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# House of Representatives

The House met at 10 a.m.

The Reverend Paul A. Stoot, Sr., Pastor, Greater Trinity Missionary Baptist Church, Everett, Washington, offered the following prayer:

O Lord our God, if ever we needed Thy wisdom and Thy guidance, it is now as this honorable body of great men and women begin a new day, a day that will hold many opportunities and many possibilities.

We pray that You will bless these men and these women who have been chosen by the great people of this great Nation, for You know them and You know their needs, You know their motives and their hopes and their fears. Lord Jesus, put Your arms around them and give them strength and speak to them to give them wisdom greater than their own. May they hear Your voice as You speak to them and as they seek to hear from You and Your guidance.

May they remember that You are concerned about what is said and what is done here and may they ever have a clear conscience before Thee, that they need fear no man. Bless us each according to our deepest needs as we are here today to use us to Your honor and to Your glory, we humbly ask. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. MCNULTY) come forward and lead the House in the Pledge of Allegiance.

Mr. MCNULTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## WELCOME TO REVEREND PAUL A. STOOT, SR.

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

Mr. LARSEN of Washington. Mr. Speaker, it is with great pride today that I would like to welcome Pastor Paul Allen Stoop to the House floor and to thank him for that moving prayer.

Providing dynamic leadership, Pastor Stoot founded the Greater Trinity Missionary Baptist Church in Everett, Washington. In this capacity, Pastor Stoot gives much of himself to Everett and to his community each and every day.

Pastor Stoot is not only concerned with those who are presently within the church, but also the well-being of everyone in our community. He does more than preach his faith, he lives it through precept and example. He is always reaching out to those in need, providing spiritual advice and support. When he is not directly serving members of his own church or running Operation Latchkey to help children be averted from dangerous behaviors, he volunteers his time as chaplain for the Everett Police Department for emergency services.

His service to people does not end there. He serves the members of our community with dedication and even remembers the many crew members at the Everett Naval Home Port, who call Everett home for only a short period of time. The men and women stationed there know Pastor Stoot as one of the first faces crew members can count on to welcome them to their new home.

Everett, Washington is indebted to Pastor Stoot for his services and I am honored to have him here today.

## ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair announces that we will have 1 minutes at the end of the day.

## PROVIDING FOR CONSIDERATION OF H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 174 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 174

*Resolved,* That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "*Provided further,*" on page 89, line 13, through "participant:" on line 18. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be



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printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 174 is an open rule providing for the consideration of H.R. 2217, the Department of Interior and Related Agencies Appropriations Act. The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking member of the Committee on Appropriations. The rule waives all points of order against the bill and waives points of order against provisions in the bill for failure to comply with clause 2 of Rule XXI, prohibiting unauthorized or legislative provisions in an appropriations bill, except as specified in the rule.

The rule provides that the bill shall be considered for amendment by paragraph; it waives points of order during consideration of the bill against amendments for failure to comply with clause 2(e) of Rule XXI, prohibiting nonemergency designated amendments to be offered on an appropriations bill containing an emergency designation.

Finally, the rule authorizes the Chair to accord priority and recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 2217 provides regular annual appropriations for the Department of the Interior, except for the Bureau of Reclamation, and for other related agencies, including the Forest Service, the Department of Energy, the Indian Health Service, the Smithsonian Institution, and the National Foundation for the Arts and the Humanities.

President Bush requested $18.1 billion for the fiscal year, $700 million less than last year's enacted level. The Subcommittee on Interior has allocated $18.9 billion.

I am particularly pleased that the bill includes $200 million for the payment in lieu of taxes, the same level as last year, and $50 million above the President's request. I am also pleased that the committee has increased the level of funding for maintenance and operation of existing Federal facilities, an effort that should receive at least as high a priority as the acquisition of land; at least that is from this Member's perspective.

Mr. Speaker, H.R. 2217 was reported by a voice vote on June 13, 2001, and the Committee on Rules is pleased to report an open rule requested by the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations. I urge my colleagues to support both the rule and the underlying bill, H.R. 2217.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the customary half-hour, and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, this is an open rule that I will not oppose. The underlying bill has the support of many from both sides of the aisle and, moreover, the minority was consulted throughout the process of developing this legislation, something all too rare in much of the legislation moving through this body.

I strongly commend the gentleman from New Mexico (Mr. SKEEN), the chairman of the subcommittee, and the gentleman from Washington (Mr. DICKS), the ranking member, for their success in funding of the new Conservation Trust Fund created last year. By including the $1.3 billion authorized for conservation, Congress has kept a promise to expand funding for land acquisition, wildlife protection, and other preservation and conservation programs. My constituents in upstate New York will also be pleased by the committee's inclusion of a $120 million increase for weatherization and State energy programs to insulate homes, schools, and hospitals, money that is sorely needed.

But yesterday, the Committee on Rules, in what is becoming an annual act of hubris, failed to allow for restoration of some of the unwise cuts made 6 years ago in funding for the agencies responsible for the country's small but critically important arts and humanities education and preservation efforts.

The bill funds the National Endowment for the Arts at $105 million, a level still 40 percent below the 1995 funding level. The National Endowment for the Humanities, NEH, is funded at $120 million, 30 percent below the level of 1995, and these levels fundamentally ignore the successful efforts by both NEA and NEH to broaden the reach of their programs and eliminate controversial programs, the two ''reforms'' that were requested by the majority when they reduced funding in 1995. It is time to recognize the success of these reforms and give these agencies the resources they need to meet this critical need.

This is penny-wise and pound-foolish. The National Endowment for the Arts is essential as part of the important link between education and the arts. The economic benefits we receive are enormous compared to our small investment in the NEA.

□ 1015

Moreover, the public supports continued funding for the NEA because NEA grants affect every congressional district. The NEA's budget represents less than one-hundredth of one percent of the Federal budget, and returns $3.4 billion annually to the Federal treasury.

The arts support at least 1.3 million jobs, and the nonprofit arts industry alone generates $36.8 billion annually in economic activity, a large return for our small investment, not what we usually get. In addition, the arts produce $790 million in local government revenue, and $1.2 billion in State revenue.

Members may recall our efforts last year on the floor to increase funding for the arts and humanities. Members voted to increase the funding for the arts, but a few minutes later the vote was essentially overturned when the savings were diverted to another account which came up earlier in the reading of the bill.

Yesterday, the Committee on Rules could easily have prevented similar gamesmanship by allowing me to move forward with these amendments under an en bloc procedure. This would have provided Members with an up-or-down vote on arts funding. Instead, I will be compelled to offer offsets and amendments that run the risk of procedural attacks by opponents of the arts and humanities.

The minority members of the Committee on Rules, as well as my colleagues and the majority of the American people who support funding for the arts and humanities, deserve far better.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

I would like to enter into a colloquy with the distinguished chairman of the subcommittee.

First, let me thank the chairman for his attention and detail to salmon recovery efforts and hatchery reform efforts included in the fiscal year 2002 appropriations bill.

While these items are terribly important for the entire Pacific Northwest, there are a couple of additional items important to central Washington in my district, and I hope to see them addressed in the conference. One issue involves noxious weed funding in the Forest Service budget, and the other is related to ground water research in the

USGS agency in regards to the Methow Valley.

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

Mr. HASTINGS of Washington. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Speaker, I appreciate the gentleman's kind words, and recognize his support for the projects in the legislation.

I assure the gentleman that the subcommittee will work to address his concerns regarding these projects in conference.

Mr. HASTINGS. Again, Mr. Chairman, I want to thank the chairman for his efforts on this in his very first Interior appropriations bill. I will certainly provide any assistance I can give and additional information necessary to help him in conference on these two projects.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, I rise in strong support of this bill and rule.

I want to say to my colleague, the gentleman from Washington, I will help him in the conference on the measures that he just mentioned.

I also want to say that I want to applaud the chairman of this committee and the majority and the minority for working to keep the commitment last year in our substitute for CARA. This bill carries with it $1,320 million in conservation spending. I think it is a dramatic step in the right direction.

If Members will remember, last year over 300 House Members voted for CARA, which would have been a 15-year $3 billion program. I offered an amendment with the gentleman from Wisconsin (Mr. OBEY) that was accepted by the majority that would keep this within the purview of the Committee on Appropriations, and to create a trust fund to make sure that they important programs were funded. The majority is working with the minority. We have funded it in the Interior bill, and we hope it will be also funded in the State, Justice, and Commerce bill.

I agree with the gentlewoman from New York (Ms. SLAUGHTER) that we would have hoped that the Committee on Rules might have helped us on a couple of these amendments, but I want to say to my colleagues, we are going to offer an amendment to increase funding for the cultural institutions, $10 million for the National Endowment for the Arts, $3 million for the National Endowment for the Humanities, and $2 million for museum services.

We are taking the money out of administrative expenses. I am confident that if the amendment is approved, we will be able to protect that in conference. So I am enthusiastically supporting this bill. I think we should move ahead and pass the rule on a voice vote and get to the bill.

Mr. Speaker, I rise today in support of the rule providing for consideration of the Fiscal Year 2002 Appropriations bill for the Department of Interior and Related Agencies, despite a denied request to make two amendments in order that were proposed yesterday to the Committee on Rules.

The Minority has been consulted throughout the process of developing this legislation and we believe our views are reflected in many aspects of the bill. While we do not agree with every recommendation and continue to work for improvements in several areas, in balance we believe that this Interior bill is one which Members from both parties can support.

The Minority is particularly pleased with the recommendation for funding of the new Conservation Trust Fund created last year. By including the full $1,320 million authorized for conservation, Congress has kept faith with last year's commitment to significantly expand funding for land acquisition, wildlife protection and other preservation and conservation programs. We are also pleased by the Committee's inclusion of a $120 million increase for weatherization and State energy programs to insulate homes, schools and hospitals. These funds are critical to low income families.

We applaud the Committee's decision to restore many of the unwise cuts proposed by the President in a number of critical areas. This includes approximately $300 million to the Energy Conservation and Fossil Energy research accounts. These funds can significantly ameliorate the energy crisis identified in the President's National Energy Policy. It made no sense to cut these programs when current gasoline prices and electricity problems remind us daily of the need for energy conservation and alternative energy programs.

Although the Committee did not make in order the amendment proposed yesterday, Congresswoman SLAUGHTER and I plan to offer a new amendment today to increase funding for our cultural agencies. The amendment would provide $10 million for the National Endowment for the Arts, $3 million for the National Endowment for the Humanities, and $2 million for the Institute for Museum and Library Services offset by small reductions in administrative costs at the Department of the Interior and the Department of Agriculture. We had originally planned to offset these amounts through a deferral of excess clean coal funds as we did last year. Unfortunately the Rules Committee did not waive the rule to allow this. Instead this amendment makes a very small reduction of less than .3 percent in administrative costs.

Mr. Speaker, I support the rule protecting the bill as reported. It is a clean bill which I intend to support.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2217, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 174 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2217.

The Chair designates the gentleman from Ohio (Mr. LATOURETTE) as chairman of the Committee of the Whole, and requests the gentleman from Georgia (Mr. ISAKSON) to assume the chair temporarily.

□ 1021

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 consideration of the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New Mexico (Mr. SKEEN) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. SKEEN).

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Interior bill that was reported out of the committee provides a total of $18.9 billion, $86 million above fiscal year 2001. The increase is less than one-half of 1 percent above 2001.

I want to say a few things about this bill. This is a good, bipartisan bill. The committee members worked to put together a good bill for this Congress, and this is a good bill for our States and counties and our programs, with money that will help States, counties, and cities to solve their problems.

This is a good bill for our parks. The bill fulfills President Bush's commitment to our parks, and continues efforts of my good friend and former chairman of the committee, the gentleman from Ohio, Mr. Regula, to the parks.

This is a good bill for wildlife stock and endangered species. There is money for President Bush's landowner incentive program, there is money for critters in this bill. This is a good bill for Indian schools and Indian medical facilities. New hospitals, new clinics, and new schools are funded in this bill.

This is a good bill for weatherization programs across the Nation.

Mr. Chairman, this is a good and responsible bill in responding to our Nation's wildfire needs. This is a great bill for those who want to save and bring back the Everglades. This is a good bill for needed energy research.

This bill is also a good bill for those who want to limit the riders on appropriation bills, and this is a good bill for Members who want to pass a noncontroversial bill. Yes, this is basically an Interior bill free from the normal controversies.

I just want to add a few more things. This bill is $791 million above the President's request, but only $86 million above this year's budget. This increase is easy to explain. We have put back $164 million for critical wildfire needs. We put back $87 million in cuts for the U.S. Geological Survey. We put back $15 million for the payment in lieu of taxes, known as PILT, the PILT program that goes to our counties. We have put back $294 million to restore energy research programs requested by over 200 Members in the House.

We put in $64 million in the conservation category to fulfill the promises we made in last year's appropriation bill. We put in a $50 million increase for Indian hospitals and clinics, and construction and maintenance needs.

I want to take a minute to express my sincere and lasting thanks to the ranking member of the full committee, the gentleman from Wisconsin (Mr. OBEY), for his help on this bill, and the help of the ranking subcommittee member, my good friend, the gentleman from Washington (Mr. DICKS). They have all worked with me boldly and in the spirit of bipartisan cooperation.

I thank their staff also, especially Mike Stephens and Leslie Turner, who spent countless hours with the majority's staff working out problems.

I thank, Mr. Chairman, the gentleman from Florida (Mr. YOUNG), for his support in the first year of my chairmanship of this committee.

I also want to thank the majority staff, who have stepped up to help me during this transition period as a new chairman. Deborah Weatherly, Loretta Beaumont, Joel Kaplan, Chris Topik, Casey Stealer, and Andria Oliver have all chipped in to help me through this first year. Also to Jim Hughes, from my personal staff, a special thanks. Their knowledge and ability to work with both sides of the aisle and their professionalism is a credit to the House of Representatives.

Mr. Chairman, I include for the RECORD a table detailing the various accounts in the bill.

The table referred to is as follows:

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2217)
## (Amounts in thousands)

| | FY 2001 Enacted | FY 2002 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF THE INTERIOR | | | | | |
| Bureau of Land Management | | | | | |
| Management of lands and resources | 733,116 | 734,312 | 739,711 | +6,595 | +5,399 |
| Emergency appropriations | 17,134 | | | -17,134 | |
| Conservation | | 26,000 | 29,000 | +29,000 | +3,000 |
| Total, Management of lands and resources | 750,250 | 760,312 | 768,711 | +18,461 | +8,399 |
| Wildland fire management: | | | | | |
| Preparedness | 314,712 | 280,807 | 280,807 | -33,905 | |
| Fire suppression operations | 109,865 | 161,424 | 161,424 | +51,559 | |
| Other operations | 9,978 | 216,190 | 258,575 | +248,597 | +42,385 |
| Contingent emergency appropriations | 542,544 | | | -542,544 | |
| Total, Wildland fire management | 977,099 | 658,421 | 700,806 | -276,293 | +42,385 |
| Central hazardous materials fund | 9,978 | 9,978 | 9,978 | | |
| Construction | 16,823 | 10,976 | 11,076 | -5,747 | +100 |
| Payments in lieu of taxes | 199,560 | 150,000 | 150,000 | -49,560 | |
| Conservation | | | 50,000 | +50,000 | +50,000 |
| Total, Payments in lieu of taxes | 199,560 | 150,000 | 200,000 | +440 | +50,000 |
| Land acquisition | 56,545 | | | -56,545 | |
| Conservation | | 47,686 | 47,686 | +47,686 | |
| Oregon and California grant lands | 104,038 | 105,165 | 105,165 | +1,127 | |
| Range improvements (indefinite) | 10,000 | 10,000 | 10,000 | | |
| Service charges, deposits, and forfeitures (indefinite) | 7,484 | 8,000 | 8,000 | +516 | |
| Miscellaneous trust funds (indefinite) | 12,405 | 11,000 | 11,000 | -1,405 | |
| Total, Bureau of Land Management | 2,144,182 | 1,771,538 | 1,872,422 | -271,760 | +100,884 |
| Appropriations | (1,584,504) | (1,697,852) | (1,745,736) | (+161,232) | (+47,884) |
| Conservation | | (73,686) | (126,686) | (+126,686) | (+53,000) |
| Emergency appropriations | (17,134) | | | (-17,134) | |
| Contingent emergency appropriations | (542,544) | | | (-542,544) | |
| United States Fish and Wildlife Service | | | | | |
| Resource management | 800,330 | 779,752 | 809,852 | +9,522 | +30,100 |
| Emergency appropriations | 6,486 | | | -6,486 | |
| Conservation | | 27,000 | 30,000 | +30,000 | +3,000 |
| Total, Resource management | 806,816 | 806,752 | 839,852 | +33,036 | +33,100 |
| Construction | 62,877 | 35,849 | 48,849 | -14,028 | +13,000 |
| Emergency appropriations | 8,481 | | | -8,481 | |
| Land acquisition | 121,188 | | | -121,188 | |
| Conservation | | 164,401 | 104,401 | +104,401 | -60,000 |
| Landowner incentive program (conservation) | | | 50,000 | +50,000 | +50,000 |
| Private stewardship grants program (conservation) | | | 10,000 | +10,000 | +10,000 |
| Cooperative endangered species conservation fund | 104,694 | | | -104,694 | |
| Conservation | | 54,694 | 107,000 | +107,000 | +52,306 |
| National wildlife refuge fund | 11,414 | 11,414 | 11,414 | | |
| Conservation | | | 5,000 | +5,000 | +5,000 |
| Total, National wildlife refuge fund | 11,414 | 11,414 | 16,414 | +5,000 | +5,000 |
| North American wetlands conservation fund | 39,912 | | | -39,912 | |
| Conservation | | 14,912 | 45,000 | +45,000 | +30,088 |
| Neotropical migratory birds conservation (conservation) | | | 5,000 | +5,000 | +5,000 |
| Wildlife conservation and appreciation fund | 795 | | | -795 | |
| Multinational species conservation fund | 3,243 | 3,243 | 4,000 | +757 | +757 |
| State wildlife grants fund | 49,890 | | | -49,890 | |
| Conservation | | | 100,000 | +100,000 | +100,000 |
| Tribal wildlife grants (conservation) | | | 5,000 | +5,000 | +5,000 |
| Total, United States Fish and Wildlife Service | 1,209,310 | 1,091,265 | 1,335,516 | +126,206 | +244,251 |
| Appropriations | (1,194,343) | (830,258) | (874,115) | (-320,228) | (+43,857) |
| Conservation | | (261,007) | (461,401) | (+461,401) | (+200,394) |
| Emergency appropriations | (14,967) | | | (-14,967) | |
| National Park Service | | | | | |
| Operation of the national park system | 1,386,190 | 1,468,499 | 1,478,336 | +92,146 | +9,837 |
| Conservation | | 2,000 | 2,000 | +2,000 | |
| Total, Operation of the national park system | 1,386,190 | 1,470,499 | 1,480,336 | +94,146 | +9,837 |
| United States Park Police | 77,876 | 65,260 | 65,260 | -12,616 | |
| National recreation and preservation | 59,827 | 48,039 | 51,804 | -8,023 | +3,765 |
| Urban park and recreation fund | 29,934 | | | -29,934 | |
| Conservation | | | 30,000 | +30,000 | +30,000 |
| Historic preservation fund | 94,239 | | | -94,239 | |
| Conservation | | 67,055 | 77,000 | +77,000 | +9,945 |
| Construction | 295,024 | 289,802 | 299,249 | +4,225 | +9,447 |
| Emergency appropriations | 5,288 | | | -5,288 | |
| Conservation | | 50,000 | 50,000 | +50,000 | |
| Total, Construction | 300,312 | 339,802 | 349,249 | +48,937 | +9,447 |

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2217)—Continued
## (Amounts in thousands)

| | FY 2001 Enacted | FY 2002 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Land and water conservation fund (rescission of contract authority) | -30,000 | -30,000 | -30,000 | | |
| Land acquisition and state assistance | 215,141 | | | -215,141 | |
| Conservation | | 557,036 | 261,036 | +261,036 | -296,000 |
| Total, National Park Service (net) | 2,133,519 | 2,517,691 | 2,284,685 | +151,166 | -233,006 |
| Appropriations | (2,158,231) | (1,871,600) | (1,894,649) | (-263,582) | (+23,049) |
| Rescission | (-30,000) | (-30,000) | (-30,000) | | |
| Conservation | | (676,091) | (420,036) | (+420,036) | (-256,055) |
| Emergency appropriations | (5,288) | | | (-5,288) | |
| United States Geological Survey | | | | | |
| Surveys, investigations, and research | 880,106 | 813,376 | 875,489 | -4,617 | +62,113 |
| Emergency appropriations | 2,694 | | | -2,694 | |
| Conservation | | | 25,000 | +25,000 | +25,000 |
| Total, United States Geological Survey | 882,800 | 813,376 | 900,489 | +17,689 | +87,113 |
| Minerals Management Service | | | | | |
| Royalty and offshore minerals management | 240,526 | 252,098 | 252,597 | +12,071 | +499 |
| Use of receipts | -107,410 | -102,730 | -102,730 | +4,680 | |
| Oil spill research | 6,105 | 6,105 | 6,105 | | |
| Total, Minerals Management Service | 139,221 | 155,473 | 155,972 | +16,751 | +499 |
| Office of Surface Mining Reclamation and Enforcement | | | | | |
| Regulation and technology | 100,580 | 101,900 | 102,900 | +2,320 | +1,000 |
| Receipts from performance bond forfeitures (indefinite) | 274 | 275 | 275 | +1 | |
| Subtotal | 100,854 | 102,175 | 103,175 | +2,321 | +1,000 |
| Abandoned mine reclamation fund (definite, trust fund) | 201,992 | 166,783 | 203,554 | +1,562 | +36,771 |
| Total, Office of Surface Mining Reclamation and Enforcement | 302,846 | 268,958 | 306,729 | +3,883 | +37,771 |
| Bureau of Indian Affairs | | | | | |
| Operation of Indian programs | 1,737,378 | 1,780,486 | 1,790,781 | +53,403 | +10,295 |
| Emergency appropriations | 1,197 | | | -1,197 | |
| Construction | 356,618 | 357,132 | 357,132 | +514 | |
| Indian land and water claim settlements and miscellaneous payments to Indians | 37,443 | 60,949 | 60,949 | +23,506 | |
| Indian guaranteed loan program account | 4,977 | 4,986 | 4,986 | +9 | |
| (Limitation on guaranteed loans) | (59,551) | (75,000) | | (-59,551) | (-75,000) |
| Total, Bureau of Indian Affairs | 2,137,613 | 2,203,553 | 2,213,848 | +76,235 | +10,295 |
| Departmental Offices | | | | | |
| Insular Affairs: | | | | | |
| Assistance to Territories | 47,646 | 41,730 | 44,569 | -3,077 | +2,839 |
| Northern Marianas | 27,720 | 27,720 | 27,720 | | |
| Subtotal, Assistance to Territories | 75,366 | 69,450 | 72,289 | -3,077 | +2,839 |
| Compact of Free Association | 8,726 | 8,745 | 8,745 | +19 | |
| Mandatory payments | 12,000 | 14,500 | 14,500 | +2,500 | |
| Subtotal, Compact of Free Association | 20,726 | 23,245 | 23,245 | +2,519 | |
| Total, Insular Affairs | 96,092 | 92,695 | 95,534 | -558 | +2,839 |
| Departmental management | 64,178 | 64,177 | 64,177 | -1 | |
| Office of the Solicitor | 40,108 | 42,207 | 45,000 | +4,892 | +2,793 |
| Office of Inspector General | 27,785 | 30,490 | 30,490 | +2,705 | |
| Office of the Special Trustee for American Indians | 82,446 | 99,224 | 99,224 | +16,778 | |
| Emergency appropriations | 27,539 | | | -27,539 | |
| Indian land consolidation pilot | 8,980 | 10,980 | 10,980 | +2,000 | |
| Natural resource damage assessment fund | 5,391 | 5,497 | 5,497 | +106 | |
| Total, Departmental Offices | 352,519 | 345,270 | 350,902 | -1,617 | +5,632 |
| General Provisions, Department of the Interior | | | | | |
| Abandoned mine/acid mine drainage (PA) | 12,572 | | | -12,572 | |
| Total, title I, Department of the Interior: | | | | | |
| New budget (obligational) authority (net) | 9,314,582 | 9,167,124 | 9,420,563 | +105,981 | +253,439 |
| Appropriations | (8,733,219) | (8,186,340) | (8,417,440) | (-315,779) | (+231,100) |
| Conservation | | (1,010,784) | (1,033,123) | (+1,033,123) | (+22,339) |
| Rescissions | (-30,000) | (-30,000) | (-30,000) | | |
| Emergency appropriations | (68,819) | | | (-68,819) | |
| Contingent emergency appropriations | (542,544) | | | (-542,544) | |
| (Limitation on guaranteed loans) | (59,551) | (75,000) | | (-59,551) | (-75,000) |
| TITLE II - RELATED AGENCIES | | | | | |
| DEPARTMENT OF AGRICULTURE | | | | | |
| Forest Service | | | | | |
| Forest and rangeland research | 229,111 | 234,979 | 236,979 | +7,868 | +2,000 |

