The Wilderness Act and ANILCA provide that helicopters can land in wilderness areas. Here is what section 4(d)(1) of the Wilderness Act says, ''Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable.'' I don't know about anyone else, but ''aircraft'' means airplanes and helicopters.

This is crystal clear, but ANILCA reinforced this further when it allowed valid existing access rights to continue. This is a fair and balanced approach in public lands policy because it doesn't take away rights and privileges that were enjoyed long before Congress designated wilderness in my State.

The problem addressed by the Senate provision is that land management agencies will not even recognize the historical use of helicopters—or any other aircraft like hot air balloons—in areas where they clearly operated prior to wilderness designation. For example, the U.S. Forest Service recently concluded a major record of decision in which it completely prohibited helicopter access to all wilderness areas in the national forests in southeast Alaska.

By doing so, it completely ignored the historical record by which helicopters had operated in these areas for over 40 years. Further, it made this decision even though the preferred alternative of an EIS done by the Forest Service specifically allowed for landings in wilderness areas, pursuant to written law. This was a political decision made in Washington and didn't reflect the record of the NEPA process which carefully analyzed the potential wilderness areas.

Let me describe the silliness of the situation. In these areas it is perfectly legal to land a plane on a river sand bar, or a grassy area, or even on a glacier on skis, but in the same area you cannot land a helicopter or hot air balloon.

Think about it—bureaucrats in Washington decided a fixed-wing airplane which needs hundreds of feet to land will have a worse impact than a helicopter or a hot air balloon, which can land on an area less than 15 feet by 15 feet.

In fact, a helicopter has less impact than a fixed-wing aircraft on the environment in many cases.

My colleagues considering the motion to instruct conferees need to evaluate these facts when they vote. But I want them to think of one more thing.

Helicopters now land in the wilderness—but only when it serves the interest of the government or special interests. Let me give some examples. Helicopters are regularly used to assist mountain climbers in trouble on Denali (also called Mt. McKinley). In fact, the Park Service has a special high-altitude helicopter on stand-by to help them. Another example is when the Park Service quickly issued a special permit for the Chairman of FERC to use a helicopter to land in a wilderness area of Glacier Bay National Park to inspect the area for a potential hydro site.

Federal agencies use helicopters in support of wilderness management. This is reasonable, but it has no less impact than the relatively few helicopter landings by non-federal operators.

The message here is—if you're a government official, enjoy helicopters in the wilderness. If you're a taxpayer—forget it. In their minds, people in wilderness areas are bad—unless you're a government employee.

This motion is wrong, unfair, and misguided, and I strongly urge its defeat.

Mr. WOLF. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CALVERT). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Minnesota (Mr. SABO).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SABO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Without objection, further proceedings on this question are postponed.

There was no objection.

The SPEAKER pro tempore. The point of no quorum is considered withdrawn.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1999

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4194) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 4194, be instructed to insist on the House position providing a total of $17,361,395,998 for the Department of Veterans Affairs medical care account.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not think this will take very long. Let me simply explain what is in this motion to instruct.

During House consideration of this bill a number of weeks ago, an amendment was adopted which reduced nonoverhead administrative expenses of the Federal Housing Administration by $303 million and transferred the funding to the Veterans Medical Care account. During that debate, I do not believe that anyone spoke against providing additional funding for Veterans Medical Care. There were, however, concerns about the source of the funding used as an offset for the increased funds. That concern was that reducing FHA administrative expenses by approximately one-third would cripple its operations with disastrous effects throughout the country.

Since that time, we have now had a ruling by the Office of Management and Budget, and it appear that the reasons for those concerns, because of that ruling, have now gone away. I am not sure what the rationale for their change of heart is, but apparently the general counsels of both OMB and the Department of Housing and Urban Development have determined that at least for fiscal 1999, the FHA does not have to have appropriated funds to pay for its nonoverhead administrative expenses.

