jawed leghold traps and neck snares have been condemned as inhumane by the American Veterinary Medical Association and the American Animal Hospital Association.

Because of these dangers—and the existence of less cruel trapping alternatives, as witnessed by the non-lethal trapping of the Cherry Blossom beavers here in Washington—eighty-eight countries have already outlawed steel-jawed leghold traps.

The National Wildlife Refuge system, launched in 1903, was created to combat the effects of the commercial killing of wildlife. It seems reasonable that, on the one federal land system created with the primary purpose of protecting and conserving wildlife, we prohibit the use of these inhumane traps.

The Farr amendment does not bar the expenditure of funds to conduct trapping programs to protect endangered species, to manage other wildlife populations, or to protect facilities. This amendment simply bars two inhumane and indiscriminate traps when they are used for commercial profit or recreation on the one federal wildlife refuge designed to protect and conserve wildlife.

The time has come for the United States to follow the lead of other industrialized nations. Three out of four Americans believe these traps should be prohibited. The appropriation committee has crafted a good bill. Let us pass this amendment and make it even better. I hope you will join us and support this commonsense, humane amendment.

Mr. SHAYS. Mr. Chairman, I rise in strong support of the Farr amendment to prohibit the use of steel-jawed leghold traps or neck snares on National Wildlife Refuges for purposes of commerce or recreation.

The National Wildlife Refuge System was established in 1903. The refuges were meant to be sanctuaries to combat the effects of commercial killing of wildlife and provide an environment where wildlife could be protected and conserved.

Today, the refuge system encompasses 92 million acres in all 50 states, including the Stuart B. McKinney Wildlife Refuge in my district in Connecticut.

According to a 1997 U.S. Fish and Wildlife Service survey, of the 517 National Wildlife Refuge units in the United States, 280 allow trapping of animals and 140 of those allow the use of steel-jawed leghold traps.

While some trapping may be necessary for activities such as predator control for threatened and endangered species protection, facilities protection, and disease control and population management, 15 percent of the trapping is used for recreation and commercial profit.

Steel-jawed leghold traps do not discriminate against their victims. These devices capture protected wildlife species as well as family pets.

Animals caught in leghold traps suffer crushed bones, and often resort to twisting off a limb to escape the horrible pain.

Mr. Chairman, the banning of leghold traps has worldwide support. Leghold traps have been banned in over 80 countries and banned or severely restricted in six states. Groups such as the American Veterinary Medical Association, the American Animal Hospital Association, Humane Society of the United States, and the World Veterinary Association support the banning of leghold traps.

It is important to note Mr. Farr's amendment does not prohibit other forms of trapping, or even the use of steel-jawed leghold traps and neck snares for purposes such as endangered species protection.

Let's demonstrate our dedication to protecting animals on wildlife refuges by supporting this important amendment designed to end animal cruelty on our national wildlife refuges.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. FARR).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FARR of California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from California (Mr. FARR) will be postponed.

AMENDMENT OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TANCREDO:

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. . The amount otherwise provided by this Act for ''DEPARTMENT OF AGRICULTURE—Forest Service—Forest and Rangeland Research'' is hereby reduced by $16,929,000.

Mr. DICKS. Mr. Chairman, I reserve a point of order until I have a chance to see the amendment. I have not had a chance to see the amendment.

Mr. TANCREDO. Mr. Chairman, the amendment that I propose is designed to save approximately $17 million presently being wasted in type of research programs conducted by the Forest Service of a nature that can only be described as worthy of the proverbial golden fleece award.

The amendment reduces the appropriation for forest and range land research by $16.9 million, which is a cut of $10 million from last year's level and reduces the account to the Senate level.

In explaining the decision to reduce the account by the $10 million, the Senate committee stated as follows: ''The committee is extremely concerned that the research program has lost its focus on what should be its primary mission, forest health and productivity. As it did last year, the committee directs the Agency to increase its emphasis on forest and range land productivity by implementing a reduction of $10 million in programs not directly related to enhancing forest and range land productivity.'' I emphasize ''not related to enhancing forest and range land productivity.''

That is the charge of the Forest Service for the forest and range land research.

Now, let me tell my colleagues what they have been doing for the last several years with the money that we appropriate that is designed, once again, to go to enhancing forest and range land productivity.

☐ 2100

Let me cite an example. Theoretical Perspectives of Ethnicity and Outdoor Recreation: A Review and Synthesis of African-American and European-American Participation.

Accounting for ethnicity in recreation demand: a flexible count data approach.

I ask my colleagues, what has this got to do with enhancing forest and rangeland productivity?

Another one. Research Emphasis for the Pacific Southwest Research Station: ''Social Aspects of Natural Research Management including cultural diversity, customer service, communication and social justice.''

I ask my colleagues, what has this got to do with enhancing forest and rangeland productivity?

Another, the analytic hierarchy process and participatory decision-making: ''A systematic, explicit, rigorous and robust mechanism for eliciting and quantifying subjective judgments.''

I ask my colleagues, what has this got to do with enhancing forest and rangeland productivity?

There are a number of programs, of course, that are operated, a number of research programs operated by the forest and rangeland research operation that are of great quality. I point out, for example, the Forest Inventory and Analysis Program. Programs like this will be provided for.

Mr. Chairman, this is almost a $200 million program. The fact that we are reducing it by $16 million in no way inhibits the ability of the Forest Service

to accomplish its major and primary goal, that goal being to enhance forest and rangeland productivity. I suggest to Members that the rest of this stuff is pure junk. It is poppycock. We cannot waste dollars like this in programs like this anymore.

I can go on. Here is another one. Voices from Southern Forests: ''Examines the changing social, economic, attitudinal and other voices of southerners and speculates about the meaning these changing voices might have on the future of forest wildlife management in the South.''

Again, Mr. Chairman, what has this got to do with enhancing forest and rangeland productivity?

Once again, this is not my individual idea and the amount of money is not mine alone. It is going back to the Senate committee mark. This was the original appropriation by the Senate committee, reducing it by $10 million and then the House increased it by $6.9 million, so we are taking it down a total of $16.9 million.

I suggest that this is only appropriate considering what the charge of the Forest Service is in this particular program. I ask for my colleagues' support.

The CHAIRMAN. Does the gentleman from Washington insist on his point of order?

Mr. DICKS. No, Mr. Chairman.

The CHAIRMAN. The point of order is withdrawn.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, one of the things that we put great emphasis on in our committee is forest health. We have 200 million acres of forests, 156 national forests, almost 800 million visitor days, and the health of our national forests have a profound impact on the health of our private forests, which, of course, is also millions of acres. We have cut back substantially in this program. In spite of inflation, it is 40 percent less than it was 10 years ago. But I think it would be penny wise and pound foolish to cut research and to eliminate scientists. We have more and more problems because of the shrinking world. Diseases are brought in. Let me cite one, Dutch elm disease. Twenty years ago we had magnificent elm trees in our cities that lined the boulevards. Today most of them are gone. Why? Because the Dutch elm disease was brought into this country on imported lumber and it has just decimated the elm forests of our country. That is just one example. There are many. Another is gypsy moths. There is a constant proliferation of diseases and problems that threaten the national forests as well as the private forests. We have cut back, as I mentioned earlier, but I think it would be unwise to take another cut on something that is so vitally important to this great natural resource. We have made every emphasis in our bill to encourage good management and to ensure that the dollars are used carefully.

I know the gentleman cited a number of sort of esoteric titles. Some of this involved recreation symposiums, ideas of how to better provide visitor services, and perhaps it was a poor choice of words in describing these programs, and I do not know that all of them are necessarily good. We have said to the Forest Service people, make the dollars take care of the health of our forests, because they are a priceless resource of this Nation. It not only goes to the question of private forests, it goes to the question of habitat, it goes to the question of our streams, the fish, because if you have diseases in the forests, it is going to get into the water system and on downstream. For that matter, a lot of water supply in this country starts in our national forests. So this has a reach much greater than just the forests themselves.

I would think it would be a very unwise move. To say what the other body has done is not a very compelling reason to me to make a change, because I would be reluctant to follow the other body's decision on every part of a bill. In the judgment of our committee, we put a heavy emphasis on maintaining healthy forests, healthy habitat for wildlife, healthy streams, good water quality, provide assistance to some of the private forests, avoid the sort of things that impact heavily on them.

I would urge the committee members to vote ''no'' on this amendment and protect the health of our 200 million acres of priceless assets in the form of the national forests.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I would point out that this year we cut $30,271,000 from the administration's request. We barely allowed a cost of living increase for this important research work. The gentleman from Ohio has given a very comprehensive and accurate description of how this money is used. I would also point out that work is done with our State foresters, also with our universities across this country to deal with all of these research issues that affect the ecosystem, the ecology of these forests. Frankly I think a lot of people would think with an asset of this importance to the country, that maybe we are not doing enough in terms of good scientific research on our national forests.

I urge my colleagues to vote ''no'' on this amendment so that we can move on and move towards final passage.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

I do not doubt the chairman and the ranking member's words that this is an important part of our forest research and a tremendous natural resource, but I think the point that needs to be made is that if there are so many Federal dollars in this program that they can spend research as outlined by the gentleman from Colorado (Mr. TANCREDO) that there is obviously way too much money there. He did not outline all of the what I would consider programs which are just a drop in the bucket that have been research that have nothing to do with rangeland or our forests.

Let me give my colleagues another one. Since I am from the South, I kind of like this one. Here is one study that they did, Voices From Southern Forests, ''Examines the changing social, economic, attitudinal, and other voices of southerners and speculates about the meaning these changing voices might have on the future of forest wildlife management in the South.''

I know that is important to the researcher who did that, but I do not think that does anything to enhance the quality of our forests, to enhance the productivity of our forests or enhance our ability to direct money to be spent in a proper way.

I am not critical of the committee as they look at this. I know they cannot be on top of everything. But I would doubt that the chairman and ranking member, if they knew these were the studies that this committee paid for last year, would be happy to give this agency a $7 million increase.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentleman from Ohio.

Mr. REGULA. We will invite the gentleman to the hearing next year, because, believe me, we will raise these issues; probably before that. I hope some of the folks in the Forest Service are listening to this debate tonight and recognize that some of these things do not make sense. But the basic program is very sound.

Mr. COBURN. To the chairman, I would agree. I have no criticism of the basic program. We spent $197 million on this last year. You have brought it to almost $204 million. To me, what it says is we are rewarding this kind of incompetence. Every dollar that this program does not spend to help forests get better is a dollar that our grandchildren are going to pay back in terms of the Social Security obligation that we have. I would appreciate it if the chairman and ranking member would at least consider this reduction, not because maybe it is necessary in their judgment but it might send a message to the people that are authorizing this kind of garbage with our children and grandchildren's money that maybe they should not do it next year and when they come to you next year, they can have this increase that you have outlined for them and they will have learned that you mean business about the money that they spend for our future generations.

Mr. REGULA. If the gentleman will yield further, what we have tried to address is just the fixed costs that they have. I appreciate that the gentleman brings these things to our attention. I think it is probably a very small part of the budget, but we are going to have some discussion on the issue.

But he mentions our children and grandchildren. We want to leave them healthy forests. Because more and more of the forests are a very important part of the water supply system of this Nation. That is our real concern, the health of the forests.

Mr. COBURN. I agree. I thank the gentleman.

I would just note, this one program spends a dollar per acre for every acre of land that we own, of our forestland. I am not saying that is too much, but it is too much when it is spent this way. I appreciate the gentleman's time and the hard work that he does.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I strongly support the gentleman from Colorado's amendment here. I sit on the authorizing committee for the Forest Service. It is unbelievably mismanaged. It is horrendous in any number of areas. Yes, we need scientific research, but this is hardly scientific research, what the gentleman from Colorado so courageously proposes to delete. I understand the Senate has already done this. These absurd, wasteful studies, it makes you really wonder if this is not just the tip of the iceberg and that beneath this tip there is nine-tenths more that could be delved into. It really makes you wonder. Theoretical Perspectives of Ethnicity and Outdoor Recreation; Research Emphasis for the Pacific Southwest Research Station.

Mr. COBURN. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, just to enlighten the Members of the House, we went on their web site this morning, and in 30 minutes these are a list of some of the programs we found. If we went through the whole web site, which would take about 2 days, I think you can find the depth of the problem. I appreciate the gentleman allowing me the time to explain that.

Mr. DOOLITTLE. I appreciate the gentleman raising these issues.

Mr. TANCREDO. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Colorado.

Mr. TANCREDO. Mr. Chairman, it was mentioned by the other side that someone on the other side said, we are not doing enough in terms of good scientific research. I agree. I absolutely agree. We are apparently are not doing enough in terms of good, scientific research and one reason is because we are doing this junk. This is not in anybody's estimation good scientific research, especially for the purpose stated for this particular program. I wish there was a better way. I truly wish there was a better way of getting the attention of the bureaucrats in this department or any department rather than having to cut their budget in order to make them pay attention to what it is we want. We tried this last year. They completely ignored it. This is the only option we have. Cut the budget, it gets their attention.

I ask my colleagues for support of this amendment.

Mr. POMBO. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from California.

Mr. POMBO. I thank the gentleman for yielding. I do not think anybody has to tell me what good work the Forest Service can do and how important it is, the work that they are doing across the country right now.

Unfortunately what the gentleman from Colorado points out is that when we do not have the kind of oversight we should over their spending, we end up with programs like this. Obviously the Forest Service must think they have too much money or else they would not spend money on programs like this. Obviously they think that there is so much money coming into their agency that it is important to set aside money to do programs like this.

□ 2115

Now, if all they were doing was setting aside money for scientific research, I do not believe this amendment would be necessary. I do not believe that we would be debating this at this time. But because they feel like they have so much money to spend, that they have got extra money to spend on crazy programs that make absolutely no sense, and I do not think that there is a Member of Congress, I do not think there is anyone on the authorizing committee or the Committee on Appropriations that can look at these programs and say that is how we ought to be spending our scarce tax dollars and our even more scarce resources going to the Forest Service.

This is outrageous that they would even consider spending money on these programs.

Mr. DOOLITTLE. I would just observe, Mr. Chairman, we had a very interesting oversight hearing in the committee of the gentlewoman from Idaho (Mrs. CHENOWETH) about the devastating threat of catastrophic forest fires. Do my colleagues know the Forest Service still does not have a plan despite 9 years of hearings on this topic. When this threat has been mentioned, they still to this day do not have a plan to fight catastrophic forest fires, and yet we have time and money to spend on nonsense like this.

It is outrageous, Mr. Chairman. This amendment should be supported, and we should take further actions down the road.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if the accusations that have been made here this evening are accurate, I would support them. I do not know that they are, I do not know that they have ample proof of that. I do know I have visited one of these laboratories in my district in the Allegheny National Forest, and I have always been impressed with the kind of work they do.

Our forests in the recent years have had one insect infestation after another, and they were the ones that came up with the program of how to save our forests. I think we all would have wished we had this kind of research back when our chestnut was attacked by the chestnut blight years ago. In our part of the country chestnut was the finest wood there was. It was a wood product that insects did not like, it was a great framing lumber. One could put it in the ground, it would not rot. It had so many qualities, and a blight came through. We did not have the kind of research ability then to fight that, and we lost the chestnut.

A few years ago with the oak leaf roller cane they thought we were going lose the oak, but we found a remedy. When the gypsy moth came, we thought we were going to lose the oak because that was their prime wood, and we found a remedy to that. The cherry scallop. We have a very diverse forest in this country.

In the west we have a soft wood forest, in the east we have a hardwood forest, and it varies in New England from where I live in the mid Atlantic States to the south. Even though the same species are there, the forest composition is different.

This kind of research has also provided us with wood products, oriented fiberboard, the fancy laminated products that we use today, the wooden bridges with laminated wood that are using low quality wood to build bridges.

I think this is an issue that we need a lot more information on before we decide to cut their budget. This program was just reauthorized last year. I urge further review and study if it is proven that they are wasting money as stated.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Florida.

Mr. WELDON of Florida. Mr. Chairman, I have just handed to the gentleman's staff exact copies from the web site of this agency that without a doubt proves they are doing that. So based on the gentleman's statement, I would expect his support for this amendment because we took it off their web site today.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I am not sure web site information is going to prove to us what was studied, how much was spent and whether it was worthwhile or not. I think this is an issue that ought to be researched, it is one that ought to be taken seriously, but to cut their budget this amount tonight I think is throwing the baby out with the bath water and would be a mistake.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was not prepared to speak on this. I am surprised the

amendment is here. But it seems to me that many of my colleagues who have criticized the forest policy with regards to fire suppression, with regards to forest health, are mistaken in attacking a budget which in fact emphasizes a certain amount of research. If anything, I think that the Forest Service and some of our land managers spend too little money in terms of research, and while there is some criticism of cultural research and the impact of people and recreation on lands, I think that that is very important because there is an increasing use of our lands by the tens of millions of visitor days each year in fact on the Forest Service lands as well as on of course other public, domain lands, in terms of people using it, and I think for us to suggest that we have all the answers with regards that is sorely mistaken.

With regards to fire prevention, the prescription types of burns, the impact of it in terms of vegetation; I mean there are a myriad of problems that we do not have the answers to with regards to landscape management. Is use of integrated control in terms of pests, how to manage those forests, the hydrology of those forests, and of course this goes, I think, to some of the special forests that we have. In fact, as a member of the Committee on Resources, I have had the opportunity to visit some of our research stations. We have one in the Midwest on the University of Minnesota, St. Paul campus, which we are very proud of in terms of its work with urban forestry, the discoveries recently that have been made with regards to Dutch elm disease and the pseudomycetes and other types of fungi that are infecting the entire urban forest and the problems that are associated with white pine blister rust, the chestnut blight. There is ongoing studies in terms of trying to develop species, the Forest Service working in conjunction, frankly, with our universities, working with the academic community on a global basis. In Puerto Rico we have one of the finest tropical forest research stations in the world.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I want to thank the gentleman for his remarks and associate myself with his remarks. This research is, in fact, very important. If somebody does not like the title of some particular research grant, they have now decided they just going to cut it. As my colleagues know, if they did not go out and talk to the people in the south about the forests and how they were going to manage it and how they were going to deal with it, somebody would be in here blistering the Forest Service's rear end saying, ''You're changing policy without talking to the people in the area.''

We are having big deliberations in the State of California about the future of the Sierra Nevada, all kinds of parties are involved in this because those forests are becoming less and less timber resources and more and more recreational assets for the 30 million people in the State of California. Do my colleagues know what? The Forest Service has to go out and do that kind of research to see what the people in the small communities think, see what the people in the foothills think, see what the people in the LA basin think about these resources, about the management of that.

Now this one, I guess they are talking to people in the southern United States about the southern forests. But as my colleagues know, it is kind of the height of intellectual illiteracy to just decide they do not like the title, so we are going to cut this money without any investigation as to exactly what is taking place here, and the fact of the matter is that many, many of the forests, as the gentleman has pointed out, are under serious threat from all kind of diseases and what have you, and this research is fundamental to that proposition in trying to keep the productivity of the forest up, to try to keep these forests surviving into the future so people can use them for multiple uses.

Mr. VENTO. Mr. Chairman, I thank the gentleman, and I would just reiterate that the fact is that these dynamic ecosystems, our forests, our grasslands, the work that is being done here is fundamental to sound decision-making and stewardship of these resources. As I said, in fact I think we do far too little research. I think it is enormously important to keep in place this corpus of people, this expertise, the knowledge base that we are developing, which in fact we share, for instance, with our tropical forestry research, we share with Central America, with countries in South America. Our Forest Service is, in fact, a leader in terms of this type of natural resource information, and to come to the floor blatantly and to cut this based on the title of some studies because we are evaluating the cultural impact and sensitivity in terms of how people use this for recreation I think is wrong, and I would hope Members would oppose this amendment. This is a bad amendment, and it is the wrong way to go.

The committee has given this good consideration. The very individuals that are concerned about forest health ought to be concerned about understanding the consequences of policy and having good information upon which to base their judgments.

Reject this amendment.

Mrs. CHENOWETH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. As chairman of the Subcommittee on Forestry, I have sat through countless hours of hearings on the problems that we are having in our national forests from lack of care, and, as I review some of these programs in research that the Forest Service has been spending their money on, let me just reiterate some of the programs.