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2217)—Continued
## (Amounts in thousands)

| | FY 2001 Enacted | FY 2002 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| State and private forestry | 271,854 | 176,244 | 173,771 | -98,083 | -2,473 |
| Conservation | | 61,585 | 104,000 | +104,000 | +42,415 |
| Contingent emergency appropriations | 12,473 | | | -12,473 | |
| Emergency appropriations | 11,269 | | | -11,269 | |
| Total, State and private forestry | 295,596 | 237,829 | 277,771 | -17,825 | +39,942 |
| National forest system | 1,297,832 | 1,314,191 | 1,326,445 | +28,613 | +12,254 |
| Emergency appropriations | 7,233 | | | -7,233 | |
| Wildland fire management: | | | | | |
| Preparedness | 611,143 | 622,618 | 616,618 | +5,475 | -6,000 |
| Fire suppression operations | 226,140 | 321,321 | 321,321 | +95,181 | |
| Other operations | | 336,410 | 464,366 | +464,366 | +127,956 |
| Contingent emergency appropriations | 1,042,975 | | | -1,042,975 | |
| Total, Wildland fire management | 1,880,258 | 1,280,349 | 1,402,305 | -477,953 | +121,956 |
| Capital improvement and maintenance | 517,427 | 473,230 | 485,513 | -31,914 | +12,283 |
| Conservation | | 50,497 | 50,000 | +50,000 | -497 |
| Land acquisition | 150,872 | | | -150,872 | |
| Conservation | | 130,877 | 130,877 | +130,877 | |
| Acquisition of lands for national forests, special acts | 1,067 | 1,069 | 1,069 | +2 | |
| Acquisition of lands to complete land exchanges (indefinite) | 233 | 234 | 234 | +1 | |
| Range betterment fund (indefinite) | 3,293 | 3,290 | 3,290 | -3 | |
| Gifts, donations and bequests for forest and rangeland research | 92 | 92 | 92 | | |
| Management of national forest lands for subsistence uses | 5,488 | 5,488 | 5,488 | | |
| Southeast Alaska economic disaster fund | 4,989 | | | -4,989 | |
| Reduction for non-conservation funding | | -2,000 | -2,000 | -2,000 | |
| Conservation (Youth Conservation Corps) | | 2,000 | 2,000 | +2,000 | |
| Total, Forest Service | 4,393,491 | 3,732,125 | 3,920,063 | -473,428 | +187,938 |
| Appropriations | (3,319,541) | (3,487,166) | (3,633,186) | (+313,645) | (+146,020) |
| Conservation | | (244,959) | (286,877) | (+286,877) | (+41,918) |
| Emergency appropriations | (18,502) | | | (-18,502) | |
| Contingent emergency appropriations | (1,055,448) | | | (-1,055,448) | |
| DEPARTMENT OF ENERGY | | | | | |
| Clean coal technology: | | | | | |
| Deferral | -67,000 | | | +67,000 | |
| Fossil energy research and development | 432,464 | 449,000 | 579,000 | +146,536 | +130,000 |
| Strategic petroleum account (by transfer) | (12,000) | | | (-12,000) | |
| Clean coal technology (by transfer) | (95,000) | | | (-95,000) | |
| Alternative fuels production (rescission) | -1,000 | -2,000 | | +1,000 | +2,000 |
| Naval petroleum and oil shale reserves | 1,596 | 17,371 | 17,371 | +15,775 | |
| Elk Hills School lands fund | 36,000 | 36,000 | | -36,000 | -36,000 |
| (By transfer) | | | (36,000) | (+36,000) | (+36,000) |
| Energy conservation | 813,442 | 755,805 | 940,805 | +127,363 | +185,000 |
| Biomass energy development (by transfer) | (2,000) | | | (-2,000) | |
| Economic regulation | 1,996 | 1,996 | 1,996 | | |
| Strategic petroleum reserve | 160,637 | 169,009 | 179,009 | +18,372 | +10,000 |
| (By transfer) | (4,000) | | | (-4,000) | |
| Energy Information Administration | 75,509 | 75,499 | 78,499 | +2,990 | +3,000 |
| Total, Department of Energy: | | | | | |
| New budget (obligational) authority (net) | 1,453,644 | 1,502,680 | 1,796,680 | +343,036 | +294,000 |
| Appropriations | (1,485,644) | (1,468,680) | (1,796,680) | (+311,036) | (+328,000) |
| Advance appropriations | (36,000) | (36,000) | | (-36,000) | (-36,000) |
| Rescissions | (-1,000) | (-2,000) | | (+1,000) | (+2,000) |
| Deferral | (-67,000) | | | (+67,000) | |
| (By transfer) | (113,000) | | (36,000) | (-77,000) | (+36,000) |
| DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | | | |
| Indian Health Service | | | | | |
| Indian health services | 2,265,663 | 2,387,014 | 2,390,014 | +124,351 | +3,000 |
| Indian health facilities | 363,103 | 319,795 | 369,795 | +6,692 | +50,000 |
| Total, Indian Health Service | 2,628,766 | 2,706,809 | 2,759,809 | +131,043 | +53,000 |
| OTHER RELATED AGENCIES | | | | | |
| Office of Navajo and Hopi Indian Relocation | | | | | |
| Salaries and expenses | 14,967 | 15,148 | 15,148 | +181 | |
| Institute of American Indian and Alaska Native Culture and Arts Development | | | | | |
| Payment to the Institute | 4,116 | 4,490 | 4,490 | +374 | |
| Smithsonian Institution | | | | | |
| Salaries and expenses | 386,902 | 396,200 | 396,200 | +9,298 | |
| Repair, restoration and alteration of facilities | 57,473 | 67,900 | 67,900 | +10,427 | |
| Construction | 9,479 | 30,000 | 30,000 | +20,521 | |
| Total, Smithsonian Institution | 453,854 | 494,100 | 494,100 | +40,246 | |

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2217)—Continued
## (Amounts in thousands)

| | FY 2001 Enacted | FY 2002 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| National Gallery of Art | | | | | |
| Salaries and expenses | 64,638 | 66,229 | 68,967 | +4,329 | +2,738 |
| Repair, restoration and renovation of buildings | 10,847 | 14,220 | 14,220 | +3,373 | ..... |
| Total, National Gallery of Art | 75,485 | 80,449 | 83,187 | +7,702 | +2,738 |
| John F. Kennedy Center for the Performing Arts | | | | | |
| Operations and maintenance | 13,969 | 15,000 | 15,000 | +1,031 | ..... |
| Construction | 19,956 | 19,000 | 19,000 | -956 | ..... |
| Total, John F. Kennedy Center for the Performing Arts | 33,925 | 34,000 | 34,000 | +75 | ..... |
| Woodrow Wilson International Center for Scholars | | | | | |
| Salaries and expenses | 12,283 | 7,796 | 7,796 | -4,487 | ..... |
| National Foundation on the Arts and the Humanities | | | | | |
| National Endowment for the Arts | | | | | |
| Grants and administration | 97,785 | 98,234 | 98,234 | +449 | ..... |
| National Endowment for the Humanities | | | | | |
| Grants and administration | 104,373 | 104,882 | 104,882 | +509 | ..... |
| Matching grants | 15,621 | 15,622 | 15,622 | +1 | ..... |
| Total, National Endowment for the Humanities | 119,994 | 120,504 | 120,504 | +510 | ..... |
| Institute of Museum and Library Services/ Office of Museum Services | | | | | |
| Grants and administration | 24,852 | 24,899 | 24,899 | +47 | ..... |
| Challenge America Arts Fund | | | | | |
| Challenge America grants | 6,985 | 6,985 | 7,000 | +15 | +15 |
| Total, National Foundation on the Arts and the Humanities | 249,616 | 250,622 | 250,637 | +1,021 | +15 |
| Commission of Fine Arts | | | | | |
| Salaries and expenses | 1,076 | 1,274 | 1,274 | +198 | ..... |
| National Capital Arts and Cultural Affairs | | | | | |
| Grants | 6,985 | 7,000 | 7,000 | +15 | ..... |
| Advisory Council on Historic Preservation | | | | | |
| Salaries and expenses | 3,182 | 3,310 | 3,400 | +218 | +90 |
| National Capital Planning Commission | | | | | |
| Salaries and expenses | 6,486 | 7,253 | 7,253 | +767 | ..... |
| United States Holocaust Memorial Council | | | | | |
| Holocaust Memorial Museum | 34,363 | 36,028 | 36,028 | +1,665 | ..... |
| Presidio Trust | | | | | |
| Presidio trust fund | 33,327 | 22,427 | 22,427 | -10,900 | ..... |
| Total, title II, related agencies: | | | | | |
| New budget (obligational) authority (net) | 9,405,566 | 8,905,511 | 9,443,292 | +37,726 | +537,781 |
| Appropriations | (8,363,616) | (8,626,552) | (9,156,415) | (+792,799) | (+529,863) |
| Conservation | ..... | (244,959) | (286,877) | (+286,877) | (+41,918) |
| Advance appropriations | (36,000) | (36,000) | ..... | (-36,000) | (-36,000) |
| Emergency appropriations | (18,502) | ..... | ..... | (-18,502) | ..... |
| Contingent emergency appropriations | (1,055,448) | ..... | ..... | (-1,055,448) | ..... |
| Rescissions | (-1,000) | (-2,000) | ..... | (+1,000) | (+2,000) |
| Deferral | (-67,000) | ..... | ..... | (+67,000) | ..... |
| (By transfer) | (113,000) | ..... | (36,000) | (-77,000) | (+36,000) |
| TITLE VII | | | | | |
| United Mine Workers of America combined benefits fund | 57,872 | ..... | ..... | -57,872 | ..... |
| Grand total: | | | | | |
| New budget (obligational) authority (net) | 18,778,020 | 18,072,635 | 18,863,855 | +85,835 | +791,220 |
| Appropriations | (17,154,707) | (16,812,892) | (17,573,855) | (+419,148) | (+760,963) |
| Conservation | ..... | (1,255,743) | (1,320,000) | (+1,320,000) | (+64,257) |
| Advance appropriations | (36,000) | (36,000) | ..... | (-36,000) | (-36,000) |
| Emergency appropriations | (87,321) | ..... | ..... | (-87,321) | ..... |
| Contingent emergency appropriations | (1,597,992) | ..... | ..... | (-1,597,992) | ..... |
| Rescissions | (-31,000) | (-32,000) | (-30,000) | (+1,000) | (+2,000) |
| Deferral | (-67,000) | ..... | ..... | (+67,000) | ..... |
| (By transfer) | (113,000) | ..... | (36,000) | (-77,000) | (+36,000) |
| (Limitation on guaranteed loans) | (59,551) | (75,000) | ..... | (-59,551) | (-75,000) |
| TITLE I - DEPARTMENT OF THE INTERIOR | | | | | |
| Bureau of Land Management | 2,144,182 | 1,771,538 | 1,872,422 | -271,760 | +100,884 |
| United States Fish and Wildlife Service | 1,209,310 | 1,091,265 | 1,335,516 | +126,206 | +244,251 |
| National Park Service | 2,133,519 | 2,517,691 | 2,284,685 | +151,166 | -233,006 |
| United States Geological Survey | 882,800 | 813,376 | 900,489 | +17,689 | +87,113 |
| Minerals Management Service | 139,221 | 155,473 | 155,972 | +16,751 | +499 |
| Office of Surface Mining Reclamation and Enforcement | 302,846 | 268,958 | 306,729 | +3,883 | +37,771 |
| Bureau of Indian Affairs | 2,137,613 | 2,203,553 | 2,213,848 | +76,235 | +10,295 |

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2002 (H.R. 2217)—Continued
## (Amounts in thousands)

| | FY 2001 Enacted | FY 2002 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Departmental Offices | 352,519 | 345,270 | 350,902 | -1,617 | +5,632 |
| General Provisions | 12,572 | | | -12,572 | |
| Total, Title I - Department of the Interior | 9,314,582 | 9,167,124 | 9,420,563 | +105,981 | +253,439 |
| TITLE II - RELATED AGENCIES | | | | | |
| Forest Service | 4,393,491 | 3,732,125 | 3,920,063 | -473,428 | +187,938 |
| Department of Energy | 1,453,644 | 1,502,680 | 1,796,680 | +343,036 | +294,000 |
| Indian Health Service | 2,628,766 | 2,706,809 | 2,759,809 | +131,043 | +53,000 |
| Office of Navajo and Hopi Indian Relocation | 14,967 | 15,148 | 15,148 | +181 | |
| Institute of American Indian and Alaska Native Culture and Arts Development | 4,116 | 4,490 | 4,490 | +374 | |
| Smithsonian Institution | 453,854 | 494,100 | 494,100 | +40,246 | |
| National Gallery of Art | 75,485 | 80,449 | 83,187 | +7,702 | +2,738 |
| John F. Kennedy Center for the Performing Arts | 33,925 | 34,000 | 34,000 | +75 | |
| Woodrow Wilson International Center for Scholars | 12,283 | 7,796 | 7,796 | -4,487 | |
| National Endowment for the Arts | 97,785 | 98,234 | 98,234 | +449 | |
| National Endowment for the Humanities | 119,994 | 120,504 | 120,504 | +510 | |
| Institute of Museum and Library Services | 24,852 | 24,899 | 24,899 | +47 | |
| Challenge America Arts Fund | 6,985 | 6,985 | 7,000 | +15 | +15 |
| Commission of Fine Arts | 1,076 | 1,274 | 1,274 | +198 | |
| National Capital Arts and Cultural Affairs | 6,985 | 7,000 | 7,000 | +15 | |
| Advisory Council on Historic Preservation | 3,182 | 3,310 | 3,400 | +218 | +90 |
| National Capital Planning Commission | 6,486 | 7,253 | 7,253 | +767 | |
| Holocaust Memorial Council | 34,363 | 36,028 | 36,028 | +1,665 | |
| Presidio Trust | 33,327 | 22,427 | 22,427 | -10,900 | |
| Total, Title II - Related Agencies | 9,405,566 | 8,905,511 | 9,443,292 | +37,726 | +537,781 |
| TITLE VII | | | | | |
| United Mine Workers of America combined benefits fund | 57,872 | | | -57,872 | |
| Grand total | 18,778,020 | 18,072,635 | 18,863,855 | +85,835 | +791,220 |

Mr. SKEEN. Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I want to congratulate our new chairman, the gentleman from New Mexico (Mr. SKEEN), on his first bill. He has done an outstanding job. As he has suggested, there has been real collaboration between the majority and minority, both the Members and the staff.

I want to applaud the staff members of the Committee, both the majority and minority, particularly Debbie Weatherly and Mike Stephens and Lesley Turner on my staff. They have worked very hard on this bill, and I think it is an extraordinary bill.

I rise in support of the FY 02 Interior appropriations act. I congratulate again the staff for producing a bill that I think we all can support. The subcommittee bill represents a significant improvement over the President's budget request. Most of the cuts have been restored, and a few very important programs received small increases.

I want to also compliment our majority on the cooperative way the bill was crafted. The minority, as I suggested, was consulted extensively, and the majority went to great lengths to see that most of our concerns were addressed throughout the process.

The most important thing to me in this bill, and to many of my colleagues, is the commitment to the Conservation Trust Fund which was negotiated last year. Under the agreement, conservation spending was nearly doubled in fiscal year 2001 and would gradually increase to fiscal year 2006. This year contains the full $1.32 billion called for under the agreement, but is not a new entitlement. This funding structure enables the committee to prioritize specific conservation programs, such as land acquisition, endangered species recovery, historic preservation, as well as provide grants to States for conservation activities and urban recreation.

This agreement was a careful compromise last year during the final negotiation on this bill when it became apparent that the CARA legislation, which created mandatory spending, was not going to pass the Congress. The conservation spending category is a victory for the country.

I am extremely pleased that this bill fully honors our commitment on a bipartisan basis. While I plan to support the bill today, I do plan to support an amendment that would increase funding to both the National Endowment for the Arts and the National Endowment for the Humanities, and would also give a small increase of funding for the Institute for Museum and Library Services.

The chairman should be commended for his efforts to restore nearly all the cuts to energy research and conservation programs that were proposed by the President. These cuts were unwise, especially given the current energy situation we are facing out West. My State of Washington has seen the impacts of this energy crisis firsthand, and many more States are next.

If the President is as concerned as his public statements suggest, he would welcome this committee's increase in these critical areas.

Aside from some specific program levels, this is a very good bill. The total in the chairman's mark is $18.941 million. This is $814 million over the President's request, and essentially the same level as 2001.

□ 1030

After adjusting for one-time fire money in 2001, however, the bill provides an increase over the current year of $803 million or 5 percent. This is on top of a 15 percent increase last year for nonfire programs.

There is a $60 million increase for Stateside Land and Water Conservation Fund grants as well as $60 million included for the President's two new private landowner incentive programs, taking that up to about $150 million. This is one of the President's important programs.

We also funded two new private landowner incentive programs proposed by the administration.

Both of the President's two highest priorities in the Department of Energy, the weatherization program, an increase of $120 million, and the Clean Coal Initiative, an increase of $150 million, were provided. This bill also rightly continues the National Park's Services' Save America's Treasures program. This program, started by Mrs. CLINTON during the last administration, has been a success, and has helped restore many historic structures.

I am also pleased that the bill does not contain any objectionable riders like the ones that have threatened the bill in past years.

Again, I compliment the gentleman from New Mexico (Mr. SKEEN) on his first Interior bill. It is a pleasure to work with him and his staff, and I look forward to passing this bill today which I think we can all support.

Mr. Chairman, I see that the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, is here, and the gentleman from Wisconsin (Mr. OBEY); and I want to thank them for their help in helping us move this bill forward.

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

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Chairman, I want to take a couple of minutes, and I do not want to delay the consideration of this bill, but I want to advise the Members of the good work that was done by the gentleman from New Mexico (Mr. SKEEN), the chairman of the subcommittee.

This was a new assignment for the gentleman because of our term limit situation in the House. He did a really outstanding job, and he had a great partner in the gentleman from Washington (Mr. DICKS), the ranking member of the subcommittee. They worked closely together. They shared information all of the way through the process.

The gentleman from Wisconsin (Mr. OBEY) can speak for himself, but I think we were both pleased when we attended the subcommittee markup and saw what a good bipartisan bill this was.

Mr. Chairman, I urge the Members to help us expedite the consideration of this bill today. It is a good bill. There will be some debate and discussion on a few issues that might stir up some controversy but, all in all, it is a good bill. It is a very good bipartisan bill, and the gentleman from New Mexico and the gentleman from Washington are to be congratulated for the work that they have done.

Mr. DICKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I still am experiencing some laryngitis, but I want to take a moment to comment on this bill.

It is certainly not a perfect bill. And I believe it needs more funding for both arts and energy research and several other programs, but I intend to vote for it.

Mr. Chairman, I want to congratulate the gentleman from New Mexico (Mr. SKEEN) and his staff for handling this bill in the way in which every appropriation bill ought to be handled. Information was made fully available to the minority, and strong efforts were made to work out virtually all differences on the bill. In contrast to nominal bipartisanship, this was a truly bipartisan approach. I think it needs to be recognized in this House when that happens because it does not happen nearly enough, as evidenced by the many bills which come to the floor in a state of high controversy.

Let me also congratulate the committee for adhering to an agreement made last year when the gentleman from Ohio (Mr. REGULA) was chairman.

As Members will recall, a number of groups wanted us to pass a new entitlement for land acquisition called CARA. I strongly favor added funding for land acquisition, but I could see no reason why we should create an additional entitlement which made land acquisition a higher priority than education or health care, for instance. Those are my top priorities.

So the gentleman from Washington (Mr. DICKS) and I worked out with the gentleman from Ohio (Mr. REGULA) and with the other body on a new agreement under which we essentially doubled conservation funding for a 6-year period, raising what would have been a spending level of about $6 billion over that period to about $12 billion as part of that agreement. We agreed that

there would be a $120 million annual ratcheting up of the total amount in the portion of the bill under the jurisdiction of this subcommittee.

That was our way of demonstrating that we could make land acquisition a very high priority, make these conservation items a very high priority without abusing the budget process by creating another entitlement.

Mr. Chairman, I think the committee was extremely wise in rejecting the White House's efforts to change that agreement. We have found the middle ground. We have found common ground on this issue; and if we stick together, we can accomplish a good and noble public purpose without abusing the processes of this Congress. I would hope that as this bill moves through the process, it retains the spirit of this agreement.

I appreciate very much the fact that the committee rejected some of the funding reductions that the White House proposed in parts of these programs and returned to the agreement that was reached last year because that can be sustained, in my view, over a long period of time.

I would also like to enter into a colloquy with the gentleman from New Mexico (Mr. SKEEN), if I could.

As the gentleman knows, there was confusion regarding the Arctic National Wildlife Refuge when this matter came up in committee last week, and I believe that confusion has been cleared up.

As I understand it, both the majority and the minority agree that this bill provides no funding to facilitate seismic studies or other predevelopment activities within the Arctic National Wildlife Refuge and that there is no authority in law for those purposes.

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

Mr. OBEY. I yield to the gentleman from New Mexico.

Mr. SKEEN. That is correct.

Mr. OBEY. I thank the gentleman. That is my understanding also.

As the gentleman knows, concern has also been expressed regarding language on page 2 of the bill which authorizes $2.250 million for the assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487, the Alaska National Interest Lands Conservation Act. Is it the gentleman's understanding that section 1010 provides no authority to undertake the activities in the Arctic Refuge that we all agree are not intended to be funded by this bill?

Mr. SKEEN. That is correct.

Mr. OBEY. That is my interpretation as well, but the language of section 1010 and its cross-reference to section 1001 are sufficiently convoluted, that it has been helpful to make this clarification at this time. I appreciate the gentleman making the clarification. I think it makes quite clear that there is no such authority, and I appreciate the gentleman's comments.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I want to stand in support of this bill. It is a balanced bill. A bill which has been worked through with the chairman and the gentleman from New Mexico (Mr. SKEEN), who has done a marvelous job, and my dear friend, the gentleman from Washington (Mr. DICKS) on the minority side, to try to reach a balanced and commonsense approach to the management of our public lands. This bill speaks to the needs of our national treasures in the public lands area and certainly speaks to the needs of Indian peoples. It has an Indian health care measure in it, and Indian education assistance.

It funds appropriately institutions like the Smithsonian and our museums and arts and humanities and other interests in our country.

By and large it is a very good bill, spending adequate amounts of money for adequate resources within the various agencies that are funded by this appropriations measure.

Mr. Chairman, I thank the staff which has worked very hard on both sides of the aisle to present a balanced bill. This bill went through our subcommittee in record time because it was balanced and bipartisan. It went through the full committee in adequate and fair time because it was balanced and bipartisan.

There will be amendments today that will be presented, as is our process, but I would urge Members to reject many of those amendments because they would upset the delicate balance that is in this bill.

Mr. Chairman, I thank my friends, the gentleman from New Mexico (Mr. SKEEN) and the gentleman from Washington (Mr. DICKS), who worked so hard to make this a balanced and sensible bill. I urge that the leadership's example be followed and that my colleagues in the House will support this measure, pass it through the House, and move it on through the legislative process so it can be enacted and it can meet the natural resources needs of our country.

Mr. YOUNG of Alaska. Mr. Chairman, I appreciate the Interior Appropriations Committee bringing their bill for fiscal year 2002 appropriations to the floor for consideration today. H.R. 2217 has programs which address many of the health, education, lands, law enforcement, conservation and roads needs of American Indians and Alaska Natives.

I appreciate the Interior Appropriations Committee's increase of the Indian Health Service (IHS) budget of $3,000,000 over the budget request and $124,351,000 above the fiscal year 2001 level. This increase is justified and will provide much needed additional program services to American Indians and Alaska Natives.

However, I am concerned with language that is in both the House bill and Committee Report regarding Contract Support Costs (CSC) for Indian Health Service (IHS) programs. While I appreciate the Interior Appropriations Committee's increases in the last few years for CSC shortfalls, the current bill contains some provisions harmful to the tribal health delivery system. The bill would limit IHS' authority to enter into new and expanded contracts which is directly contrary to the federal policy of Indian self-determination. It would also limit payment of the direct costs portion of CSC; further, the Committee Report appears to advocate for their eventual elimination.