If adopted by the House and followed by the conferees, the motion now before us would result in providing $17.36 billion for Veterans Medical Care in 1999. While this amount is still far below the $18.8 billion recommended by the veterans service organizations' independent budget, it is a big improvement above the $17.06 billion in the House-reported bill and higher than the Senate recommendation of $17.25 billion.

So, Mr. Speaker, my motion is very simple. It simply reaffirms the action of the House, providing an additional $303 million for Veterans Medical Care, but without the negative impact of virtually shutting down the Federal Housing Administration in order to do so, the concern which existed prior to the OMB ruling.

Since the OMB has now decided that the appropriated funds are not required for the FHA administrative expenses, this is, in essence, a win-win situation. Veterans health care is increased and, unlike the situation when the bill was before the House, it will not have to cripple its operating expenses in FHA in order to pay for it.

Mr. Speaker, I therefore urge all Members on both sides of the aisle to support the motion.

Mr. VENTO. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for yielding and I rise to support his motion to instruct.

Mr. Speaker, I was one that voted against the transfer of this money, because I am concerned about housing and the problems that we have had with the ownership and the goals of ownership of housing in the Nation and did not want to take away from the FHA program.

I know it was a tough vote at that time. It makes it a little tougher now to come back and realize that the scoring change is such that it does not damage FHA, but at the time clearly it was the impression and the representation that it did affect the FHA and the loan programs.

I am pleased to join in finding some transfer and ability to express my concern for the veterans health budget. The important work in terms of keeping those commitments to veterans, at the same time we do not depreciate the goals in terms of FHA housing.

Mr. Speaker, I know that my advocacy for housing is something that I take a second seat to no one with regards to that concern. I am pleased to have stood up at that time and spoken out. I sadly think that housing in this chamber, assisted and other types of ownership housing, is not something that appears to be very high in the priority agenda of this House. I wish we could work to gain much better support, but unfortunately today that is not the case and I think we are losing a lot of assisted and public housing which is very important to the constituents of my district.

We have a great housing agency in St. Paul in Minnesota, and, unfortunately, I think we are facing the very real prospect of losing a considerable amount of that assisted and public housing which is expensive and which is very, very much needed today because of the disparities in terms of incomes and the special populations that I represent of Southeast Asians and many others who are attempting to get by in our modern day economy.

As one of my mentors and teachers taught: On the average, things look all right, but nobody lives on the average. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for bringing this motion to the House today and support veterans and hope that in the future we can do better for the important housing programs in this Nation.

Mr. OBEY. Mr. Speaker, reclaiming my time, I thank the gentleman from Minnesota (Mr. VENTO) for his support. I would simply say that with respect to housing in general, this Congress is going to have some severe problems in the coming 2 or 3 years because of some severe shortfalls that are going to occur in that account.

I am happy that OMB and the agency involved have now been able to make certain that we will be able at this juncture to fund the increase in veterans health care without crippling further the operation of the FHA housing account. I think it would be a very useful thing to accomplish and that is why we offer this motion and make clear that that is how everyone in the House feels.

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it would be very difficult for the chairman of the subcommittee to object to this amendment, for essentially the amendment confirms that which was the direction of the House. I must say that I am both a little confused and rather startled at the gentleman from Wisconsin (Mr. OBEY), ranking member of the full committee, essentially carrying an amendment that would in its written form appear to limit the flexibility of the subcommittee that goes to conference with the other body.

While the Office of Management and Budget had told us that we needed to have these monies out of discretionary accounts for administrative purposes, and after we walked the plank taking money that otherwise could have gone to other vital needs in housing areas, essentially forced us in the direction of putting discretionary money into administrative responsibilities, they have now cut off that plank which was the plank that the gentleman from Minnesota (Mr. VENTO) found himself on and they have now had us on that plank and neatly cut it off.