Recreation visitor preferences for and perceptions of outdoor recreation setting attributes.

Now get this though, Mr. Chairman. Attitudes towards roads on the national forest: and analysis of the news media? Well, for heaven sakes; is that going to bring a healthier forest if we sit down and poll and analyze the news media? For heaven sakes.

As my colleagues know, our Forest Service people used to be able to match our mountains not only in their skill, but in their common sense, and now we have a Forest Service that analyzes the news media on how to manage the forest? Yes, this research does need to be cut.

And finally, research themes for the Rocky Mountain Research Station: Human dimensions including cultural heritage and environmental psychology and social interactions.

Mr. Chairman, this is not going to bring forest health back, and in this day when we are fighting over every single last dollar, we promised the American people we are going to return a surplus to them, we are going to secure Social Security, we are going to do all of these great things; to be spending this kind of money on these kinds of ridiculous programs really is not what the Forest Service was set up to do. This is not a social worker's institution; this is the Forest Service, and we need people again who will match our mountains in common sense and be able to restore our forests to the forest health that we need.

Our forests are a trust that the American people have placed not only in us, as a Congress, but also in the Forest Service, and they have abused that trust.

Mr. GOODLATTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I must reluctantly oppose this amendment. I think the gentleman has done us all a good service by pointing out these several studies that I think are highly questionable, but he is using a sledge hammer to hit at something that I think is probably far less expensive and doing so at the expense not only of our national forest, 200 million acres of land that we are responsible for managing.

But this information is also utilized by our universities, by our extension services to help private landowners. We have more than 10 million private forest landowners in this country who receive assistance from extension services in terms of the advice they get on how to fight these various diseases on private land. If we only fight these problems on our public lands, we do not solve the problem at all because the various blights and so on are obviously indiscriminate, and they go on both

public and private lands, and this is something that is a valuable resource to 10 million taxpayers in this country who utilize this research to help preserve private lands that are under a great deal of stress because we have reduced the amount of timber harvesting on public lands so much that the management of our private lands, and this information for those private landowners is vitally important.

So I would suggest to the gentleman that perhaps the better approach would be to find out what these programs cost and introduce an amendment that would eliminate just that amount of money. I think the message needs to be sent that these wasteful programs he has identified are wrong, but we are cutting out far more than that when we cut out 16.9 million.

So I am going to oppose the amendment but will work to see that the Forest Service gets the message that some of these research studies that are being funded that are intended to address real problems in our national forest are not being addressed by spending money on some of the studies that he cited, and I commend him for his efforts in that regard.

□ 2130

Mr. SANFORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just rise in support of this amendment offered by the gentleman from Colorado (Mr. TANCREDO), because I think if there was ever a case such as a terminal illness when it comes to stupidly spending money, I think this is the case.

It is amazing to me, if we look at the Forest Service program, basically we have 191 million acres spread over 144 forests throughout this country. If we add all that up, basically it is the size of Texas.

If the gentleman or I were given all the forest lands in Texas, would we or would we not be able to make a dime? If the gentleman was given all the forest lands in Georgia, in South Carolina, in North Carolina, would we or would we not be able to make a dime? Yet the GAO reports shows that the Forest Service has lost $2 billion basically over the last 6 years. So we have a real terminal problem here with the way that money seems to be spent within the Forest Service.

I think this is just another excellent example of what is being spent.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I would ask if anybody who is criticizing this has read these studies right now.

Mr. SANFORD. I have one here right now.

Mr. VENTO. The gentleman is just reading the title of the study. Has he read the study?

Mr. SANFORD. Have I personally read the study? No, but I will tell the gentleman what it says: ''Voices from Southern Forests, ''examines the changing social, economic, attitudinal, and other voices of southerners, and speculates about the meaning these changed voices might have on the future of forest wildlife management in the South.''

That is a wacko theme. Does that study mean much to the gentleman?

Mr. VENTO. If the gentleman will continue to yield, Mr. Chairman, I do not know. I would suggest to the gentleman that it is a very long statement talking about the impact, the cultural impact in terms of attitudes and how they are affecting road construction and management of forests.

The Forest Service is attempting to understand its land management role. But not having read the study, I do not know what the use of it is or the validity or application, so I would not be up here trying to cut $27 million out on the basis of that.

Mr. SANFORD. Mr. Chairman, reclaiming my time, I think the study that I have looked at is the ultimate study, the GAO study that shows the Forest Service has lost $2 billion basically between 1992 and 1997; that is the real issue, $2 billion.

Let me add up the board feet we are talking about here. If the gentleman was given a $220 billion asset, because again, another GAO report showed that if we added up all the forest land, not in the recreational assets business, just the linear board feet owned by the Forest Service, the National Forest Service across the country, it adds up to 1 trillion board feet, which basically equates to about $20 billion, would we or would we not make money on a $220 billion asset?

Most people would say if we put $220 billion in the bank, just based on interest on that $20 billion, I would make money. I think that is the issue we are dealing with right here, rather than spending more money on studying the voices of southern forests.

Mr. TANCREDO. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. I yield to the gentleman from Colorado.

Mr. TANCREDO. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, these are the actual descriptions of the programs we were referring to, not just the titles but descriptions. I have read them. We will make them available. I assure the gentleman, they give no greater degree of surety that any of the things here match what this program is supposed to do. I go back to the original purpose of the program. It does not make us feel any better reading the descriptions, I assure the gentleman.

One other thing I would like to point out, this is not just simply my analysis or our analysis. Originally this was part of what the Senate did. They looked at all of this. They went back and told, and this was last year, told the Forest Service, look, these are the things we have identified as a problem. These are way outside the bounds of what you are supposed to be doing. Do not do it anymore.

The Forest Service ignored it entirely and came back with these kinds of studies, and the Senate took the action that I referred to earlier. They said, compared to the fiscal 1999 enacted level the committee, the Senate committee recommended, it consists of the following changes, a decrease of $14.9 million in base funding for the lower priority research activities, and increases of $1,130,000 for the harvesting and the wood utilization laboratory in Sitka, Alaska, and an increase of $2 million for forest inventory and analysis.

So the purpose is to get the money into the good stuff and away from the junk.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TANCREDO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. WU

Mr. WU. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WU:

On page 108, after line 14,

Insert before the short title the following new section:

''SEC. . Of the amounts provided for in the bill under the heading National Forest System, $196,885,000 shall be for timber sales management, $120,475,000 shall be for wildlife and fisheries habitat management, and $40,165,000 shall be for watershed improvements as authorized by the Multiple Use Sustained Yield Act of 1960 (Public Law 86–517).''.

Mr. WU (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WU. Mr. Chairman, it is with pleasure that I join my colleague, the gentlewoman from Oregon (Ms. HOOLEY) in offering this amendment. I would like to thank the gentlewoman from Oregon (Ms. HOOLEY) and the gentleman from California (Mr. MILLER) for their support on this amendment, and the gentleman from Ohio (Chairman REGULA) and the ranking member, the gentleman from Washington (Mr. DICKS) for their hard work in bringing a good appropriations bill to the floor.

Mr. Chairman, the Wu-Hooley amendment improves a good appropriations bill by taking an environmentally sound and fiscally responsible

approach to preserving our national forests for recreational and commercial users. This is truly a win-win proposition, proof that what is good for our environment is good for business.

The Wu-Hooley amendment scales back the timber sales management program by $24 billion to the administration-requested level of $196 million, and redirects the freed-up funds to vitally needed watershed improvements and to protect fish and wildlife.

Restoring forests does not just make outdoor lovers happy, it provides a future for resource-based industries. Every year more and more species of important forest and aquatic life are listed as endangered or threatened. This loss of wildlife jeopardizes both our natural resources and our natural resource-based industries.

The future of the forest products industry, the very future of harvesting timber, is dependent on healthy forests, healthy watersheds, and healthy ecosystems, not degraded to the point where either human water supplies or fish and wildlife become so endangered that we must close our forests to important commercial activity.

Unless we take adequate steps now to protect watersheds, fish and wildlife, it will be much, much more difficult to harvest timber in the future. The Wu-Hooley amendment strikes a balance between current timber harvests and restoring fish and preserving wildlife, both for their own sake and for the future of timber harvesting. It protects all of these valuable natural treasures for the long term.

The Wu-Hooley amendment is an attempt to address the shortfall of funding for watershed and fish and wildlife protections. Communities across America and in my State, such as Salem, in the district of the gentlewoman from Oregon (Ms. HOOLEY) and Carlton in my district, and Lake Oswego near the border between the district of the gentlewoman from Oregon (Ms. HOOLEY) and my own get their drinking water from watersheds on forest land.

When I go home in August, I would like to tell parents in Oregon that Congress recognizes the importance of safe drinking water and the need to restore our forests for their family's health.

The Wu-Hooley amendment is also an exercise in real fiscal discipline. The administration requested $196 million for this line item and the committee funded it at $220 million. Meanwhile, efforts that are essential to the Pacific Northwest and to America, like watershed improvement and fish and other wildlife protection, are being neglected. Our amendment scales back timber sales management funding to the administration's request.

Mr. Chairman, I urge my colleagues to exercise fiscal responsibility and demonstrate a real commitment to the long-term interests of healthy forests and clean drinking water. I urge my colleagues to vote yes on the Wu-Hooley amendment.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we spent a lot of time on this bill trying to get a balance. We reduced the amount that was committed to forest timber sales, but we do not want to go too deeply because a lot of this money is important to counties and local school districts. This would reduce by $7 million the money that would be received by local government. It would reduce by $30 million the receipts that we get from the Forest Service. Aside from that, it would reduce the money available to manage these forests carefully.

As has been discussed in earlier amendments, the forests are a priceless asset, and it goes far beyond just the trees, it goes to the habitat, it goes to the water, it goes to the riparian areas along the banks of our streams, and it goes to forest thinning. This would reduce the money available for thinning forests.

Let me tell the Members, if we get a lightning strike on a forest that is relatively clean, it may scar but it will not destroy. But if we just have a lot of junk on the forest floor because of the lack of money to get out the dead and dying trees, we are going to get a hot fire that will be very destructive.

We have reduced the account already. We have reduced the timber sales. But I think this goes too far. We have tried to strike a balance. We are way down from where it used to be. About 8 years ago we allowed 12 billion board feet of harvest. Our bill is down to 3 billion board feet. The reality is there will be about 2.5 billion board feet harvested.

As someone said earlier, that puts a lot of pressure on the private forests. I think it would be irresponsible to go any more, to cut any deeper than we already have cut in the management of this. I strongly urge a vote no on this amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. I want to join the chairman in opposing this amendment. I also want to just say that people are saying, why are there not more revenues? The reason there are not more revenues is because we have dramatically reduced the harvest of timber on the Federal timberlands. This Congress has passed the laws that have driven us in that direction.

So I say to my conservative friends who want to know where the money is, the money is not there because we have gone from 8 billion board feet down to 2.5 billion board feet. That is why there is no money. It is pretty clear, we have changed the way these forests are being managed. We are managing them more for environmental protection and ecological reasons, and for the fish and the water and everything else, and on a multiple use basis.

But believe me, Members may not like what they do in research, but there has been a sea change in the way they harvest timber on the national forest lands. That is why the money is down.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to recall for our colleagues in connection with this amendment that on February 11 of this year, the U.S. Forest Service, at the direction of the Secretary of Agriculture, announced an 18-month moratorium on forest road development. That had the immediate effect of putting into deep freeze potential harvest sales of 170 to 260 million board feet of timber on our national forests. That has already been in effect.

In my own district, on the Superior National Forest, there were two sales of 3 million board feet and 1.2 million board feet, separate sales, that were immediately affected by that timber moratorium. Overall, in the last decade, we have gone from 12 million board feet harvested on national forests down to 4 billion board feet. That is a 75 percent reduction.

Mr. Chairman, we do not need to go any further. We are taking jobs away from people. We have lost over 80,000 jobs in forestry in the last 10 years. In the wake of that, what we have is poorly managed forests. We do not have harvesting of diseased timber, that is overmatured timber that is right on the edge of becoming diseased and going down and being fuel for forest fires.

The chairman talked about, I thought very wisely and very appropriately, about downed trees on the forest floor. Well, we have downed trees in northern Minnesota in the wake of the Fourth of July storm, not of the century, of a thousand years, a hundred miles an hour wind recorded through the Superior National Forest and the boundary waters canoe area, and a swath 12 miles wide which leveled 21 million trees.

□ 2145

Twenty-one million trees, many of which were saplings at the time of the Civil War, and all of that is now down. Most of it is not touching the ground and the air circulating around it. By this fall among the hardwoods, the poplars, we are going to have stuff ready to explode in a lightning strike. And by this time next year this would be ripe for not a burn but an inferno.

Now, we are not going to be harvesting timber in a wilderness area but the areas outside of the wilderness. Yes, big, serious problems. This is a badly mistaken amendment. It strikes at the heart of good management, of good sense, of good utilization of our national forests. We ought not to adopt such an amendment. We ought to, in fact, roll back the 18-month forest road moratorium is what we ought to be doing here.

Please, I beg my colleagues in the interest of good common sense forestry management to defeat this amendment.

Mr. DUNCAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take the full time, but let me just read from one report concerning our growth in the national forests.

Tree growth in national forests exceeds current harvest by over 600 percent. National forests are growing more than 23 billion board feet of wood annually while 6 billion board feet die each year from insects, disease, fire, and other causes. Less than 3 billion board feet is harvested each year.

Mr. Chairman, that is an important figure. I know if some people went into some of the schools where the children are not hearing the full story but are told that we are cutting 2.5 billion or 3 billion board feet of wood in our national forests each year they would probably think that is a horrible thing. But they are not told that there is 23 billion board feet of new growth each year and less than 3 billion are going to be cut.

In the early 1980s, the Congress passed what was thought of then as an environmental law, that we would not exceed cutting 80 percent of the new growth in our national forests. Now we are cutting less than one-seventh of the new growth in our national forests. We are not even cutting half of the amount of wood that is dying in the national forests each year.

Mr. Chairman, if we want to build homes, if we want to have newspapers and magazines and every paper product imaginable, we have got to cut some trees. If we want to have healthy forests, we have got to cut some trees, and this amendment goes to an extreme position. This is really a very radical amendment to reduce this any further. And the National Association of Home Builders has produced a very strong letter against this amendment yesterday.

I repeat, if we are going to have a good economy, if we are going to have the type of life that people want to have and the good standard of living that we have, we have got to cut a few trees. We have approximately 200 million acres in national forests and 500 million acres in private forests. But to go from 23 billion board feet of new growth and cut less than 3 billion board feet is getting pretty ridiculous.

Very few people in this Congress have voted for more amendments to save money than I have, and I used to vote for amendments like this. But this is going too far, and we need to defeat this amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment offered by the gentleman from Oregon (Mr. WU) and the gentlewoman from Oregon (Ms. HOOLEY) to transfer this money from the Timber Sales Preparation Fund. The people opposed to this amendment are acting like this amendment would zero it out. There is $197 million left in this fund. But the fact is the gentleman from South Carolina (Mr. SANFORD) got up earlier and talked about what a loser the Forest Service was. We have spent $1.2 billion preparing Forest Service sales, and we have gotten $1.8 billion out of those sales, and only $125 million came into the Treasury.

What this amendment says is that there is a more productive area to put the money to use. The fact of the matter is for $125 million we have gotten into the Treasury after all of these sales because we ended up subsidizing all of these sales and built the roads. The fact of the matter is there is a much better place. In the western United States two out of three fishermen fish on the Forest Service lands. That is $8.5 billion annually to the economy, a billion dollars in my State of California alone.

In fact, with the proper use of these forests, they are huge economic engines to local communities and States where people can use them for multiple purpose reasons. But the fact of the matter is many of these forests are in a shambles in the watersheds and in the way they have been treated in the past. We can go into southern Oregon and northern California and find forests that were logged in the 1960s and the 1970s and that are in a complete shambles and have not been reforested. The watersheds are damaged, and we are losing the salmon fisheries. And all of that is sustainable economy. All of that drives the resort communities, the tourism, the gas stations and all the business in those areas.

So we can get a better return on the investment we make with this money by putting it into the rehabilitation of the watersheds, the rehabilitation of the fish and the wildlife from the scars that have been left in the past of the previous forest practices which were never sustainable and have done a great deal of damage to our forests in this area. This is about a smart economic decision for the communities that are surrounding these forests. This is about protecting the clean water supplies for urban areas.

In California, a huge amount of our water is stored in those forests, in those watersheds. We are struggling, spending additional Federal dollars to try to clean up that water so that we can continue to consume it in the State of California. So this is very, very smart use of this money, rather than to continue to put it into sales where we do not generate the kind of revenues that have continued to be a loser, that is a subject of all the GAO reports, money that goes into slush funds. This is the amendment that takes care of that problem.

Mr. Chairman, this is about the wise investment, the wise investment in our forests, in management of those forests for all of these purposes and for all of these uses so that we can have improved watersheds, we can stop the decline in the fisheries, we can increase the tourism economy in so many of these communities and we can increase the health of the forests. This is where the money should be spent and the House should support the amendment of the gentleman from Oregon (Mr. WU) and the gentlewoman from Oregon (Ms. HOOLEY) to increase and improve the forest health of this Nation.

Mr. WU. Mr. Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Oregon.

Mr. WU. Mr. Chairman, I want to emphasize that this amendment leaves salvage harvesting intact. There is a separate fund for salvage harvesting which in the last fiscal year totaled approximately $110 million. And my amendment leaves that fund intact.

Mr. GEORGE MILLER of California. Mr. Chairman, reclaiming my time, the gentleman makes a very important point. His amendment leaves intact enough money in this account plus the salvage amendment to go ahead and harvest the 3.5 million board feet that we anticipate harvesting this year. So we have the opportunity by going to the administration's number in the Fish and Wildlife account to improve the forests, to improve their productivity, and to improve the multiple use of those forest. The salvage account remains intact, as does $197 million out of the timber management account, and we should approve the amendment.

Mr. HILL of Montana. I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition the Wu amendment; and I have here a study, a study that was compiled from U.S. Forest Service records and Bureau of Labor Statistics records and U.S. Census Bureau records and BLM records. It is a study of the 148 most impoverished forest counties. Several of those are in Montana and some are in the authors' State of Oregon on well.

What this study says is that these 148 at-risk impoverished forest counties have an unemployment rate that is three times the national average of unemployment, and what the study indicates is that these impoverished forest counties have a poverty rate that is 1.5 times the poverty rate of the country. In fact, there is a county in Mississippi, one of the at-risk counties, that has an unemployment rate that is 7 times the national average unemployment rate.

Mr. Chairman, I know things are pretty good in urban and suburban America, but things are not so good in rural America and particularly not so good in these impoverished counties. East of the Mississippi the study identifies 15 counties: Two in Wisconsin, one in Pennsylvania, three in Arkansas, three in Louisiana, one in West Virginia, three in Mississippi. And the study identifies the 15 most at-risk counties in the West. Three of them happen to be in my home state of Montana: Lincoln County, Sanders County and Mineral County. Four in Oregon.

I want to talk about Lincoln County in Northwest Montana because it is identified as the most at-risk impoverished rural forest county in the country. There are 19,000 residents of this county. It has a poverty level of 18.3 percent. That is 3,500 people of that county live below the poverty line. A 13 percent unemployment rate. That is 2,600 people in that county that cannot find a job because 77 percent of the tax base is lost to U.S. Forest Service Federal lands.

Mr. Chairman, 33 percent of the employment in this county is timber related. In 1908, the Federal Government made a covenant with Federal lands counties that said we are going to share revenue and develop the resources to improve their economy, and this amendment breaks that covenant and takes away the jobs. $7.5 million will come out of school budgets and county budgets and will wipe out local county budgets. It will cost hundreds of more jobs in Lincoln County.

But this is not just about jobs, it is about safety and the environment, too. The General Accounting Office says there are 40 million acres of western forests that are at risk of catastrophic fire. Catastrophic fires are not just big fires, they are fires that threaten the health of the forests. They threaten people. They threaten property. They threaten the environment. They threaten watersheds and the soil.