In 1999, the House Committee on Resources held several hearings to address the shortfalls of CSC and received several recommendations from the General Accounting Office (GAO) to correct and meet the true need of CSC. One of GAO's recommendations stated that the IHS and the BIA should remain consistent with their payment of CSC for tribally contracted and compacted run programs. I agreed with the GAO recommendation that both programs should be consistent with their CSC payments. However, while the IHS pays both indirect and direct contract support costs, the BIA does not pay for any direct costs, a policy it (the BIA) now, according to its February 24, 1999, testimony before the House Committee on Resources, has under review. Given the fact that the Indian Self-Determination and Education Assistance Act (ISDEA) and its regulations provide that CSC include direct costs, it is appropriate that the BIA review its policy. In fact, the GAO report (Indian Self-Determination Act: Shortfalls on Indian Contract Support Costs Needs To Be Addressed (GAO/RCED–99–150, June 30, 1999) criticized the BIA for not paying direct costs as part of CSC.

The FY 2002 Interior Appropriations bill states: ''no existing self-determination contract, grant, self-governance compact or annual funding agreement shall receive direct contract support costs in excess of the amount received in fiscal year 2001 for such costs. . . .'' This language would unfairly prohibit tribes from negotiating an increase in their direct costs.

The Committee Report language appears to question the propriety of paying direct CSC, indicating that capping direct CSC at the FY 2001 level would be the beginning of a process to eliminate direct CSC payments. Further, the report instructs IHS to seek Office of Management and Budget (OMB) approval on the payment of direct CSC for any new and expanded contracts in FY 2002. This violates the ISDEA by capping the portion of the direct costs portion of CSC payments. The Committee Report goes even further, suggesting that IHS should not pay the direct costs portion of CSC, an amount which is close to 20% of CSC and requiring OMB approval of direct costs for new and expanded contracts. The ISDEA clearly includes direct costs as a part of CSC payments. Elimination of the direct costs portion of CSC payments would be devastating to tribal health care providers. We need to address this important Interior Appropriations issue in the Senate and in conference. Tribal health care providers should not be penalized because the IHS and BIA have inconsistent CSC payment systems. I look forward to working with my colleagues to find a reasonable and just resolution to the CSC issue for our American Indian and Alaska Native constituency.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of H.R. 2217, the Interior Appropriations bill for fiscal year 2002. In this bill, we make clear our historic commitment to protecting and maintaining our nation's parks and

wildlife refuges, and to preserving more open space.

Let me start by offering my thanks to Chairman SKEEN, ranking member DICKS and the Interior Subcommittee staff, specifically Debbie Weatherly and Chris Topik, for their hard work in putting this important piece of legislation together and working to satisfy so many demands!

Overall, this bill provides $1.32 billion for the Title VIII Conservation Trust Fund that was established in last year's Interior Appropriations bill. As some may remember, last year's agreement created a separate budget category to support these efforts. This funding will help our states and the Federal government to protect and preserve our nation's forests, fields and wetlands—green spaces that, especially those of us from the Northeast know only too well, are disappearing much too quickly.

I want to particularly congratulate President Bush for fully funding the Land and Water Conservation Fund at $900 million in his Fiscal Year 2002 Budget Request, a critical component of the conservation trust fund.

This bill maintains and improves our stewardship of America's greatest natural resources, our national parks and wildlife refuges. Each year, 285 million of our constituents will visit and enjoy our national parks and experience the beauty of over 83 million acres of preserved open lands. And it just two years, we will celebrate the centennial of our wildlife refuges—535 national treasures that exist in communities across the country.

Mr. Chairman, in my home state of New Jersey, the most densely populated state in the nation, the preservation of open space is a top priority. That is why I am especially grateful for the support of my colleagues for a number of key New Jersey priorities.

At my request, H.R. 2217 contains continued funding for the preservation of New Jersey's Highlands, one of our state's most threatened, and most important watersheds. This bill provides critical funding for land purchases within the Highlands; in fact, it is the most significant Federal commitments ever to preserving this area.

Equally as important, the bill directs the Department of Interior and Agriculture to work in partnership with state and local resources, already in place, to protect the Highlands. The Federal government should be a major partner in this preservation effort, as we were when Congress successfully preserved Sterling Forest in the same region.

This bill also builds on our past successes in Congress to expand New Jersey's national parks and wildlife refuges.

In my own Congressional District, there is funding to further expand our nation's oldest historic park, the Morristown National Historical Park, and to protect a huge collection of artifacts and Revolutionary War material related to George Washington. There is also money to allow for additional land purchases at the Great Swamp National Wildlife Refuge. Our delegation also appreciates your support fo the Cape May, E.B. Forsythe and Walkill National Wildlife Refuges and the Delaware Water Gap National Recreation Park.

Finally, it is important to note that we meet these national priorities, and do so within the confines of our budget agreement.

Mr. Chairman, let there be no doubt about it: with passage of this bill, this House is fully committed to maintaining and improving our nation's treasured national parks and wildlife refuges.

Mrs. CAPPS. Mr. Chairman, I rise in support of some key amendments to the Interior Appropriations bill.

I am pleased to join my colleague, Representative DEFAZIO, in our continued efforts to stop the extension of the misguided Recreational Fee Demonstration Program. Last year, I was successful in limiting an extension to only one year. But the bill before us irresponsibly extends the RFDP for four years. And it does it by circumventing the normal process for extending Federal programs and just tacks the extension on to a ''must-pass'' spending bill. This is irrresponsible and a disservice to those of us who would like to find alternative and more appropriate ways to support our National Forests.

In my district the RFDP is known as the Adventure Pass and it requires my constituents to pay just to visit the Los Padres National Forest. This is a form of double taxation. We already pay taxes to maintain our National Parks, Forests and other publicly owned lands. We should not have to pay again just to see a sunset or have a picnic in our own backyard.

I agree that our parks and forests have a backlog of maintenance and need more funding to address these needs. That's why I have introduced legislation that would end the subsidies to timber companies that reduce funding for our National Forests. My bill would end the Adventure Pass but ensure that Forest Service have enough funding to preserve and protect these precious lands.

I am also pleased to join my colleague, Representative RAHALL, on an amendment to ban new oil and gas drilling in National Monuments.

My district is home to the new Carrizo Plain National Monument, located almost entirely in San Luis Obispo County. The Carrizo Plain contains one of the last remnants of the California Central Valley's wildflowers and is home to a host of wildlife, including the endangered San Joaquin Kit Fox and the California Condor. Carrizo contains significant Native American cultural sites, such as the Chumash ''Painted Rock,'' and geological phenomena, including the most visible portion of the San Andreas Fault. In addition, Carrizo is the location of an important study on livestock grazing and how it might be used as an effective tool to benefit wildlife and sensitive species dependent on indigenous habitats.

The protections afforded to this precious area by the Monument designation—including no new mineral leasing within the Monument—have been met with widespread support in San Luis Obispo County. My constituents support protection of their environment and cultural heritage, and understand it is a vital component of the local economy, of which tourism is a major element. And new oil and gas drilling does not play into that picture.

Mr. Chairman, I have received letters supporting the new designation and its restriction on new oil and gas leasing from a broad swath of the community, including the 1200 member San Luis Obispo Chamber of Commerce, local environmental groups and ranchers, and the Chumash Council. I have advised both Resources Committee Chairman HANSEN and Interior Secretary Norton of these sentiments and urged that they support my community's wishes to protect its environment and economy by allowing no new drilling in Carrizo Plain.

The Tribune, San Luis Obispo County's major newspapers, correctly calls Carrizo ''a real treasure'' and notes approvingly that because of the Monument designation ''it will stay as it is forever.'' Our amendment would ensure that this prediction comes true.

I urge my colleagues to support both of these common sense measures.

Ms. PELOSI. Mr. Chairman, I would like to thank the distinguished Chairman, Mr. SKEEN, and ranking member Mr. DICKS, for their excellent work on this bill. It provides funding for many programs that will benefit both the natural and urban environments in our country, although I would support further increases in several critical areas, including energy research and the arts.

Mr. Chairman, with California and the West in the midst of an energy crisis, the last thing we should do is cut funding for energy research, particularly research on clean energy sources and technologies. I am proud that the state of California now leads the country for its efficient use of energy. California and the country should press forward to increase our energy efficiency and shift toward clean, sustainable energy sources. Yet the President's budget proposed a 30% cut in energy efficiency research and development. Although the Committee wisely disregarded this proposal, we should be doing much more in this area.

An important element in this bill is funding for the arts and humanities. The arts and humanities enrich our culture, boost our economy, and promote creativity and self-confidence in our youth. I support the Slaughter-Dicks amendment on increase funding for the National Endowment for the Arts, National Endowment for the Humanities, and the Institute of Museum and Library Services.

The Interior bill recognizes the need to reduce the backlog of maintenance needs in our national parks. But it is also important to ensure that our parks have the operating funds they need to provide stewardship of wild lands and historic buildings and run informational programs. The bill also takes a step in the right direction providing a modest increase in operating funds, although the need is much greater.

The Interior bill contains a commendable increase in funding for conservation programs. While the President's budget called for full funding for the Land and Water Conservation Fund at $900 million, that increase would have been funded by cutting a number of other important conservation programs. The Committee chose instead to provide $709 million for the Land and Water Conservation Fund, while maintaining valuable existing conservation programs, including the Urban Park and Recreation Fund and ''Save America's Treasures.'' I applaud the decision of the Committee to omit funding for studies concerning oil drilling in the Arctic National Wildlife Refuge.

Mr. Chairman, this is a good bill, but we could do so much more for our natural and cultural heritage with additional resources. Unfortunately, the tax cuts make it difficult to fund many of these valuable programs. Hopefully the President and the Congress will place a higher priority on the arts, recreation, and the environment in the future.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of the Interior appropriations bill.

This Member is pleased that the funding requested by the Bush Administration for construction of the Indian Health Service (IHS) hospital located in Winnebago, Nebraska, is included in this measure.

It appears an amendment will be offered to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities. The National Endowment of the Humanities serves my constituents and the state of Nebraska through the programs of the Nebraska Humanities Council. The Nebraska Humanities Council consistently provides high-quality humanities programming at very little cost to citizens of all walks of life in my state.

The Nebraska Council has been quite active in promoting the commemoration of the bicentennial of the Lewis and Clark Corps of Discovery expedition. For example, the Nebraska Council has instituted a six-year Lewis and Clark Educational Initiative. The Council held the first of several Lewis and Clark Teacher Institutes earlier this month. Each institute will be taught by a leading Lewis and Clark scholar. There were almost 200 applicants for 25 available slots. The teachers attending the first institute sincerely appreciated the opportunity and are exited about sharing what they learned with their students, schools, and communities. The Nebraska Council uses the Federal dollars to leverage private grants and funds.

These efforts to promote the Lewis and Clark expedition will greatly enrich the lives of Nebraskans and certainly go to the heart of the mission of the state councils of the National Endowment of the Humanities.

Mr. LARGENT. Mr. Chairman, on behalf of the Pawnee Nation in Pawnee Oklahoma, I respectfully request increased construction phase funding for the Pawnee Replacement Health Center be included in the Indian Health Service (IHS) Budget. This funding was initially included in the IHS FY 2002 Budget Preparation, but was omitted from H.R. 2217 in its current form.

The replacement facility has been on the IHS Health Facility priority list for many years. The need for a replacement building was originally assessed in 1981, but not until last year was the 73-year-old clinic, the oldest in the nation, selected for funding. However, these funds only covered the design phase of the replacement facility, leaving construction funds to be appropriated for fiscal year 2002.

As this bill goes to conference with the Senate, I ask that Conferees fulfill the promise Congress made to the Pawnee Nation in 1981 by funding the remaining construction costs in the FY 2002 Department of the Interior and Related Agencies Appropriations Act. Thank you for considering this request.

Mr. DAVIS of Florida. Mr. Chairman, I rise today to commend Chairman SKEEN, Ranking Member DICKS and the Interior Appropriations Subcommittee on their efforts to draft a difficult bill this year and balance difficult priorities. I sincerely appreciate the subcommittee's efforts in assisting the State of Florida's program for the development of electrochromic technology. This program is an excellent example of successful technology transfer from a national laboratory as well as an example of a successful public/private partnership. Electrochromic technology provides a flexible means of controlling the amount of heat and light that pass through a glass surface providing significant energy conservation opportunities in the building and automotive markets.

The Department of Energy estimates that placing this technology on all building windows in the United States would produce yearly energy savings of up to $28 billion per year. The technology also has application within the Vehicle Technology/Auxiliary Load Reduction R&D accounts. In recognition of the importance of this technology, the State of Florida has provided over $2.3 million toward the advancement of this Program.

The Program is being undertaken in conjunction with the University of South Florida and the National Renewable Energy Laboratory (NREL) in Colorado through a Cooperative Research and Development Agreement (CRADA), and utilizes a patented technology developed at NREL. This is a superb energy savings opportunity important to the Nation and is consistent with the priorities of the industry within the U.S. and the goals of the Department of Energy's windows program.

Electrochromic research is provide for within the building and materials section of the energy conservation division of the Interior Appropriations Bill for Fiscal Year 2002. The researchers are now working cooperatively with DOE on the program and we hope to expand that cooperation in the future. This will require a recognition by the Agency of the value of Florida's development of Plasma Enhanced Chemical Vapor Deposition (PECVD) techniques for electrochromic technology.

Mr. KILDEE. Mr. Chairman, as cochairman of the congressional Native American Caucus, I rise to express my gratitude to the Interior Subcommittee Chairman JOE SKEEN and senior Democratic Member NORM DICKS for their work on increasing the overall funding levels of the Bureau of Indian Affairs and the Indian Health Service in the fiscal year 2002 Interior appropriations bill.

I must, however, voice my concern about language in the Indian Health Service portion of the bill and the accompanying report concerning contract support costs. As you know, contract support costs are the necessary administrative and overhead costs borne by Indian tribal contractors when operating a Federal program.

The language in the bill would undermine tribal self-determination rights by prohibiting tribes from including in renegotiations of contract support costs any increase in the direct costs portion of those payments, by imposing a partial moratorium on new and expanded contracts, and by attempting to cap the portion of negotiated contract support costs which can be paid in any one year. The bill also cuts the President's budget request for contract support costs by half and provides only $20 million for that category. The ongoing shortfall for existing contracts far exceeds that amount.

The committee report questions the propriety of direct contract costs and directs the Indian Health Service to secure the approval of OMB on any direct contract support costs payments for new and expanded contracts. Negotiation of contracts is a matter between the tribes and the Federal agency—the committee's directive would put tribes in the position of having to negotiate with OMB regarding their contract support payments.

The Indian Self-Determination Act specifically provides that contract support costs include both direct and indirect costs.

As this bill proceeds through the legislative process, I hope that we can all work together on a better resolution for dealing with contract support costs and increasing the funding for contract support costs.

Mr. Chairman, I want to express my concern about the funding levels of two elements of the Bureau of Indian Affairs (BIA) education budget—student transportation and administrative cost grants.

The student transportation item supplies funding for the operation of BIA school buses. This account has been underfunded for many years and this bill will continue that trend by providing essentially no increase in funding.

Elevated fuel costs have had a devastating impact on BIA school bus programs. For the just completed school year, BIA schools received only $2.30/mile for their student transportation needs. By contrast, the average rate per-mile spent on student transportation by public school systems throughout the country was $3.21/mile. BIA estimates show that its school bus system is underfunded by $11 million.

We must fund the BIA school transportation programs so that the BIA schools can continue to provide adequate transportation needs to their students.

Mr. Chairman, I am also concerned that bill fails to increase funding for administrative cost grants which is a vital program that supports the administrative needs of tribally-operated schools.

Tribes and tribal school boards have taken on the responsibility for direct operation of two-thirds of the 185 BIA-funded schools, but Congress has not supplied them with the funding required to run their fiscal and management affairs in a prudent manner.

The chronic shortfalls in administrative cost grants severely compromise the ability of tribal school boards to maintain proper internal management controls, to prepare for and pay for annual audits, and to discharge the numerous policymaking, supervision, program planning, procurement, personnel and management activities for which these tribal school boards are responsible. No educational institution can succeed if it is required to do more with less year after year.

Mr. Chairman, unlike children in the public school system, Indian children in the BIA system depend 100% on funding from Congress. We should fulfill our responsibility to properly support these Federal schools and meet our obligations to the Indian students they educate. It is my hope that we can work together as the bill proceeds to through the legislative process so that we can increase the funding for these two very important Indian education programs.

Mr. DICKS. Mr. Chairman, I yield back the balance of my time.

Mr. SKEEN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. ISAKSON). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he or she has

printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered as read.

The Clerk will read.

The Clerk read as follows:

H.R. 2217

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $768,711,000, to remain available until expended, of which $1,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E)(xii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act; of which $2,225,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which not to exceed $1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601–6a(i)); and of which $3,000,000 shall be available in fiscal year 2002 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, $32,298,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $768,711,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors: *Provided further,* That of the amount provided, $28,000,000 is for ''Federal Infrastructure Improvement'', defined in section 250(c)(4)(E)(xiv) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided further,* That fiscal year 2001 balances in the Federal Infrastructure Improvement account for the Bureau of Land Management shall be transferred to and merged with this appropriation, and shall remain available until expended.

Mr. SKEEN (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The text of the remainder of title I is as follows:

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $700,806,000, to remain available until expended, of which not to exceed $19,774,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the ''Fire Protection'' and ''Emergency Department of the Interior Firefighting Fund'' may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: *Provided further*, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,978,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $11,076,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), $200,000,000, of which not to exceed $400,000 shall be available for administrative expenses and of which $50,000,000 is for the conservation activities defined in section 250(c)(4)(E)(xiii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $47,686,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $105,165,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and monitoring salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined

as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181–1 et seq., and Public Law 103–66) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed $10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards, *Provided further*, That sections 28f and 28g of title 30, United States Code, are amended:

(1) In section 28f(a), by striking the first sentence and inserting, ''The holder of each unpatented mining claim, mill, or tunnel site, located pursuant to the mining laws of the United States, whether located before, on or after the enactment of this Act, shall pay to the Secretary of the Interior, on or before September 1, 2002, a claim maintenance fee of $100 per claim or site.''; and

(2) In section 28g, by striking ''and before September 30, 2001'' and inserting in lieu thereof ''and before September 30, 2002''.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $839,852,000, to remain available until September 30, 2003, except as otherwise provided herein, of which $28,000,000 is for ''Federal Infrastructure Improvement'', defined in section 250(c)(4)(E)(xiv) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That fiscal year 2001 balances in the Federal Infrastructure Improvement account for the United States Fish and Wildlife Service shall be transferred to and merged with this appropriation, and shall remain available until expended: *Provided further*, That not less than $2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: *Provided further*, That $2,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps defined in section 250(c)(4)(E) (xii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided further*, That not to exceed $8,476,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $6,000,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), for species already listed pursuant to subsection (a)(1) as of the date of enactment this Act: *Provided further*, That of the amount available for law enforcement, up to $400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: *Provided further*, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $48,849,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out 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 United States Fish and Wildlife Service, $104,401,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $50,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: *Provided*, That, hereafter, ''Fish and Wildlife Service Landowner Incentive Program'' shall be considered to be within the ''State and Other Conservation sub-category'' in section 250(c)(4)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, Tribes, Puerto Rico, Guam, the U.S. Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish, or supplement existing, landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, or candidate species, or other at-risk species on private lands.

STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $10,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: *Provided*, That hereafter, ''Fish and Wildlife

Service Stewardship Grants'' shall be considered to be within the ''State and Other Conservation sub-category'' in section 250(c)(4)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the amount provided herein is for the Secretary to establish a Private Stewardship Grants Program to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, or candidate species, or other at-risk species.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended, $107,000,000, to be derived from the Cooperative Endangered Species Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(v) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $16,414,000, of which $5,000,000 is for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: *Provided*, That, hereafter, ''Fish and Wildlife Service National Wildlife Refuge Fund'' shall be considered to be within the ''Payments in Lieu of Taxes sub-category'' in section 250(c)(4)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, as amended, $45,000,000, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(vi) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That, notwithstanding any other provision of law, amounts in excess of funds provided in fiscal year 2001 shall be used only for projects in the United States.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106–247 (16 U.S.C. 6101–6109), $5,000,000, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: *Provided*, That, hereafter, ''Fish and Wildlife Service Neotropical Migratory Bird Conservation'' shall be considered to be within the ''State and Other Conservation sub-category'' in section 250(c)(4)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105–96; 16 U.S.C. 4261–4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), and the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), $4,000,000, to remain available until expended: *Provided*, That funds made available under this Act, Public Law 106–291, and Public Law 106–554 and hereafter in annual approprations acts for rhinoceros, tiger, Asian elephant, and great ape conservation programs are exempt from any sanctions imposed against any country under section 102 of the Arms Export Control Act (22 U.S.C. 2799aa–1).

STATE WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, the Northern Mariana Islands, and American Samoa, under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $100,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(vii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That the Secretary shall, after deducting administrative expenses, apportion the amount provided herein in the following manner: (A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof: and (B) to Guam, American Samoa, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: 30 percent based on the ratio to which the land area of such State bears to the total land area of all such States; and 70 percent based on the ratio to which the population of such State bears to the total population of the United States, based on the 2000 U.S. Census; and the amounts so apportioned shall be adjusted equitably so that no State shall be apportioned a sum which is less than one percent of the total amount available for apportionment or more than 10 percent: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, or committed to develop by October 1, 2005, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction's wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of those species: *Provided further*, That any amount apportioned in 2002 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2003, shall be reapportioned, together with funds appropriated in 2004, in the manner provided herein.

TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $5,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: *Provided*, That, hereafter, ''Fish and Wildlife Service Tribal Wildlife Grants'' shall be considered to be within the ''State and Other Conservation sub-category'' in section 250(c)(4)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 74 passenger motor vehicles, of which 69 are for replacement only (including 32 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105–56.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, $1,480,336,000, of which $10,869,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which $75,349,000, to remain available until expended, is for maintenance repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which $2,000,000 is for the Youth Conservation Corps, defined in section 250(c)(4)(E)(xii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act, for high priority projects: *Provided*, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures and those funds needed to

maintain and repair United States Park Police administrative facilities: *Provided further,* That park areas may reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed $10,000 per event subject to the review and concurrence of the Washington headquarters office: *Provided further,* That none of the funds in this or any other Act may be used to fund a new Associate Director position for Partnerships.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, $65,260,000.

CONTRIBUTION FOR ANNUITY BENEFITS

For reimbursement pursuant to provisions of Public Law 85–157, to the District of Columbia on a monthly basis, for benefit payments by the District of Columbia to United States Park Police annuitants under the provisions of the Policeman and Fireman's Retirement and Disability Act, to the extent those payments exceed contributions made by active Park Police members covered under the Act, such amounts as hereafter may be necessary: *Provided,* That hereafter, appropriations made to the National Park Service shall not be available for this purpose.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $51,804,000.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), $30,000,000, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(x) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $77,000,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2003, and to be for the conservation activities defined in section 250(c)(4)(E)(xi) of the Balanced Budget and Emergency Deficit Control Control Act of 1985, as amended, for the purposes of such Act: *Provided,* That, of the amount provided herein, $5,000,000, to remain available until expended, is for a grant for the perpetual care and maintenance of National Trust Historic Sites, as authorized under 16 U.S.C. 470a(e)(2), to be made available in full upon signing of a grant agreement: *Provided further,* That, notwithstanding any other provision of law, these funds shall be available for investment with the proceeds to be used for the same purpose as set out herein: *Provided further*, That of the total amount provided, $30,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: *Provided further*, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service 2003.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $349,249,000, of which $50,000,000 is for ''Federal Infrastructure Improvement'', defined in section 250(c)(4)(E)(xiv) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2002 by 16 U.S.C. 4601–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $261,036,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(iii) of the Balanced Budget and Emergency Deficit Control of 1985, as amended, for the purposes of such Act, of which $154,000,000 is for the State assistance program including $4,000,000 to administer the State assistance program: *Provided*, That of the amounts provided under this heading, $16,000,000 may be for Federal grants to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed; and $20,000,000 may be for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act: *Provided further*, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That none of the funds provided for the State Assistance program may be used to establish a contingency fund.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 315 passenger motor vehicles, of which 256 shall be for replacement only, including not to exceed 237 for police-type use, 11 buses, and 8 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.

Notwithstanding any other provision of law, the National Park Service may convey a leasehold or freehold interest in Cuyahoga NP to allow for the development of utilities and parking needed to support the historic Everett Church in the village of Everett, Ohio.

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; $900,489,000, of which $64,318,000 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 $18,942,000 shall be available until September 30, 2003 for the operation and maintenance of facilities and deferred maintenance; and of which $163,461,000 shall be available until September 30, 2003 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 of the amount provided herein, $25,000,000 is for the conservation activities defined in section 250(c)(4)(viii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *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.