My concern, though, is that there is little doubt that within Veterans Medical Care we have done all that we could to make certain that those accounts were reasonably funded. Indeed, our amount in the bill, before this amendment, was over the President's request. Over the President's request. I think both sides, especially members of the Committee on Appropriations, know that in a nonpartisan way we have been very generous to veterans' accounts. But also the Committee on Appropriations members know how important it is for us to maintain the integrity of our committee as we go to conference with the Senate.

Mr. Speaker, I am very disconcerted by the fact that we have not been able to fund subsidized rental accounts as we might have. The affordable housing accounts that the gentleman from Minnesota referred to could use additional funding. The money we are dealing with here are outlays at very high levels like 90 percent, so it puts very great pressure on the subcommittee in terms of the flexibility we need. Indeed, one might suggest that some of those other very vital accounts that are designed to help poor people might have received some relief if there was more flexibility going to conference with the Senate.

I know that it is not the intent of the ranking member of the Committee on Appropriations to create a circumstance where it is more difficult for us to do our work. But I do scratch my head at the ranking member repeating essentially what was the will of the House when they voted on that amendment.

Mr. Speaker, I want my colleagues to know that this subcommittee chairman, I am not sure about the ranking member, but this subcommittee chairman takes very seriously the direction of the House. And I consider every element of our bill to be the direction of the House as I go to work with the Senate.

I must say that if there is a pattern that could further undermine the entire Committee on Appropriations in its credibility in this body, it is by way of creating this kind of rigid stance on the part of the leadership of the committee itself.

I talked with the ranking member of the subcommittee just after I learned about this proposal, for he and I share our concern about making sure we have great flexibility, especially to deal with housing accounts, and I was astonished to learn that that was the first he had heard of this recommendation when I presented it to him.

□ 1300

So it seems to me that there is a disconnect here. I know that when the ranking member was in the majority on the Committee on Appropriations he would have been pounding the table at this kind of rigid direction. Nonetheless, I see this as an expression of the will of the House, and I do not know why the chairman should object to it.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

I would like to make one comment, if I could have the attention of the gentleman from California. Surely this is not the most startling action that I have ever taken in the gentleman's eyes. The gentleman said he was startled.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I would say to the gentleman that I am certain it is not the most startling.

Mr. OBEY. All right.

Mr. Speaker, let me simply say that I do wish that we could have contacted the ranking minority member of the subcommittee. He was unreachable this morning because he was engaged in other activities. That is the only reason he was not contacted.

I think it is very clear that we are simply offering this motion because the House spoke clearly about its desire to fund the veterans' health care budget as fully as we could. But at the time it spoke, a number of Members were under the impression that that action could not be taken by crippling the FHA housing accounts. Since we now find out that that concern has been corrected by the OMB ruling, we felt this was the logical action to take, and that is why I offered the amendment.

Mr. VENTO. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I understand there is also a proposal, as the gentleman is aware, and I am not asking his position on it, that would expand the FHA limits, which has been something very much sought after by

the administration. This particular change would not affect the expansion of those limits, is that correct, that the subject of difference will be within the conference?

Mr. OBEY. Mr. Speaker, reclaiming my time, I would say to the gentleman that, no, this does not have anything to do with that. On that issue, if I could take both HUD and several other parties to the issue and put them in a room and forget about them for 2 years, I would be happy to do that.

Mr. VENTO. Mr. Speaker, if the gentleman will continue to yield, I would join the gentleman in locking that door until agreement is achieved regarding FHA limit increases.

Mr. OBEY. Mr. Speaker, I yield back the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume. I have no additional requests for time, but I would like to close by making a couple of limited comments.

I must say that there is little doubt that within some of these accounts that are housing accounts, like vouchers, like subsidized rental housing, like programs that involve the efforts we have to open the doorway of opportunity to the poorest of the poor in our society, we have not had all the money that we would like to have in those accounts. Indeed, this administrative decision by OMB originally did put great pressure upon those elements of the housing accounts.