We need these funds to manage these forests, to thin and harvest these forests and to restore their health. And the GAO just issued a report that said the Forest Service is $700 million per year short of what it needs in order to manage the forest health problem.

This amendment breaks 92 years of cooperation, a 92-year-old promise. It abandons these communities and neglects their safety. It says the kids who go to school in these counties do not matter. It says the people who work in those counties do not count, and it is going to make poverty in those areas worse. This amendment is offered without conscience. It is bad economics. It is bad for the environment, and it is a further attack on rural America.

Mr. Chairman, we need to defeat this amendment.

Mr. Chairman, I include the following study for the RECORD:

FOREST PRODUCTS STUDY

RURAL RESERVATIONS—THIRTY FOREST COUNTIES MOST AT RISK IF A ZERO FEDERAL HARVEST POLICY IS ADOPTED

On the eve of the new millennium federal elected officials have been drawn into a debate on whether or not timber harvesting should occur on U.S. Forest Service and BLM managed lands. For those advocating to eliminate timber harvesting on federal lands the question is couched in terms of ''saving'' the environment. For those who advocate for continued harvesting, the issue is couched in terms of forest health and fire risk. Forgotten in the debate are the communities and counties which depend on federal land management for their economic survival. Several hundred rural counties and thousands of rural communities depend on the economic activities generated by the harvest of timber off federal lands. While the concept of jobs versus the environment has been bantered about in the past, Congress doesn't seem to have a true understanding of how important federal timber harvests are to these communities. This report puts a face on ''at-risk'' counties and helps the reader better understand the economic challenges facing these rural counties.

While the environmental industry works to direct the focus of the debate on environmental concerns and forestry professionals work to keep the debate focused on forest health and commodity production, we hope that Congress and the American public will take the time to think about the importance of the overall economic benefit derived from the sale of federal timber each year.

The concept of ranking counties based on poverty is not uncommon. In fact, President Clinton recently undertook a five day trade mission to some of America's poorest counties and neighborhoods. The Clinton Administration visited these impoverished areas asking U.S. businessmen to invest in these areas. Ironically, at the very same time as pointing out the challenges many of these communities face, others in the Clinton Administration are advocating natural resource policies designed to recruit and create new impoverished counties.

To understand how a zero harvest policy would affect counties, we developed a risk ranking system to identify at-risk counties. We began by examining a county's unemployment and poverty level, along with the amount of timber employment income that would be lost if a zero harvest policy was adopted. If the county had two out of the following three conditions (double the national average unemployment rate; one and one-half times the national average poverty level; or lost more than one million dollars of timber employment income) we included it in our study.

To rank the counties we examined U.S. Forest Service, Bureau of Labor Statistics, U.S. Census Bureau, and Bureau of Land Management data. We ranked 148 of the most impacted counties in five categories and developed a combined ranking system that predicts which counties, and therefore communities, would be injured the most if the United States Congress, or the administration through executive fiat, adopts a zero federal harvest policy. Due to the different nature of National Forests in the Eastern United States versus those in the West we split the data base into Eastern counties and Western counties.

This report displays the 15 most at-risk counties in the East, as well as the 15 most at-risk counties in the West. The attached appendix displays the rank order for all 148 counties examined for all five categories.

The study points to those rural counties which have not benefited from the economic boom the rest of the United States has enjoyed over the last decade. In fact, the data suggests many of these counties have been completely left out of the economic boom. Unfortunately, now Congress is being asked to consider taking away one of the few economic bright spots they have to rally around. If that occurs, the social and economic fabric of these communities will be torn asunder. It is our hope that Congress will step up and make every effort to understand the significant consequences of their actions before they vote on issues affecting rural counties.

The chasm between our most well-to-do suburban counties and our poorest rural counties is staggering. In a country which has enjoyed statistical full employment (<5%) for the last four years, over a third of the 148 national forest counties surveyed have three times the unemployment rate enjoyed by other more affluent counties in the United States today. One county, Sharkey, Mississippi suffered nearly seven times the unemployment rate currently enjoyed by most urban and suburban counties.

Poverty is perhaps one of the most pervasive and sinister problems facing our two-tiered economy. Over ten percent of the 148 counties surveyed have double the National average poverty level. Again, Sharkey, Mississippi suffers three times the poverty level enjoyed by the ''average'' county in our country. Nearly one-third of the national forest counties included in our survey suffer poverty levels that are at least one and one half times the National average.

The third economic factor to be considered is the amount of timber employment income generated by the FY 1997 U.S. Forest Service timber sale program. While we have no national average data to compare against, it gives pause to understand that some counties in the West stand to lose tens of millions of dollars of employment income if a zero harvest policy is imposed.

To truly understand the employment income statistics, one must put them in context with the poverty and unemployment rates, then consider how the loss of millions of dollars of employment income will affect these rural counties. One must also think about the alternatives available to counties, given the amount of tax base which has been put off limits as a result of federal land ownership within each county. Will a county like Sharkey, Mississippi with its 29.7% unemployment and 42.1% poverty level be worse off losing $1.3 million of employment income than a county like Linn County, Oregon with its 13.8% poverty level and 9.1% unemployment rate which stands to lose over $12.8 million of employment income? In both instances the reader must conclude these counties will suffer grievously compared to their urban and suburban cousins.

Chief of the Forest Service Michael Dombeck has become fond of asking ''why the richest country in the world should fund the education of rural school children on the back of a controversial timber sale program?'' To many in the forest counties school movement this rhetorical question has an uneasy ring to it.

There is an eerie resemblance between the experience of the Native Americans whose treaties with our federal government were broken time and time again and that which is happening today in rural America. There is an eerie resemblance between the federal government's inability to help those on Native American reservations become economically prosperous and economically self-sufficient and what is happening today in many rural national forest counties. At times it seems as if there is a carefully crafted strategy by the federal government to turn our rural counties into reservations where those who remain are beset with a host of social problems, including: alcoholism, child and spousal abuse, unemployment, and poverty. The specter of such problems has a direct and frightening parallel to the experiences of many Native American tribes over the last century.

Our rural counties are being asked to accept a Congressional entitlement program that enslaves local governments and forces them to depend on Congressional hand-outs. Welfare programs which will be funded in the ''good'' years and taken away by the urban and suburban elite in the ''bad'' years. We are being told the new federal forestry policies will help preserve the environment and that Congress will fully fund these new welfare programs, but at what cost? We in the Counties and Schools movement aren't convinced that our communities will be better

off. We're not even convinced the environment will be better off. Our National Forests are growing more than 20 billion board feet of timber each year, yet we harvest only three billion board feet. The U.S. Forest Service has already identified 40 million acres of forest land with severe forest health problems, and tens of millions of acres more that are at risk.

THE MOST AT RISK COUNTIES

In this section we will help you understand which national forest counties face the greatest risk related to the zero harvest policies currently being considered by Congress. We've divided the country into two zones. Those counties west of the 100th meridian and those east of the 100th meridian. Counties west of the 100th meridian generally suffer with more federal land within their county and a higher dependence on federal timber. Eastern counties do not have the high dollar figures to lose, but have very high unemployment rates and poverty rates. We've listed the fifteen counties most at-risk and included an indepth look at five counties east of the 100th meridian, as well as the five counties west of the 100th meridian which are the most high-risk.

FIFTEEN EASTERN COUNTIES AT HIGHEST RISK

| County and State | Total points |
|---|---|
| Le Flore, OK | 261 |
| Forest, WI | 311 |
| Grant, LA | 312 |
| Forest, PA | 312 |
| Sabine, TX | 312 |
| Montgomery, AR | 313 |
| Ashland, WI | 315 |
| Newton, AR | 317 |
| Franklin, MS | 320 |
| Sharkey, MS | 324 |
| Scott, AR | 326 |
| Natchitoches, LA | 327 |
| Winn, LA | 332 |
| Randolph, WV | 337 |
| Wilkinson, MS | 338 |

A CLOSER LOOK AT THE FIVE MOST AT RISK EASTERN COUNTIES

*Le Flore County, Oklahoma*

County Seat: Poteau: Pop.—7,210.

Acres in County: 1,015,040.

U.S. Senators: Senator Don Nickles (R); Senator James Inhofe (R).

United States Representative: Rep. Wes. W. Watkins (R–3rd).

County Population: 45,641.

Major Industries: Health Services, Retail.

Poverty Level: 24.1%.

Tax Base Lost to Federal Lands: 25.0%.

Employment Income from Timber: 3.0%.

Timber Employment Income Lost if Zero Federal Harvest: $13,812,720.00.

Closet Large Towns: Mena and Fort Smith, Arkansas.

Unemployment Level: 7.6%.

Le Flore County is located on the far eastern edge of Oklahoma along the Arkansas border. Like many rural counties, its economy is agricultural based. With a quarter of the potential taxable land encumbered by the Ouchita National Forest, the economic activities produced on that forest are important to the community. The county received $732,119.00 of 25% and PILT (Payment in Lieu of Taxes) payments as a result of the Ouchita's resource programs in FY 1997. Because Oklahoma depends primarily on property taxes to fund county and school system budgets, these revenues would pay for approximately 32% of those budgets in Le Flore County. The loss of $13,812,720.00 of timber employment income translates to $69,063,900.00 of lost economic activity. Severe economic disruption would occur in Le Flore County if the Ouchita National Forest were to stop selling timber.

*Forest County, Wisconsin*

County Seat: Crandon: Pop.—1,958.

Acres in County: 648,960.

County Population: 9,361.

U.S. Senators: Senator Herbert Kohl (D); Senator Russ Feingold (D).

United States Representative: Rep. Mark Green (R–8th).

Major Industries: Hotel/lodging, Retail.

Poverty Level: 13.2%.

Tax Base Lost to Federal Lands: 47%.

Employment Income from Timber: 16%.

Timber Employment Income Lost if Zero Federal Harvest: $21,383,601.

Closest Large Towns: Wausau and Rhinelander, Wisconsin.

Unemployment Level: 7.9%.

Forest County is located in the northeast corner of the state. With nearly half of it's land base tied up in the Nicolet National Forest, dollars and economic activity produced on the forest are vital to the economic well-being of Forest County. The county received $369,954.00 in 25% and PILT payments as a result of the Nicolet's resource programs in FY 1997. These revenues make up approximately 5% of Forest County's annual budget. The potential loss of $21,383,601.00 in timber employment income translates to $106,918,005.00 of lost economic activity. Clearly, severe economic disruption would occur in Forest County if the Nicolet National Forest were to stop selling timber.

*Grant County, Louisiana*

County Seat: Colfax: Pop.—1,880.

Acres in County: 412,800.

County Population: 18,270.

U.S. Senators: Senator John Bureaux (D); Senator Mary Landrieu (D).

United States Representative: Rep. John Cooksey (R–5th).

Major Industries: Lumber & Wood Products, Health and Social Services.

Poverty Level: 21.7%.

Tax Base Lost to Federal Lands: 34%.

Employment Income from Timber: 18%.

Timber Employment Income Lost if Zero Federal Harvest: $8,578,181.

Closest Large Towns: Alexandria and Winnfield, Louisiana.

Unemployment Level: 7.1%.

Grant County is located in the center of the state. With one-third of it's land base tied up in the Kisatchie National Forest, dollars and economic activity produced on the forest are vital to the economic well-being of Grant County. The county received $652,026.00 in 25% and PILT payments as a result of the Kisatchie's resource programs in FY 1997. These revenues make up approximately 12.3% of Grant County's annual budget. The potential loss of $8,578,181.00 in timber employment income translates to $42,890,905.00 of lost economic activity. Severe economic disruption would occur in Grant County if the Kisatchie National Forest were to stop selling timber.

*Forest County, Pennsylvania*

County Seat: Tionesta: Pop.—500.

Acres in County: 273,920.

County Population: 5,001.

U.S. Senators: Senator Arlen Specter (R); Senator Rick Santorum (R).

United States Representative: Rep. John Peterson (R–5th).

Major Industries: Lumber & Wood Products, Amusement & Recreation, Health Services.

Poverty Level: 14%.

Tax Base Lost to Federal Lands: 45%.

Employment Income from Timber: 12%.

Timber Employment Income Lost if Zero Federal Harvest: $11,252,287.

Closest Large Towns: Titusville and Oil City, Pennsylvania.

Unemployment Level: 11%.

Forest County is located in the northeast portion of the state. With nearly half of it's land base encumbered by the Allegheny National Forest, dollars and economic activity produced on the forest are vital to the economic well-being of Forest County. The county received $1,243,046.00 in 25% and PILT payments as a result of the Allegheny's resource programs in FY 1997. These revenues make up approximately 53% of Forest County's annual budget. The potential loss of $11,252,287.00 in timber employment income translates to $56,261,435.00 of lost economic activity. Clearly, there would be very severe economic disruption in this rural county of only 5,000 people if the Allegheny National Forest were to stop selling timber.

*Sabine County, Texas*

County Seat: Hemphill: Pop.—1,182.

Acres in County: 313,600.

County Population: 10,487.

U.S. Senators: Senator Phil Gramm (R); Sen. Kay Bailey Hutchison (R).

United States Representative: Rep. Jim Turner (D–2nd).

Major Industries: Health Services, Retail.

Poverty Level: 17.6%

Tax Base Lost to Federal Lands: 34%.

Employment Income from Timber: 31%.

Timber Employment Income Lost if Zero Federal Harvest: $5,097,729.

Closest Large Towns: Jasper, Texas and Leesville, Louisiana.

Unemployment Level: 8.9%.

Sabine County is located on the central north border of the state. With one-third of its land base tied up in the Sabine National Forest, dollars and economic activity produced on the forest are vital to the economic well-being of Sabine County. The county received $267,513.00 in 25% and PILT payments as a result of the Sabine's resource programs in FY 1997. These revenues make up approximately 9% of Sabine County's annual budget. The potential loss of $5,097,729.00 in timber employment income translates to $25,488,645.00 of lost economic activity. Clearly, severe economic disruption would occur in Sabine County if the Sabine National Forest were to stop selling timber.

FIFTEEN WESTERN COUNTIES AT HIGHEST RISK

| County and State | Total points |
|---|---|
| Lincoln, MT | 108 |
| Idaho, ID | 137 |
| Sanders, MT | 168 |
| Clearwater, ID | 174 |
| Pend Oreille, WA | 179 |
| Klamath, OR | 184 |
| Lake, OR | 187 |
| Adams, ID | 190 |
| Boundary, ID | 197 |
| Mineral, MT | 198 |
| Plumas, CA | 201 |
| Pet/Wrangell/PWI, AK | 211 |
| Grant, OR | 219 |
| Sierra, CA | 221 |
| Douglas, OR | 225 |

*Lincoln County, Montana*

County Seat: Libby: Pop.—2,532.

Acres in County: 2,312,320.

County Population: 18,678.

U.S. Senators: Sen. Max Baucus (D); Sen. Conrad Burns (R).

United States Representative: Rep. Rick Hill (R—at large).

Major Industries: Lumber & Wood Products, Retail, Health Services.

Poverty Level: 18.3%.

Tax Base Lost to Federal Lands: 77.0%.

Employment Income from Timber: 33%.

Timber Employment Income Lost if Zero Federal Harvest: $101,760,422.

Closest Large Towns: Spokane, Washington, and Missoula, Montana.

Unemploymenmt Level: 13.19.

Lincoln County is located on the far Northwest corner of Montana along the Idaho and Canadian borders. Like many rural counties it's economy is timber based,

with over one-third of the economic activity tied to the manufacturing of wood products. With three quarters of the potential taxable land base encumbered by the Kootenai and Flathead National Forests, the economic activities produced on these forests are critically important to the community. The county received $4,523,017.00 of 25% and PILT payments as a result of the Kootenai and Flathead resource programs in FY 1997. These revenues paid for approximately 47% of the county's total budget. The loss of $101,760,422.00 of timber employment income translates to approximately $508,802,110.00 of economic activity. Severe economic disruption would occur in Lincoln County if the Flathead and Kootenai National Forests were to stop selling timber. It is very likely that the county government would go bankrupt.

*Idaho County, Idaho*

County Seat: Grangeville: Pop.—3,226.

Acres in County: 5,430,400.

County Population: 14,789.

U.S. Senators: Senator Larry Craig (R); Senator Mike Crapo (R).

United States Representative: Rep. Helen Chenoweth (R–1st).

Major Industries: Lumber & Wood Products, Health Services, Retail.

Poverty Level: 15.7%.

Tax Base Lost to Federal Lands: 83%.

Employment Income from Timber: 22%.

Timber Employment Income Lost if Zero Federal Harvest: $72,476,050.

Closest Large Towns: Lewiston and Orofino, Idaho.

Unemployment Level: 14.2%.

Idaho County is nestled in the center of Idaho among the Nez Perce and Payette National Forests. More than three-quarters of it's land base is encumbered by Federal ownership of these National Forests within Idaho County. Because lumber and woods products is, by far, the largest employment sector in Idaho County, economic activity produced on the forests are vital to the economic well-being of Idaho County. The county received $3,211,755.00 in 25% and PILT payments as a result of the Nez Perce and Payette resource programs in FY 1997. These revenues make up 30% of Idaho County's annual budget. The potential loss of $72,476,050.00 in timber employment income translates to $362,380,250.00 of lost economic activity. The severe economic disruption that would occur in Idaho County if the Nez Perce and Payette National Forest were to stop selling timber in unconscionable.

*Sanders County, Montana*

County Seat: Thompson Falls: Pop.—1,319.

Acres in County: 1,767,680.

County Population: 10,089.

U.S. Senators: Senator Max Baucus (D); Senator Conrad Burns (R).

United States Representative: Rep. Rick Hill (R–At Large).

Major Industries: Lumber & Wood Products, Health Services, Retail.

Poverty Level: 20.6%.

Tax Base Lost to Federal Lands: 52%.

Employment Income from Timber: 25%.

Timber Employment Income Lost if Zero Federal Harvest: $23,433,551.

Closet Large Towns: Kellogg, Idaho and Kalispell, Montana.

Unemployment Level: 10.6%.

Sanders County is located just south of Lincoln County Montana, along the northeast border of Idaho. Portions of the Lolo, Kaniksu and Kootenai National Forests make up one-half of the county's land base. Economic activity produced on these forests is vital to the economic well-being of Sanders County. The county received $1,286,615 in 25% and PILT payments as a result of the National Forest's resource programs in FY 1997. These revenues make up approximately 21% of Forest County's annual budget. The potential loss of $23,433,551.00 in timber employment income translates to $117,167,755.00 of lost economic activity. The economic disruption to Sanders County would be devastating if the Lolo, Kaniksu and Kootenai National Forests were to stop selling timber.

*Clearwater County, Idaho*

County Seat: Orofino: Pop.—2,868.

Acres in County: 1,575,680.

County Population: 9,115.

U.S. Senators: Senator Larry Craig (R); Senator Mike Crapo (R).

United States Representatives: Rep. Helen Chenoweth (R–1st).

Major Industries: Lumber & Wood Products, Health Services, Retail.

Poverty Level: 13.1%.

Tax Base Lost to Federal Lands: 54%.

Employment Income from Timber: 42%.

Timber Employment Income Lost if Zero Federal Harvest: $29,714.65.

Closest Large Towns: Lewiston and Moscow, Idaho.

Unemployment Level: 19%.

Clearwater County is located just north of Idaho County. More than one-half of it's land base is encumbered by the Clearwater and St. Joe National Forests Economic activity produced on these forests is vital to the economic well-being of Clearwater County. The county received $1,028,986.00 in 25% and PILT payments as a result of the National Forest's resource programs in FY 1997. These revenues make up approximately 11% of Clearwater County's annual budget. The potential loss of $29,714,265.00 in timber employment income translates to $148,571,325.00 of lost economic activity. Clearly, severe economic disruption would occur in Clearwater County if the Clearwater and St. Joe National Forests were to stop selling timber.

*Pend Oreille, Washington*

County Seat: Newport: Pop.—1,691.

Acres in County: 896,640.

County Population: 10,749.

U.S. Senators: Senator Slade Gorton (R); Senator Patty Murray.

United States Representative: Rep. George Nethercutt (R–5th).