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, $149,867,000, of which $83,344,000, shall be available for royalty management activities; and an amount not to exceed $102,730,000, 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 $102,730,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $102,730,000 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, 2003: *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 (MMS) concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That MMS may under the royalty-in-kind pilot program use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, and to process or otherwise dispose of royalty production taken in kind: *Provided further*, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

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, $6,105,000, 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; $102,900,000: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2002 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, $203,554,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $10,000,000, 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 2002: *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 under title IV of Public Law 95–87 may be used 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 $500,000 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.

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, $1,790,781,000, to remain available until September 30, 2003 except as otherwise provided herein, of which not to exceed $89,864,000 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 $130,209,000 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 2002, 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 $3,000,000 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 $436,427,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2002, and shall remain available until September 30, 2003; and of which not to exceed $58,394,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and 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 $43,065,000 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, 2003, may be transferred during fiscal year 2004 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, 2004.

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, $357,132,000, 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 2002, 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, not to exceed $450,000 in collections from settlements between the United States and contractors concerning the Dunseith Day School are to be made available for school construction in fiscal year 2002 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, $60,949,000, to remain available until expended; of which $24,870,000 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; of which $7,950,000 shall be available for future water supplies facilities under Public Law 106–163; of which $21,875,000 shall be available pursuant to Public Laws 99–264, 100–580, 106–263, 106–425, 106–554, and 106–568; and of which $6,254,000 shall be available for the consent decree entered by the U.S. District Court, Western District of Michigan in United States v. Michigan, Case No. 2:73 CV 26.

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 $75,000,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, $486,000.

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, pooled overhead general administration (except facilities operations and maintenance), or provided to implement the recommendations of the National Academy of Public Administration's August 1999 report 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. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'').

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $72,289,000, of which: (1) $67,761,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, 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) $4,528,000 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 of the funds provided herein for American Samoa government operations, the Secretary is directed to use up to $20,000 to increase compensation of the American Samoa High Court Justices: *Provided further*, That of the amounts provided for technical assistance, not to exceed $1,339,000 shall be made available for transfer to the Disaster Assistance Direct Loan Financing Account of the Federal Emergency Management Agency for the purpose of covering the cost of forgiving the repayment obligation of the Government of the Virgin Islands on Community Disaster Loan 841, as required by section 504 of the Congressional Budget Act of 1974, as amended (2 U.S.C. 661c): *Provided further*, That to the extent that the cost of forgiving the repayment obligation exceeds the $1,339,000 provided in this Act, the Secretary of the Interior shall transfer up to $2,161,000 of unexpended appropriations for U.S. Virgin Islands construction grants provided pursuant to Public Law 102–154 to the Federal Emergency Management Agency to meet the full costs associated with forgiveness of the Hurricane Hugo Community Disaster Loan: *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 (with territorial participation and cost sharing to be determined by the Secretary based on the grantees 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).

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, $23,245,000, 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, $64,177,000, of which not to exceed $8,500 may be for official reception and representation expenses, 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, $45,000,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $30,490,000.

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, $99,224,000, 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 2002, 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 18 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

For consolidation of fractional interests in Indian lands and expenses associated with redetermining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, $10,980,000, to remain available until expended and which may be transferred to the Bureau of Indian Affairs and Departmental Management.

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) (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $5,497,000, 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 wildland 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 wildland fire operations 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 wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' shall be exhausted within thirty days: *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. Annual 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 12 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 leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in 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.

SEC. 108. 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, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the

Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 111. 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.

SEC. 112. 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. 113. Appropriations made in this Act 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. 114. A grazing permit or lease that expires (or is transferred) during fiscal year 2002 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa–50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

SEC. 115. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: *Provided*, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 116. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2002. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 117. None of the funds in this Act may be used to establish a new National Wildlife Refuge in the Kankakee River basin that is inconsistent with the United States Army Corps of Engineers' efforts to control flooding and siltation in that area. Written certification of consistency shall be submitted to the House and Senate Committees on Appropriations prior to refuge establishment.

SEC. 118. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2002 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 119. (a) The Secretary of the Interior shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery in Kansas City, Kansas (as described in section 123 of Public Law 106–291) are used only in accordance with this section.

(b) The lands of the Huron Cemetery shall be used only (1) for religious and cultural uses that are compatible with the use of the lands as a cemetery, and (2) as a burial ground.

SEC. 120. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 121. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

SEC. 122. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is amended by striking ''2001'' and inserting ''2002''.

SEC. 123. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

SEC. 124. Notwithstanding 31 U.S.C. 3302(b), sums received by the Bureau of Land Management for the sale of seeds or seedlings including those collected in fiscal year 2001, may be credited to the appropriation from which funds were expended to acquire or grow the seeds or seedlings and are available without fiscal year limitation.

SEC. 125. TRIBAL SCHOOL CONSTRUCTION DEMONSTRATION PROGRAM. (a) DEFINITIONS.—In this section:

(1) CONSTRUCTION.—The term ''construction'', with respect to a tribally controlled school, includes the construction or renovation of that school.

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) TRIBALLY CONTROLLED SCHOOL.—The term ''tribally controlled school'' has the meaning given that term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

(5) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(6) DEMONSTRATION PROGRAM.—The term ''demonstration program'' means the Tribal School Construction Demonstration Program.

(b) IN GENERAL.—The Secretary shall carry out a demonstration program to provide grants to Indian tribes for the construction of tribally controlled schools.

(1) IN GENERAL.—Subject to the availability of appropriations, in carrying out the demonstration program under subsection (b), the Secretary shall award a grant to each Indian tribe that submits an application that is approved by the Secretary under paragraph (2). The Secretary shall ensure that an eligible Indian tribe currently on the Department's priority list for construction of replacement educational facilities receives the highest priority for a grant under this section.

(2) GRANT APPLICATIONS.—An application for a grant under the section shall—

(A) include a proposal for the construction of a tribally controlled school of the Indian tribe that submits the application; and

(B) be in such form as the Secretary determines appropriate.

(3) GRANT AGREEMENT.—As a condition to receiving a grant under this section, the Indian tribe shall enter into an agreement with the Secretary that specifies—

(A) the costs of construction under the grant;

(B) that the Indian tribe shall be required to contribute towards the cost of the construction a tribal share equal to 50 percent of the costs; and

(C) any other term or condition that the Secretary determines to be appropriate.

(4) ELIGIBILITY.—Grants awarded under the demonstration program shall only be for construction of replacement tribally controlled schools.

(c) EFFECT OF GRANT.—A grant received under this section shall be in addition to any other funds received by an Indian tribe under any other provision of law. The receipt of a grant under this section shall not affect the eligibility of an Indian tribe receiving funding, or the amount of funding received by the Indian tribe, under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 126. WHITE RIVER OIL SHALE MINE, UTAH. (a) SALE.—The Administrator of General Services (referred to in this section as the ''Administrator'') shall sell all right, title, and interest of the United States in and to the improvements and equipment described in subsection (b) that are situated on

the land described in subsection (c) (referred to in this section as the ''Mine'').

(b) DESCRIPTION OF IMPROVEMENTS AND EQUIPMENT.—The improvements and equipment referred to in subsection (a) are the following improvements and equipment associated with the Mine:

(1) Mine Service Building.

(2) Sewage Treatment Building.

(3) Electrical Switchgear Building.

(4) Water Treatment Building/Plant.

(5) Ventilation/Fan Building.

(6) Water Storage Tanks.

(7) Mine Hoist Cage and Headframe.

(8) Miscellaneous Mine-related equipment.

(c) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the land located in Uintah County, Utah, known as the ''White River Oil Shale Mine'' and described as follows:

(1) T. 10 S., R. 24 E., Salt Lake Meridian, sections 12 through 14, 19 through 30, 33, and 34.

(2) T. 10 S., R. 25 E., Salt Lake Meridian, sections 18 and 19.

(d) USE OF PROCEEDS.—The proceeds of the sale under subsection (a)—

(1) shall be deposited in a special account in the Treasury of the United States; and

(2) shall be available until expended, without further Act of appropriation—

(A) first, to reimburse the Administrator for the direct costs of the sale; and

(B) second, to reimburse the Bureau of Land Management Utah State Office for the costs of closing and rehabilitating the Mine.

(e) MINE CLOSURE AND REHABILITATION.—The closing and rehabilitation of the Mine (including closing of the mine shafts, site grading, and surface revegetation) shall be conducted in accordance with—

(1) the regulatory requirements of the State of Utah, the Mine Safety and Health Administration, and the Occupational Safety and Health Administration; and

(2) other applicable law.

□ 1045

AMENDMENT OFFERED BY MR. POMBO

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

The Clerk read as follows:

Amendment offered by Mr. POMBO:

Page 17, line 24, insert before the period the following:

: *Provided,* That, of such funds, $1,000,000 shall be for the Banta-Carbona Irrigation District Fish Screen Project in Tracy, California.

Mr. SKEEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore (Mr. ISAKSON). The gentleman reserves a point of order.

Mr. POMBO. Mr. Chairman, I rise to offer this amendment after which I plan to withdraw it.

Mr. Chairman, my amendment would redirect $1 million from the Cooperative Endangered Species Conservation Fund to the Banta-Carbona Irrigation District in Tracy, California, for a fish screen project located at the entrance to the Banta-Carbona Irrigation District intake channel on the San Joaquin River.

This is a very simple amendment which would provide much needed financial assistance to help defray the construction, operating and maintenance costs of this fish screen.

Let me point out that the Banta-Carbona Irrigation District is required by the U.S. Fish and Wildlife Service to put in a fish screen facility on the San Joaquin River to protect the delta smelt, the steelhead, the fall run chinook salmon and the splittail. All of these fish are either endangered or threatened species and fall under the authority of U.S. Fish and Wildlife Service or the National Marine Fisheries Service. Without the fish screen project, the Banta-Carbona Irrigation District's agricultural water diversions could be shut down by these Federal agencies.

Mr. Chairman, the Banta-Carbona Irrigation District is facing a reduced allocation of water from the Central Valley Project. To make matters worse, high energy costs in California coupled with low agricultural commodity prices have made it nearly impossible for the water users to pay for the capital, operating and maintenance costs of a fish screen facility.

The bottom line is, Mr. Chairman, the Federal Government has required the Banta-Carbona Irrigation District to facilitate the funding, design, and construction of this fish barrier screen facility with little or no assistance.

Under the ESA, the Federal Government continues to require farmers, ranchers, landowners, irrigation districts, and local government and communities to spend millions of dollars to protect endangered species. In fact, let me point out to my colleagues the millions of dollars that the county hospital in Riverside, California, had to spend to protect a fly. And how about the millions of dollars homebuilders and ranchers in my district are spending to protect the fairy shrimp, a quarter-inch crustacean that lives in pools of water which we normally call mud puddles.

Mr. Chairman, this is real money that could be used to help individuals offset the costs of their high utility bills. Further, this is real money that is being diverted away from the State and local government's education, infrastructure, and health care budgets. I am convinced that the only species that is benefiting from this process is the cash cow, being milked by the agencies and environmental lawyers. The truth is, contrary to claims made by the green conflict industry, people who own property do care about the survival of valued species and the health of our environment.

Quite frankly, Mr. Chairman, this is another example of why the Endangered Species Act is not working. The act has failed to save species; it has caused acrimony and gridlock, generated endless litigation; it has cost the American taxpayer and private-property owner hundreds of billions of dollars in wasted effort; and it has misappropriated property and lost production.

All of these problems, Mr. Chairman, and the act has not even been authorized for nearly a decade. I simply cannot stand by quietly as farmers and ranchers, families and businesses, especially those in the West who depend on natural resources for a living, suffer for no constructive purpose. The time has come to make human species as important as the Endangered Species Act equation.

Mr. Chairman, it is time to take back our economic and constitutional rights. Ensuring that the Banta-Carbona Irrigation District receives Federal assistance for the fish screen project will do such a thing by holding the Federal Government accountable for its actions. I urge my colleagues to do the right thing to correct this injustice.

I have worked with the gentleman from New Mexico in the past several years on these issues. I intend to continue working with him. I know that if it were up to him totally that we would take care of these problems posthaste; but in light of the situation we are in right now, I respectfully withdraw my amendment at this point.

The CHAIRMAN pro tempore. Without objection, the amendment offered by the gentleman from California (Mr. POMBO) is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment, pursuant to clause 2(f) of rule XXI.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. SLAUGHTER:

On page 49, line 22 after the number ''$64,177,000'' insert ''(reduced by $9,000,000)''.

On page 69, line 12 after the number ''$1,326,445,000'' insert ''(reduced by $6,000,000)''.

On page 109, line 21 strike ''$104,882,000'' and insert ''$107,882,000''.

On page 110, line 19 strike ''$24,899,000'' and insert ''$26,899,000''.

On page 110, line 24 strike ''$7,000,000'' and insert ''$17,000,000''.

Ms. SLAUGHTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Chairman, these amendments would provide a funding increase to three agencies that most certainly deserve it: the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum and Library Services.

In fiscal year 1996, the arts and humanities sustained massive funding cuts. The budgets of NEA and NEH were slashed by 40 percent. The Congressional Arts Caucus waged a successful battle to save both of them from annihilation, but neither one has fully recovered from the cuts. Last year, we won the first budget increase for the agencies in nearly a decade. The

fiscal year 2001 budget contained an additional $7 million for the NEA's Challenge America initiative, as well as increases of $5 million and $2 million for NEH and IMLS respectively. It is time to reaffirm our Nation's commitment to the arts by providing another modest funding increase for NEA, NEH, and IMLS.

Supporting the arts is not merely a matter of being high-minded. The arts produce very real benefits for individuals, for communities and for the Nation as a whole, with the greatest positive impact on our children. For example, data from the college entrance exam board shows that students who took 4 years or more of art and music classes outscored their peers on the SAT by more than 80 points in 1995, 1996 and 1997. The arts are an economic boon to communities. More tickets are sold for art performances than all sports events put together and no community is ever required for an art project to build and sustain and subsidize an expensive stadium.

Some of our Members in this House have expressed concern that the arts and humanities programs are not funded in their districts. In fact, even though the budget has been depleted, I should state again that NEA regularly reaches between 290 and 300 congressional districts and is providing a wider range of grants thanks to programs like ArtsREACH. Last year, Congress targeted $7 million to the NEA's Challenge America initiative which strengthens NEA activity in the 20 States with the fewest NEA grants. That is very important that we continue.

I would like to pay a tribute here to the present chairman of the NEA, Mr. Bill Ivey, who has instituted these and many other programs and is staying on at the NEA to make sure that his successor can have an increase in budget so that he can increase these important program. I also want to recognize the President of the United States, George Bush, who said recently at Ford's Theater that the arts are extremely important to the United States and deserve government support. I thank him for that.

Similarly, the National Endowment for the Humanities is playing a crucial role in collecting, preserving, and sharing the Nation's history. Just last year, NEH grants went to projects like restoration of Federal War Department records which had been partially destroyed by fire covering 1784 to 1800; the collection of papers of suffragists Elizabeth Cady Stanton and Susan B. Anthony; an analysis of artifacts from Chickasaw archaeological sites; and many, many more. An increase in their funding would permit this agency to expand its already tremendous impact on the Nation's K to 12 humanities curriculum by offering more seminars for teachers and exploring greater possibilities to use technology in the classroom sorely needed.

The Institute of Museum and Library Services oversees America's 8,000 museums and connects schools, libraries, and other institutions with the many wonderful resources within those museums. In its April round of conservation project support grants, they funded proposals ranging from the preservation of sculptures by African American folk artist Felix ''Fox'' Harris in Beaumont, Texas, to a survey of objects important to the local history of Valdez, Alaska. With additional funding, they could expand that reach to many worthy grant applications.

The amendments, as I said, would add $10 million to the NEA, $3 million to the NEH, and $2 million to IMLS. It does so by making a minor corresponding reduction in the administrative budgets of the Department of the Interior and U.S. Forest Service. My colleagues may not be aware that the underlying bill includes more than $4 billion for salaries and many billions more for other administrative costs such as travel, contracting and so on. The offset would reduce that budget by less than three-tenths of 1 percent. It is expected that this reduction will be absorbed through savings in travel, in printing, and normal vacancy rates in staffing levels. We have worked extremely hard to find an offset that would be reasonable and responsible. It is my firm belief that this offset should be acceptable to every Member of Congress.

When we think about the great civilizations of the past, what comes to mind? The pyramids of Egypt, a spectacular architectural achievement; the sculptures of ancient Rome; the epic poetry of ancient Greece; the cliff art and cave paintings of Native Americans. As opera singer Beverly Sills noted, ''Art is the signature of civilizations.''

Let us reaffirm Congress' commitment to our Nation's artistic and cultural legacy by passing these amendments.

Mr. SKEEN. Mr. Chairman, I appreciate the position of the Member on this amendment, but I oppose this amendment.

The committee-approved bill includes the President's request for the NEA and NEH. This is a fair amount of funding. This level sustains the increases the endowments received last year, and there is a small increase for fixed costs.

We should not cut the Interior Department and Forest Service operations accounts. We have held these operations accounts down and not even fully funded them for inflation. Further cuts would be very harmful to the administration of the national parks, forests, refuges, and other programs.

The Interior bill has many responsibilities. We have a documented backlog in repairs of over $12 billion. We have tried to make prudent investments in our land management agencies, in Indian programs, and in energy research. I ask my colleagues to join me and oppose this amendment.

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

Mr. Chairman, the amendment would provide an additional $10 million for the National Endowment for the Arts, bringing their funding up to $115 million. I might point out that in 1995 we funded the arts at approximately $170 million, so there has been a dramatic reduction in funding for the arts. I would say that the National Endowment has done a great job, but it certainly needs this modest increase. We would also increase the National Endowment for the Humanities by $3 million, taking it up to $123 million. It was funded at about $170 million in 1995 as well, so this is another one that needs help. And, of course, the Museum and Library Services, we would increase this by $2 million, taking it up to $26.8 million.

Since 1996, the Endowments have been woefully underfunded, as I have stated. The National Endowment for the Arts, to be precise, received $162 million in 1995 and was level funded at $98 million until their small increase last year. The Humanities were funded at $172 million in 1995, yet only received $120 million in the fiscal year 2001 bill. Even with requests from the previous administration of $150 million for both agencies, we were not able to achieve more than a nominal increase. I believe it is time that these programs receive at least a portion of this request because of the value they add to our country.

The National Endowment for Humanities supports programs that matter most, enriching classroom teaching, developing programs for public television, supporting some of the country's finest museum exhibits, preserving invaluable historical materials from our past, supporting new research by scholars, and partnering with State humanities councils across the Nation. A small grant from either the National Endowment for Humanities or the National Endowment for the Arts spurs nearly four times that amount of funding in the private sector.

But without additional funding, important programs supported by the NEH will not be available. Additional funding would also be used to preserve endangered recordings of folk music, jazz and blues. The National Endowment for Humanities works directly with each of the State humanities organizations and regional centers to support critical cultural programs. They also help ensure that this information is widely distributed into communities through technology like the Internet and CD-roms.

The National Endowment for the Arts also receives an increase for the work that it does. As I mentioned, the NEA received $162 million in 1995, but only $105 million last year. This is simply inadequate.

□ 1100

I was extremely pleased that we were able to reach agreement to provide this small increase for the NEA last year, adding an additional $7 million for the NEA's Challenge America program.

The NEA should be commended for its work to address criticism and concerns over their funding of controversial grants and for not distributing grants in a more geographically even-handed way throughout the country. They have addressed those issues and I think have solved them, and much of the credit belongs to our subcommittee, particularly the work of our former chairman, the gentleman from Ohio (Mr. REGULA), who was insistent that we emphasize quality in awarding these grants.

The Institute for Museum and Library Services also deserves this small increase. Each year our Nation's 15,000 museums host 865 million visits, a 50 percent increase from only a decade ago. For the last 25 years, the Institute of Museum and Library Services has used its modest Federal funds to strengthen museum operations, improve care of collections, increase professional development opportunities, and enhance the community service role of museums.

An additional $2 million for the Institute of Museum and Library Services will have a real impact in our communities, and I hope my colleagues will join me in supporting this increase. It is my hope that a favorable vote on this amendment will send a message to the administration that these three areas are greatly deserving of these small increases, and we want to say that we are pleased that the administration was at least willing to support last year's efforts.

I compliment the gentlewoman from New York (Ms. SLAUGHTER) for her leadership and her leadership of the Arts Caucus. We are going to continue this fight. We think it is a worthy one. We received some considerable support in the other body. I think it is time for this House to take a stand in favor of support for these three important cultural institutions.

Mr. Chairman, I rise in support of the amendment offered by Ms. SLAUGHTER of New York and myself. The amendment seeks to raise the level of funding for the National Endowment for the Arts, the National Endowment of the Humanities and the Institute for Museums and Library Services. The increases we are seeking for the Endowments and the IMLS would be offset by small reductions in administrative costs at the Department of the Interior and the Department of Agriculture.

We had originally planned to offset these amounts through a deferral of excess clean coal funds as we did last year. Unfortunately the Rules Committee did not waive the rule to allow this. Instead this amendment makes a very small reduction of less than .3 percent in administrative costs. We believe these can be absorbed with no programmatic impact on these agencies. The President's budget was generous in funding administrative costs including more than $160 million for the cost of the Federal pay raise and the committee has added additional funds. This amendment requires that approximately 10 percent of the cost of the pay raise be absorbed through management efficiencies. Historically the amount of pay costs which agencies were asked to absorb has averaged in excess of 25 percent. We believe that most of the cost will come from a higher than expected lapse rate, the savings which occur when positions which are assumed to be funded for all of the year are inevitably filled more slowly with substantial savings. This lapse savings is inevitably higher than expected when there is a new Administration which fills vacancies slowly as is the current case. In addition there may be some small reductions required in travel, printing and administrative contracts costs. In no case should there be any impact on existing staff.

The amendment would: Provide an additional $10 million for the NEA, bringing them up to $115 million; provide an additional $3 million for the NEH, bringing them up to $123 million; and provide an additional $2 million for the Institute for Museums and Library Services (IMLS), bringing them up to $26.8 million.

Since 1996, the Endowments have been woefully underfunded. The National Endowment for the Arts received $162 million in fiscal year 1995, and was level funded at $98 million until their small increase last year. The Humanities were funded at $172 million in fiscal year 1995, yet only received $120 million in the fiscal 2001 bill. Even with requests from the previous Administration of $150 million for both agencies, we were not able to achieve more than a nominal increase. I believe it is time that these programs received at least a portion of this request because of the value they add to our country.

The National Endowment for Humanities supports programs that matter most—enriching classroom teaching, developing programs for public television, supporting some of the country's finest museum exhibits, preserving invaluable historical materials from our past, supporting new research by scholars and partnering with state humanities councils across the Nation.

A small grant from either the NEH or the NEA spurs nearly four times that amount in the private sector.

But without additional funding, important programs supported by the NEH will not be available. Additional funding would also be used to preserve endangered recordings of folk music, jazz, and blues. The NEH works directly with each of the state humanities organizations and regional centers to support critical cultural programs. They also help ensure that this information is widely distributed into communities through technology like the internet and CD-Roms.

The NEA also deserves an increase for the work that it does. As I mentioned, the NEA received $162 million in 1995, but only $105 million last year. This simply is inadequate.

I was extremely pleased that we were able to reach agreement to provide the small increase for the NEA last year, adding an additional $7 million for the NEA's Challenge American Program. The NEA should be commended for its work to address criticisms and concerns over their funding of controversial grants and for distributing grants in a more geographically even-handed way throughout the country.

The Institute for Museums and Library Services also deserves this small increase. Each year our Nation's 15,000 museums host 865 million visits—a 50 percent increase from only a decade ago. For the last 25 years IMLS has used its modest Federal funds to strengthen museum operations, improve care of collections, increase professional development opportunities and enhance the community service role of museums. An additional $2 million for the IMLS will have a real impact in our communities, and I hope my colleagues will join me in supporting this increase.

It is my hope that a favorable vote on this amendment will send a message to the President that these three areas are greatly deserving of these small increases.

I urge support of the amendment.

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

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

Mr. NUSSLE. Mr. Chairman, I rise in support of H.R. 2217, the Interior appropriations bill for fiscal year 2002. It is consistent with the budget resolution as required under the Congressional Budget Act.

Mr. Chairman, I rise in support of H.R. 2217, the Interior appropriations bill for fiscal year 2002. This bill is consistent with the budget resolution as required under the Congressional Budget Act.

This is the first of 13 appropriations bills that the House will consider under the 302(a) allocation set forth in the concurrent resolution on the budget for fiscal year 2002.

In accordance with the Budget Act, the Committee on Appropriations subdivided this allocation among its 13 subcommittees earlier this week.

I am confident that the 302(b) allocations represent a good faith effort by the Appropriations Committee and its distinguished chairman to comply with the overall discretionary levels agreed to as part of the budget resolution.