To now have them change their mind and not have us have the flexibility to apply them, for example, to a great priority of the Secretary of Housing, vouchers, or some other very, very vital housing program, where we are dealing with the poorest of the poor, and shift it to accounts where we are over the President's request in the bill, before the fact, at least causes me to scratch my head, when the ranking member knows how important it is when we go to conference with the Senate to have as much flexibility as possible. By this action we may very well have harmed many of the very poor people in our country that the ranking member at least tells me constantly he is so concerned about.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CALVERT). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Without objection, further proceedings on this question will be postponed.

There was no objection.

The SPEAKER pro tempore. The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to instruct and that I may include tabular and extraneous material.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

SPEED TRAFFICKING LIFE IN PRISON ACT OF 1998

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3898) to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to conform penalties for violations involving certain amounts of methamphetamine to penalties for violations involving similar amounts cocaine base, as amended.

The Clerk read as follows:

H.R. 3898

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Speed Trafficking Life In Prison Act of 1998''.

SEC. 2. METHAMPHETAMINE TRAFFICKING PENALTY ADJUSTMENTS.

(a) AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT.—The Controlled Substances Act is amended—

(1) in section 401(b)(1)(A)(viii) (21 U.S.C. 841(b)(1)(A)(viii)) by—

(A) striking ''100 grams'' and inserting ''50 grams''; and

(B) striking ''1 kilogram'' and inserting ''500 grams''; and

(2) in section 401(b)(1)(B)(viii) (21 U.S.C. 841(b)(1)(B)(viii)) by—

(A) striking ''10 grams'' and inserting ''5 grams''; and

(B) striking ''100 grams'' and inserting ''50 grams''.

(b) AMENDMENTS TO THE CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—The Controlled Substances Import and Export Act is amended—

(1) in section 1010(b)(1)(H) (21 U.S.C. 960(b)(1)(H)) by—

(A) striking ''100 grams'' and inserting ''50 grams'';

(B) striking ''1 kilogram'' and inserting ''500 grams''; and

(C) striking the period at the end and inserting a semicolon; and

(2) in section 1010(b)(2)(H) (21 U.S.C. 960(b)(2)(H)) by—

(A) striking ''10 grams'' and inserting ''5 grams'';

(B) striking ''100 grams'' and inserting ''50 grams''; and

(C) striking the period at the end and inserting a semicolon.

SEC. 3. PREPARATION OF AN IMPACT STATEMENT.

The United States Sentencing Commission shall prepare a statement analyzing the impact of the sentences imposed as a result of the amendments made by this Act and present that analysis to Congress not later than one year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Massachusetts (Mr. DELAHUNT) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MCCOLLUM).

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 3898, the bill under consideration.

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

There was no objection.

Mr. MCCOLLUM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3898, the Speed Trafficking Life In Prison Act of 1998, increases the penalties for manufacturing, trafficking or importing methamphetamine. It was introduced on May 19, 1998 by the gentleman from Texas (Mr. SESSIONS) and reported favorably by the Committee on the Judiciary on July 21. It represents an important step by this Congress to respond to the methamphetamine epidemic.

As members of the subcommittee well know, methamphetamine is no longer merely a California problem or a southwest problem, it is a national problem. It has spread east, devastating some communities much like crack cocaine did in the 1980s. The testimony received by the House Subcommittee on Crime of the Committee on the Judiciary in recent years paints a grim picture of an emerging epidemic: Emergency room methamphetamine episodes in major metropolitan areas have increased dramatically. Methamphetamine deaths around the country have skyrocketed, and clandestine methamphetamine labs have now been reported in all 50 States.

There are numerous unique problems associated with methamphetamine. The profits involved in the methamphetamine trade are enormous. Methamphetamine causes longer highs than cocaine. Methamphetamine is processed in clandestine labs, often located in remote areas, making them difficult to detect. And the numerous highly toxic chemicals used to manufacture methamphetamine are extremely flammable and destructive to the environment.