Major Industries: Health Services, Retail, Special Trade Contractors.

Poverty Level: 18%.

Tax Base Lost to Federal Lands: 54%.

Employment Income from Timber: 25%.

Timber Employment Income Lost if Zero Federal Harvest: $15,880,684.

Closest Large Towns: Spokane, Washington and Coeur d'Alene, Idaho.

Unemployment Level: 13.8%.

Pend Oreille County is situated in the far northeast corner of Washington along the Idaho and Canadian border. More than one-half of Pend Oreille's land base is encumbered by the Colville and Kanisku National Forests. Economic activity produced on the forests is vital to the economic well-being of Pend Oreille County. The county received $826,758.00 in 25% and PILT payments as a result of the National Forests resource programs in FY 1997. These revenues make up approximately 4.5 percent of Pend Oreille County's annual budget. The potential loss of $15,880,684.00 in timber employment income translates to $79,403,420.00 of lost economic activity. Clearly, severe economic disruption would occur in Pend Oreille County if the Coleville and Kanisku National Forests were to stop selling timber.

CONCLUSION

President Clinton is traveling the country asking American businessmen and businesswomen to invest in impoverished counties in the same manner he has asked them to invest in third world countries. There is a sad irony in this when one considers that this Administration is tacitly backing efforts by the environmental industry to end timber harvesting on federal lands. While the U.S. Forest Service timber sale program could be considered controversial, and might be described as dysfunctional, it does provide over $2 billion of employment income activity to several hundred rural counties. Using even the most conservative multiplier for economic impact, that $2 billion of employment income translates into $5 to $10 billion of economic activity. The Administration shouldn't be allowed to feign concern for poverty stricken counties when its natural resource policies will cause 150 to 200 rural counties to suffer exponential increases in unemployment and poverty.

APPENDIX ONE

*Methodology*

We began by examining each national forest timber county's unemployment and poverty level, along with the amount of timber employment income that would be lost if a zero harvest policy was adopted. If the county had two out of the following three conditions (double the national average unemployment rate; one and one-half times the national average poverty level; or lost more than one million dollars of timber employment income) we included it in our study. We then collected the following data points for the 148 counties: (1) the percent of employment income generated in an individual county as a result of the primary timber industry in that county; (2) the percent of tax base lost as a result of federal lands within the boundaries of the county; (3) the poverty level in the county compared to the National Average of 13.8%; (4) the March 1999 unadjusted unemployment rate compared to the National Average of 4.3%; and (5) the timber employment income generated by FY 1997 U.S. Forest Service timber sale programs in each individual county, as reported in the FY 1997 Timber Sale Program Information Reporting System (TSPIRS). Each county was ranked within each data point. We then added the sum of the rank order value under each category to achieve a total score for each county. Our final ranking values each of the five categories equally. Those counties with the lowest sum total face the highest risk of injury if a zero federal harvest policy is adopted.

*The categories*

Percent of Employment Income Derived from Primary Timber Manufacturing.—Despite the fact that many see the manufacturing of wood products as environmentally bad, American's utilized over 53 billion board feet of softwood products in this country in 1998. While most communities strive to have a balanced economy, the fact is that timber manufacturing plays a critical role in many communities. The counties in the data base range from as little as one percent of the economic activity in their country generated by primary timber manufacturing to a high of Perry County, Arkansas where 53% of the total employment income in that county is generated by the primary manufacturing of wood products. Over one-third of the counties surveyed had a 14 percent or greater dependence on the employment income generated by the primary timber manufacturers in their communities. The sad reality is that if federal lands are no longer producing the 3.2 billion board feet of timber needed by companies in these rural communities, then these counties will see economic dislocation and distress.

RANK ORDER OF PERCENT OF EMPLOYMENT INCOME GENERATED BY PRIMARY TIMBER MANUFACTURES

[Data Source: USFS General Technical Reports 329–331]

| County and State | Employment from timber— | |
|---|---|---|
| | Percent | Rank |
| Perry, MS | 53.00 | 1 |
| Alger, MI | 43.00 | 2 |
| Clearwater, ID | 42.00 | 3 |
| Adams, ID | 41.00 | 4 |
| Winn, LA | 37.00 | 5 |
| Jasper, TX | 35.00 | 6 |
| Boise, ID | 34.00 | 7 |
| Boundary, ID | 33.00 | 8 |
| Lincoln, MT | 33.00 | 9 |
| Deschutes, OR | 32.00 | 10 |
| Sabine, TX | 31.00 | 11 |
| Skamania, WA | 29.00 | 12 |
| Coos, NH | 28,00 | 13 |
| McCurtain, OK | 27.00 | 14 |
| Bonner, ID | 26.00 | 15 |
| Sierra, CA | 25.00 | 16 |
| Granite, MT | 25.00 | 17 |
| Sanders, MT | 25.00 | 18 |
| Grays Harbor, WA | 25.00 | 19 |
| Pend Oreille, WA | 25.00 | 20 |
| Franklin, MS | 24.00 | 21 |
| Price, WI | 24.00 | 22 |
| Idaho, ID | 22.00 | 23 |
| Schoolcroft, MI | 22.00 | 24 |
| Taylor, WI | 22.00 | 25 |
| Grant, OR | 21.00 | 26 |
| Klamath, OR | 21.00 | 27 |
| Itasca, MN | 20.00 | 28 |
| Trinity, CA | 18.00 | 29 |
| Wallowa, OR | 18.00 | 30 |
| Grant, LA | 18,00 | 31 |
| Haines, AK | 17.00 | 32 |
| Plumas, CA | 17.00 | 33 |
| Linn, OR | 17.00 | 34 |
| Tucker, WV | 17.00 | 35 |
| Ashland, WI | 16.00 | 36 |
| Florance, WI | 16.00 | 37 |
| Forest, WI | 16.00 | 38 |
| Pet/Wrangell/PWI, AK | 15.00 | 39 |
| Douglas, OR | 15.00 | 40 |
| Lake, OR | 15.00 | 41 |
| Sitka, AK | 14.00 | 42 |
| Tehema, CA | 14.00 | 43 |
| Josephine, OR | 14.00 | 44 |
| Garfield, UT | 14.00 | 45 |
| Angelina, TX | 14.00 | 46 |
| Gogebic, MI | 14.00 | 47 |
| Sawyer, WI | 14.00 | 48 |
| Lewis, WA | 14.00 | 49 |
| Shelby, TX | 13.00 | 50 |
| Reynolds, MO | 12.00 | 51 |
| Shannon, MO | 12.00 | 52 |
| Jackson, OR | 12.00 | 53 |
| Lane, OR | 12.00 | 54 |
| Flathead, MT | 12.00 | 55 |
| Missoula, MT | 12.00 | 56 |
| Ravalli, MT | 12.00 | 57 |
| Forest, PA | 12.00 | 58 |
| Cass, MN | 12.00 | 59 |
| Lassen, CA | 11.00 | 60 |
| Baker, OR | 11.00 | 61 |
| Curry, OR | 11.00 | 62 |
| Manistee, MI | 11.00 | 63 |
| Ferry, WA | 11.00 | 64 |
| Okanogan, WA | 11.00 | 65 |
| Pocahontas, WV | 11.00 | 66 |
| Randolph, WV | 11.00 | 67 |
| Webster, WV | 11.00 | 68 |
| Powell, MT | 10.00 | 69 |
| Oconto, WI | 10.00 | 70 |
| Navajo, AZ | 9.00 | 71 |
| Siskiyou, CA | 9.00 | 72 |
| Shasta, CA | 9.00 | 73 |
| Menifee, KY | 9.00 | 74 |
| Mineral, MT | 9.00 | 75 |
| Wayne, MS | 9.00 | 76 |
| Covington, AL | 8.00 | 77 |
| Del Norte, CA | 8.00 | 78 |
| Valley, ID | 8.00 | 79 |
| Natchitoches, LA | 8.00 | 80 |
| Iron, MI | 8.00 | 81 |
| McCormick, SC | 8.00 | 82 |
| Perry, AI | 7.00 | 83 |
| Catron, NM | 7.00 | 84 |
| Carter, MO | 7.00 | 85 |
| Elk, PA | 7.00 | 86 |
| Beltrami, MN | 7.00 | 87 |
| Cook, MN | 7.00 | 88 |
| Polk, AR | 6.00 | 89 |
| Newton, AR | 6.00 | 90 |
| San Augustine, TX | 6.00 | 91 |
| Vilas, WI | 6.00 | 92 |
| Custer, SD | 6.00 | 93 |
| Greenbrier, WV | 6.00 | 94 |
| Montgomery, AR | 4.00 | 95 |
| Cliborne, LA | 4.00 | 96 |
| Rapides, LA | 4.00 | 97 |
| Sharkey, MS | 4.00 | 98 |
| Houston, TX | 4,00 | 99 |
| Mackinac, MI | 4.00 | 100 |
| St. Louis, MN | 4.00 | 101 |
| Scott, AR | 3.00 | 102 |
| LeFlore, OK | 3.00 | 103 |
| Apache, AZ | 3.00 | 104 |
| Fresno, CA | 3.00 | 105 |
| Custer, ID | 3.00 | 106 |

RANK ORDER OF PERCENT OF EMPLOYMENT INCOME GENERATED BY PRIMARY TIMBER MANUFACTURES—Continued

[Data Source: USFS General Technical Reports 329–331]

| County and State | Employment from timber— | |
|---|---|---|
| | Percent | Rank |
| Shoshone, ID | 3.00 | 107 |
| Barry, MO | 3.00 | 108 |
| Wayne, MO | 3.00 | 109 |
| Vernon, LA | 3.00 | 110 |
| Warren, PA | 3.00 | 111 |
| Iosoc, MI | 3.00 | 112 |
| Ontonagon, MI | 3.00 | 113 |
| Winston, AL | 2.00 | 114 |
| Coconino, AZ | 2.00 | 115 |
| Rio Arriba, NM | 2.00 | 116 |
| Modoc, CA | 2.00 | 117 |
| Tulare, CA | 2.00 | 118 |
| Kern, CA | 2.00 | 119 |
| Saguache, CO | 2.00 | 120 |
| Lake, FL | 2.00 | 121 |
| Elmore, ID | 2.00 | 122 |
| Whitley, KY | 2.00 | 123 |
| Dent, MO | 2.00 | 124 |
| Iron, MO | 2.00 | 125 |
| Washington, MO | 2.00 | 126 |
| Umatilla, OR | 2.00 | 127 |
| Duschesne, UT | 2.00 | 128 |
| San Juan, UT | 2.00 | 129 |
| San Jacinto, TX | 2.00 | 130 |
| McKean, PA | 2.00 | 131 |
| Carrol, NH | 2.00 | 132 |
| Alcona, MI | 2.00 | 133 |
| Chippewa, MI | 2.00 | 134 |
| Houghton, MI | 2.00 | 135 |
| Lake, MI | 2.00 | 136 |
| Wexford, MI | 2.00 | 137 |
| Lake, MN | 2.00 | 138 |
| Bayfield, WI | 2.00 | 139 |
| Chelan, WA | 2.00 | 140 |
| Yakima, WA | 2.00 | 141 |
| Pendleton, WV | 2.00 | 142 |
| Taos, NM | 1.00 | 143 |
| Medera, CA | 1.00 | 144 |
| Lemhi, ID | 1.00 | 145 |
| Benton, MS | 1.00 | 146 |
| Grofton, NH | 1.00 | 147 |
| Columbia, WA | 1.00 | 148 |

Percent of Tax Base Lost to Federal Land Managers.—As our National Forests were established in the early part of this century, Congress and the Administration understood that counties who had National Forests, and other public lands, within their boundaries would face a challenge funding local governmental services. They understood that these counties would suffer from diminished tax bases. A compact was forged that guaranteed these counties a share of the gross receipts generated through the sale of timber, and other commodities, with the counties. In 1908 a law was passed to share 25% of the gross receipts generated off the federal lands with the counties or other units of local government. The funds were ear-marked to be used for schools and roads. Each State, or territory was to set its individual formula. Most share 50% of the funds with schools and 50% with the county road departments. Some give as much as 70% to their county road departments, and one, North Carolina directs 100% of their 25% Payment to their school systems.

It is critically important to understand that the counties with the most federal entitlement lands face the largest challenges when the Forest Service timber sale programs stop producing revenue. The ability of most counties is hamstrung by their diminished ability to find lands to tax, combined with the public's unwillingness to pay new increased taxes. While this is not the most important factor when considering the risk to counties, it is one of the most important.

RANK ORDER OF FEDERAL ENTITLEMENTS IN COUNTY AS A PERCENT OF TOTAL COUNTY ACREAGE

[Data Sources: BLM Annual PILT Report and 1998 World Almanac]

| County and State | Tax Base Lost to Federal Lands— | |
|---|---|---|
| | Percent | Rank |
| Pet/Wrangell/PWI, AK | 98.00 | 1 |

RANK ORDER OF FEDERAL ENTITLEMENTS IN COUNTY AS A PERCENT OF TOTAL COUNTY ACREAGE—Continued

[Data Sources: BLM Annual PILT Report and 1998 World Almanac]

| County and State | Tax Base Lost to Federal Lands— | |
|---|---|---|
| | Percent | Rank |
| Sitka, AK | 96.00 | 2 |
| Custer, ID | 93.00 | 3 |
| Haines, AK | 91.00 | 4 |
| Lemhi, ID | 90.00 | 5 |
| Valley, ID | 87.00 | 6 |
| Idaho, ID | 83.00 | 7 |
| Mineral, MT | 83.00 | 8 |
| Skamania, WA | 78.00 | 9 |
| Lincoln, MT | 77.00 | 10 |
| Garfield, UT | 77.00 | 11 |
| Cook, MN | 77.00 | 12 |
| Chelan, WA | 77.00 | 13 |
| Navajo, AZ | 76.00 | 14 |
| Trinity, CA | 75.00 | 15 |
| Flathead, MT | 75.00 | 16 |
| Boise, ID | 73.00 | 17 |
| Curry, OR | 73.00 | 18 |
| Del Norte, CA | 72.00 | 19 |
| Shoshone, ID | 72.00 | 20 |
| Ravalli, MT | 72.00 | 21 |
| Plumas, CA | 71.00 | 22 |
| Sierra, CA | 70.00 | 23 |
| Montgomery, AR | 69.00 | 24 |
| Lake, OR | 69.00 | 25 |
| Saguache, CO | 66.00 | 26 |
| Elmore, ID | 66.00 | 27 |
| Modoc, CA | 65.00 | 28 |
| Granite, MT | 64.00 | 29 |
| Scott, AR | 63.00 | 30 |
| Adams, ID | 63.00 | 31 |
| Catron, NM | 62.00 | 32 |
| Grant, OR | 60.00 | 33 |
| Boundary, ID | 59.00 | 34 |
| San Juan, UT | 59.00 | 35 |
| Klamath, OR | 58.00 | 36 |
| Wallowa, OR | 58.00 | 37 |
| Lassen, CA | 56.00 | 38 |
| Douglas, OR | 56.00 | 39 |
| Lake, MN | 55.00 | 40 |
| Rio Arriba, NM | 54.00 | 41 |
| Clearwater, ID | 54.00 | 42 |
| Pend Oreille, WA | 54.00 | 43 |
| Taos, NM | 53.00 | 44 |
| Baker, OR | 52.00 | 45 |
| Sanders, MT | 52.00 | 46 |
| Pocahontas, WV | 51.00 | 47 |
| Tulare, CA | 50.00 | 48 |
| Powell, MT | 49.00 | 49 |
| Lane, OR | 48.00 | 50 |
| Forest, WI | 47.00 | 51 |
| Okanogan, WA | 46.00 | 52 |
| Newton, AR | 45.00 | 53 |
| Forest, PA | 45.00 | 54 |
| Duschesne, UT | 43.00 | 55 |
| Fresno, CA | 42.00 | 56 |
| Missoula, MT | 42.00 | 57 |
| Siskiyou, CA | 41.00 | 58 |
| Shasta, CA | 41.00 | 59 |
| Bonner, ID | 41.00 | 60 |
| Iron, MI | 41.00 | 61 |
| McCormick, SC | 41.00 | 62 |
| Custer, SD | 40.00 | 63 |
| Apache, AZ | 39.00 | 64 |
| Perry, MS | 39.00 | 65 |
| Josephine, OR | 38.00 | 66 |
| Tucker, WV | 38.00 | 67 |
| Polk, AR | 37.00 | 68 |
| Medera, CA | 37.00 | 69 |
| Menifee, KY | 35.00 | 70 |
| Ferry, WA | 35.00 | 71 |
| Grant, LA | 34.00 | 72 |
| Sabine, TX | 34.00 | 73 |
| Gogebic, MI | 34.00 | 74 |
| Linn, OR | 33.00 | 75 |
| Deschutes, OR | 31.00 | 76 |
| San Augustine, TX | 31.00 | 77 |
| Lewis, WA | 31.00 | 78 |
| Columbia, WA | 30.00 | 79 |
| Randolph, WV | 30.00 | 80 |
| Pendleton, WV | 29.00 | 81 |
| Iron, MO | 27.00 | 82 |
| Wayne, MO | 27.00 | 83 |
| Benton, MS | 27.00 | 84 |
| Ontonagon, MI | 27.00 | 85 |
| Ashland, WI | 27.00 | 86 |
| Jackson, OR | 26.00 | 87 |
| Warren, PA | 26.00 | 88 |
| Le Flore, OK | 25.00 | 89 |
| Franklin, MS | 25.00 | 90 |
| Sharkey, MS | 24.00 | 91 |
| Alger, MI | 24.00 | 92 |
| Tehema, CA | 23.00 | 93 |
| Bayfield, WI | 23.00 | 94 |
| Cass, MN | 22.00 | 95 |
| St. Louis, MN | 22.00 | 96 |
| Kern, CA | 21.00 | 97 |
| Reynolds, MO | 21.00 | 98 |
| Elk, PA | 21.00 | 99 |
| Lake, FL | 20.00 | 100 |
| Umatilla, OR | 20.00 | 101 |
| McKean, PA | 20.00 | 102 |
| Angelina, TX | 19.00 | 103 |
| Houghton, MI | 19.00 | 104 |
| Yakima, WA | 19.00 | 105 |
| Webster, WV | 19.00 | 106 |
| Shannon, MO | 18.00 | 107 |

RANK ORDER OF FEDERAL ENTITLEMENTS IN COUNTY AS A PERCENT OF TOTAL COUNTY ACREAGE—Continued

[Data Sources: BLM Annual PILT Report and 1998 World Almanac]

| County and State | Tax Base Lost to Federal Lands— | |
|---|---|---|
| | Percent | Rank |
| Winn, LA | 18.00 | 108 |
| Itasca, MN | 18.00 | 109 |
| Florance, WI | 18.00 | 110 |
| Washington, MO | 17.00 | 111 |
| Wayne, MS | 17.00 | 112 |
| San Jacinto, TX | 17.00 | 113 |
| Iosoc, MI | 17.00 | 114 |
| Manistee, MI | 17.00 | 115 |
| Oconto, WI | 17.00 | 116 |
| Whitley, KY | 16.00 | 117 |
| Natchitoches, LA | 16.00 | 118 |
| Price, WI | 16.00 | 119 |
| Barry, MO | 15.00 | 120 |
| Dent, MO | 15.00 | 121 |
| Wexford, MI | 15.00 | 122 |
| Sawyer, WI | 15.00 | 123 |
| Greenbrier, WV | 15.00 | 124 |
| Chippewa, MI | 14.00 | 125 |
| Schoolcroft, MI | 13.00 | 126 |
| Rapides, LA | 12.00 | 127 |
| Houston, TX | 12.00 | 128 |
| Shelby, TX | 12.00 | 129 |
| Alcona, MI | 12.00 | 130 |
| Grays Harbor, WA | 12.00 | 131 |
| Vernon, LA | 10.00 | 132 |
| Taylor, WI | 10.00 | 133 |
| Perry, AL | 9.00 | 134 |
| Coconino, AZ | 9.00 | 135 |
| Jasper, TX | 9.00 | 136 |
| McCurtain, OK | 8.00 | 137 |
| Carter, MO | 8.00 | 138 |
| Mackinac, MI | 8.00 | 139 |
| Vilas, WI | 8.00 | 140 |
| Beltrami, MN | 5.00 | 141 |
| Winston, AL | 4.00 | 142 |
| Lake, MI | 4.00 | 143 |
| Cliborne, LA | 3.00 | 144 |
| Coos, NH | 3.00 | 145 |
| Covington, AL | 2.00 | 146 |
| Grofton, NH | 2.00 | 147 |
| Carrol, NH | 1.00 | 148 |

Percent of Poverty in County (all citizens).—Poverty is one of the measures that the public, Congress and others use to assess the economic health of an area. High poverty levels generally mean more difficult living conditions. According to a U.S. Census Bureau, February 1999 report on poverty, the average county poverty rate in the United States is 13.8%. As we began to collect the poverty data on the forest counties a disturbing reality set in. Of the 148 most at risk counties in our study, over two thirds had poverty levels that exceeded the national average. Fifteen of the counties had poverty levels that doubled the national average. Most of these counties stand to lose more than $1 million of employment income if federal timber harvests are eliminated. Such a policy would be considered barbaric in many countries!