As reported, H.R. 2217 provides $18.9 billion in new budget authority and $17.8 billion in outlays for fiscal year 2002.

The bill does not designate any of the new budget authority it provides as an emergency, not does it rescind previously enacted budget authority.

The bill is within the subcommittee on the Interior 302(b) allocation and therefore complies with section 302(f) of the Budget Act, which prohibits the consideration of appropriation measures that exceed the appropriate subcommittee's 302(b) allocation.

I would note, however, that the bill changes the classification of four fairly small programs under the separate spending cap that was adopted last year.

Both the caps and the classification of programs under those caps is under the jurisdiction of the Budget Committee. Accordingly, the bill violates section 306 of the Budget Act, which prohibits the consideration of legislation within the jurisdiction of the Budget Committee.

I would ask the subcommittee to work with the Budget Committee on the appropriate classification of these programs in conference and on comparable measures in the future.

In summary, this bill is consistent with the budget resolution agreed by the Congress and, on this basis, I support the bill.

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

Mr. Chairman, I rise in opposition to the Slaughter amendment, not because

I do not support the arts and the humanities or museum services, but because I think we need to ask the fundamental question in this case of this amendment, which is, how much is enough?

The subcommittee and the full committee made a conscious decision to increase the NEA and NEH and Museum Services accounts for the first time I think that I have been in the House at the committee level, the subcommittee level. Albeit small increases, they are in fact increases.

I hear my colleagues who are in support of this amendment make the comment that $105,234,000 for NEA is not enough; that $120,504,000 for NEH is not enough; and that $24,899,000 for the Museum Services is not enough. I would urge my colleagues and the chairman that it is enough. Notwithstanding the fact that there has been a higher amount in past years, it is enough as we think about balancing this spending amount with other spending priorities that we have in this bill, and they are many.

My concern with the Slaughter amendment, with all due respect to her and her commitment to the arts and the humanities, the offsets come from the operations of the Department of the Interior and the Forest Service.

These accounts, in my humble opinion, cannot afford a reduction because we have already streamlined their administrative expenses in the bill. I come from the Pacific Northwest. The Pacific Northwest was devastated in Montana and Idaho, luckily not so much in Washington State, by forest fires last year. We are expecting another hot summer. We need the personnel and the administrative assistants to meet not only the fire needs of the region but the other needs of the region, to have a healthy forest service system; to have an adequate protection of our public lands in the Interior Department. Those are priorities as well.

I just urge my colleagues to think carefully about where our priorities are. Why is $105 million for NEA not enough? Mr. Ivey has done a fabulous job. Why is $120 million not enough for NEH? There can never be enough if we advocate in this body only for the priorities that one sees as very important.

I happened last year to be the person involved in making sure that Indian health service funding and adequate health service for our Native American populations was provided in the bill. That is controversial. It was controversial last year. It may be controversial this year. The point is, the President's request was $105 million, $120 million, and $24 million for these three respective agencies. We have met the President's request. It is an increase in all three accounts.

So, therefore, I just think we have to be careful that we do not go overboard with respect to a balance that exists in the accounts of the Department of the Interior agencies. The arts and the humanities do have very important values in our country. I have been concerned that the arts industry has not stepped up to privately try to help the NEA raise funds. It is a $9 billion industry, and we see the highest advocates in the entertainment industry coming and asking for more Federal Government assistance, when I would urge that the actors and the artists of the world and the music folks who have done so well through the entertainment industry step up and assist on the private side, put $1 million or $2 million or $5 million, or $10 million and $3 million and $2 million in this case of their own money in to try to help the NEA and the NEH and the Institute of Library Services.

So we have strived mightily in the subcommittee and the full committee to be fair to the NEA, the NEH, and the IMLS. We have done that. We have reached a balance, Mr. Chairman, that I think meets the needs of the community.

Can we do more next year? Maybe we can, but for this year in this bill in these accounts that we want to keep control over, that is balancing this Federal budget and making all the programs that have value fit within that budget, we have done a very good job. I urge a no on the Slaughter amendment.

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

Mr. Chairman, I rise today to urge my colleagues to vote in favor of the modest increase in the arts and the funding for the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum and Library Services. During the past 5 years, our cultural agencies have experienced significant cuts in their budgets due to concerns that objectionable projects were being funded with taxpayer money and that the grants were not accessible to all communities.

Today, the National Endowment for the Arts is a new institution that has undergone significant restructuring to address the problems that concern us all, and the Endowment has introduced new initiatives to strengthen existing programs.

For example, the Endowment has been incredibly successful in implementing Challenge America, a program which ensures that people who live in small rural towns or underserved urban areas gain access to the arts by specifically targeting arts education for at-risk youth.

Cultural preservation of our national heritage and community partnerships to help individuals gain access to the arts, Challenge America is achieving its goals.

Furthermore, tighter reporting requirements for grantees have been implemented and subgranting and direct funding to individual artists has been eliminated to increase accountability.

The National Endowment for the Humanities plays a crucial role in the education and cultural exposure of America's children.

Specifically, the National Endowment for the Humanities provides training for the Nation's teachers through seminars and institutes; protects our Nation's heritage through preservation projects; supports scholarship in the humanities and facilitates the flow of research through books, articles, educational television, such as the Public Broadcasting System and radio programs of quality.

This year, the National Endowment for the Humanities funding would continue to focus on helping educators incorporate technological resources into the learning process and would target hard-to-reach communities in both rural and urban America. I grew up in urban America and rural America.

Lastly, the Institute of Museum and Library Services supports the educational role of various museums, aquariums and zoos, by funding hands-on opportunities for learning. These types of experiences are often the most effective and memorable because they allow students to view rare manuscripts, see marvelous paintings and exotic animals firsthand.

Institute of Museum and Library Services will focus new funding on increasing technological access to museum and library resources for all Americans, building community partnerships by funding after-school programs and building institutional expertise in local museums and libraries.

The National Endowment for the Arts, the National Endowment for the Humanities, the Institute of Museum and Library Services work to educate, empower and provide enrichment to communities across America. Without these crucial agencies, many would miss the opportunity to experience the delights of an opera, a symphony, a ballet, or a museum. These types of opportunities foster imagination, spark creativity, and broaden future ambitions.

We urge support of the Slaughter-Dicks-Horn-Johnson amendment that increases funding for the National Endowment for the Arts by $10 million, the Endowment for the Humanities by $3 million, the Institute of Museums and Library Services by $2 million. This modest, yet effective, increase in the Interior appropriations bill will help continue our commitment to cultural and educational importance of the arts. Vote for that amendment and with the small amount I cannot see anyone would be voting against it. The children of the world in K through 12, elementary and high school students see new opportunities and even in colleges, they can see the rotating exhibits. Let us vote ''aye'' on this amendment and educate individuals to be part of our culture and our great history as well.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentlewoman from New York (Ms. SLAUGHTER), and any amendments thereto, be limited to 50 minutes, to be

equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from New Mexico?

Mr. DICKS. Mr. Chairman, reserving the right to object, I would ask the gentleman from New Mexico (Mr. SKEEN), it is 50 minutes, 25 on each side. The gentleman will control 25 and our side will control 25?

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

Mr. DICKS. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, that is correct.

Mr. DICKS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. The unanimous consent request was that the gentleman from New Mexico (Mr. SKEEN) and the gentlewoman from New York (Ms. SLAUGHTER) would each control 25 minutes.

Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Ms. SLAUGHTER. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, what an embarrassment. Once again, the House of Representatives is considering an appropriations bill that includes level funding for the arts, the humanities, museums and libraries, programs that teach us to think; programs that encourage us to feel and to see in a new way; to speak. The arts and the humanities help us to grow. The Slaughter-Dicks-Horn amendment to increase funds for the National Endowment for the Arts and the other programs is a small investment with a return as vast as one's imagination.

□ 1115

Last year, we increased funding for the National Endowment for the first time since 1992, and this year we must increase the funding again.

Anyone who has ever managed a budget knows that level funding means a decrease in funds. Opponents of the NEA cry ''fiscal discipline,'' as if the richest nation in the world need be the most culturally impoverished. The dollars we invest in the NEA leverage matching grants and multiply many, many times over.

The nonprofit arts industry generates more than $3 billion annually. It supports more than 1 million jobs. In fact, the arts industry is a money maker, not a money taker.

In addition, funding for the NEA supports programs like Challenge America, which brings art projects to underserved areas across our Nation. It funds programs like Positive Alternatives for Youth, which lowers the rate of juvenile crime by creating artist-led after school programs for our youth.

When we deprive the NEA, the NEH, our museums and libraries of adequate funding, we deprive this entire Nation of an active cultural community. It is a battle as old as the stockades in Puritan times, and it is just wrong-headed.

Mr. Chairman, I encourage my colleagues to support this amendment.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank Representative SKEEN for yielding me time, and I appreciate the support that the subcommittee has shown for the NEA, the NEH and the IMLS. But I do rise in support of this amendment, because I think we as a Nation need to support the Challenge America initiative that the NEA has led.

The Challenge America initiative has two primary goals: One, to literally press arts dollars down to the small communities. This is extraordinarily important, because these communities are far more conscious of their cultural life than they used to be. There are many more small theater groups developing, many more chamber groups, many more instrumentalist groups and choruses developing, and they need the help that small dollars can give them to organize, to publicize their concerts and to grow their position in the cultural life of our small communities. That is where the arts take on their greatest vitality.

The second thing that these dollars do is to help their communities begin to record and cherish and revitalize their own knowledge of their heritage and to use that revitalization of their cultural heritage and the revitalization of current cultural institutions to develop the economy of rural areas, small cities, and those kinds of sectors of America that too long have had no support in developing the arts on a local and neighborhood and community basis.

The third thing that Challenge America tries to do is to try to press these dollars down into our schools. If you have never stood in a school and had some kid tell you what a HOT school is, a Higher Order of Thinking school is, you really cannot get it, how important the arts are to developing our children's understanding of knowledge and how powerful knowledge is in our lives.

Math can teach you certain logical truths; the arts can help you develop a level of intuitive thinking that is equally important.

So I urge support of this amendment. I am proud to be a cosponsor of it. But I thank the committee for their general recognition of the importance of these institutions in our Nation's lives.

Ms. SLAUGHTER. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in support of the Slaughter amendment to increase funding for the National Endowment for the Arts, the National Endowment for the Humanities, and the Museum Services. Frankly, this amendment is just a drop in the bucket compared to the increase these cultural agencies need and deserve. But it is finally a step in the right direction.

I hope that the senseless battles over Federal funding for the arts is finally behind us. We have debated the proper role of government in supporting the arts time and again, and the facts are clear, the NEA is a good investment for our country.

I will not rehash all the arguments in favor of Federal funding, from the economic stimulus it provides, to the private and local public money it leverages. We know about the broad geographic reach of the NEA, with grants to all 50 States. The Challenge America initiative is touching hundreds of rural communities across the country. We know that NEA supports numerous educational projects for young children and lifelong learners alike.

And then there are the intangible benefits of the arts, their ability to lift our spirits and forge a sense of community. We need only think of the stirring presentation by Peter Yarrow of Peter, Paul and Mary at the Republican and Democratic Caucuses this week to understand the power that music has to bring people together.

So the debate is over. The question is no longer should the government subsidize the arts; the question is how much. With this amendment, we take a very modest step forward, but we must do much more. We must fund the NEA at a level that enables it to carry out its mission.

Today, the NEA is nearly 40 percent below where it was before the drastic cut of 1995, and resources are stretched too thin to adequately fund worthy projects. The average grant size has dropped by half and will drop even further without sufficient funding. When we limit funding, we also hamper the ability of the NEA to continue reaching out to underserved areas.

Mr. Chairman, last year the NEA closed a dark chapter in our history when Congress approved the first budget increase in nearly a decade. Today we must build on that important victory and pass the Slaughter amendment. It is a minimal increase, a very minimal increase, but it is the very least we can do. Let us begin a new era in which we respect and support the arts and humanities and the contribution they make to our society, and back up that respect with some real resources.

Mr. SKEEN. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. REGULA), the former chairman and a current valued member of the Subcommittee on Interior of the Committee on Appropriations.

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

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, first of all, I want to compliment Mr. Ivey and Mr. Ferris. I think both Mr. Ivey and Mr. Ferris, and they will be leaving in the next several months, have done a great job of administering these agencies. The fact that we are here debating the amount of money is indicative that we have had a good administration. We are not talking about egregious projects. It is just a matter of priorities in the expenditure of Federal funds.

What I am somewhat concerned about here is the fact that we still have a $5 billion backlog of maintenance in the national parks. Art takes on many forms. Art is also to go out in a national park, such as the Grand Canyon, and look down in that enormous landscape in terms of the beauty of it, or to go to Yosemite.

So I think we have to make priority judgments, and it is not a matter of one art against the other. You have the visual art, but you also have the natural art that is part of our national parks, national forests, all these wonderful resources.

When we have a $5 billion backlog of maintenance, when people will necessarily have to be RIFed in the Park Service because there is not enough money here to give them an adequate pay raise, I think probably priority-wise that we are not in a position to be spending more money on these projects now. As we all know, we did increase art funding in the past year, and I think the gentlemen who have led these two agencies have done a good job of using the money very wisely.

But I think in terms of the priorities of this Nation, that our first priority has to be to take care of what we have in our parks and forests, to ensure that future generations will have the same pleasures that we do in visiting these facilities.

It seems to me that before we start adding to the expenditures, and I think the committee did a balanced job in making the priority choices, that we ought to weigh carefully whether we want to limit the amount of pay increase for our people that serve us in the national parks and forests, whether we want to continue addressing the backlog of maintenance. When we are talking about maintenance, it is trails, it is roads, it is camp facilities, and I think probably priority-wise we should leave this bill as it is as far as the numbers for the humanities and for the arts and address some of these other needs, because a beautiful vista in a national park or a national forest is every bit as important as a piece of art.

I hope prospectively that the resources will be enough that we can make the priority judgments to do both. I think there is an opportunity to expand the arts and humanities. But in terms of our priorities, I believe the committee made the right judgment in saying, to start with, we need to emphasize the maintenance of the facilities we have; we need to give these people who serve us in the national parks and forests an adequate pay raise, because they are very selfless to begin with.

If you visit the parks and some of the facilities that people have to live in and housing and so on, you realize that those that are public servants in parks and forests are truly dedicated, that they do this as a labor of love, and, therefore, I think it is important that we adequately compensate them.

I do not have any quarrel with the need to have more money, but it is a priority choice, and I believe today we should stay with the committee's numbers.

Ms. SLAUGHTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would remind the previous speaker that we are talking about three-tenths of 1 percent, it does not touch salaries, and it is not very much. It comes out of a cushion inserted in the bill.

Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in strong support of the Slaughter-Dicks-Horn-Johnson amendment. We need to increase the funding for the National Endowment for the Arts, the National Endowment for the Humanities and the Institute of Museum and Library Sciences. These are the agencies that are charged with bringing the history, the beauty, the wisdom of our culture into the lives of all Americans, young and old, rich and poor, urban and rural.

We in the Congress have said that preserving our national heritage and bringing the arts into the lives of more Americans is a goal that is worthy to support. Last year we made an important investment in the NEA's new Challenge America program. This program focuses on arts education and enrichment, after school arts programs for young people, access to the arts for underserved communities and community arts development initiatives.

Many years ago I spent several years as chair of the Greater New Haven Arts Council in Connecticut, and I know firsthand that the arts not only enrich lives, but they contribute to the economic growth of our communities.

The Federal investment in the arts is not the only means of support for this endeavor. Rather, our dollars, which represent only a small fraction of our annual budget, are used to leverage private funding and fuel what is really an arts industry. The industry creates jobs, increases travel and tourism and generates thousands of dollars for a State's economy.

Arts have a real value in restoring civility to our society, providing children and our communities with real alternatives. Participation in the arts programs helps children to learn to express anger appropriately and enhance their communication skills with adults and peers. Youngsters who have benefited from these programs show better self-esteem, an improved ability to finish their tasks, less delinquent behavior, and a more positive attitude towards school.

We know that arts build our economy, enrich our culture, and feed the minds of adults and children alike. We need to increase the opportunity through these organizations, to help them to fulfill their missions, and it is time that we gave them this support.

Vote for this amendment, preserve our heritage, make it accessible to all.

Mr. SKEEN. Mr. Chairman, I yield 3½ minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I want to commend the gentleman from New Mexico (Chairman SKEEN) and the gentleman from Washington (Mr. DICKS) for the great job they have done on this Interior appropriation. There is one exception, however, and that is why I am rising in strong support of an amendment that is currently being discussed, the Slaughter-Dicks-Horn-Johnson amendment, which would increase funding for the National Endowment for the Arts, for the National Endowment for the Humanities, and also for the Institute of Museum and Library Services, not by very much money, altogether $15 million.

□ 1130

It is critical that we support Federal funding for these programs. These programs serve to broaden public access to the arts and humanities for all Americans to participate in and enjoy. The value of these programs lie in their ability to nurture artistic excellence of thousands of arts organizations and artists in every corner of the country. The NEA alone awards more than 1,000 grants to nonprofit arts organizations for projects in every State.

These programs also are a great investment in our Nation's economic growth. The nonprofit arts industry alone generates more than $36.8 billion annually in economic activity. It supports 1.3 million jobs and returns more than $3.4 billion to the Federal Government in income taxes.

I know that each of us in Congress can point to numerous worthwhile projects in our districts that are aided by the NEA, by the NEH, by the Institute of Museum and Library Services.

For instance, in my district of Montgomery County, Maryland the NEA provides a grant to the Bethesda Academy of Performing Arts to support their Arts Access Program. This inspirational program exists to offer introductory and integrated performing arts to children, teens and young adults who have physical, emotional, learning or developmental disabilities. Through Arts Access, BAPA witnesses firsthand the incredible amount of growth and development that occurs when the arts are incorporated into lives of students who have special needs.

The NET and the Maryland Humanities Council, in turn, have aided institutes and individuals in Maryland by providing over $18.2 million of seed funds over the last 5 years for projects that help preserve the Nation's cultural heritage, foster lifelong learning, and encourage civic involvement.

On just March 24 of this year, I spoke at the awards ceremony for the Maryland History Day district contest in Montgomery County, Maryland. The Maryland Humanities Council conducts History Day in partnership with the Montgomery County Historical Society and other cultural and educational organizations throughout the State. It was made possible with funds from the National Endowment for the Humanities.

By supporting the arts and humanities, the Federal Government has an opportunity to partner with State and local communities for the betterment of our Nation with all kinds of programs.

I also want to point out something I think is significant. Students who engage in arts and humanities programs over a period of time show a tremendous increase in their SAT scores, so it helps them also intellectually. Both the arts and humanities teach us who we were, who we are and who we might be, and both are critical to a free and democratic society.

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

Ms. SLAUGHTER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I rise in support of this amendment proposing a modest increase in America's arts budget. I represent a district in California that lost thousands and thousands of jobs in the defense industry with the defense contractor downsizings of the last couple of decades, but we were fortunate. We gained these jobs back and many more in the high-tech and entertainment industries.

In those industries, artistic skill and the creative thinking skills that are developed through arts education are essential, and support for the arts and support for arts education is as much a part of the economic infrastructure of States like California and many communities around the country as any other industry and, indeed, more than many other industries. We thought nothing of developing the infrastructure of other industries through focused educational efforts. We should do no less in this critical high-tech industry throughout the country.

Objection is made that if this is so important to the entertainment industry or the high-tech community, why do they not fund it? The answer is, they do. They do. In thousands of communities around America, the high-tech community and the entertainment industry do fund local theaters and symphonies and ballet companies, et cetera, but they cannot do it alone. They cannot do it alone.

Mr. Chairman, this modest increase in America's arts budget will allow not only the development of this industry and this economic infrastructure, but also support the cultural well-being of all of our communities by helping struggling theaters to survive and struggling ballet companies and museums and artists.

NEA grants have gone to things as varied as, for example, the Vietnam Veterans Memorial here in Washington. So it is not simply for our own economic well-being that we should strengthen our arts infrastructure in this country, but our cultural well-being and richness as well. It is the reason many of us live in the communities we live in. It is deserving of our support, and it is good for the heart and soul of America. I urge the continued support of my colleagues.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON), a valued member of the Subcommittee on the Interior.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to oppose this amendment. I am not going to argue that the spending is wrong, but the cuts are wrong. We heard that it was just coming from the cushion. There is no cushion in the Forest Service. There is no cushion in the Forest Service. This is an agency that has not been adequately funded for many years. Backlogs exist. Mr. Chairman, 250 million people a year visit the Forest Service lands, 250 million, almost equal to the Park Service.

These people depend on facilities to be maintained, trails to be maintained, wildlife to be managed. These are the accounts that we are going to be taking this money from: recreational facilities that are badly in need of maintenance; law enforcement so that it is safe and secure for our families who are touring these facilities. This money is being taken from the wrong accounts.

The Interior budget has a $12 billion backlog in maintenance on the facilities that are publicly visited in the Park Service and in the Forest Service and on BLM lands. I say to my colleagues, this is not taking from a cushion. There is no cushion. There is inadequate funding in these departments historically. The backlog is huge. We are taking money away from where hundreds of millions of Americans depend and will tour this summer and expect facilities to be in shape, expect trails to be in shape, expect wildlife to be adequately managed and expect law enforcement to be adequately funded; and we are taking the money away from the heart and soul of the Forest Service and the Department of the Interior.

Mr. Chairman, this amendment is wrong. There was a good balance in this bill, and I urge the defeat of this amendment. It is not taking from a cushion, it is being taken right out of the heart.

Ms. SLAUGHTER. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentlewoman's courtesy in allowing me to speak in support of her amendment.

I wish to just add one point to the discussion here today. The funding trend that we have had ultimately moving upward is one that needs to be continued, and it needs to be continued because of the massive ripple effect that this has throughout the country.

In Oregon, communities like mine have had difficulty of late, but the Federal resources have enabled them to bootstrap. Portland arts groups have obtained a 68 percent rate of return at the box office, far ahead of the national average. It has encouraged private sector business to step forward doubling their investment in the first 5 years of the last decade alone. If we were to rely solely on public support, we would be cutting off access to people in our communities who need and deserve these opportunities.

Mr. Chairman, I hope that we will join together and support the gentlewoman's amendment. It is going to be very critical to promoting communities that are livable where our families are safe, healthy and more economically secure.

Mr. SKEEN. Mr. Chairman, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Chairman, I yield 1½ minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the gentlewoman for yielding, and I rise in support of her amendment to increase funding for the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum and Library Services. The arts and humanities are important both socially and economically to our Nation as a whole.

Studies have shown students benefit from exposure to both the arts and humanities. These students have a better chance to increase their SAT scores, develop increased self-confidence and are more likely to create multiple solutions to problems and work collaboratively with one another. These skills are essential for their future in the American workforce.

Arts and humanities funding are increasingly allocated to State agencies for grant programs that reach out to underprivileged and smaller suburban and rural areas that do not have the benefits of big city arts programs. In correlation, 79 percent of businesses believe it is important to have an active cultural community in the locale in which they operate. For instance, the Delaware Art Museum offers educational programs which are supported by corporate giants, the Delaware Division of the Arts and the NEA.

I have seen firsthand the impact cultural agencies have on communities producing results that benefit all. For example, the Delaware Theater Company, through grants provided by the

NEA, has created a partnership with Ferris School, a maximum security facility for improvisational play-writing residencies that incorporate writing skills and art for incarcerated boys between the ages of 14 and 18. The NET has also supported projects at the University of Delaware that have both local and national impact, including preservation and access funds for education and the conservation of material cultural collections.

It is important for us to remember as a body the collective benefits that this does, not only for our districts, but for the country as a whole. I urge all of my colleagues to support this amendment.

Ms. SLAUGHTER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri (Ms. MCCARTHY).

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Chairman, I thank the gentlewoman for yielding me this time.

I rise today in strong support of the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) and the gentleman from Washington (Mr. DICKS) and the gentleman from California (Mr. HORN) to increase by $15 million dollars funding for our national arts agencies: the National Endowment for the Arts, the National Endowment for the Humanities and the Institute for Museums and Library Services. These additional funds will enable children, youth, and adults to create, produce, learn from, and enjoy our Nation's arts and humanities.

Mr. Chairman, H.R. 1, the Elementary and Secondary Education Reauthorization Act which we approved in the House by a bipartisan vote authorized numerous structural changes to assure our children would be well read, well educated, and well adjusted. As a former educator, I value all that we did in H.R. 1.

But we must do more for our children than structural changes alone. We must also provide opportunities for their creativity to flourish and for them to gain a sense of our Nation's rich culture so that they may be the best leaders for the future.

Even more significant, we know that exposure to and participation in the arts reduces youth violence. H.R. 1 also authorized increased funding for arts education. This amendment, using NEA and NEH funds, provides such opportunities for our children.