RANK ORDER OF COUNTY POVERTY LEVELS

[Data Source: U.S. Census Bureau Feb. 1999 Report]

| County and State | Poverty Level— | |
|---|---|---|
| | Percent | Rank |
| Sharkey, MS | 42.1 | 1 |
| Perry, AL | 41.3 | 2 |
| Apache, AZ | 39.4 | 3 |
| Webster, WV | 35.6 | 4 |
| Menifee, KY | 31.5 | 5 |
| Whitley, KY | 30.7 | 6 |
| Navajo, AZ | 29.0 | 7 |
| Saguache, CO | 28.9 | 8 |
| San Juan, UT | 28.3 | 9 |
| Tulare, CA | 28.2 | 10 |
| Wayne, MO | 28.2 | 11 |
| Natchitoches, LA | 28.0 | 12 |
| Ciborne, LA | 27.5 | 13 |
| Shannon, MO | 27.1 | 14 |
| Taos, NM | 26.8 | 15 |
| Washington, MO | 26.0 | 16 |
| Newton, AR | 25.7 | 17 |
| Carter, MO | 25.5 | 18 |
| Franklin, MS | 25.5 | 19 |
| Fresno, CA | 25.2 | 20 |
| San Jacinto, TX | 25.2 | 21 |
| Wayne, MS | 24.9 | 22 |
| Houston, TX | 24.5 | 23 |
| Winn, LA | 24.3 | 24 |
| Le Flore, OK | 24.1 | 25 |
| Benton, MS | 24.0 | 26 |
| Catron, NM | 23.8 | 27 |

RANK ORDER OF COUNTY POVERTY LEVELS—Continued

[Data Source: U.S. Census Bureau Feb. 1999 Report]

| County and State | Poverty Level— | |
|---|---|---|
| | Percent | Rank |
| Rio Arriba, NM | 23.7 | 28 |
| Reynolds, MO | 23.7 | 29 |
| San Augustine, TX | 23.7 | 30 |
| Iron, MO | 22.7 | 31 |
| Lake, MI | 22.7 | 32 |
| Randolph, WV | 22.6 | 33 |
| Perry, MS | 22.3 | 34 |
| Scott, AR | 22.1 | 35 |
| Rapides, LA | 22.1 | 36 |
| Shelby, TX | 22.1 | 37 |
| Montgomery, AR | 21.7 | 38 |
| Grant, LA | 21.7 | 39 |
| Dent, MO | 21.6 | 40 |
| Shoshone, ID | 21.4 | 41 |
| Covington, AL | 20.9 | 42 |
| Medera, CA | 20.8 | 43 |
| Duschesne, UT | 20.7 | 44 |
| Kern, CA | 20.6 | 45 |
| Sanders, MT | 20.6 | 46 |
| McCormick, SD | 20.5 | 47 |
| Pocahontas, WV | 20.5 | 48 |
| Coconino, AZ | 20.3 | 49 |
| Yakima, WA | 20.2 | 50 |
| Mineral, MT | 20.0 | 51 |
| Josephine, OR | 19.9 | 52 |
| Okanogan, WA | 19.7 | 53 |
| Del Norte, CA | 19.6 | 54 |
| Powell, MT | 19.6 | 55 |
| Granite, MT | 19.4 | 56 |
| Greenbrier, WV | 19.2 | 57 |
| Jasper, TX | 18.7 | 58 |
| Beltrami, MN | 18.6 | 59 |
| Tehema, CA | 18.5 | 60 |
| Modoc, CA | 18.4 | 61 |
| Lincoln, MT | 18.3 | 62 |
| Vernon, LA | 18.3 | 63 |
| Ferry, WA | 18.1 | 64 |
| Pend Oreille, WA | 18.0 | 65 |
| Angelina, TX | 17.6 | 66 |
| Sabine, TX | 17.6 | 67 |
| Tucker, WV | 17.6 | 68 |
| Klamath, OR | 17.2 | 69 |
| Umatilla, OR | 17.0 | 70 |
| Winston, AL | 16.9 | 71 |
| Trintiy, CA | 16.9 | 72 |
| Boundary, ID | 16.7 | 73 |
| Baker, OR | 16.7 | 74 |
| Houghton, MI | 16.7 | 75 |
| Pendleton, WV | 16.6 | 76 |
| Grays Harbor, WA | 16.4 | 77 |
| Missoula, MT | 16.3 | 78 |
| Shasta, CA | 16.0 | 79 |
| Douglas, OR | 16.0 | 80 |
| Ravalli, MT | 16.0 | 81 |
| Schoolcroft, MI | 15.9 | 82 |
| Cass, MN | 15.9 | 83 |
| Barry, MO | 15.8 | 84 |
| Manistee, MI | 15.8 | 85 |
| Idaho, ID | 15.7 | 86 |
| Lemhi, ID | 15.5 | 87 |
| Chippewa, MI | 15.5 | 88 |
| Lake, OR | 15.4 | 89 |
| Columbia, WA | 15.4 | 90 |
| Polk, AR | 15.3 | 92 |
| Bonner, ID | 15.1 | 92 |
| Curry, OR | 15.1 | 93 |
| Iosoc, MI | 15.0 | 94 |
| Lane, OR | 14.9 | 95 |
| Sawyer, WI | 14.9 | 96 |
| Garfield, UT | 14.7 | 97 |
| Gogebic, MI | 14.7 | 98 |
| Jackson, OR | 14.6 | 99 |
| Alcona, MI | 14.6 | 100 |
| Lassen, CA | 14.5 | 101 |
| Iron, MI | 14.5 | 102 |
| McCurtain, OK | 14.4 | 103 |
| Flathead, MT | 14.4 | 104 |
| Wallowa, OR | 14.2 | 105 |
| Wexford, MI | 14.2 | 106 |
| Chelan, WA | 14.2 | 107 |
| McKean, PA | 14.1 | 108 |
| Lewis, WA | 14.1 | 109 |
| Siskiyou, CA | 14.0 | 110 |
| Adams, ID | 14.0 | 112 |
| Forest, PA | 14.0 | 112 |
| Linn, OR | 13.8 | 113 |
| Ashland, WI | 13.7 | 114 |
| Lake, FL | 13.5 | 115 |
| Grant, OR | 13.4 | 116 |
| Forest, WI | 13.2 | 117 |
| Clearwater, ID | 13.1 | 118 |
| Haines, AK | 12.8 | 119 |
| Ontonagon, MI | 12.8 | 120 |
| Valley, ID | 12.6 | 121 |
| Itasca, MN | 12.6 | 122 |
| Mackinac, MI | 12.5 | 123 |
| Bayfield, WI | 12.4 | 124 |
| Alger, MI | 12.3 | 125 |
| Plumas, CA | 12.2 | 126 |
| Elmore, ID | 12.1 | 127 |
| Custer, SD | 12.1 | 128 |
| Custer, ID | 12.0 | 129 |
| St. Louis, MN | 12.0 | 130 |
| Vilas, WI | 11.0 | 131 |
| Boise, ID | 10.8 | 132 |
| Skamania, WA | 10.7 | 133 |
| Deschutes, OR | 10.6 | 134 |
| Coos, NH | 10.6 | 135 |

RANK ORDER OF COUNTY POVERTY LEVELS—Continued

[Data Source: U.S. Census Bureau Feb. 1999 Report]

| County and State | Poverty Level— | |
|---|---|---|
| | Percent | Rank |
| Warren, PA | 10.3 | 136 |
| Pet/Wrangell/PWI, AK | 10.1 | 137 |
| Florance, WI | 9.8 | 138 |
| Taylor, WI | 9.8 | 139 |
| Sierra, CA | 9.4 | 140 |
| Carrol, NH | 9.2 | 141 |
| Grofton, NH | 8.8 | 142 |
| Oconto, WI | 8.8 | 143 |
| Lake, MN | 7.6 | 144 |
| Elk, PA | 7.4 | 145 |
| Cook, MN | 6.9 | 146 |
| Sika, AK | 6.7 | 147 |
| Price, WI | 6.6 | 148 |

March 1999 Unadjusted Unemployment Rates by County.—This data was collected at the State level from various State agencies responsible for reporting unemployment. The National average unemployment rate in March of 1999 was 4.3%. The question facing most suburban and urban Congressmen and many Senators is how they would respond if their colleagues proposed a new federal policy which quadruples the unemployment rates in their District. When considered in light of the potential employment income which will be lost to a zero harvest policy, some of these rural forest counties are already in dire straits! Fully one-half of the rural forest counties surveyed have unemployment rates which are at least double the national average.

RANK ORDER OF COUNTY UNEMPLOYMENT LEVELS

[Data Source: U.S. Bureau of Labor Statistics and State Agency Reports]

| County and State | Unemployment— | |
|---|---|---|
| | Percent | Rank |
| Sharkey, MS | 29.7 | 1 |
| Adams, ID | 22.8 | 2 |
| Tulare, CA | 20.9 | 3 |
| Clearwater, ID | 19.0 | 4 |
| Grant, OR | 18.1 | 5 |
| Wilkinson, MS | 17.9 | 6 |
| Haines, AK | 17.5 | 7 |
| Fresno, CA | 17.1 | 8 |
| Trinity, CA | 16.7 | 9 |
| Columbia, WA | 16.4 | 10 |
| Ferry, WA | 16.2 | 11 |
| Medera, CA | 15.5 | 12 |
| Shoshone, ID | 15.1 | 13 |
| Lake, OR | 15.1 | 14 |
| Sierra, CA | 14.8 | 15 |
| Kern, CA | 14.7 | 16 |
| Plumas, CA | 14.3 | 17 |
| Idaho, ID | 14.2 | 18 |
| Navajo, AZ | 14.1 | 19 |
| Siskiyou, CA | 14.0 | 20 |
| Wallowa, OR | 14.0 | 21 |
| Apache, AZ | 13.8 | 22 |
| Pend Oreille, WA | 13.8 | 23 |
| Pet/Wrangell/PWI, AK | 13.7 | 24 |
| Lincoln, MT | 13.1 | 25 |
| Modoc, CA | 13.0 | 26 |
| Valley, ID | 12.8 | 27 |
| Catron, NM | 12.5 | 28 |
| Bonner, ID | 12.5 | 29 |
| Boundary, ID | 12.4 | 30 |
| Yakima, WA | 11.9 | 31 |
| Greenbrier, WV | 11.8 | 32 |
| Baker, OR | 11.7 | 33 |
| Tucker, WV | 11.7 | 34 |
| Jasper, TX | 11.6 | 35 |
| Okanogan, WA | 11.6 | 36 |
| Klamath, OR | 11.4 | 37 |
| Alcona, MI | 11.4 | 38 |
| Iosoc, MI | 11.4 | 39 |
| Lake, MI | 11.4 | 40 |
| Taos, NM | 11.2 | 41 |
| Douglas, OR | 11.0 | 42 |
| Forest, PA | 11.0 | 43 |
| Mineral, MT | 10.8 | 44 |
| Lassen, CA | 10.7 | 45 |
| Randolph, WV | 10.7 | 46 |
| Sanders, MT | 10.6 | 47 |
| Natchitoches, LA | 10.5 | 48 |
| Saguache, CO | 10.3 | 49 |
| Ashland, WI | 10.2 | 50 |
| Chelan, WA | 10.2 | 51 |
| Del Norte, CA | 10.1 | 52 |
| Josephine, OR | 10.0 | 53 |
| Duschesne, UT | 10.0 | 54 |
| Skamania, WA | 10.0 | 55 |
| Shasta, CA | 9.7 | 56 |
| Price, WI | 9.7 | 57 |
| Webster, WV | 9.7 | 58 |
| Custer, ID | 9.6 | 59 |
| Curry, OR | 9.6 | 60 |

RANK ORDER OF COUNTY UNEMPLOYMENT LEVELS—Continued

[Data Source: U.S. Bureau of Labor Statistics and State Agency Reports]

| County and State | Unemployment— | |
|---|---|---|
| | Percent | Rank |
| Newton, AR | 9.4 | 61 |
| Carter, MO | 9.3 | 62 |
| Grays Harbor, WA | 9.3 | 63 |
| Boise, ID | 9.2 | 64 |
| Lemhi, ID | 9.1 | 65 |
| Linn, OR | 9.1 | 66 |
| Granite, MT | 9.0 | 67 |
| Manistee, MI | 9.0 | 68 |
| Florance, WI | 9.0 | 69 |
| Franklin, MS | 8.9 | 70 |
| Sabine, TX | 8.9 | 71 |
| Rio Arriba, NM | 8.8 | 72 |
| Tehema, CA | 8.8 | 73 |
| Ontonagon, MI | 8.7 | 74 |
| Schoolcroft, MI | 8.7 | 75 |
| Bayfield, WI | 8.7 | 76 |
| Wayne, MO | 8.5 | 77 |
| Alger, MI | 8.5 | 78 |
| Chippewa, MI | 8.5 | 79 |
| Gogebic, MI | 8.5 | 80 |
| Houghton, MI | 8.5 | 81 |
| Iron, MI | 8.5 | 82 |
| Mackinac, MIO | 8.5 | 83 |
| Wexford, MI | 8.5 | 84 |
| Sawyer, WI | 8.5 | 85 |
| Deschutes, OR | 8.3 | 86 |
| Lewis, WA | 8.3 | 87 |
| Umatilla, OR | 8.2 | 88 |
| Jackson, OR | 8.1 | 89 |
| Garfield, UT | 8.1 | 90 |
| McCurtain, OK | 8.0 | 91 |
| San Juan, UT | 8.0 | 92 |
| Flathead, MT | 7.9 | 93 |
| Forest, WI | 7.9 | 94 |
| Vilas, WI | 7.8 | 95 |
| Le Flore, OK | 7.6 | 96 |
| Perry, MS | 7.5 | 97 |
| Coconino, AZ | 7.3 | 98 |
| Shannon, MO | 7.2 | 99 |
| Menifee, KY | 7.1 | 100 |
| Washington, MO | 7.1 | 101 |
| Ravalli, MT | 7.1 | 102 |
| Cliborne, LA | 7.1 | 103 |
| Grant, LA | 7.1 | 104 |
| Elk, PA | 7.1 | 105 |
| Benton, MS | 6.9 | 106 |
| Cass, MN | 6.9 | 107 |
| Covington, AL | 6.8 | 108 |
| Taylor, WI | 6.8 | 109 |
| Custer, SD | 6.8 | 110 |
| Wayne, MS | 6.6 | 111 |
| San Augustine, TX | 6.5 | 112 |
| Itasca, MN | 6.5 | 113 |
| Oconto, WI | 6.5 | 114 |
| Elmore, ID | 6.4 | 115 |
| Iron, MO | 6.3 | 116 |
| Shelby, TX | 6.3 | 117 |
| Sitka, AK | 6.0 | 118 |
| WInn, LA | 6.0 | 119 |
| McKean, PA | 6.0 | 120 |
| Dent, MO | 5.9 | 121 |
| Lane, OR | 5.9 | 122 |
| Pocahontas, WV | 5.7 | 123 |
| Perry, AL | 5.6 | 124 |
| Rapides, LA | 5.6 | 125 |
| Vernon, LA | 5.6 | 126 |
| Angelina, TX | 5.5 | 127 |
| Powell, MT | 5.4 | 128 |
| Cook, MN | 5.2 | 129 |
| Polk, AR | 5.1 | 130 |
| Beltrami, MN | 5.1 | 131 |
| Reynolds, MO | 5.0 | 132 |
| Pendleton, WV | 5.0 | 133 |
| Whitley, KY | 4.8 | 134 |
| Warren, PA | 4.8 | 135 |
| Winston, AL | 4.7 | 136 |
| Lake, MN | 4.6 | 137 |
| Montgomery, AR | 4.5 | 138 |
| San Jacinto, TX | 4.5 | 139 |
| Coos, NH | 4.5 | 140 |
| Missoula, MT | 4.3 | 141 |
| Houston, TX | 4.2 | 142 |
| Barry, MO | 4.0 | 143 |
| St. Louis, MN | 3.7 | 144 |
| Scott, AR | 3.6 | 145 |
| Carrol, NH | 3.4 | 146 |
| Lake, FL | 3.2 | 147 |
| Grofton, NH | 2.4 | 148 |

Timber Employment Income Lost by County if Zero Federal Harvest Policy Adopted—This data was generated by desegregating the U.S. Forest Service TSPIRS Timber Employment Income data from a forest-by-forest report, to a county-by-county basis. It is based on the number of acres of each national forest in a county and the amount of employment income generated by the FY 1997 Forest Service timber sale harvest on each Nation Forest. It represents direct, indirect and induced employment income generated as a result of the harvest, manufacturing and shipping of lumber derived from the trees the U.S. Forest Service allowed to be harvested from National Forest lands in FY 1997.

FOREST SERVICE GENERATED TIMBER EMPLOYMENT INCOME LOST IF ZERO HARVEST POLICY IS ADOPTED

[U.S. Forest Service FY 1997 TSPIRS Report]

| County and State | Timber income lost— | |
|---|---|---|
| | Amount | Rank |
| Lincoln, MT | $101,760,422 | 1 |
| Idaho, ID | 72,476,050 | 2 |
| Valley, ID | 48,118,770 | 3 |
| Siskiyou, CA | 40,331,023 | 4 |
| Lane, OR | 32,557,484 | 5 |
| Clearwater, ID | 29,714,265 | 6 |
| Plums, CA | 27,871,776 | 7 |
| Pet/Wrangell/PWI, AK | 24,275,086 | 8 |
| Sanders, MT | 23,433,551 | 9 |
| Scott, AR | 23,232,410 | 10 |
| Flathead, MT | 22,776,620 | 11 |
| Modoc, CA | 21,739,914 | 12 |
| Forest, WI | 21,383,601 | 13 |
| Bayfield, WI | 21,012,696 | 14 |
| Montgomery, AR | 21,005,410 | 15 |
| Lassen, CA | 20,919,075 | 16 |
| Lake, OR | 20,911,126 | 17 |
| Boise, ID | 20,646,531 | 18 |
| Douglas, OR | 20,509,552 | 19 |
| Klamath, OR | 20,339,531 | 20 |
| Trinity, CA | 19,761,393 | 21 |
| Mineral, MT | 19,186,111 | 22 |
| Missoula, MT | 17,530,019 | 23 |
| Shasta, CA | 17,483,779 | 24 |
| Shoshone, ID | 17,318,060 | 25 |
| Sierra, CA | 16,653,781 | 26 |
| Pend Oreille, WA | 15,880,684 | 27 |
| Elmore, ID | 15,850,552 | 28 |
| Lake, MN | 15,509,194 | 29 |
| Coconino, AZ | 14,533,534 | 30 |
| St. Louis, MN | 14,185,120 | 31 |
| Deschutes, OR | 14,137,080 | 32 |
| Ashland, WI | 14,049,978 | 33 |
| Lake, FL | 13,987,269 | 34 |
| Warren, PA | 13,894,923 | 35 |
| Le Flore, OK | 13,812,720 | 36 |
| Chelan, WA | 13,778,783 | 37 |
| Ravalli, MT | 13,665,678 | 38 |
| Grant, OR | 13,422,139 | 39 |
| Cook, MN | 13,180,684 | 40 |
| Adams, ID | 13,014,235 | 41 |
| Itasca, MN | 12,891,717 | 42 |
| McKean, PA | 12,795,873 | 43 |
| Linn, OR | 12,755,053 | 44 |
| Bonner, ID | 12,318,467 | 45 |
| Cass, MN | 12,041,721 | 46 |
| Grofton, NH | 11,842,864 | 47 |
| Skamania, WA | 11,782,051 | 48 |
| Price, WI | 11,769,739 | 49 |
| Forest, PA | 11,252,287 | 50 |
| Boundary, ID | 10,931,844 | 51 |
| Gogebic, MI | 10,737,757 | 52 |
| Elk, PA | 10,572,058 | 53 |
| Tehema, CA | 9,931,660 | 54 |
| Sawyer, WI | 9,853,943 | 55 |
| Fresno, CA | 9,739,734 | 56 |
| Ontonagon, MI | 9,657,199 | 57 |
| Powell, MT | 9,647,317 | 58 |
| Taylor, WI | 9,638,095 | 59 |
| Ferry, WA | 9,597,474 | 60 |
| Curry, OR | 9,322,753 | 61 |
| Jackson, OR | 9,253,868 | 62 |
| Oconto, WI | 8,786,515 | 63 |
| Custer, ID | 8,766,834 | 64 |
| Grant, LA | 8,578,181 | 65 |
| Granite, MT | 8,228,367 | 66 |
| Lemhi, ID | 8,227,228 | 67 |
| McCurtain, OK | 7,964,516 | 68 |
| Coos, NH | 7,804,209 | 69 |
| Natchitoches, LA | 7,795,305 | 70 |
| Garfield, UT | 7,728,187 | 71 |
| Chippewa, MI | 7,314,442 | 72 |
| Haines, AK | 6,992,175 | 73 |
| Wallowa, OR | 6,732,097 | 74 |
| Winn, LA | 6,621,141 | 75 |
| Custer, SD | 6,421,727 | 76 |
| Iron, MI | 6,178,210 | 77 |
| Josephine, OR | 6,139,734 | 78 |
| Rapides, LA | 6,097,049 | 79 |
| Tulare, CA | 5,933,423 | 80 |
| Del Norte, CA | 5,753,086 | 81 |
| Lewis, WA | 5,518,925 | 82 |
| Houghton, MI | 5,401,133 | 83 |
| Carrol, NH | 5,289,895 | 84 |
| Florance, WI | 5,285,049 | 85 |
| Okanogan, WA | 5,199,000 | 86 |
| Vernon, LA | 5,116,015 | 87 |
| Duschesne, UT | 5,109,610 | 88 |
| Sabine, TX | 5,097,729 | 89 |
| Houston, TX | 4,978,641 | 90 |
| Mackinac, MI | 4,785,506 | 91 |
| Newton, AR | 4,353,178 | 92 |
| Kern, CA | 4,306,829 | 93 |
| Sitka, AK | 4,294,042 | 94 |
| Polk, AR | 4,226,255 | 95 |
| Pocahontas, WV | 3,938,213 | 96 |
| Alger, MI | 3,852,967 | 97 |
| Umatilla, OR | 3,842,225 | 98 |
| Medera, CA | 3,669,819 | 99 |
| San Augustine, TX | 3,669,790 | 100 |

FOREST SERVICE GENERATED TIMBER EMPLOYMENT INCOME LOST IF ZERO HARVEST POLICY IS ADOPTED—Continued

[U.S. Forest Service FY 1997 TSPIRS Report]

| County and State | Timber income lost— | |
|---|---|---|
| | Amount | Rank |
| Schoolcroft, MI | 3,668,905 | 101 |
| Baker, OR | 3,616,753 | 102 |
| Perry, MS | 3,611,334 | 103 |
| Iosoc, MI | 3,588,232 | 104 |
| Alcona, MI | 3,545,437 | 105 |
| Lake, MI | 3,533,660 | 106 |
| Vilas, WI | 3,491,140 | 107 |
| San Jacinto, TX | 3,241,446 | 108 |
| Shelby, TX | 3,152,744 | 109 |
| Angelina, TX | 3,125,936 | 110 |
| Wexford, MI | 3,032,878 | 111 |
| Winston, AL | 2,933,001 | 112 |
| Catron, NM | 2,796,549 | 113 |
| Manistee, MI | 2,756,818 | 114 |
| Pendleton, WV | 2,756,738 | 115 |
| Beltrami, MN | 2,682,562 | 116 |
| Randolph, WV | 2,596,286 | 117 |
| Rio Arriba, NM | 2,504,243 | 118 |
| Franklin, MS | 2,119,744 | 119 |
| Wayne, MS | 1,999,418 | 120 |
| Apache, AZ | 1,822,186 | 121 |
| Iron, MO | 1,808,307 | 122 |
| Navajo, AZ | 1,807,204 | 123 |
| Covington, AL | 1,800,017 | 124 |
| Carter, MO | 1,733,748 | 125 |
| Reynolds, MO | 1,714,278 | 126 |
| Wayne, MO | 1,682,267 | 127 |
| San Juan, UT | 1,674,575 | 128 |
| Yakima, WA | 1,614,005 | 129 |
| Shannon, MO | 1,591,674 | 130 |
| Columbia, WA | 1,571,947 | 131 |
| Washington, MO | 1,571,040 | 132 |
| Dent, MO | 1,379,909 | 133 |
| Saguache, CO | 1,357,282 | 134 |
| Sharkey, MS | 1,331,119 | 135 |
| Greenbrier, WV | 1,298,983 | 136 |
| Benton, MS | 1,229,758 | 137 |
| Tucker, WV | 1,220,996 | 138 |
| Menifee, KY | 1,219,646 | 139 |
| Cliborne, LA | 1,191,401 | 140 |
| Whitley, KY | 1,154,452 | 141 |
| Grays Harbor, WA | 1,127,836 | 142 |
| Jasper, TX | 1,125,305 | 143 |
| McCormick, SC | 1,077,508 | 144 |
| Perry, AL | 1,076,470 | 145 |
| Taos, NM | 1,056,431 | 146 |
| Barry, MO | 1,047,468 | 147 |
| Webster, WV | 844,004 | 148 |

Mr. STUPAK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in opposition to the Wu-Hooley amendment which reduces forest timber sales management by $30 million. Forest products are my district's main industry and have a great financial, environmental, cultural, historical and recreational impact on my constituents.

My constituents depend upon a strong, vibrant national forest. We have been good stewards of our land and its natural resources. The forests depend upon us for proper management, for nurturing and protection. We cannot afford a reduction in the timber sales program.

I have heard it said here tonight we are only going to cut 23 or 30 million out of a $220 million timber sales account. That is greater than a 10-percent cut. This amendment would upset the balanced environmental program in the current Interior bill. The Interior bill eliminates the timber purchaser road credits. It provides only decreased funding for timber management and already increases the wildlife account by $3 million.

Our national forests are in a health crisis. The timber program has already been reduced by 70 percent since 1991. Further reductions are terrible public policy. Where do we go if we stop cutting and continue the reductions in

timber sales on Federal forests? We put more pressure on State and private forests to make up for the lost timber. We do great environmental degradation to those lands, greater erosion of water quality.

Our national forest, as I said, are in a health crisis. More than 40 million acres of the national forests are at high risk for catastrophic fires due to accumulation of dead and dying trees. An additional 26 million acres are at risk from insect and disease. Forests in my district have suffered several fires in the last 2 years. Recently, 6 weeks ago, we had a couple of major fires costing more than $2 million to fight, destroying thousands of acres of timber, cottages, and camps. Careful removal of many of the trees is one of the most efficient, economical and least environmentally impacting management tools available to us to reduce the risk to our national forests and protect adjacent private and State land.

□ 2200

Most Forest Service timber sales are designed to help attain other stewardship objectives. Timber sales are often the most effective method, both ecologically and economically, of achieving desired vegetative management objectives such as thinning dense forest stands or to restore historical ecological conditions, reducing excessive forest fuels, and creating desired wildlife habitat.

Timber sales provide many benefits beyond the revenues earned. From an ecological perspective, timber sales improve forest ecosystem health, reduce the risk and intensity of catastrophic fire, and improve water quality. From an economic point of view, they provide job opportunities, generate individual and business income, and produce incremental tax receipts that various levels of government collect.

We have heard tonight that the home builders would oppose this amendment. Well, the Western Council of Industry Workers, the United Brotherhood of Carpenters and Joiners of America also oppose the Wu-Hooley amendment.

If I may, I would just like to quote from their language on why they are opposed to this amendment. Labor says, ''Legislative efforts to reduce funding for forest management programs seriously jeopardize the livelihoods of our members and tens of thousands of forest product workers nationwide. Job loss within our industry has been severe as the timber sale program has been reduced by almost 70 percent since the early 1990s. More than 80,000 men and women have lost their jobs due to this decline and further cutbacks in these important programs will only add to the unemployment.''

Mr. Chairman, I urge my colleagues to support the timber sale program and reject the Wu-Hooley amendment.

Mr. BOEHLERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be engaging shortly in a colloquy with the gentleman from Ohio (Mr. REGULA) and the gentleman from Virginia (Mr. GOODLATTE), chairman of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry. But I rise in opposition to the amendment.

While I strongly believe that we should be providing more funding for the Forest Service's restoration program, I am reluctant to support further cuts in the timber program at this time. The program is funded in the bill at slightly below last year's level, an appropriate figure as we work on a long-range forest policy for this country, a policy that should give greater emphasis to multiple use.

I do expect that, even without cutting the timber program, we will have an opportunity later this year to increase spending for the Forest Service's restoration programs. That is an opportunity we should accept. Ideally, these programs should be funded at the requested level.

Mr. GOODLATTE. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I am pleased to yield to the gentleman from Virginia, the chairman of the Subcommittee on Department Operations, Oversight, Nutrition and Forestry.

Mr. GOODLATTE. Mr. Chairman, I want to say to the gentleman that I thank him, first of all, for his opposition to this amendment. I believe that it would be appropriate to fund the backlog of restoration programs more fully. If more money materializes for the Interior appropriation, I hope that some of those funds would be added to the restoration accounts. I would join with the gentleman from New York in his effort to do that.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman for his assurances.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I am glad to yield to the gentleman from Ohio, chairman of the Subcommittee on Interior.

Mr. REGULA. Mr. Chairman, I want to add my support for the restoration programs. If more funding becomes available, I would be pleased to consider adding some of it to these accounts.

Mr. BOEHLERT. Mr. Chairman, I thank both chairmen. With the understanding that there is broad agreement that restoration programs could and should receive additional funds later this year, I urge opposition to the amendment.

Ms. HOOLEY of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first of all, I thank the gentleman from Oregon (Mr. WU) and the gentleman from California (Mr. GEORGE MILLER) for helping to bring this amendment to the floor.

I also thank the gentleman from Ohio (Mr. REGULA), the chairman of the subcommittee, as well as the gentleman from Washington (Mr. DICKS) for all of the hard work they have done in trying to balance all of these competing needs.

We have heard a lot of talk about how much timber we are not going to harvest if we pass this amendment. None of us are talking about reducing the amount of timber cut. Somebody else mentioned, well, we should give them what they requested. The administration requested $23 million less than what the appropriators gave this program. What I am looking for is some balance in this program.

Is the management underfunded? Probably. But is the wildlife and fishery programs even more underfunded? They are tremendously underfunded. My colleagues have to remember, again, the timber sales program will be funded at the administration's request for this under this amendment.

One of the problems that happens in our forest is there is little funding to work proactively on improving and protecting habitat. I think this is interesting. We talk about the timber, but remember, the Forest Service manages more acres of fresh water fish habitat than any other agency. In addition, almost 65 percent of all listed aquatic species of the United States occupy habitat on public lands. We not only need to manage our trees, but we need to manage these resources as well.

I know Oregon and other States with large tracts of Federal lands rely on funding for activities which will restore and enhance existing fish and wildlife habitat. This is particularly important since the northwest has had nine species of salmon and Steelhead listed on the endangered species list. Programs to restore forest and wildlife are chronically underfunded.

We look at the maintenance backlog on the current national forest system, which is over $8 billion, causing a number of water pollution problems from unmaintained roads. This amendment provides the funds necessary to partially address these efforts. It does not fund the whole thing. It just partially addresses these efforts.

First of all, the Forest Service has $1 billion budget. One-third of it is spent to log national forests, while only 11 percent of the agency's total spending goes for fish and wildlife and watershed improvement.

Today, we have an opportunity to address this shortfall. I ask for my colleagues' support for the Wu-Hooley amendment and take a small proactive step toward enhancing fish and wildlife habitat, to better our water quality, and protect our watersheds.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
*Washington, DC, July 14, 1999.*

Hon. DARLENE HOOLEY,
*House of Representatives, Longworth House Office Building, Washington, DC*

DEAR DARLENE: Yesterday I wrote a letter to Chairman Bill Young expressing my concern about the low funding levels for wildlife and fisheries in the Interior and Related Agencies FY00 bill while funding for the timber program remains at $23 million above the President's request. I understand you may

offer an amendment to equalize these programs, in accordance with the President's budget to assure greater balance among all of the multiple uses and values of our nation's forests. Increasing funding for salmon and other wildlife habitat restoration is one of the administration's top priorities. As I understand your amendment, it is consistent with these priorities, as reflected in the administration budget's request and, therefore, I strongly support it.

Sincerely,

DAN CLICKMAN,
*Secretary*.

Mr. SHERWOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong disagreement with this amendment. Good forestry is good water practice. It is good wildlife practice. If we take 23 million more dollars out of the budget for forest stand improvement, we will, in the long-term, hurt wildlife, will hurt water and watershed.

We have 40 million acres in this country that have been entrusted to us as the stewards for the American people of forests that are in grave danger of catastrophic fire. We are the stewards of the greatest resource man could imagine, our national ground, our national forests. This is a wrong-headed move. We need to put more money into the management of that. We need to move the management of our forest so they are productive, so they are self-sufficient, so they produce game, so that they are in all aspects compatible with a sustainable yield and use by all our people.

Good forest management is not in opposition to any of the goals that have been stated here tonight. Good forest management increases those goals. As we take the dead wood, the downed timber out of our forest, we reduce the chance for a catastrophic fire. We will increase the growth. We will have more oxygen, cleaner water, better forests, and better opportunities for recreation.

I think that this is not fiscal discipline. I think it is fiscal folly. I would very much ask my colleagues to vote no on the Wu amendment.

Mr. TURNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Wu amendment, because this amendment could have a very significant adverse effect on my district and the districts of many of us who have national forests within their boundaries.

This amendment has a noble purpose in that it proposes to increase funding for wildlife and fishery habitat. But it also offsets that increase against the Timber Sales Management Program that is very vital to the activity of the national forest that harvests timber and does it in a wise and sound and environmentally correct way.

This particular amendment would take away a level funding by reducing by 10 percent the amount in this bill for the Timber Sales Management Program. Not only is the funding already questionable, but a further 10 percent cut could be devastating to this program.

This cut has several unintended consequences. First of all, it jeopardizes the jobs of many of those who are representative of national forest areas because it threatens the ability of the Forest Service to carry out their timber sales program.

Secondly, the Wu amendment would reduce funds that are available for our school districts and our counties, because, as we all know, half of the proceeds from timber sales, from the national forests, are rebated back to our counties and our school districts. In my district alone, national forest sales has meant $5.6 million to our counties and school districts. This money means quality education and services to those in those counties.

Thirdly, cutting support for the Timber Sales Management Program will have an adverse effect on the health of our forest, one of the objectives that the proponents of the amendment would advocate.

There are over 40 million acres of national forest that are threatened by catastrophic fires, a great risk that has occurred because of accumulation of dead and dying trees. There is an additional 26 million acres of national forest threatened by insect and disease.

We all know dead timber is a catalyst for forest fires. We know that the proper removal and the thinning of our national forest is one of the tools used to efficiently and economically and environmentally correct management of our national forests.

From time to time, it has been suggested that we are overharvesting our national forest. But as has been pointed out by several speakers here tonight, our tree growth in our national forest exceeds our current harvest by over 600 percent.

Forest Service estimates that 23 billion board feet of wood are grown every year in the national forest. Six billion board feet die due to insects, disease, and fire. Less than 3 billion are actually harvested each year.

The Forest Service Timber Management Program is an essential tool in the proper management of our national forest. I know the gentleman from Oregon (Mr. WU) believes very strongly in safeguarding our environment and also could appreciate that shortchanging this management program could have a detrimental impact upon the very objective that the amendment seeks to achieve.

Finally, in response to reports that timber sales and the Timber Sales Program in the national forest is losing money, I think it is important for us to understand that we need to look at the total picture, because the total impact upon our Federal, State, and local governments is very positive in economic terms.

The facts are that, in fiscal year 1997, the harvest of timber in our national forest created 55,000 jobs in this country, provided regional income of over $2 billion, and resulted in $309 million in Federal taxes. So there is a positive economic impact from the harvesting of the timber in the national forest.

Timber Sales Program returned $220 million directly to the school districts and the counties where we have national forests. These dollars are needed for our school children, and they are an offset against the loss that all of our counties and school districts have due to the fact that we cannot tax under the property tax in our local jurisdiction those Federal lands.

The bottom line is the Wu amendment threatens the health of our national forest, it adversely impacts the quality of public education in our school districts with Federal land, and it puts further strains upon our county government. I urge this House to reject the Wu amendment.

Mr. WALDEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Wu and Hooley amendment. I understand what they are trying to accomplish, trying to get our watershed healthier. But I just came from 3 hours of a hearing in my district in a town where one has to drive 100 miles in any direction before one hits the first stop light.

□ 2215

It is in a county where we have 15.1 percent unemployment. They have not participated in the economic recovery the rest of this Nation has enjoyed in the 1990s because they are surrounded by public lands and they have to have access to that resource. This amendment will hurt them because it will hurt forests across America, because it will reduce the cut that is available to be done.

The chief of the Forest Service has admitted that he does not have the resources to meet the allowable sale quantity of the cut that is available. That is what I was told from a hearing in the last day or so; that even with this money it will be tight. They have not been meeting their targets. We all know that. This will not help that. This will not help our schools. This will not help jobs.

That is part of why the Western Council of Industrial Workers issued a letter in opposition to this amendment, saying that legislative efforts to reduce funding for forest management programs would seriously jeopardize the livelihoods of our members and tens of thousands of forest products workers Nationwide. Associated Oregon Loggers say the timber sale program is the only major Forest Service program requested for a decrease in funding from fiscal year 1999.

This amendment will hurt. And it will not help clean up our forests. One of the major problems in our forests comes from overgrowth and lack of harvest and the concentration that occurs. And when that occurs, it is like a garden that never gets weeded. The

weeds multiply and disease sets in and they are ripe for fire.

I would ask my colleagues to go to the Malheur National Forest and look at the summit fire and look at the result of that and the loss to taxpayers and the loss to jobs when 40,000 acres burned in a catastrophic fire. Grant County has led the State in unemployment. Every county in my district that relies on timberlands has been adversely affected and this will not help.

I would join my colleagues if they want to do something about pollution to our rivers, if they want to stop allowing some of our urban areas to dump raw sewage into the rivers when their storm systems overflow, or if they want to open up some of the 800 miles of streams that are in pipes throughout the urban areas. That is not very good fish habitat, now is it?

We are willing to do our part in the rural communities if our urban friends will do their part. But taking away from this program will neither help forest health nor help the economic situation nor the schools nor the counties nor the people in those communities. This is a bad amendment and I urge a ''no'' vote.

Mr. HOLT. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by my colleagues, the gentleman from Oregon (Mr. WU) and the gentlewoman from Oregon (Ms. HOOLEY).

Mr. Chairman, this amendment would reduce the subsidy for timber sales management by $23 million and direct the money to sorely needed forest restoration projects. The reduction would be to the level requested by the administration. Taxpayers should not be asked to subsidize the cost of doing business for the timber industry, especially at the expense of the environment.