For example, the NET is helping to fund a new project in my district, the Lewis and Clark Centennial Celebration. This project will be inclusive of Native American populations living in the region during this historic period of exploration, and will employ experts from Science City at Kansas City's Union Station to discuss the scientific methods employed by Lewis and Clark to map our frontier. This project will make history come alive through experiential learning and historic representations.

NEA also grants help to The Writer's Place to produce the Poets at Large event where critically acclaimed poets from across the United States inspire children and adults to embrace the written word as an art form. NEA funding enables children around the country to explore and appreciate our individual and collective identities as both Americans and global citizens, helping children to nurture their own love of reading, writing poetry, creating song lyrics, and drama.

Mr. Chairman, I urge adoption of this amendment to increase support for this funding. This support sends a message that art and music in the classroom and the community expand and enrich our lives and make our Nation a better place.

Ms. SLAUGHTER. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

□ 1145

Mr. MORAN of Virginia. Mr. Chairman, I wanted to respond to the previous gentleman who spoke about the cut to the National Forest Service.

If we leave the forests alone, our national forests, they are going to grow just fine, but if the most prosperous nation in the history of western civilization does not make an investment in the arts in this country, then a whole lot of cultural initiatives are going to die on the vine. We cannot let that happen.

Mr. Chairman, we have been beating up and gutting the National Endowment for the Arts now for the last several years. Of 117,000 grants that have been awarded by the NEA, fewer than 20 have been controversial. That is a much lower percentage than any of the other arts granting agencies: the Pulitzer prizes, the National Book Awards, you name it. There ought to be some controversy in the arts.

But the strongest argument for supporting this increase is our own experience in our own communities. Last week I went to a performance of the Classica Theater in Arlington. Here are a group of Russian emigrés who brought with them an invaluable experience in the classical Russian theatrical tradition.

What they are doing with a very small grant from the NEA is extraordinarily impressive. The NEA grant gave them the credibility to go out and raise substantially more money. Then they went to the school system, and they found about 100 immigrant kids from Somalia, Bosnia, and Afghanistan, who were suffering from the same kind of language and cultural barriers that they had. These kids were not succeeding in school. They taught them how to succeed through their theatrical tradition. They brought the history of Virginia to life in a play that employed their vocal and dramatic talents.

That theater was crowded and not just with their parents. They got a sustained ovation, but most importantly, every one of those kids saw their lives transformed. They were proud of themselves. For a few thousand bucks, we had a wonderful artistic expression by people who now know that they have tremendous potential for the rest of their lives. That is happening in communities all over the country.

Mr. Chairman, this is good money. It is a good investment. We ought to be increasing the NEA, not bashing it. The fact is the NEA, the NEH, and our museums are something we ought to be proud of all over the world. The rest of the world is proud. This Congress ought to be proud and support it.

Ms. SLAUGHTER. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I thank the gentlewoman for yielding time to me.

A previous speaker from the podium a few moments ago decried the fact that this bill funds inadequately the National Park Service, and that this amendment takes money away from that very much needed program.

This is true. It is true. But the fact of the matter is that there are many things that are underfunded in this overall budgetary program. The reason for that is that the majority party insisted on a $3 trillion tax cut earlier this year, and that is why we do not have enough money to do the kinds of things that we really ought to be doing.

We are here today to talk about giving a little bit more money to the National Endowment for the Arts and the National Endowment for the Humanities, one of the tiniest programs in the Federal budget, I would say much to our chagrin, much to our shame. It ought to be much bigger.

But where is that program today? In this budget, it is funded at $105 million for the National Endowment for the Arts and $120 million for the National Endowment for the Humanities. In 1995, NEA was funded at $57 million higher than it is today. NEH was funded at $52 million, higher than it is today in this budget.

One of the most shameful things that the majority party did when it came into power here in 1995 was to dramatically slash funding for the arts and the humanities. Programs in schools all across our country and museums all across our country were slashed.

Now, to their credit, our previous subcommittee chairman and our present subcommittee chairman, the gentleman from New Mexico (Mr. SKEEN), have worked to try to bring the funding level back up. I applaud them for it. But we are still woefully below where we ought to be, $57 million lower than in 1995 for the arts, $52 million lower than this 1995 for the humanities.

We have got to fund these programs adequately. It is shameful the way we have treated these programs in the Congress. That is why this amendment is so important, because it moves these

funding levels up slightly, and brings them back in the right direction.

Ms. SLAUGHTER. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. BALLENGER).

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

Mr. BALLENGER. Mr. Chairman, I thank the gentlewoman for yielding me time to speak here.

Mr. Chairman, many critics for the national endowments believe funding given to the NEA goes only to museums in big cities. As a former member of the National Council, I can assure the Members that rural communities receive more funding than ever through Challenge America and arts education programs.

Challenge America is a major NEA initiative that was newly funded by Congress in fiscal year 2001. The legislation provided $7 million for arts education and public outreach activities.

One of the challenges of the Challenge America program is to target areas of this country that have been underrepresented among NEA grant recipients. This year, 400 small grants will be provided for these underserved communities. Of the funding appropriated for NEA by Congress, more than 40 percent is directed to State and regional art agencies, which in turn make grants and offer services to community-based arts organizations in our communities.

I urge my colleagues to support this amendment. I think everybody here could get a map. This is a map of North Carolina, with all of the direct grants and indirect grants that are applied using the National Endowment. Each State can have this map.

In North Carolina. We had ten direct grants and 75 indirect grants. One of the really important ones, as far as I was concerned, is that we brought into Hickory, North Carolina, a thing called a Fry Street Quartet. It was helped paid for by the NEA.

The Hickory school system had a spring program founded by a teacher there named Dellinger, currently the director of an orchestra at the Hickory school. Chamber music study has always been part of the program at Hickory, North Carolina. It has been expanded. Currently the program has 198 students in grades six to twelve.

It is unbelievable what has been used by our community to attract new industry and new jobs by the outstanding effort by the community in developing the National Endowment. It is hard to say how many industries and jobs we have brought into our community because of its support of the arts.

Ms. SLAUGHTER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, there is no reason, other than an ideological one, to oppose this amendment. As has been already pointed out, the Endowment for the Arts as recently as 1995 was funded at $170 million level. This amendment simply seeks to fund it at $115 million.

For those people who live in big cities or for those Members of Congress who regularly frequent Washington, D.C., any time they want they can go to the Kennedy Center, they can go to the Folger Library, they can go to the Corcoran, they can go to many of the cultural institutions in this town.

It is a lot different if your are a child in small town America. Very often the endowment is the only thing that will introduce children in smaller communities in this country to the fine arts and to many other experiences that come under the rubric of the arts and humanities.

I think of one entertainer in my district, for instance, who goes into schools, who helps schoolchildren to write down their thoughts about life and then put those thoughts to music. Then he turns that into CDs for those local schools. The value in that kind of an effort is immeasurable.

As far as I am concerned, the Endowment for the Arts is one of those tiny facilities of government that helps children from all over this country dig much more deeply into their own souls than they even know is possible. I think that to oppose this amendment for ideological grounds or on ideological grounds is shortsighted. I think it neglects the fact that the Endowment helps children to grow in many, many ways.

I would urge support for the amendment.

Ms. SLAUGHTER. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I am so proud to join with many of my colleagues on both sides of the aisle to support her amendment.

Economically, support for the arts and humanities just makes sense. The arts industry contributes nearly $4 billion into our economy, and provides more than $1.3 million full-time jobs. Furthermore, the arts industry returns $3.4 billion to the Federal Government in taxes, and arts education improves life skills, including self-esteem. It costs each American the equivalent of a postage stamp to support the National Endowment for the Arts.

In turn, last year the NEA awarded over $83 million in grants nationwide, and over $1.7 million in my home State of Illinois. There we have the Illinois Arts Council and the Illinois Humanities Council providing critical leadership and support and development of programs that touch the lives of thousands and thousands of Illinoisans.

For example, there is the Lyra Ensemble in Chicago, the only professional performing arts company specializing in the performance, research, and preservation of Polish music, song, and dance. Another project is the Beacon Street Gallery Theater, a program that supports the uptown youth and cultural heritage preservation program.

This initiative promotes cross-cultural understanding, strengthens intergenerational ties, enhances literacy, and builds job readiness.

These kinds of programs deserve our support.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that debate on the following specified amendments to the bill and any amendment thereto be limited to the time specified, equally divided and controlled by the proponent and an opponent: one, an amendment to be offered by the gentleman from Vermont (Mr. SANDERS) related to payment in lieu of taxes for 30 minutes; and two, an amendment to be offered by the gentleman from West Virginia (Mr. RAHALL) regarding the Mineral Leasing Act for 30 minutes.

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

Mr. DICKS. Reserving the right to object, Mr. Chairman, as I understand it, there would be 15 minutes on each side for both amendments?

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

Mr. DICKS. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, the gentleman is correct.

Mr. DICKS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. KINGSTON), the vice-chairman of the subcommittee.

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I stand in opposition to this amendment, but I want to say I am a supporter of art. I support, and have every year since I have been in Congress, the Congressional Art Award in my district. My father is a docent at an art museum. I have two children who are artists, and one who would like to continue being one in the form of acting for a career.

But Mr. Chairman, I think we in Congress always fall in a trap that the NEA is the arts statement for America. I would like to speak about that.

First of all, I want to say to the proponents of this that I am glad that the NEA has reformed somewhat. They have eliminated a lot of the art that was so controversial, the Mapplethorpe exhibits, the watermelon women, and the things that caused so much controversy. I am glad that they have reduced that.

I will point out that they did it very reluctantly. It was a Supreme Court decision that said if the Federal government is funding art, then the artist does give up some freedom of expression and has to work as a contractor

for the taxpayers. So there has been progress made, for whatever reason.

One area they have not made any progress in, as so many of the proponents have pointed out, is that in 1975, the funding for the arts was about $150 million. It has been reduced, and that vacuum, that void, should have been replaced by private dollars. We have done this in lots of other Federal Government programs, and it was the job of the NEA to go out and seek alternative funds. I think they have done a little bit of that, but they certainly have a long way to go.

□ 1200

Does the Federal Government support art beyond the NEA, which every year we hear, oh, this is what sophisticated countries do? They take the money out of the people who work in paper mills. They take the paycheck from the guy who works in the chicken factory.

They take the paycheck from the guy who is out there driving a long-haul truck right now and spend it on art and that is the sign of a sophisticated and compassionate country.

Mr. Chairman, we, in America, spend a lot of money on art education on our State level and on our Federal levels, teaching kids in all levels of school about art. We also have tremendous tax advantages, billions of dollars for write-offs if you donate to art museums or give generously.

In my town, in Savannah, Georgia, we have one of the largest private art colleges in the country, the Savannah College of Art and Design. It is not only one of the largest ones, but it is privately funded and one of the most successful ones, turning out hundreds of artists into our society from all over the country every year.

And, thirdly, our Federal Government does a lot of art purchasing. We buy objects of arts to put on the walls in Federal buildings and to put on the plazas, and we are major purchasers of arts and there is no ban against that.

Fourth, we fund lots of art beyond this and lots of museums.

I will give my colleagues an example. The Smithsonian alone gets nearly $500 million from this bill, and people should realize that we are very committed to cultural history.

Finally, let me talk about art versus nature. It is as the gentleman from Ohio (Mr. REGULA) has said, art and beauty is in the eye of the beholder. If we look at the Grand Canyon or if we look at the forest, is it not art, maybe made by God versus made by man, but it certainly is art.

What we are doing here is we are taking money out of one resource and putting it into this man-made resource. I have to say there are some provincial politics driving this. It is interesting the disproportion of speakers who have spoken today who are from New York. Well, there is a reason for that. For the NEA, 70 percent of their money is spent in New York.

I know that is where lots of the art and theater companies are, but they come down South or they come down to the heartland of America, dusting off their halo and they put on an exhibition during the summertime and they feel good about themselves and then they go back home and we appreciate the visit. The reality is, 70 percent of the money for the NEA goes to New York.

Where are they getting the money from? They are getting it from fire. Is there anybody in the U.S. Congress that does not know about the fires that we suffered throughout the West? This money comes out of fire suppression accounts.

It comes from hazardous fuel accounts, facility backlogs, rehabilitation and restoration accounts, joint fire science so that we can prevent forest fire and volunteer fire services so that people in small rural areas can fight forest fires. That is where this money comes from.

Let us talk about needs versus wants. In my opinion, we need firefighting. We might want NEA, but we do not need to have it; and we certainly do not need to have this increase.

Mr. Chairman, lots of Members of this Congress would eliminate the NEA if it was up to them, but we are not on the committee doing that. We are keeping the funding level, and it is odd that a friend on the other side of the aisle has said that level funding in Washington means a cut. Well, maybe it is time to go back home and bounce that off your kid, because my daughter, Ann, who is 13 years old, she gets $3 a week allowance if she does her chores. I do not consider myself cutting her allowance 1 week to the next when I give her $3 on one Sunday and $3 on the next Sunday.

That is what we have been told. Level funding is a cut; go sell that to the taxpayers back home. Again, these are the people who drive trucks, who work in paper mills, who work in farms, who work in chicken factories. They are the ones who are paying for this. This is not Congress' money. This is not Washington's money. This is not government's money.

This is hard-earned taxpayers' money, and we need to be very careful how we spend it. It is 12 o'clock in the Eastern Standard Time zone. That means that there are a bunch of folks right now who are wearing hardhats who will be taking them off for 30 minutes to eat a lunch out of a lunch pail, and then at 12:30 they will be back, they will punch the timeclock and they will be back.

Mr. Chairman, they are the ones paying for this, not Washington, not the Department of the Interior; and I suggest, Mr. Chairman, we should pay them the honor that they deserve for the hard work that they are doing, and we should reject this amendment and stick with what the committee has worked out under a careful compromise.

Ms. SLAUGHTER. Mr. Chairman, I yield 2 minutes to the gentleman from Washington State (Mr. DICKS), the ranking member of the Subcommittee on Interior.

Mr. DICKS. Mr. Chairman, I want to compliment all of our speakers here today. They have done an outstanding job of presenting a strong case for a very modest amendment.

Mr. Chairman, what we are talking about is increasing the funding for the National Endowment for the Arts by $10 million, $3 million for the National Endowment for the Humanities, and $2 million for library services.

I have served on this subcommittee for 25 years, and I can remember when I was first on this committee we had two significant challenge grants for the State of Washington, and we saw our Pacific Northwest Ballet grow into a major institution.

We saw our symphony grow. We saw the theaters in Seattle grow, and people talk about this all being New York and Chicago. I can tell my colleagues that the work of the Endowment has helped spread the arts throughout the country. Sometimes we have to accept a win.

The committee has insisted that the Endowments emphasize quality; they do. The grants that are going out today are for the best art, the best humanities in this country.

Mr. Chairman, I would just say, I think it helps our country to have this diversity. I bet a lot of people go down to Georgia to attend the performing arts just like they do in the Northwest or for the Shakespeare Festival in Oregon.

Each community is proud of its art institutions, and I can tell my colleagues that the young people in my district enjoy being in the symphony, enjoy being members of their theater group; and I think for our children giving them a chance to have something to do after school, to be involved, like the kids are at the Middle School in Tacoma that help develop ''Chihuly's Glass.''

These are the kind of important things that will help our kids throughout their entire lives. Let us vote for this amendment. If there is any difficulty with the offset, we will work that out in the conference. Everybody knows that. This is a chance to support the arts, the humanities, and our museums.

The CHAIRMAN. The gentlewoman from New York (Mrs. SLAUGHTER) has 30 seconds remaining and the gentleman from New Mexico (Mr. SKEEN) has the right to close.

Ms. SLAUGHTER. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, I just want to say to my colleagues who just simply love art but do not want to fund any of it, see how important it would be, I would like to challenge them to go back into their districts and talk to the art programs that are there, see how many of them are seed money from the National Endowment for the Arts and see

when those troops come through and buy tickets in their areas, how much that adds to the local economy.

Mr. Chairman, if they want to make these programs available to more people in the country then pass this small amount of money, the truck drivers on the long hauls who enjoy the good music at night, then, will be grateful as will the country.

The vast majority of Americans approve of this and want it, and I urge the adoption of this amendment.

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

Mr. SKEEN. Mr. Chairman, I yield to the gentleman from Georgia (Mr. KINGSTON) the balance of my time.

Mr. KINGSTON. Mr. Chairman, I thank the gentleman from New Mexico (Mr. SKEEN) for the time, and I wanted to also join with the gentleman from Washington (Mr. DICKS) in complimenting everybody who has participated in this debate.

Mr. Chairman, I do want to say to the gentlewoman from New York (Ms. SLAUGHTER), my good friend, that that is one of the problems with the NEA and the rest of the country. As I go around to my art community, Savannah, Georgia, is blessed with a great and a very strong active art community; but there is no NEA presence there whatsoever.

I would just say, again, if I was from New York.

Ms. SLAUGHTER. Would the gentleman yield?

Mr. KINGSTON. Actually, I have not yielded to the gentlewoman from New York, but I did overhear the statement. Let me say this: again, that is one of the situations with the NEA that it is disproportionately spent in New York.

Mr. KINGSTON. Mr. Chairman, I would say that this is one of the problems, and I would urge the NEA in their own distribution to go out to the rest of the country and make the their presence known. I can say this, we do not get any letters. Yes, let us do something for the NEA back home, because they are invisible.

We get lots of art, locally State-funded stuff, privately funded. We have a great symphony. We have a great art museum, a huge fund-raiser and lots of good things going on.

But one of the big vision differences here, Mr. Chairman, is that there are those who believe that government has to be the only funder and the only provider of things. Then there are others who think that funding as much as possible whenever possible should be driven by the private sector and locally.

I am going to support NEA funding, and I will support the committee mark, as I did at the subcommittee and the full committee level; but I will not support an increase.

Mr. LARSEN of Washington. Mr. Chairman, I rise today in strong support of the Slaughter/Dicks Amendment and to highlight the importance of NEA and IMLS funding for the smaller towns in my own district.

Last year's NEA funding increase created the Challenge America program, to help smaller communities gain access to the arts. The Arts Council of Snohomish Country in my home district was one of the first organizations to receive this grant. This organization offers weekly art classes to juvenile offenders, many of which have no adult role models in their lives, and provides them with opportunities to express creatively and interact in a forum outside of a detention center. Without this grant, the program would have had to cut back drastically or even be eliminated. That would be truly unfortunate, Mr. Chairman, because it is programs like these where the arts can provide hope and opportunity for troubled youth. Challenge America is doing great things for youth in my district, yet this program would not exist if the NEA did not receive increased funding last Congress.

I would also like to offer my support for IMLS, which also funds key services in my district. The Museum of Northwest Art in La Conner—a town of 900—received a key grant from the IMLS to help attract more tourists to the Skagit Valley region in my district. Because of the IMLS grant, La Conner brings in many more visitors who come to experience the Skagit Valley, thereby boosting their economy. Unfortunately, other museums in my district do not receive funding because of the lack of IMLS funding. The executive director of the Whatcom Museum contacted me earlier this year to share his frustration that the Whatcom Museum and Bellingham Library were denied important funding, not because of their qualifications, but because of the lack of funding for the IMLS. The Slaughter/Dicks amendment will provide key funding increases for the IMLS, and help small libraries and museums in districts like mine continue to flourish and reach out to the community.

Mr. Chairman, let's continue to show our support for the arts, the humanities and our museums and libraries by supporting the Slaughter/Dicks amendment. Thank you.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the Slaughter-Dicks-Horn-Johnson Amendment, to make important increases to the NEA, NEH, and the Institute of Museum and Library Services.

We know that the arts are crucial to the development of our culture and our economy, and beneficial to all our citizens. As a recent member of the National Council on the Arts, I have seen first-hand the grant selection process, and I applaud the NEA for successfully increasing all Americans' access to the arts, through programs such as ''Challenge America.''

I was very proud last year, when for the first time since 1992, we increased funding year after year, and had repeatedly battled threats to the very existence of this important program.

We must recognize, however, that last year's funding increase was not the conclusion of a struggle, but rather, a first step toward funding the arts and humanities at levels appropriate for the importance we place on them in our society. A $10 million increase to the NEA budget would not only support extraordinary artistic work, but would also generate federal revenue and foster local economic activity.

Let's use this opportunity to continue providing a level of resources to the NEA and the NEH of which we can all be proud.

My colleagues, I urge you to support the Slaughter-Dicks-Horn-Johnson amendment.

Mr. FARR of California. Mr. Chairman, I would like to express my strong support for the Slaughter/Dicks amendment to the FY02 Department of the Interior Appropriations bill (HR 2217) to increase funding for the National Endowments for the Arts and the Humanities and the Institute of Museum and Library Services (IMLS).

A small investment in these agencies will provide our nation with limitless cultural, educational, and economic returns. Yet, each has been subject to massive budget cuts over the past six years, with the NEA receiving its first budget increase last year since 1992. The modest increases proposed by this amendment represent a step in the right direction toward ensuring that the arts and humanities have the increased funding they richly need and deserve.

The mission of these agencies is to provide access to the arts for all Americans, thus nurturing our nation's diversity and creativity, fostering community spirit, educating our citizens, and helping our struggling youth. The arts teach us to think, encourage us to feel, challenge us to see the world from different perspectives, and help us to grow. They improve the critical thinking skills and raise the self-esteem of our children through highly successful arts in schools and after-school arts programs. They reach into underserved areas, exposing smaller communities to the many intangible benefits the arts have to offer. That is why when we deprive our arts, humanities, and museums agencies of necessary funding, we are really depriving the heart and soul of this entire nation.

And investment in the arts and humanities just makes ''cents.'' The NEA budget represents less than one-hundreth of one percent (0.01%) of the Federal budget and costs each American the equivalent of one postage stamp per year. Each year, the nonprofit arts industry returns $3.4 billion to the federal treasury, generates $36.8 billion in economic activity, and supports at least 1.3 million jobs. Without a doubt, the arts contribute to the economic health and growth both of our communities and of the nation as a whole.

The Central Coast of California has a vibrant arts community, and I want to ensure that our well-loved cultural traditions—like the Monterey Jazz Festival, the Cabrillo Music Festival, and the Kuumbwa Jazz Society—continue to thrive and are accessible to all. We must increase funding for the NEA, NEH and IMLS and ensure that they have the resources to help our diverse local arts community continue to shine.

Mr. HOLT. Mr. Chairman, I strongly support this amendment to add much-needed funds to the National Endowment of the Arts, the National Endowment for the Humanities and the Institute for Museum Services.

The National Endowment for the Arts and the National Endowment for the Humanities play crucial roles in American cultural life. Since 1965, the NEA has provided over 111,000 grants for projects ranging from theater and film festivals, to poetry readings and workshops, to radio and TV broadcasts, to museum exhibitions, to city design and downtown renewal. NEA funds often help to bring excellent performances and exhibitions beyond big cities to small towns and rural areas throughout the United States. Also, together with the state arts agencies, the NEA provides some $30 million in annual support for more

than 7,800 arts education projects in more than 2,400 communities.

The NEH serves to advance the nation's scholarly and cultural life. The additional funding contained in this amendment would enable NEH to improve the quality of humanities education to America's school children and college students, offer lifelong learning opportunities through a range of public programs, and support new projects that encourage Americans to discover their wonderful American heritage.

The IMLS supports museums, including art, history, science, as well as zoos and aquariums. Increased funding in this area would help reinforce museum's educational role, encourage public access, and enable museums to care for our national treasures.

In central New Jersey, the NEA has supported arts opportunities for local residents in places like Lambertville, where a grant is helping support the annual New Jersey Teen Arts Festival and in New Brunswick where the NEA is helping the George Street Playhouse stage writing workshops for seventh to 12th grade students in local schools. The NEH and the Institute for Museum Services help support other important cultural opportunities for citizens throughout the state of New Jersey.

As a former teacher, I can tell you, arts education helps children be better students and helps them learn critical thinking skills. This is a long overdue, modest funding increase to build programs that use the strength of the arts and our nation's cultural life to enhance communities in every state of America.

I urge my colleagues to join me in support the Slaughter amendment.

Mr. CLEMENT. Mr. Chairman, I rise today in strong support of the Slaughter/Dicks/Horn/Johnson amendment. I believe that the NEA funds extremely valuable and important educational programs and worthwhile events. The NEA provides funding for many programs in Tennessee, including the Nashville Symphony Association, Fisk University, and the Tennessee Arts Commission. I believe it is important to ensure that adequate funding for these programs continues.

NEH has also funded numerous worthwhile programs in my district and across the state—from Vanderbilt University's Robert Penn Warren Center for the Humanities to the Tennessee Performing Arts Center's Humanities Outreach programs to the Southern Festival of Books. NEH funding has allowed outstanding K–12 humanities teachers to conduct research that enhance their classroom lessons. And NEH grants have permitted the Tennessee Literacy Coalition to promote their adult education classes.