According to the General Accounting Office, Forest Service timber sales programs lose money, $995 million in a 2-year period recently. And in that period, taxpayers paid $245 million to construct timber roads in the national forests. These losses and subsidies cost taxpayers and the environment.

The Wu-Hooley amendment would help the Forest Service implement a responsible budget by transferring harmful industry handouts to spending that would promote healthy streams and lakes and would help to protect, restore and improve wildlife habitat.

The economic waste and environmental damage caused by the Forest Service timber programs have gone far enough. I urge my colleagues to support the Wu-Hooley amendment to help move the Forest Service budget in the right direction.

Mrs. CHENOWETH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment, which would slash the timber sale funds to only $196.8 million. This critically low level is the amount the administration requested and is $30 million below fiscal year 1999's spending in this program.

Now, it is interesting, even though this is the administration's recommendation, the chief of the Forest Service testified before my subcommittee yesterday that the administration's request is inadequate to address the agency's most urgent forest health concerns. Why is it inadequate? The chief is right here, the Forest Service has identified more than 40 million acres of the national forests that are in extreme risk of catastrophic fires.

I have also heard before my committee testimony that said our national forest is in a state of near collapse. Now, this national trust, this valuable asset that is diminishing every day from lack of care is much like a bridge that needs repair. Mr. Chairman, I can assure my colleagues that if we have a bridge that needs repair, we do not want to risk harm to equipment and especially harm to humans because of catastrophic reactions from lack of care, and care takes money. Now, I am a fiscal conservative. I like to vote for cuts, because I think we need to cut government more, but not here. It is much like a bridge project.

Now, these 40 million acres, most of these lands are located in the west, and that includes 40 million at critical risk plus 29 million acres that are at risk of additional insect infestation. In that regard, Mr. Chairman, I want to show my colleagues a map. This map was put together by the Forest Service, and the areas in red are the areas that are at extreme critical risk. This is the administration and the agency's own map.

On this map we can see some red blobs. The biggest red blob is an area of concentration of near collapse in our national forest in the area of northern Idaho and in western Montana. My colleagues can see why I get so excited about this. These are Federal lands that have been let go to waste. Now, these areas, if we put them together, would amount to almost the size of the State of California. That is a huge amount of land that is going to waste because we are not caring for it properly. And this map, prepared by the Forest Service, does identify those priority areas.

GAO calls these lands a tinderbox. And the forestry experts agree that it is not a matter of if these lands will burn, it is just a matter of when they will burn if we do not invest in taking care of America's garden. The timber sale program is the agency's most effective and efficient tool to address this emergency situation, this state of near collapse in our national forest. It allows the Forest Service to recover some of its costs through the sale of merchantable timber while it provides safe and controlled ways to reduce the highly flammable fuels.

If we wish to preserve these lands as wildlife habitats and ensure good quality of water in the streams, then for goodness sakes we need to prevent forest fires. There is absolutely no logic in the fact that we let these diseased and insect infested areas to continue to expand, because that in and of itself destroys wildlife habitat and it invites fires. The idea that we can let this situation go on and still improve wildlife habitat is the kind of logic that leaks like a sieve.

Mr. Chairman, I must point out that many counties across the country are also directly affected by the continuous annual decline in the Forest Service timber sale program. So I want to urge my colleagues to vote to preserve the Forest Service's ability to manage its forest lands, reduce the risk of fire, protect wildlife habitat and protect our roads, our rural counties and our schoolchildren.

I urge my colleagues to vote ''no'' on this amendment.

Mr. CROWLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today as a member of the Subcommittee on Forests and Forest Health of the Committee on Resources in support of the Wu-Hooley-Miller amendment. This amendment is both fiscally responsible and environmentally sound. It boosts clean water efforts and improves the health of our national forests for recreational and commercial users. The Wu-Hooley-Miller amendment also redirects vital resources towards improving our drinking water, fish and wildlife.

This amendment reduces what is basically a subsidy for timber sales management and directs the Federal funds to desperately needed forest restoration projects. House committees have increased the United States Forest Service timber sales requests by almost $24 million while slashing funding for fish and wildlife programs by the same amount. The Wu-Hooley-Miller amendment would reverse these sorely misplaced budget priorities and fund the restoration of watersheds, national forests and fisheries.

This amendment scales spending on timber sales back to the President's request of $196 million from the amount in the bill now, some $220 million. It redirects the freed-up funds, almost $24 million, to vitally needed watershed improvements and to the protection of fish and wildlife.

Mr. Chairman, as the representative from New York City, I recognize just how important these issues are throughout our Nation. By keeping ecosystems at a healthy level, clean air and water can be supplied to all communities. Protection of watersheds is important for making our communities more livable and making sure that we all have the safest and cleanest water for drinking and for recreation. There is absolutely no reason to put the interest of the timber industry ahead of the health of our forests and drinking water, especially when the two can peacefully coexist.

I strongly support this environmentally sound and fiscally responsible amendment, and I urge my colleagues to do the same.

Mr. Chairman, let me just add that I have the pleasure of representing a portion of Astoria, Queens, and the prime sponsor of this amendment, the gentleman from Oregon (Mr. WU), represents Astoria, Oregon. Our joint support of this amendment is support for forests, fisheries and waterways from Astoria to Astoria and from coast to coast.

I would also like to take a moment to thank my colleague, the gentleman from New York (Mr. HINCHEY), the newest member of the Subcommittee on Interior of the Committee on Appropriations, for all his help and guidance on this matter and on so many other important environmental issues.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Here we go again. Rich suburban America says we should not cut timber. They do not live there, they do not understand the forest, but, boy, they are suddenly experts.

We have heard a lot today about forest restoration. How do we restore a forest? We prune it. We manage it. We do not just let it die. Because when we let it die, nature will burn it. History shows that.

Habitat improvement. We could give the whole Forest Service budget to the Fish and Wildlife Service and we could not create habitat. They cannot manufacture it. We do not make it in a factory. It is part of the forest. It is the result of good management of our land.

We have an amendment to cut. Why would we cut less? It must mean we are cutting too much. That must be the reason for the amendment. So let us look. We are growing 23 billion board feet. Six billion are dying naturally. That leaves us 17 billion. Now, we cut 3 billion, so we have 14 billion excess every year. Every 7 years that is 100 billion board feet in inventory.

We will not have enough budget to cut the diseased and dying forest. We have 192 million acres in the Forest Service: 120 is high-grade commercial forest, 60 is potentially available for forestry, and we are practicing limited forestry on 30.

□ 2230

Are we cutting down the American forests? No, we are not. In the West, and I know more about the East because that is the hardwood forest, but this is data on the West, the public land is 50 percent of the softwood inventory in this country. They are providing three percent to the market. We are now at 34 percent import. I guess our goal is to equal oil, where we are more than 50 percent import.

Why practice forestry? We can double and triple the growth of the forest if we manage it. When we cut down the trees that are mature, the trees that are going downhill, the young trees grow two and three times as fast. So we double and triple the growth of the forest.

It is also good for clean air. We do not hear much about that. When the air from Chicago goes over the eastern forest, there is a whole lot less CO2 in it when it meets the ocean. Why? Because of the health of the eastern forest. It is good for wildlife, as I previously stated, because it creates the habitat they need. And when it is all even-aged and there is no sunlight, and that is what happens to an untouched forest, there is no sun, critters leave.

Do my colleagues know what is left? Insects and moles and voles. Not animals, not birds, not wildlife, but bugs.

In Pennsylvania and Ohio, a few years ago we had seven tornadoes that cut paths in the forest half a mile and a mile wide, took every tree down, just destroyed it. That was in 1985. I flew over it 3 weeks ago. From the air we can hardly see the difference. That forest is 25 to 30 feet. It is a high-quality hardwood forest, and it has recovered because nature in the East reproduces.

That forest today is teeming with wildlife, wildlife that never lived there. Birds have been seen there that were never there because it is like a jungle.

We produce another inalienable resource, timber. We used to cut 12 billion board feet. Now we cut about 2 to 3 billion board feet. The timber program has been cut 75 percent since 1991. We are setting the stage for our forests to burn, and the gentlewoman from Idaho explained that so well just a few moments ago.

Practicing forestry is good for clean air. It is good for wildlife habitat. It is good for doubling and tripling this resource. It helps us be self-sufficient. And yes, in rural America it creates a whole lot of jobs.

I have left that for last because I want to tell my colleagues that their suburban ideas are killing rural America. We are in trouble. We are limiting timber production. We have all but stopped oil and gas production. Mineral extraction is being exported more every day, and now agriculture is being squeezed because the dairy farmers are going out of business as we talk.

This is what we do in rural America, my colleagues. Work with us. We can do it right and we can have a healthier economy.

Mr. UDALL of Colorado. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be very brief. I rise as a Westerner, and I rise in support of this amendment.

This amendment is about balanced forest management. This amendment is about putting back in the money the administration requested to manage our watersheds and increase the protection of our fisheries. If we do that, if we manage our watersheds, we are going to have more trees in the long-run, healthier forests, and we are going to help those rural economies.

The gentleman from Oregon (Mr. WU) and the gentlewoman from Oregon (Ms. HOOLEY) have brought an important amendment. I urge its adoption. This is a good amendment. This helps our western and eastern forests.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. WU).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WU. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 243, further proceedings on the amendment offered by the gentleman from Oregon (Mr. WU) are postponed.

Are there further amendments to the bill?

Mr. DICKS. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on the Young amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

The CHAIRMAN. The Young amendment passes by voice vote.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 243, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: An amendment offered by the gentleman from West Virginia (Mr. RAHALL); an amendment offered by the gentleman from Florida (Mr. WELDON); an amendment offered by the gentleman from Pennsylvania (Mr. KLINK); amendment No. 3 offered by the gentleman from California (Mr. FARR); an amendment offered by the gentleman from Colorado (Mr. TANCREDO); and an amendment offered by the gentleman from Oregon (Mr. WU).

The Chair will reduce to 5 minutes the time for any electronic votes after the first vote in this series.

AMENDMENT OFFERED BY MR. RAHALL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 273, noes 151, not voting 10, as follows:

[Roll No. 288]

AYES—273

| | | |
|---|---|---|
| Abercrombie | Baldacci | Becerra |
| Ackerman | Barcia | Bentsen |
| Allen | Barrett (WI) | Bereuter |
| Andrews | Bartlett | Berman |
| Baird | Bass | Berry |

Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goode
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reynolds
Rodriguez
Roemer
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Sweeney
Talent
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wise
Wolf
Woolsey
Wu

NOES—151

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barton
Bateman
Berkley
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Coble
Coburn
Collins
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Emerson
Everett
Fletcher
Fowler
Gekas
Gibbons
Gillmor
Goodlatte
Goodling
Graham
Granger
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller, Gary
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Peterson (PA)
Pickering
Pitts
Pombo
Pryce (OH)
Radanovich
Regula
Reyes
Riley
Rogan
Rogers
Royce
Ryun (KS)
Salmon
Schaffer
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skeen
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Tancredo
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Wicker
Wilson
Young (AK)
Young (FL)

NOT VOTING—10

Baldwin
Brown (CA)
Brown (OH)
Combest
Hoyer
McDermott
McNulty
Rivers
Thurman
Wynn

□ 2256

Mr. PICKERING changed his vote from ''aye'' to ''no.''

Messrs. TRAFICANT, EWING, PETRI, WHITFIELD, Mrs. ROUKEMA, and Messrs. BECERRA, KINGSTON, and DEAL of Georgia changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LAHOOD). Pursuant to House Resolution 243, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. WELDON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 217, not voting 12, as follows:

[Roll No. 289]

AYES—205

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Biggert
Bilirakis
Blunt
Boehlert
Bonilla
Boswell
Boucher
Brady (TX)
Bryant
Burr
Burton
Callahan
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Cook
Cox
Cramer
Crane
Cubin
Danner
Davis (VA)
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Etheridge
Everett
Ewing
Fletcher
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hefley
Herger
Hill (IN)
Hill (MT)
Hobson
Hoekstra
Holt
Horn
Hostettler
Hulshof
Hutchinson
Hyde
Isakson
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Kucinich
LaFalce
LaHood
Largent
Latham
Lazio
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntyre
McKinney
Menendez
Metcalf
Mica
Miller (FL)
Moakley
Moran (KS)
Myrick
Northup
Norwood
Nussle
Obey
Ose
Packard
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Porter
Portman
Price (NC)
Quinn
Radanovich
Reynolds
Riley
Roemer
Rogers
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Sisisky
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOES—217

Abercrombie
Ackerman
Allen
Baird
Baldacci
Barcia
Barrett (NE)
Becerra
Bentsen
Berman
Berry
Bilbray
Bishop
Blagojevich
Bliley
Blumenauer
Boehner
Bonior
Bono
Borski
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Calvert
Camp
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehrlich
Engel
English
Eshoo
Evans

Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Frost
Gallegly
Gejdenson
Gephardt
Gonzalez
Gordon
Goss
Gutierrez
Gutknecht
Hastings (FL)
Hayworth
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Hooley
Houghton
Hoyer
Hunter
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
Lampson
Lantos
Larson
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKeon
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Oberstar
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pombo
Pomeroy
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reyes
Rodriguez
Rogan
Rohrabacher
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Simpson
Skeen
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walden
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wise
Woolsey
Wu
Young (AK)

NOT VOTING—12

Baldwin
Brown (CA)
Combest
McDermott
McIntosh
McNulty
Rivers
Ros-Lehtinen
Royce
Thomas
Thurman
Wynn

□ 2305

Mr. HUNTER changed his vote from ''aye'' to ''no.''

Mr. BAKER and Mr. PICKERING changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KLINK

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. KLINK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 199, not voting 9, as follows:

[Roll No. 290]

AYES—227

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Roemer
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Sensenbrenner
Serrano
Sherman
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu

NOES—199

Aderholt
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chambliss
Chenoweth
Coble
Coburn
Collins
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Ose
Oxley
Packard
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simpson
Smith (MI)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Archer
Baldwin
Brown (CA)
Combest
McDermott
McNulty
Rivers
Thurman
Wynn

□ 2313

Mr. BLAGOJEVICH changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. FARR OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. FARR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 259, noes 166, not voting 9, as follows:

[Roll No 291]

AYES—259

Abercrombie
Ackerman
Allen
Andrews
Baird
Barrett (WI)
Bartlett
Becerra
Bentsen

Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Crane
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Gejdenson
Gephardt
Gillmor
Gilman
Gonzalez
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Northup
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Petri
Phelps
Porter
Portman
Price (NC)
Pryce (OH)
Ramstad
Rangel
Regula
Reyes
Rodriguez
Roemer
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sanford
Sawyer
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Talent
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wolf
Woolsey
Wu
Young (FL)

NOES—166

Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barton
Bass
Bateman
Berry
Bishop
Bliley
Blunt
Boehner
Bonilla
Boswell
Boyd
Brady (TX)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Chambliss
Chenoweth
Coble
Coburn
Collins
Cook
Cramer
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Dickey
Dingell
Doolittle
Duncan
Emerson
English
Everett
Fletcher
Fowler
Frost
Ganske
Gekas
Gibbons
Gilchrest
Goode
Goodlatte
Goodling
Graham
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hoekstra
Holden
Hostettler
Hunter
Istook
Jenkins
John
Johnson, Sam
Kanjorski
Kasich
Klink
Knollenberg
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
McCrery
McHugh
McInnis
McIntosh
McKeon
Miller, Gary
Mollohan
Moran (KS)
Murtha
Nethercutt
Ney
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Quinn
Radanovich
Rahall
Reynolds
Riley
Rogan
Rogers
Ryun (KS)
Salmon
Sandlin
Saxton
Schaffer
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Turner
Vitter
Walden
Walsh
Watkins
Watts (OK)
Weldon (FL)
Wicker
Wise
Young (AK)

NOT VOTING—9

Baldwin
Brown (CA)
Combest
Dreier
McDermott
McNulty
Rivers
Thurman
Wynn

□ 2320

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TANCREDO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 135, noes 291, not voting 8, as follows:

[Roll No. 292]

AYES—135

Aderholt
Archer
Armey
Bachus
Baker
Barr
Bartlett
Barton
Bass
Bateman
Bilbray
Bliley
Bryant
Burr
Burton
Callahan
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Cook
Cox
Crane
Cubin
Cunningham
Deal
DeLay
DeMint
Doolittle
Duncan
Dunn
Everett
Fletcher
Foley
Fossella
Franks (NJ)
Frelinghuysen
Gekas
Goode
Goss
Graham
Green (WI)
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (MT)
Hilleary
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kuykendall
Largent
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Luther
Manzullo
McInnis
McIntosh
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Norwood
Paul
Pease
Petri
Pitts
Pombo
Ramstad
Riley
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Simpson
Sisisky
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thune
Tiahrt
Toomey
Vitter
Wamp
Watts (OK)
Weldon (FL)
Young (AK)

NOES—291

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Buyer
Calvert
Camp
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Forbes
Ford
Fowler
Frank (MA)
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Herger
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar

Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sherman
Sherwood
Shows
Skeen
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (FL)

NOT VOTING—8

Baldwin
Brown (CA)
Combest
McDermott
McNulty
Rivers
Thurman
Wynn

□ 2328

Ms. PELOSI and Mr. TALENT changed their vote from ''aye'' to ''no.''

Mr. KASICH and Mr. WAMP changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WU

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. WU) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 250, not voting 10, as follows:

[Roll No. 293]

AYES—174

Abercrombie
Ackerman
Allen
Andrews
Barrett (WI)
Becerra
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hinchey
Hoeffel
Holt
Hooley
Horn
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Porter
Portman
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Tauscher
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu

NOES—250

Aderholt
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Clayton
Clement
Coble
Coburn
Collins
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Evans
Everett
Ewing
Fletcher
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Kasich
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pryce (OH)
Quinn
Radanovich
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun (KS)
Salmon
Sandlin
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Baldwin
Bereuter
Brown (CA)
Combest
Davis (FL)
McDermott
McNulty
Rivers
Thurman
Wynn

□ 2335

So the amendment was rejected.

The result of the vote was announced as above recorded.

Ms. ROYBAL-ALLARD. Mr. Chairman, I want to speak briefly about a small but important provision in the Interior Appropriations Bill having to do with breast-feeding.

When the Appropriations Committee marked up the bill on July 1, I offered an amendment which was supported by Chairman RALPH REGULA and Ranking Democrat NORM DICKS, and I appreciate their support as well as the broad support given by the full committee. The amendment was added as a general provision to the bill, and it was approved unanimously.

I would like to highlight the importance of my amendment by sharing several stories, some of which may appear on the surface to be humorous but some of which I assure you illustrate a very serious issue: the issue of breast-feeding.

My first quote is from a story that was recently related to me:

''My friend and I were visiting the Holocaust Museum. I began nursing my son in the back corner of the bookstore. I was harassed by the bookstore clerk and 4 security guards before being allowed to leave.''

In another incident, while visiting the National Museum of Natural History, a guard instructed a Maryland woman who was breast-feeding her child to leave because, and I quote: ''no food or drink is allowed in the museum.'' It is important to note that a mother who was nearby feeding a child with a bottle was undisturbed.

In yet another incident, a mother wrote about a confrontation at the National Gallery of Art.

''I was recently asked to leave the Sargent exhibit for breast-feeding my baby. The guard stated that I was ruining the gallery experience of other patrons—some of whom were viewing a portrait directly opposite me of the Madonna and child—breast feeding.''

Sadly, such incidences even happen in my own state of California.

For example, a park ranger asked a woman visiting Yosemite National Park to stop nursing her child. It was only after the woman and her husband—who happened to be pediatrician—objected, that the ranger backed down.

Although these are just anecdotes, I think they are indicative of a disturbing pattern—nursing mothers with their families on an outing to our parks and museums can't feed their hungry babies.

The undeniable fact of life, however, is that hungry babies demand to be fed no matter where they are.

Unfortunately, we don't know the full extent of the problem because most mothers when confronted, are publicly humiliated and quietly leave without protesting.

However, our national parks and Washington-based museums and cultural attractions—which epitomize family-centered activities—should lead the way in promoting and defending the practice of breast-feeding.