Mr. Chairman, this is just a small sampling of what NEA and NEH have done in my state. But the need is so much larger than the funds available. For every worthwhile request that receives funding, many other equally worthwhile proposals are rejected simply for a lack of available funds. I urge my colleagues to support the cultural events that these agencies support. These programs preserve and provide access to cultural and educational resources to our citizens. They provide opportunities for lifelong learning in arts and humanities. And they strengthen teaching and learning in history, literature, language and arts in schools, colleges and the surrounding communities.

Just as we need to continue to fund scientific research, we must continue to fund the arts and humanities. A world without the arts and humanities would be devoid of cultural meaning. Research shows that the arts and humanities benefit our nation's young people by improving reading, writing, speaking and listening skills and by helping to develop problem-solving and decision-making abilities essential in today's global marketplace.

I urge my colleagues to support this amendment and enhance the arts and humanities across our great country.

Mr. GILMAN. Mr. Chairman, I rise in support of the Slaughter-Dicks-Johnson-Horn amendment which calls for increases of $10 million for the National Endowment for the Arts, $3 million for the National Endowment for the Humanities, and $2 million for the Institute for Museums and Library Services. Over the past 30 years, our quality of life has been improved by the arts. Support for the arts and federal funding for the NEA illustrates our Nation's commitment to freedom of expression, one of the basic principles on which our nation is founded. Cutting funding for the arts will deny citizens this freedom, and detract from the quality of life in our nation as a whole.

Recent reports have made several recommendations about the need to strengthen support for culture in our country. In addition to applauding our American spirit, and observing that an energetic cultural life contributes to a strong democracy, these reports also highlighted the United States' unique tradition of philantrophy. However, it was also noted that the ''Baby-Boomer'' generation, and new American corporations, are not fulfilling this standard of giving. It saddens me that something as important as the Arts, which has been so integral to our American heritage, is being cast aside by our younger generations as something of little value.

By eliminating funding for the Arts, our nation would be the first among cultured nations to eliminate the Arts from our priorities. As Chairman Emeritus of the International Relations Committee, I recognize the importance of the Arts internationally, as they help foster a common appreciation of history and culture that are so essential to our humanity. If we eliminate the NEA, we would be erasing part of our civilization.

Moreover, let us consider the importance of the Arts on our nation's children. Whether it is music or drama or dance, children are drawn to the Arts. Many after school programs give children the opportunity to express themselves in a positive venue, away from the temptations of drugs and violence. By giving children something to be proud of and passionate about, they can make good choices and avoid following the crowd down dark paths. However, many children are not able to enjoy the feeling of pride that comes with performing or creating because their schools are cutting arts programming or not offering it altogether. We need to ensure that this does not continue to happen. I am doing my part by introducing legislation to encourage the development of after school programs at schools around the country that not only offer sports and academic programming, but also music and arts activities. Increasing children's access to the Arts will benefit this country as a whole.

It is our responsibility to ensure that our children have access to the Arts. I strongly support increased funding for the NEA and I urge my colleagues to oppose any amendments which seek to decrease NEA funding and I support the Slaughter-Dick-Johnson-Horn amendment.

Ms. PELOSI. Mr. Chairman, I rise in strong support of the Slaughter/Dicks amendment which calls for increased funding for the NEA/NEH and IMLS.

I commend Mr. DICKS, the ranking Member of the Interior Subcommittee, for his support of this important priority and Ms. SLAUGHTER for her leadership as Chair of the Arts Caucus. We owe a debt of gratitude to LOUISE for the time and energy she has given to promoting the arts on behalf of her colleagues and on behalf of the citizens of this country and to NORM for his continued steadfast support.

National Endowment for the Arts Chairman Bill Ivey envisions ''An America where the arts play a central role in the lives of all Americans,'' and the NEA has indeed had great success in bringing the arts to the center of community life. Through its Challenge America initiative, the NEA has been focusing on access to the arts, cultural heritage preservation and alternatives for at-risk youth. An increase in funding is critical for ensuring access to the arts for citizens of all economic backgrounds and in all regions of the country. The NEA has substantially increased arts activity in every state in the country but it is imperative that we do more to ensure that art is reaching all Americans in communities across the nation.

The arts are important for our economy and yield major economic benefits: the industry generates $3.86 billion annually, supports $1.3 million jobs and returns $3.4 billion in income taxes to the federal government. The NEA represents less than one-hundredth of one percent of the federal budget and costs each American the equivalent of one postage stamp per year.

More importantly, the arts are important for our children. Research continues to show that students exposed to the arts often perform better in school. The confidence children find through the arts better equips them to face both academic and other life challenges more effectively.

But the founding fathers of our country knew this without the benefit of research. In a letter written to Abigail Adams, our second President, John Adams, wrote:

> ''I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce, and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain.''

Let's fund the arts so that we can guarantee our children the right to develop their creativity and imagination in order to express themselves freely while gaining confidence.

The Poet Shelley once wrote that ''the greatest force for moral good is imagination.'' With all the challenges facing our nation's children, it is clear that we need all of the imagination they can muster. We must encourage a child's creativity for its own sake and for the confidence it engenders in the child.

Support creativity, support imagination, support the Slaughter/Dicks amendment.

Mr. MCGOVERN. Mr. Chairman, I rise in support of the amendment offered by the gentlelady from New York, and Representatives HORN, JOHNSON and DICKS.

I am a strong supporter of the NEA, the NEH and the IMLS. This amendment provides

for a very modest increase in funding for these important programs.

Yesterday we found several billion dollars to increase funding for the Pentagon.

Today, we need to support our school, libraries, museums, and artistic programs, programs that make our communities more livable and our children more likely to succeed.

I would like to point out that schools in my congressional district, in Attleboro, Foxboro, Worcester, Wrentham and Fall River, have all benefited from NEA grants and NEA-funded programs just in this last year.

The NEA brought performing artists and companies to communities across the country, including Worcester and Fall River, Massachusetts.

I have spoken before on this floor about the programs funded by the NEH and the Institute for Museum and Library Services program that have helped preserve history and protect important collections in my district. The arts, scholarship, research, collaboration—these are the fundamental services provided by these programs.

I believe it is important to protect and promote our artistic and historical heritage. I believe it is a fundamental obligation for government at all levels—federal, state and municipal—to support these efforts.

I fully support this amendment and urge my colleagues to vote in support of this modest increase.

Mrs. MALONEY of New York. Mr. Chairman, I would like to voice my strong support for this amendment which will add additional funding for the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum and Library Services.

Mr. Chairman, the NEA serves a vital role in benefitting our communities, our children, and our economy. By providing grants to local communities, millions of children are exposed to the rich rewards of the arts. Studies have shown that children who experience the arts develop improved reading, writing, speaking, and listening skills, and are more likely to stay out of trouble.

Aside from the benefits to young people, we cannot overlook the tremendous economic value that the arts provide.

The creative industries reap more than $60 billion annually in overseas sales, and represent our nation's leading export.

Additionally, the arts employ millions of Americans who depend upon this critical federal funding for their livelihoods.

The Congress took an important step last year in approving a $7 million increase for the NEA, the first increase since 1992. We must continue this trend, and I urge all of my colleagues to support the Slaughter-Dicks-Horn-Johnson amendment.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of the amendment offered by the distinguished gentlelady from New York (Ms. SLAUGHTER) and the distinguished gentleman from Washington (Mr. DICKS). The amendment would increase funding for the National Endowment for the Arts (NEA) by $10 million, the National Endowment for the Humanities (NEH) by $3 million and the Institute for Museums and Library Services by $2 million. The funds would be taken from the Clean Coal Technology Program and which would not be available until September 29, 2002.

Nebraska is extremely well-served by the Nebraska Arts Council. For FY2001, the Council received a total of $522,600, from the formula NEA grant and additional competitive grants. This Member has been particularly supportive of the Nebraska Arts Council efforts to provide arts education and artists visits to rural schools, where there would be little or no access to arts education without the Council's involvement. Additionally, as part of a statewide effort, the Nebraska Arts Council is hoping to have sufficient resources to provide funding for a series of murals in Nebraska City to commemorate the bicentennial of the Lewis and Clark Corps of Discovery expedition. This effort will contribute to the success of the Lewis and Clark events scheduled in Nebraska City and will enhance the experience of those visiting for the Lewis and Clark bicentennial.

Federal funding for the arts allows small towns and communities across Nebraska to bring dancers and poets to schools, and lectures on Impressionist painting to town halls in the Sandhills. Federal support of the arts means that Lincoln, Nebraska, has a Civic Symphony and Omaha, Nebraska, a children's theater. These programs and institutions enrich all Nebraskans and are deserving of our wholehearted and enthusiastic support.

In addition, this Member is strongly supportive of the excellent work done by the Nebraska Council on the Humanities. In an earlier statement today, this Member mentioned, as an example, the Humanities involvement in the Lewis and Clark bicentennial.

In addition to the Teacher Institute, which will be held over the next few years, the Nebraska Humanities Council has many other programs that are related to the Lewis and Clark commemorations in Nebraska. There is a scholar-in-residence program, in which a nationally known expert share his knowledge and enthusiasm with students in six to ten schools over several years. Several annual Chautauquas will be devoted to the Lewis and Clark bicentennial through 2005. There will be teacher seminars and lectures in addition to the continuing availability of the existing speakers bureau.

In closing, Mr. Chairman, this Member urges his colleagues to support the Slaughter/Dicks amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I urge you today to vote in favor of the bi-partisan amendment introduced by Representatives SLAUGHTER, HORN, DICKS and JOHNSON. The amendment will increase funding for the National Endowment for the Arts, the National Humanities Council and the Office of Museum Services by $15 million, of which $10 million will go to the NEA.

This increase would take the NEA budget to $120 million. Though not the $150 million the agency requested to fully support the Challenge America initiative, it makes important inroads into funding the arts in parts of our country which have not received NEA support before. In a community like my own, these new monies will reach out to community organizations and cultural groups, previously unfunded, working to bring the arts to our children in after school programs.

Challenge America is designed to strengthen communities through the creation of partnerships that support arts programs. This program funds projects serving arts education, access for underserved areas, youth-at-risk, cultural heritage preservation and community arts partnerships. These partnerships represent what the arts do so well. Arts organizations working with schools, libraries, local businesses to make the arts available for everyone.

There are numerous studies that point to the benefits of art experience and instruction. The arts increase the ability of students to perform better in all areas of education. There are numerous studies that point out the economic impact of the arts in communities small and large. And we all know that quality of life is enhanced when the arts are a central part of a community's life.

The NEA has for over 30 years been a partner in those partnerships. Challenge America will being federal dollars into more communities to help more children and families. I urge you to support the Slaughter amendment and increase the budget of the federal cultural agencies by $15 million.

Mr. SKEEN. Mr. Chairman, I yield back the balance of my time.

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 noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 221, noes 193, answered ''present'' 1, not voting 18, as follows:

[Roll No. 177]

AYES—221

| | | |
|---|---|---|
| Abercrombie | Davis (FL) | Inslee |
| Ackerman | Davis (IL) | Israel |
| Allen | Davis, Tom | Jackson (IL) |
| Andrews | DeGette | Jackson-Lee (TX) |
| Baird | Delahunt | Jefferson |
| Baldacci | DeLauro | Johnson (CT) |
| Baldwin | Deutsch | Johnson (IL) |
| Ballenger | Dicks | Johnson, E. B. |
| Barcia | Doggett | Jones (OH) |
| Barrett | Dooley | Kanjorski |
| Bass | Doyle | Kelly |
| Becerra | Edwards | Kennedy (RI) |
| Bentsen | Ehlers | Kildee |
| Bereuter | Engel | Kind (WI) |
| Berkley | Eshoo | Kirk |
| Berman | Etheridge | Kleczka |
| Berry | Evans | Kolbe |
| Biggert | Farr | Kucinich |
| Bishop | Filner | LaFalce |
| Blagojevich | Foley | LaHood |
| Blumenauer | Ford | Lampson |
| Boehlert | Fossella | Langevin |
| Bonior | Frank | Lantos |
| Borski | Frost | Larsen (WA) |
| Boswell | Gephardt | Larson (CT) |
| Boucher | Gilman | Leach |
| Boyd | Gonzalez | Lee |
| Brady (PA) | Gordon | Levin |
| Brown (FL) | Green (TX) | Lewis (GA) |
| Brown (OH) | Greenwood | Lipinski |
| Capps | Grucci | LoBiondo |
| Capuano | Gutierrez | Lofgren |
| Cardin | Hall (OH) | Lowey |
| Carson (IN) | Harman | Luther |
| Carson (OK) | Hastings (FL) | Maloney (CT) |
| Castle | Hill | Maloney (NY) |
| Clay | Hilliard | Markey |
| Clayton | Hinchey | Mascara |
| Clement | Hinojosa | Matsui |
| Clyburn | Hoeffel | McCarthy (MO) |
| Condit | Holden | McCarthy (NY) |
| Conyers | Holt | McCollum |
| Coyne | Honda | McDermott |
| Crowley | Hooley | McGovern |
| Cummings | Horn | McHugh |
| Davis (CA) | Hoyer | |

McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogers (MI)
Ross
Rothman
Roukema
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—193

Akin
Armey
Baker
Barr
Bartlett
Barton
Bilirakis
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
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Buyer
Calvert
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Costello
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ferguson
Flake
Fletcher
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
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Graves
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCrery
McIntyre
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

DeFazio

NOT VOTING—18

Aderholt
Baca
Bachus
Callahan
Cox
Cramer
Cubin
Dingell
Everett
Fattah
Houghton
Kaptur
Kilpatrick
McInnis
Riley
Rohrabacher
Roybal-Allard
Rush

□ 1234

Messrs. HUNTER, SHUSTER, HUTCHINSON, HILLEARY and GUTKNECHT changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. BACA. Mr. Chairman, I regret that due to a physician's appointment I was unable to cast a vote on the Slaughter amendment to H.R. 2217 (Roll 177), to increase funding for the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum and Library Services by $15 million.

Had I been present, I would have voted ''aye.''

Mr. FARR of California. Mr. Chairman, I move to strike the last word. I would like to engage the distinguished chairman of the subcommittee in a colloquy.

Mr. Chairman, I want to thank the gentleman from New Mexico for his hard work and leadership on the interior appropriations bill and mention that it is not the same on the agriculture appropriations bill without the gentleman's presence.

Mr. Chairman, I want to address an issue concerning a devastating disease. It is called the sudden oak death syndrome; and as the gentleman knows, sudden oak death has left miles of dead tanoaks and oaks in woodlands across California. In addition to its forest impacts, this disease has a potential impact on interstate and international trade. Both Canada and the State of Oregon have issued emergency quarantines banning the importation of nursery stock such as rhododendrons, azaleas and huckleberries.

Mr. Chairman, I am concerned that this bill does not include the resources necessary to address the lack of fundamental knowledge and tools for effective eradication or containment of sudden oak death.

I am prepared to offer an amendment to increase the funding for the Forest Service and Range Land Research Account. However, I am encouraged to hear by the gentleman's efforts that he has agreed to work with me; and will, therefore, withhold offering my amendment at this time.

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

Mr. FARR of California. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I thank the gentleman for his kind words, and I assure the gentleman that I will work in conference to address his concerns regarding the search for funds for sudden oak death.

Mr. FARR of California. Mr. Chairman, I thank the gentleman. I look forward to working with him in solving this problem in much of the West.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I move to strike the last word. I rise to enter into a colloquy with the gentleman from New Mexico (Mr. SKEEN), the chairman of the subcommittee, as well as the gentleman from Washington (Mr. DICKS), the ranking member.

Mr. Chairman, it was my initial intention to offer an amendment to increase funding for the Indian Health Services Loan Repayment Program by $17 million. The Indian Loan Repayment Program is designed as a recruitment and retention tool for health care professionals who are willing to serve in the American Indian and Alaskan Native communities in exchange for relief from their substantial loan burdens.

As my colleagues from New Mexico and Washington know, the state of health care in Indian country is far from ideal. American Indians and Alaskan Natives have incidences that are 950 percent higher for diabetes, 630 percent higher with respect to tuberculosis, and 350 percent higher when it comes to diabetes when compared to their non-Native counterparts.

In the area of mental health, the incidence of suicide among Native Americans is 72 percent higher, and greater than the rate for all other races in the United States.

As a new member of the Committee on Appropriations, let me commend the gentleman from New Mexico (Mr. SKEEN) and the gentleman from Washington (Mr. DICKS) for increasing the overall Indian Health Services budget by $124 million, for a total of almost $2.4 billion. I have been witness to the difficult budget decisions that the gentlemen must have made; and given the accounts in this bill, I appreciate their consideration on this issue. I think we all can agree that historical funding levels for IHS have represented only a fraction of the resources necessary to equalize the health care between Native and non-Native communities.

I believe that the subcommittee has approached the pressing need of Indian health with the utmost sincerity, and to this point has made the most of what has been allocated. For this reason I have decided not to offer my amendment, instead opting to ask that the gentleman from New Mexico and the gentleman from Washington proceed to conference with the United States Senate so they can consider increasing the allocation for the loan repayment program.

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

Mr. KENNEDY of Rhode Island. I yield to the gentleman from New Mexico.

Mr. SKEEN. I thank the gentleman for his comments. As a strong proponent for programs of American Indians and Alaskan Native people, I share his concerns about the condition of health care in Indian country. I want

to assure the gentleman that funding for the Indian Health Service remains a top priority. I look forward to working with the gentleman to try and increase IHS funding as the process moves forward.

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

Mr. KENNEDY of Rhode Island. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I join my colleagues in their assertion that the IHS needs more resources to address the health care disparities within Indian country. The health care needs of many American Indian and Alaskan Natives are not being met. Clearly it is our responsibility to address these health disparities. I appreciate the gentleman's efforts, and look forward to working with him as we complete the fiscal year 2002 budget process. I appreciate his leadership on this issue.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I thank the ranking member and the subcommittee chairman.

Mr. ALLEN. Mr. Chairman, I move to strike the last word. I would like to enter into a colloquy with the chairman of the Subcommittee On Interior of the Committee On Appropriations.

Much of the land within the Rachel Carson National Wildlife Refuge in Maine is protected today. However, several in-holdings and other areas of critical concern are not. The Rachel Carson Wildlife Refuge consists of tidal creeks, coastal uplands, sandy dunes, salt ponds, and various types of wetlands that provide precious nesting and feeding habitat for a variety of migratory waterfowl, and a nursery for many shellfish and fin fish.

The refuge also serves our communities by providing countless individuals and school groups the opportunity to gain firsthand knowledge of the critical and unusual nature of Maine's coastal habitats.

Mr. Chairman, there is an opportunity in fiscal year 2002 to purchase properties for the Rachel Carson National Wildlife Refuge. Southern Maine is witnessing rapid development. Without preservation, coastal and wetland habitats are at great risk. I ask for the gentleman's assistance to identify funding for a $3 million appropriation from the Land and Water Conservation Fund. This would ensure that the opportunity to protect these properties is not lost.

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

Mr. ALLEN. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I thank the gentleman for bringing this project to the committee's attention; and we will give his request serious consideration as we move to conference.

Mr. ALLEN. Mr. Chairman, I thank the gentleman.

(Mr. MANZULLO asked and was given permission to speak out of order.)

PERSONAL EXPLANATION

Mr. MANZULLO. Mr. Chairman, last night I should have voted ''yes'' as opposed to ''no'' on the final passage of the supplemental appropriations bill.

The CHAIRMAN. The gentleman needs to make his unanimous consent request when the body sits in the House, not the Committee of the Whole.

AMENDMENT NO. 6 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. 6 offered by Mr. SANDERS:

Page 7, line 11, insert ''(increased by $12,000,000)'' after ''$200,000,000''.

Page 87, line 13, insert ''(reduced by $52,000,000)'' after ''$579,000,000''.

Page 89, line 5, insert ''(increased by $36,000,000)'' after ''$940,805,000''.

Page 89, line 6, insert ''(increased by $24,000,000)'' after ''$311,000,000''.

Page 89, line 11, insert ''(increased by $24,000,000)'' after ''$249,000,000''.

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Vermont (Mr. SANDERS) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to offer this tripartisan amendment which is cosponsored by the gentleman from New York (Mr. QUINN), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from New York (Mr. GILMAN), the gentleman from Oregon (Mr. BLUMENAUER), and the gentleman from Wisconsin (Mr. KIND).

This amendment is similar in many ways to an amendment that was passed by voice vote last year, and that passed with 248 votes 2 years ago. This amendment is also supported by a broad coalition of environmental and public interest groups, including the League of Conservation Voters, the Sierra Club, the Natural Resources Defense Council, Public Citizen, U.S. Public Interest Research Group, and the National Association of State Energy Officials.

□ 1245

This amendment accomplishes three primary goals. First, in the midst of the worst energy crisis that this country has faced in 25 years, this amendment adds $24 million to the very successful weatherization program. All over this country, lower income people and senior citizens are wasting huge amounts of energy because their homes are inadequately insulated. While I appreciate the good work of Ranking Members OBEY and DICKS and Chairmen YOUNG and SKEEN to increase funding for this program from last year, it is still not enough. In fact, the $249 million provided in this bill for weatherization is $24 million less than the President's budget request. In other words, all that we are doing here is funding the weatherization program at the same level the President has requested. I should tell Members that I have been very critical of the President's funding for energy in general.

In addition, Mr. Chairman, this amendment provides an additional $12 million for a number of other energy conservation programs. The various programs have been highly successful in leveraging State and private funds in terms of reducing the energy used by homeowners, schools, hospitals, farmers and others. No one denies that our country can do much more in a wide range of energy conservation efforts, and this additional funding will provide some help in that direction.

Lastly, Mr. Chairman, this amendment also increases the payments in lieu of taxes program by $12 million, something that I and many other Members have been deeply interested in for a number of years. Mr. Chairman, the PILT program was established to address the fact that the Federal Government does not pay taxes on the land that it owns. These Federal lands can include national forests, national parks, fish and wildlife refuges and land owned by the Bureau of Land Management. Like local property taxes, PILT payments are used to pay for school budgets, law enforcement, search and rescue, fire fighting, parks and recreation and other municipal expenses. The PILT program benefits 1,789 counties in 49 States throughout the country. I appreciate the committee's increasing funding for this program. They have. But once again because of woefully inadequate funding in recent years, we have got a long way to go. We cannot talk about respect for local government and then not pay them the amounts of money that we have to.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of the Sanders-Quinn-Kind amendment. This amendment to the fiscal year 2002 Interior appropriations bill increases funding to provide $48 million for the weatherization assistance program, for PILT and for energy conservation. The weatherization assistance program has been highly successful and helped so many of our constituents. Increasing the weatherization assistance program by $24 million raises funding to the level that President Bush has requested in his fiscal year 2002 budget, as the gentleman from Vermont has pointed out.

Mr. Chairman, weatherization does work. It is a vital program that improves the energy efficiency for low-income families throughout our great Nation. These programs assist those most in need, those least able to afford the high cost of energy. This beneficial program saves our low-income constituents about $200 a year in heating costs. That is $200 more that our hard-working families can now spend on food, clothing, housing costs and for other necessities.

Mr. Chairman, in this energy crisis, energy conservation is and should be on everyone's mind. The energy conservation program has a proven track record. This program assists our hospitals, our farmers, our homeowners, our schools and others to be able to reduce their cost of energy. The savings on energy allow our hospitals and schools to use the funds that would have gone towards energy costs to go towards education and medical care. One reason for the success of the energy conservation program is the effective leveraging of significant amounts of State and private funds.

Mr. Chairman, the exorbitant costs of gasoline and other sources of energy have been devastating to our small businesses, to our truckers and so many of our constituents. In order to remedy this energy crisis and to mitigate its effects on the future, we need to invest in energy efficient technologies. We need these technologies now. We must invest in our future and in the future of our children.

Mr. Chairman, another important provision of the Sanders-Quinn-Kind weatherization/PILT amendment is the $12 million allocated towards payments in lieu of taxes which provides our counties and towns with welcome relief from the burden of supporting nontaxable Federal lands. I have a good portion of those lands in my district. In addition, through PILT, the Federal Government has the opportunity to give back to the communities for the services they provide to the lands. My congressional district is among the 1,789 counties throughout 49 States that benefit from PILT.

In closing, Mr. Chairman, in the face of this energy crisis, we need to be proactive in order to combat the high prices for energy and to create energy-saving and energy-efficient technologies. The Sanders-Kind-Quinn amendment is proactive and laudable. Accordingly, I urge my colleagues to support this amendment.

Mr. KINGSTON. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Georgia will be recognized for 15 minutes.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, no one in this House has been a more longstanding supporter of the weatherization program than I have, but this amendment deserves to be defeated. I oppose it on two grounds: First of all, we had a major victory in the committee on the issue of weatherization. This bill includes $311 million. That is a 63 percent increase over last year. The committee's original number was $60 million lower. We negotiated it up to double that amount.