This important provision in the bill simply allows a woman to breast-feed her baby in a national park or a museum, if they are otherwise permitted to be there.

Breast-feeding is a very natural and healthful activity, one of the best things that a mother can do to give her child a healthy start in life.

We know that the benefits are not just confined to infancy—breast-fed babies are healthier, they have fewer allergies, and they have higher IQs.

We know that breast-feeding is also good for mothers because it provides maternal protection against breast cancer and osteoporosis.

I was frankly overwhelmed by the number of colleagues who came to me after my amendment was adopted to express support for protecting breast-feeding.

In fact, based on the feedback we have received for this amendment, I believe this provision has much wider applicability, and I also support legislation introduced by our colleague, CAROLYN MALONEY, to extend this protection for breast-feeding nationwide as 13 states have already done.

In the meantime, we should certainly be supporting family-friendly parks and museums, and I am grateful for the wide support that has permitted it to become part of this bill. I ask that Chairman REGULA and Mr. DICKS try to retain this important provision during conference negotiations with the Senate. It sends a strong signal in support of American families across the Nation, and I believe it is something the House can take enormous pride in.

Mr. POMEROY. Mr. Chairman, I rise today in reluctant opposition to the Sanders Amendment which provides increased funding for the low-income weatherization program.

I have always been a strong supporter of the weatherization program. This program is highly successful in providing critical funding to improve the energy efficiency of homes for low-income households. In my home state of North Dakota which confronts bitterly cold winters every year, the program provides assistance to an average 1,200 households annually. This investment saves a household nearly $200 in annual energy costs, yielding $2.40 in energy, health and safety benefits for every federal dollar invested. In the environment of utility deregulation and welfare reform, I believe that the funding commitment of the federal government to this program must reflect our commitment to energy efficiency and self-sufficiency for low income families, and this can only be done through continued strong funding.

Unfortunately, the amendment before us today, while providing important funding for the weatherization program, cuts funding for the Strategic Petroleum Reserve at a time when we are facing a severely depressed worldwide oil market. To help alleviate the crisis in the oil industry we have used this funding to purchase oil and place it in the strategic reserve. At this time, we cannot cut back on our efforts to assist this industry by cutting funding for the Strategic Petroleum Reserve. The Sanders amendment presents us with a false choice between making an investment to place more oil in the strategic reserve which will aid a depressed industry and funding a program which will provide critical weatherization assistance to low income families. This should not be the trade off.

Ms. MCCARTHY of Missouri. Mr. Chairman, I rise today to express my concern over provisions in H.R. 2466, the Interior Appropriations bill for fiscal year 2000, which limit resources to develop clean technologies essential to achieving economic growth and to reducing greenhouse gas emissions. Consensus exists in the scientific community that global warming is a problem that we must address now. As the world's economic leader, we have the ability and the responsibility to improve the environment and foster economic activity. Technology research and development will put the United States at the forefront of this emerging market and allow our nation to benefit from the global market for energy technologies.

This measure is 15% below the Administration's budget request for energy conservation programs. The energy conservation program of the Department of Energy funds cooperative research and development projects aimed at sustaining economic growth through more efficient energy use. An inadequate appropriation could actually cost more money in the long run through lost efficiency. Activities financed through this program focus on markedly improving existing technologies as well as developing new technologies, which ultimately will displace some of our reliance on traditional fossil fuels.

Mr. Chairman, the world is waiting for the U.S. Congress to act on global climate change. Our country is the world's largest contributor to the problem; we have the greatest resources to help solve it, yet we retreat from the task. The bill is but another symbol of our failure to recognize that we have a global responsibility to help bring the nations of the world back from the brink of a massive alteration of our planet's climate system. Here we have another chance to help turn this problem from an enormous environmental and economic risk into a chance for U.S. industry to lead the world in what will be the energy technologies of the 21st century.

Mr. MARKEY. Mr. Chairman, I rise in support of this amendment. The Weatherization Assistance Program serves a dual purpose. It provides health and economic benefits to the poor, by assisting in keeping low-income homes warm. And it improves the environment by reducing energy loss from those homes. The program achieves these benefits in an efficient and effective manner in cooperation with local groups experienced in on-the-ground work. Funding from the Weathernization Assistance Program is used to leverage other federal and non-federal funds to weatherize roughly 200,000 homes each year. This work is especially important in Massachusetts and other states that face harsh winters; last year $3.8 million went to assist low-income homes in Massachusetts. The amendment sponsored by Mr. SANDERS would provide an additional $13 million to this program, which would only restore it to last year's funding level. I strongly support restoring the funding for this excellent program.

I do, however, regret that the sponsors of this amendment have chosen to take the money from the Strategic Petroleum Reserve. The Strategic Petroleum Reserve is intended to serve the same consumers by ensuring a steady supply of oil in a crisis. Particularly for many low-income residents in the Northeast, adequate and reasonably priced oil supplies are crucial both for transportation and for winter heating. In recent years some of the petroleum reserve has been sold off for budgetary reasons. It is very important to fund the reserve adequately, and I hope that if this amendment passes, members will seek more appropriate offsets in conference.

Despite this reservation, I strongly support this amendment and urge my colleagues to vote for it.

Mr. STEARNS. Mr. Chairman, I commend Chairman REGULA for the wonderful job that he has done in bringing this bill before us on the floor. Preparing an appropriation bills is a difficult task. I appreciate the work that has been done by each of the committee members and the committee staff. Today I have the opportunity to share with my colleagues information about one of America's most important historical incidents, but often forgotten.

I will be withdrawing my amendment in hopes of working with Chairman REGULA in conference to ensure that this land be studied to ensure its preservation in the future.

I rise to offer the Fort King amendment to HR 2466. This amendment is of historical importance not only to Ocala, Florida, home to Fort King, but to the whole nation. This Fort played a direct role in the founding of Florida as a state.

If you have travelled through Florida in the last ten years, it would be hard for you to imagine that the first settlers deemed most of Florida's interior as inaccessible. It is on this land that a little more than a hundred years ago a battle raged.

Beneath the tropical landscape of palm trees and flowers lie the weapons of a forgotten war and the bones of forgotten men. Where broad highways now wrap the state with concrete, tenuous trails were once flattened by Indians' moccasins and soldiers' boots. The dark river waters that now sustain pleasure boats have known far longer the dugout of the Seminole and the log raft of the trooper. In parks where tourists now scatter trash, valiant men once fought and died.

The Florida War was ''the longest, costliest and bloodiest Indian war in United States history'' spanning almost seven years and costing the government thirty million dollars. Before the end more then fifteen hundred soldiers were dead and all but three hundred of the surviving Indians traveled the Trail of Tears to far Oklahoma.

This was a significant incident in our nation's history. On December 28, 1835, Fort King was the site of an outbreak of hostilities between the United States Government and the Seminole Indians. The Seminoles, were led in this attack by Chief Osceola. This attack began the Second Seminole War, which laster longer than any other United States armed conflict, except for the Vietnam War.

Fort King and the surrounding area contain artifacts used in the attack and in the life of the Seminole Indians. This bill would help preserve Seminole history in Florida.

This study would identify a means of preserving and developing Fort King. Preserving our past for our children and grandchildren is imperative. Fort King is a historical gem that should be accessible to all.

I withdraw my amendment and look forward to working with the chairman in ensuring the success of this project.

Mr. HAYWORTH. Mr. Chairman, today I rise to express my opposition to language included in H.R. 2466, the fiscal year (FY) 2000 Interior Appropriations bill that would mandate a ''pro-rata proportionate'' distribution of contract support cost funding for Indian Health Service (IHS) programs administered by tribes and tribal organizations.

I commend Chairman REGULA's inclusion of an additional $35 million over FY 1999 funding for contract support cost funding, for a total of $238.8 million. The increase includes an additional $30 million for existing contracts and $5 million for new and expanded contracts. These additional funds are crucial to meet the federal government's legal obligation to help tribes carry out the management of tribal health care programs.

However, I oppose the legislative provisions within H.R. 2466 that purports to ''fix'' the contract support cost funding backlog by requiring a pro-rata distribution of contract support cost funding for all self-determination contracts and self-governance compacts. This language is inconsistent with an agreement reached on this issue among affected Members of Congress during debate of the FY 1999 Interior Appropriations bill.

Abruptly imposing such a pro-rata system will disrupt on-going, viable tribally operated health care systems. This system disproportionately punishes those tribes with the longest history of providing their own health services and breaks a government commitment to these tribes. This issue is too important and complex to be adequately addressed without full review by the Resources Committee, the committee of jurisdiction.

In addition, the massive redistribution of these funds would cause severe hardships in many of the health care programs serving Native Americans across the United States, a population that already is at the bottom of every health care indicator in the United States.

To date, the Resources Committee has taken many constructive steps in an open process to develop a solution. The Resources Committee held its first hearing on February 24, 1999, at which the committee heard from both government and tribal representatives. The Resources Committee is reviewing a report recently released by the General Accounting Office (GAO) on contract support cost funding and how to ensure more consistency in payments. In addition, the committee is working with the Administration to develop recommendations on contract support cost funding that are fair and within budget. I look forward to participating in a second hearing that is scheduled for August 3, 1999, to discuss both sets of recommendations.

I strongly oppose the pro-rata language in the FY 2000 Interior Appropriations bill. I pledge to continue working with the Resources Committee, tribal organizations, and the Administration, to develop a thoughtful and participatory long-term solution to the contract support cost issue.

Mr. SENSENBRENNER. Mr. Chairman, H.R. 2466, the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 2000 includes funding for the Department of Energy's (DOE's) Clean Coal Technology, Fossil Energy and the Energy Conservation Research and Development programs.

The bill represents the hard work of Mr. REGULA and the members of the subcommittee and reflects Republican commitment to the balanced budget discretionary caps that were agreed to in 1997. Abiding by these caps meant that hard decisions had to be made on a wide variety of issues including those related to research and development at the Department of Energy. While breaking the caps and simply spending more of the taxpayer-earned surplus is the easy thing to do, Mr. REGULA has chosen the right thing to do and reined-in spending.

The Science Committee has responsibility for setting authorization levels for funding research at the Department of Energy. The committee has passed two authorization bills which address Department of Energy funding needs, they are: H.R. 1655, the Department of Energy Research, Development, and Demonstration Authorization Act of 1999 and H.R. 1656, the Department of Energy Commercial Application of Energy Technology Authorization Act of 1999. H.R. 2466 appropriates $524,822,000 for energy conservation programs, H.R. 1655 and H.R. 1656 provide a combined $542,375,000 for similar programs. Furthermore, H.R. 1655 and H.R. 1656 provide $366 million for fossil energy research and development while H.R. 2466 provides $335,292,000 for similar accounts. While H.R. 2466 does not fully fund these accounts to their authorized levels, it is a reasonable attempt to fund R&D in a tight fiscal framework.

In addition, much of the R&D included in H.R. 2466 has a profound impact on climate research. While the administration jumped on the Kyoto bandwagon, I think a more science-based assessment of our climate and energy resources is necessary before we use taxpayers money to support a flawed policy approach.

I have spent a great deal of time analyzing the Kyoto Protocol, the U.N. treaty that mandates the U.S. to cut our greenhouse gas emissions by 7 percent below 1990 levels by 2008–2012.

In 1997, the Science Committee's Subcommittee on Energy and Environment held a series of three ''Countdown to Kyoto'' hearings on the science and economics of climate change. In December 1997, I led the bipartisan congressional delegation at the Kyoto climate change negotiations. Upon my return, I chaired three Science Committee hearings on the outcome and implications of the climate change negotiations. Most recently I attended the latest round of negotiations at Buenos Aires this past November. In the midst of the Buenos Aires negotiations, the Administration signed the Protocol without fanfare. This fact alone should raise our suspicions, giving this administration's willingness to take credit for, well, just about everything. Through all of these experiences, it's become clear to me that Vice President GORE is determined to implement this flawed protocol.

Last October, the administration's own Energy Information Administration found the Kyoto Protocol would have significant negative impacts on the U.S. economy, including increased annual energy costs for the average household of $335 to $1,740; electricity price increases of 20 to 86 percent; gasoline price increases of 14 to 66 cents per gallon; fuel oil price increases of 14 to 76 percent; natural gas price increases of 25 to 147 percent; and actual GDP declines of $60 to $397 billion. In addition, EIA estimates a decline in coal use of 20 to 80 percent, and an average coal price increase by 154 to 866 percent, with additional coal mining job losses of 10,000 to 43,000. This approach is unacceptable.

H.R. 2466 addresses this issue through its inclusion of language, known as the Knollenberg amendment, that prohibits any funds from being used to implement the Kyoto Protocol. This language is consistent with language from Representative ZOE LOFGREN's amendment that was adopted by the Committee on Science as part of H.R. 1742, the Environmental Protection Agency Office of Research and Development Act of 1999, on May 25, 1999. Mr. KNOLLENBERG's language assures taxpayers that Senate ratification must precede actions to implement the Kyoto Protocol. Given the glaring problems with this unfunded, unsigned, and unratified protocol, such a limitation is proper and necessary and I commend the Appropriations Committee for including it in H.R. 2466.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, pursuant to House Resolution 243, he reported the bill back to the House with sundry amendments

adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. GOODLING. Mr. Speaker, since Gettysburg is in my district, I demand a separate vote on the Klink amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

Mr. LAFALCE. Mr. Chairman, I ask unanimous consent that the vote on the Klink amendment, the vote on the motion to recommit, and the vote on final passage all be confined to 5 minutes apiece.

The SPEAKER pro tempore. Without objection, the Chair will advise all Members that the first vote on the Klink amendment if ordered will be 15 minutes, followed by 5-minute votes on recommittal and passage.

There was no objection.

The SPEAKER pro tempore. The question is on the remaining amendments en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment:

At the end of the bill, insert the following:

SEC. 332. No funds made available under this Act may be used to implement alternatives B, C, or D identified in the Final Management Plan and Environmental Impact Statement for Gettysburg National Military Park dated June 1999.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DICKS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 220, noes 206, not voting 9, as follows:

[Roll No. 294]

AYES—220

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Shuster
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu

NOES—206

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chambliss
Chenoweth
Coble
Coburn
Collins
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simpson
Skeen
Smith (MI)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Baldwin
Brown (CA)
Combest
McDermott
McNulty
Paul
Rivers
Thurman
Wynn

□ 2356

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. In its present form I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves that the bill, H.R. 2466 be recommitted to the Committee on Appropriations with instructions to report back forthwith with an amendment as follows:

On page 6, line 13, after ''$20,000,000'' insert: ''(increased by $28,000,000)''

On page 13, line 23, after ''$42,000,000'' insert: ''(increased by $27,000,000)''

On page 17, line 13, after ''$45,449,000'' insert: ''(increased by $4,000,000)''

On page 19, line 16, after ''$102,000,000'' insert: ''(increased by $28,000,000)''

On page 71, line 19, after ''$159,000,000'' insert: ''(increased by $13,000,000)''

On page 87, line 19, after ''$83,500,000'' insert: ''(increased by $10,000,000)''

On page 88, line 18, after ''$96,800,000'' insert: ''(increased by $10,000,000)''

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, I would simply ask every Member how many times have you told your constituents that you are for a program but you just cannot help them because we do not have the resources? How many times have you told your constituents you want to

protect national parks, you want to protect wildlife refuges but you simply do not have room in the budget?

□ 0000

Well, tonight we have unusual circumstances. Tonight Members can do something about it.

With the passage of the Young amendment, there is now room in this bill to do the following. We can restore $87 million to the President's budget for the Land Legacy Program to protect our national parks, to protect our wildlife refuges, to protect our precious natural resources.

Members can restore $13 million to the Strategic Petroleum Reserve, which was cut earlier in debate on this bill, and still keep the Sanders amendment on weatherization.

Members can restore $20 million to the President's budget for the National Endowment for the Arts and Humanities.

Those who went down to the rally 2 weeks ago when the Denver Broncos were in town and told everybody that they are for urban parks programs, they can vote to put their vote where their rhetoric was 2 weeks ago and vote to put $4 million into the urban parks initiative.

Members can do all of that and still stay below the 302(b) allocation, still stay below the budget, and still bring this bill in below last year's spending.

We have a lot of talk around this town about legacies. I think it is important to remember one that is not often talked about. For every child born in this country, that child's share of our precious national assets, like national parks and wildlife refuges and all the rest, is the dollar equivalent to about $17,000 per child.

That legacy is worth investing in. That legacy is worth protecting and cherishing and nourishing. Members can do that tonight by voting for this motion to recommit.

This motion to recommit will not kill the bill, it will mean the bill will be reported back to the House forthwith, with these fix-up items. It will mean that it will make this bill just a little bit better than it is, and it will mean that it can be passed by the House on a bipartisan basis. I urge a yes vote on the motion.

The SPEAKER pro tempore (Mr. LAHOOD). Is the gentleman from Florida (Mr. YOUNG) opposed to the motion to recommit?

Mr. YOUNG of Florida. The gentleman from Florida is opposed to the motion, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, when the House earlier this evening overwhelmingly adopted the Young amendment, it did so with the intent of reducing the overall amount appropriated in this bill. That was the intent. That is why the amendment was offered.

This motion to recommit will undo the good work that the House did earlier this evening, so I would ask my colleagues to stick with their original vote when they overwhelmingly voted for the Young amendment. Defeat this motion to recommit the bill. Let us get on to final passage and try to get home sometime this morning.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 239, not voting 9, as follows:

[Roll No. 295]

AYES—187

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu

NOES—239

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Baldwin
Brown (CA)
Combest
McDermott
McNulty
Peterson (MN)
Rivers
Thurman
Wynn

□ 0009

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 377, nays 47, not voting 11, as follows:

[Roll No. 296]

YEAS—377

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Ewing
Farr
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NAYS—47

Berry
Blagojevich
Bonior
Conyers
Davis (IL)
Delahunt
Doggett
Evans
Fattah
Filner
Forbes
Gejdenson
Gephardt
Gibbons
Goodling
Hefley
Holden
Hostettler
Jackson (IL)
Kanjorski
Kennedy
Larson
Lee
Markey
McKinney
Menendez
Miller, George
Obey
Olver
Paul
Payne
Rohrabacher
Rothman
Royce
Sanford
Scarborough
Schakowsky
Sensenbrenner
Simpson
Slaughter
Souder
Stark
Stearns
Tancredo
Tiahrt
Weiner
Woolsey

NOT VOTING—11

Baldwin
Brown (CA)
Combest
Gutierrez
McDermott
McNulty
Nussle
Pickering
Rivers
Thurman
Wynn

□ 0015

Mr. TANCREDO, Mr. PAYNE and Ms. SCHAKOWSKY changed their vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2490, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106–234) on the resolution (H. Res. 246) providing for consideration of the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2415, AMERICAN EMBASSY SECURITY ACT OF 1999

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106–235) on the resolution (H. Res. 247) providing for consideration of the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 1995, THE TEACHER EMPOWERMENT ACT

Mr. DIAZ-BALART. Mr. Speaker, a ''Dear Colleague'' letter will be delivered to each Member's office tomorrow notifying them of the plan of the Committee on Rules to meet the week of July 19 to grant a rule which may limit the amendment process on H.R. 1995, the ''Teacher Empowerment Act.''

Any Member who wishes to offer an amendment should submit 55 copies and a brief explanation of the amendment by noon on Monday, July 19, to the Committee on Rules in room H–312 of the Capitol. Amendments should be drafted to the text of the bill as reported by the Committee on Education and the Workforce. The bill is available at the Committee on Education and the Workforce and is expected to be available on their committee web site tomorrow morning.

Members should use the Office of Legislative Counsel to make sure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

## TIMBER SALES MANAGEMENT PROGRAM

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute.)

Mr. GOODLATTE. Mr. Speaker, I yield to the gentleman from South Carolina (Mr. SANFORD) for the purposes of engaging in a colloquy.

Mr. SANFORD. Mr. Speaker, I thank the gentleman from Virginia (Mr. GOODLATTE) for yielding to me. I would just like to raise with this House the fact that as the gentleman knows, it had been my intention to offer an amendment today on the Timber Sales Management Program to reduce the overall spending. To basically bring it in line with what the administration had proposed.