The gentleman mentions the $24 million by which it is below the President. That is only because that $24 million was used to insulate schools and hospitals which is an equally deserving requirement. None of us should be ashamed of doing that.

Secondly, I would point out that this amendment actually reduces funds for fossil energy research. We need a balanced research program in all areas of energy research. That includes research on more efficient power plants and distributed generation technologies which are part of the fossil energy program that this amendment seeks to cut. In fact, the Democratic minority in the committee supported an amendment by the gentleman from New York (Mr. HINCHEY) to increase fossil fuel energy research along with energy conservation by $200 million. I think it would be foolish for us to support an amendment today which reduces funding for any energy research program.

This amendment seeks to increase a fund which we have already increased by 63 percent by cutting further a fund which is already $4 million below last year. That makes no sense if we are trying to achieve a balanced program.

I urge a ''no'' vote on this amendment.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I rise in opposition to the gentleman's amendment. No one in the House is a bigger supporter of the weatherization program than this Member. Weatherization funds are critical to lower income families who look for long-term savings in the cost of home energy through conservation, in particular insulating their homes.

I oppose this amendment, however, for two important reasons. First, the chairman and the committee have been extremely generous, as the gentleman from Wisconsin (Mr. OBEY) has pointed out, to the weatherization program in the committee bill. The bill includes $311 million for weatherization and State energy assistance. This is a $120 million, 63 percent increase over last year. Yes, the gentleman is correct, the committee has allocated $24 million of this increase to programs to insulate schools and hospitals. I personally believe that this is a reasonable accommodation given the energy use of these facilities. The bottom line is that I want to support the chairman in his overall generosity to these programs.

Second and equally important, I cannot support an amendment which reduces funding for fossil energy research. I believe that the lesson of the current energy crisis is that we need a larger and a balanced research program in all areas of energy research. This includes research on more efficient power plants and distributed generation technologies, which are part of the fossil energy program. The minority supported an amendment by the gentleman from New York (Mr. HINCHEY) in committee to increase fossil energy along with energy conservation research by $200 million. I do not think we should support an amendment today which reduces funding for energy research programs. Therefore, I rise in very strong opposition to this amendment.

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

My friends, of course, are right. We do take money from the fossil fuel energy research and development program in order to fund weatherization, in order to fund energy conservation, in order to fund the long overdue efforts to bring PILT payments to where they should be.

Mr. Chairman, regarding the fossil fuel energy research and development program, let me quote from the report of the fiscal year 1997 Republican budget resolution:

''The Department of Energy has spent billions of dollars on research and development since the oil crisis in 1973 triggered this activity. Returns on this investment have not been cost effective, particularly for applied research and development which industry has ample incentive to undertake. Some of this activity is simply corporate welfare for the oil, gas and utility industries. Much of it duplicates what industry is already doing. Some has gone to fund technology in which the market has no interest.''

That is the Republican budget resolution of 1997, not BERNIE SANDERS.

Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of this amendment. First of all, we appreciate the work that is being done in the Committee on Appropriations between the chairman and the ranking member and the subcommittee chairman and ranking member, but the fight is not here with this amendment. The fight is with an administration that submitted a budget that drastically reduced energy research programs by between 48 and 52 percent across the board, whether it was alternative or renewable energy sources. It is also an administration that claims that they will restore funding to these programs but only after they collect oil royalties from drilling up in the Arctic National Wildlife Refuge. If there is a skewing of priorities here, I would submit it is with the administration in their energy plan and the budget that they had submitted.

This weatherization program is important to people across the country, not only in my district in western Wisconsin but throughout the United States. In light of the fact that we just passed a large tax cut about a month ago which disproportionately benefits the wealthiest of the wealthy in this country, this weatherization program assists low-income families in order to weatherize their homes and businesses

so that they can better deal with the rising energy costs that are sweeping across the country right now.

Just a couple of short months after the Vice President's now infamous statement that conservation may be a noble value but it is not any real underpinning of a sensible energy policy, the State of California has reduced their energy consumption by 11 percent, which shows you the value of conservation and increased energy efficiency in this country.

That is all this amendment is trying to do, bolster those types of programs in energy conservation, in energy efficiency for low-income families, as well as provide some much needed revenue relief back to local districts with the PILT program who are financing the nontaxable Federal property that exists in their local communities. That is why we feel that this amendment is eminently fair, why we need to make this investment. I appreciate my friend from Vermont highlighting some of the difficulties a lot of analysts have revealed in regard to the coal research program, which I think needs further exploration.

Mr. Chairman, much of the focus on our current energy crisis has been the rising price of gasoline. But in my district and throughout the country, the price of heating oil has risen as much as 40 percent in the past year. Conservation efforts such as the Weatherization Assistance Program go a long way to helping us become less dependent on foreign oil.

The Weatherization Assistance Program helps correct the disproportionate energy burden faced by low-income Americans. The program has helped make over five million homes more energy efficient and the average home has seen heating savings of 23 percent. With many low-income households spending over $1,100 on energy costs annually, this energy efficiency savings can further help these families afford the basic necessities of life. Mr. Chairman, we do not want any of our citizens having to make the difficult choice between food and fuel. I urge my colleagues to support this measure.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. REGULA), the past chairman of the subcommittee and an active and current member.

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding me this time. I want to associate myself with the remarks of the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Washington (Mr. DICKS). I do not want to be repetitive, they had it exactly right.

There are a couple of other things I would like to point out and, that is, this takes money from research on pipelines. Last year, in connection with the Northeast heating oil program, we put tanks in New York Harbor because there are not enough pipelines in the Northeast to deliver fuel. Here we have a chance to do research on putting these pipelines in without disturbing the surface. That program of research is cut.

Something else I want to point out, and that is that in the LIHEAP program, which is in the Labor, Health, Human Services and Education bill, 15 percent of the LIHEAP money goes to weatherization. So the effect of the $300 million that we added in the supplemental this week actually provides 45 million additional dollars for weatherization.

What we are talking about here today in effect is a double dip. I think this is a bad amendment. It takes money from research that is vitally important for fuel cells and for other forms of alternative fuels.

□ 1300

As we face an energy crisis, one of the great hopes we have is to develop alternative ways of providing fuel rather than to just scatter this in other programs. For all the reasons, and particularly as they were outlined by the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Washington (Mr. DICKS), it is a bad amendment in terms of our overall energy policy; and I urge a strong ''no'' vote on this.

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman from Vermont (Mr. SANDERS) for yielding me this time.

Mr. Chairman, it is true, this would take some money from fossil energy. For instance, Chevron, whose profits last year were $5.2 billion, up from $2 billion in 1999, that is a $3 billion 1-year increase, they will get $5 million or more under this bill as they did last year. The Phillips Petroleum, profits 1999 only $700 million, last year $1.9 billion. They got $7 million from this program last year.

Am I being told that Phillips Petroleum and Chevron will not make these investments themselves, and they cannot afford to make it themselves? That is not true. There are millions of Americans who cannot afford to make even more cost-effective investments themselves in weatherization. We can get three or four times as many kilowatts with weatherization for the price in today's market. We can get three or four times more with conservation programs than we can in the most efficient fossil-fired fuel plants in this country.

This amendment makes sense for individual Americans and for residential ratepayers; but it does not, I must admit my colleagues are right, it does not make sense for Westinghouse, Phillips Petroleum, GE, and other companies that just cannot afford to make these investments on their own.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, we have 600 years of coal reserves underneath the ground. Even in my district people want to burn coal cleanly, and in order to burn coal cleanly we have to have research to do that. It is absolutely essential to my district, as well as western Pennsylvania.

We have lost 10,000 or 12,000 coal miners in western Pennsylvania in the last 20 years. The thing that worries us is that if we do not do the research, in the end we will not be able to burn the coal cleanly.

Every year, we try to balance in this bill all the agencies that need money. We increased weatherization. We increased fossil research. The gentleman from New York (Mr. HINCHEY) offered the amendment. We supported the amendment. Now that we are going through an energy crisis, when 52 percent of our electricity is produced by coal production, it would be foolish for us to eliminate this resource.

So I would urge all the Members in the House to vote against this amendment. It is essential to the future of this country to have a consistent, low-cost energy resource. So I would hope that we would vote against this amendment and get on with the bill.

Mr. SANDERS. Mr. Chairman, I reserve the balance of my time.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. NETHERCUTT), a member of the committee.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman from Georgia (Mr. KINGSTON) very much for yielding me this time.

Mr. Chairman, I rise in opposition to the Sanders amendment. I want to offer a little different perspective. Certainly we can acknowledge that the increase in the weatherization has been substantial, 64 percent I think it is in the committee, and yet we have reduced the energy research account as well; but now the gentleman from Vermont (Mr. SANDERS) wants to reduce it even more. I think that is a mistake.

My perspective is this: energy research on fossil fuels, oil and gas and coal in this country, is conducted primarily by small outfits, small independent companies that have either family owned or small entrepreneurial operations that have small numbers of employees. So this is not a big oil-and-gas reduction attempt. This is going to hurt small companies and jobs in smaller communities that will add to the research that we need to make sure that we do achieve greater independence in the years ahead on fossil fuels. Whether we like it or not, we are dependent on fossil fuels in this country; 52 percent coal dependent, substantial oil and gas dependence.

What we do not want to do is be dependent for our national security interests on foreign imports from countries around the world. That is dangerous for our country. This energy fossil fuel research and technology development will allow us to be more independent in the coming years, and it is critically important that we do that research to become more independent and become technologically adept at meeting the challenges of energy supply.

I am one who favors PILT, increase in the PILT account; but I think under

this circumstance it is a balanced approach that we have adopted, and I urge a rejection of the amendment.

Mr. SANDERS. Mr. Chairman, I reserve the balance of my time.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. DOYLE).

Mr. DOYLE. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Vermont (Mr. SANDERS). At a time when the entire country's attention is focused on the need for a national energy policy which is comprehensive, balanced and improves the overall national security by reducing our dependency on foreign sources, I believe a move to slash $52 million from energy R&D will produce unwarranted and detrimental effects that will only make the current situation worse. Now is not the time to be short-sighted in making our funding decisions.

We have heard the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Washington (Mr. DICKS) speak eloquently to the fact that both of these programs, which we all support, PILT and weatherization, have been adequately funded in this bill. The gentleman from Vermont (Mr. SANDERS) talks about the benefit of energy R&D research. If Members do take time to do a brief cost-benefit analysis, they will find that supporting energy R&D efforts is the most efficient, effective, and timely investment we can make; and for those Members who think that slashing $52 million from fossil energy research, that they are somehow going to improve the environment, they should think again about that disjointed logic of such a conclusion.

Consider the following that has occurred as a result of energy R&D: we now see the possibility of zero-emission power plants using coal, natural gas, municipal waste and biomass; and research is under way to capture and sequester carbon dioxide. DOE's FE research program has a solid record of success. We have over $9 billion of commercial sales, of fluidized bed combustors that have been made, a commercial return of over $9 for every $1 of DOE investment. More than 200 commercial fuel cells operate in the United States and overseas and the most efficient, cleanest gas turbine in the world has ''Made in America'' stamped on it.

Without question, FE R&D is a lot more than just coal and fossil energy research, and development does more than one might have imagined to help all of our constituents meet their needs when it comes to paying their energy needs. Please defeat this amendment.

Mr. SANDERS. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, my friends talk about slashing fossil fuel research. If our amendment passes, it would represent an increase of $58 million more than the President wanted and $75 million more than fiscal year 2001. That is not exactly slashing.

Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I rise in strong support of this amendment, and I do so with the full understanding and appreciation for the increase in the weatherization program. I appreciate that, but the realty is that if there is not enough in the pot to begin with, we cannot get out of it what is not there.

I come from an environment where it is always too hot or too cold, always. I have more than 165,000 low-income consumers who live at or below the poverty level in a high-priced economic market. All of the time, every day of their lives, they are always moaning, groaning, crying about the inability to have a comfortable environment in which to live.

While I appreciate research, am a strong proponent of it, we know that weatherization works. We know that it works. I support this amendment and would urge its passage to give relief to those individuals who need it now because we know that weatherization does work.

Mr. KINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Vermont (Mr. SANDERS), not because of the programs that he wishes to fund, but from where he is taking the money from.

We are in an energy crisis, and we need to take full advantage of all of our own natural resources. We should be increasing investment in research and development, not decreasing it.

I represent the androcyte coal fields of Pennsylvania, and there is a DOE-funded program there taking advantage of a decades' old technology of converting coal and waste coal into gasoline.

We need to do that. We are too dependent upon foreign oil.

I had the opportunity to visit Penn State University a few months ago and look at the noncombustible applications that are being done there in their research and development, where they can convert coal and waste coal again into graphite, which is strong and light; and the automobile industry and the aircraft industry are looking at it for applications there because of its strength and how light it is.

We need to up our investment in research and development of fossil fuels, not decrease it. I urge all of my colleagues to vote against this amendment.

Mr. SANDERS. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, let me just make a couple of points. According to the Republican Committee on the Budget, the fossil fuel research program is largely corporate welfare and ineffective. According to the CBO, let me quote, ''The appropriateness of Federal Government funding for such research and development is questionable,'' CBO.

Mr. Chairman, I can understand why some of my good friends want to see this research, fossil fuel research, expanded. Thirty-eight percent of the money goes to two States. Weatherization goes to 50 States. The bottom line, Mr. Chairman, is that we are increasing funding for weatherization desperately needed. Hundreds of thousands of Americans cannot get into a program which saves them money and protects the environment. We are expanding money for other energy conservation programs, and we are putting more money in to programs that compensate local governments when the Federal Government is using their property, the PILT program.

Mr. Chairman, we are in the midst of a major energy crisis, the worst crisis this country has experienced in over 25 years. Let us stand with lower-income people all over this country. Let us help them weatherize the homes in which they are living. Let us stand with small communities all over this country who deserve fair PILT funding. Let us stand with those people who say we are doing nowhere near enough in terms of energy conservation.

This is a good amendment, and I urge its passage.

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

Mr. KINGSTON. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY), because I know he had some points he wanted to make.

Mr. OBEY. Mr. Chairman, I thank the gentleman from Georgia (Mr. KINGSTON) for yielding me this time.

Mr. Chairman, let me repeat again, this amendment increases a program which we have already increased by 63 percent. It cuts fossil fuels which we have already cut by 4 percent. There is nothing wrong with research for more efficient power plants or distributed generation technologies or pipeline improvement. Those are some of the programs this amendment would cut. This amendment is well meaning but it is ill advised and ill targeted.

I have defended weatherization longer than any other person in this Chamber, and I stand here today urging a no vote on this amendment.

Mr. KINGSTON. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, I wanted to say this, again summarizing our bipartisan opposition to this amendment, that PILT is funded at the historically high level in this bill of $200 million. That is $50 million above the budget request.

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Weatherization programs receive a 70 percent increase in funding above last year.

Here we are in an energy crisis, and energy conservation research funding has been restored to last year's historically high level, which is a good increase. But we need to continue that

research. We need to keep the commitment. Fossil energy research after deducting the President's clean coal power initiative is below last year's level. Further cuts would be foolhardy.

This amendment is bad for our energy security, bad for the consumer who purchases energy, and bad for the economy. We need to continue our research. We need to vote no on this amendment.

Mr. QUINN. Mr. Chairman, I rise in strong support of the Sanders-Quinn-Kind amendment to increase funding for low-income weatherization and energy efficiency.

What we do in this amendment is fairly simple. Most significantly, we increase weatherization by $24 million which would bring overall funding up to the Bush administration requested level of $273 million. Weatherization is a program that is proven and really works to increase energy conservation.

Through this program, low income families save $200 a year in heating costs, and these modest savings can be used for other important family needs such as food, clothing, housing and other basic necessities of life.

In addition, we increase overall state conservation programs by $12 million, and increases the Payments in Lieu of Taxes (PILT) program by $12 million.

We would offset these increases by cutting the Fossil Fuel R&D program by $52 million.

Last year's amendment on this issue passed by a voice vote, and I hope that this year we will have a similar level of support from this Body. I urge Members to pass the Sanders-Quinn amendment.

The CHAIRMAN pro tempore (Mr. WHITFIELD). 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 clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

AMENDMENT OFFERED BY MRS. MALONEY OF NEW YORK

Mrs. MALONEY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY of New York:

Page 36, beginning at line 1, strike ''under a comparable royalty-in-value program'' and insert ''under the existing royalty-in-value program, including the royalty valuation procedures established by the final rule published by the Minerals Management Service on March 15, 2000 (65 Fed. Reg. 14022 et seq.)''.

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I would like to thank the ranking member and the Chair for working with me on this amendment.

Mr. Chairman, I offer this amendment in an attempt to stop giving corporate welfare to America's oil companies. This amendment simply clarifies that royalty-in-kind must earn at least as much money for the Federal Government as a royalty-in-value program operating under the new rules put in effect last year.

For too long, major oil companies were paying fees to the Federal Government based on prices that were lower than market value. Basically the oil companies kept two sets of books; one which they paid each other based on market value, and one which was much lower that they paid to the Federal Government and the American taxpayers. Now, it is one thing for oil to be slick; it is quite another for oil companies to be slick at the expense of the American taxpayer.

In a bipartisan way, the gentleman from California (Mr. HORN) and I held hearings to investigate money that major oil companies owed the Federal Government. Our hearings showed that many of these companies were underpaying fees, costing the American taxpayer nearly $100 million a year.

Many companies were sued by the Federal Government for deliberate underpayment of fees. Most have elected to settle, and to date over $425 million has been collected. Combined with State and private lawsuits, the oil industry has reluctantly paid to the government close to $5 billion to settle these underpayment claims.

The Interior Department's new oil valuation rule, which was announced last year, will save taxpayers at least $67 million each year by ensuring that oil companies pay the fair market value for the oil that is taken from Federal lands.

Now that we have finally put a stop to the industry's secret scheme and are collecting a fair amount for fees for the American taxpayer, we are now being asked to examine an entirely new system of fee collection. Now the oil industry is telling us that they do not want to pay in money, they want to pay in oil.

The last I heard, money was still the currency of the United States, and the American taxpayer should demand no less. The oil companies call it a new way to pay; I call it a new way to stiff America's taxpayers.

Today I offer an amendment to guarantee that the industry fees, the so-called royalty-in-kind program, earns at least fair market value or more. Why the need for this amendment? Independent analysis shows that in almost all cases, the government, under the oil industry plan, would have lost revenue compared to actual market prices. In fact, the government actually lost almost $3 million when you compare what was received via royalty-in-kind with what would have been collected with fair market value.

Mr. Chairman, the royalty-in-kind program puts the Federal Government into the oil business; not because it will save taxpayers money. It will actually cost them more. Not because it is more efficient; that has not been shown. No, we are asking the Federal Government to enter into the oil business because big oil can no longer get away with cheating taxpayers out of their fair share of royalties received for value. That is the only reason that I have seen to support this particular program.

Today, all we are asking is that if you are going to move ahead with this program, we should make sure that it is not costing taxpayers money, that it in fact is tied to fair market value.

I hope that my colleagues will support in a bipartisan way this amendment.

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

Mrs. MALONEY of New York. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I have no objection to the gentlewoman's amendment. My reading of the amendment is it just codifies the current program.

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

Mrs. MALONEY of New York. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to say to the gentleman from New Mexico (Chairman SKEEN) that we appreciate his willingness to accept the amendment, and compliment the gentlewoman for her hard work on this issue.

Mrs. MALONEY of New York. Mr. Chairman, reclaiming my time, I thank the gentleman from New Mexico (Chairman SKEEN) and the gentleman from Washington (Mr. DICKS).

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The amendment was agreed to.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The text of title II is 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, $236,979,000, 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 and conducting an international program as authorized, $277,771,000, to remain available until expended, as authorized by law, of which $60,000,000 is for the Forest Legacy Program, $8,000,000 is for the Stewardship Incentives Program, and $36,000,000 is for the Urban and Community Forestry Program, defined in section 250(c)(4)(E)(ix) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That, hereafter, ''Forest Service State and Private Forestry, Stewardship Incentives Program'' shall be considered to be within the ''State and Other Conservation

sub-category'' in section 250(c)(4)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the House Committee on Appropriations and the Senate Committee on Appropriations provide to the Secretary, in writing, a list of specific acquisitions to be undertaken with such funds.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided, for management, protection, improvement, and utilization of the National Forest System, $1,326,445,000, 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 2002 shall be displayed by budget line item in the fiscal year 2003 budget justification: *Provided further*, That the Secretary may authorize the expenditure or transfer of such sums as necessary to the Department of the Interior, Bureau of Land Management for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands.

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, $1,402,305,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this head, are available for repayment of advances from other appropriations 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 2000 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, $8,000,000 of funds appropriated under this appropriation shall 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 and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further,* That funds provided shall be available for emergency rehabilitation and restoration, hazard reduction activities in the urban-wildland interface, support to federal emergency response, and wildfire suppression activities of the Forest Service; *Provided further,* That of the funds provided, $227,010,000 is for hazardous fuel treatment, $81,000,000 is for rehabilitation and restoration, $38,000,000 is for capital improvement and maintenance of fire facilities, $27,265,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $50,383,000 is for state fire assistance, $8,262,000 is for volunteer fire assistance, $11,974,000 is for forest health activities on state, private, and federal lands, and $12,472,000 is for economic action programs: *Provided further,* That amounts in this paragraph may be transferred to the ''State and Private Forestry'', ''National Forest System'', ''Forest and Rangeland Research'', and ''Capital Improvement and Maintenance'' accounts to fund state fire assistance, volunteer fire assistance, and forest health management, vegetation and watershed management, heritage site rehabilitation, wildlife and fish habitat management, trails and facilities maintenance and restoration: *Provided further,* That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in House Report No. 105–163: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: *Provided further*, That:

(1) In expending the funds provided with respect to this Act for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries applicable to hazardous fuel reduction activities under the wildland fire management accounts. Notwithstanding Federal government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may award contracts, including contracts for monitoring activities, to—

(A) local private, nonprofit, or cooperative entities;

(B) Youth Conservation Corps crews or related partnerships, with State, local and non-profit youth groups;

(C) small or micro-businesses; or

(D) other entities that will hire or train a significant percentage of local people to complete such contracts. The authorities described above relating to contracts, grants, and cooperative agreements are available until all funds provided in this title for hazardous fuels reduction activities in the urban wildland interface are obligated.

(2)(A) The Secretary of Agriculture may transfer or reimburse funds to the United States Fish and Wildlife Service of the Department of the Interior, or the National Marine Fisheries Service of the Department of Commerce, for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference as required by section 7 of such Act in connection with wildland fire management activities in fiscal years 2001 and 2002.

(B) Only those funds appropriated for fiscal years 2001 and 2002 to Forest Service (USDA) for wildland fire management are available to the Secretary of Agriculture for such transfer or reimbursement.

(C) The amount of the transfer or reimbursement shall be as mutually agreed by the Secretary of Agriculture and the Secretary of the Interior or Secretary of Commerce, as applicable, or their designees. The amount shall in no case exceed the actual costs of consultation and conferencing in connection with wildland fire management activities affecting National Forest System lands.

For an additional amount, to liquidate obligations previously incurred, $274,147,000.

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $535,513,000, 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, of which $50,000,000 is for ''Federal Infrastructure Improvement'', defined in section 250(c)(4)(E)(xiv) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided,* That fiscal year 2001 balances in the Federal Infrastructure Improvement account for the Forest Service shall be transferred to and merged with this appropriation, and shall remain available until expended: *Provided further*, 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 on each decommissioning project.

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. 4601–4 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, $130,877,000 to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(iv) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

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 16 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.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $5,488,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 132 passenger motor vehicles of which eight will be used primarily for law enforcement purposes and of which 130 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 seven for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable fleet at 195 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) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (5) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (6) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Secretary 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 the heading ''Wildland Fire Management'' 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 No. 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 No. 105–163.

No funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture that exceed the total amount transferred during fiscal year 2000 for such purposes 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 $2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E)(xii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

Of the funds available to the Forest Service, $2,500 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 $2,250,000 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 $300,000 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 the 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 ''Capital Improvement and Maintenance'' 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).

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.

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.

The Forest Service shall fund indirect expenses, that is expenses not directly related to specific programs or to the accomplishment of specific work on-the-ground, from any funds available to the Forest Service: *Provided*, That the Forest Service shall implement and adhere to the definitions of indirect expenditures established pursuant to Public Law 105–277 on a nationwide basis without flexibility for modification by any organizational level except the Washington Office, and when changed by the Washington Office, such changes in definition shall be reported in budget requests submitted by the Forest Service: *Provided further*, That the Forest Service shall provide in all future

budget justifications, planned indirect expenditures in accordance with the definitions, summarized and displayed to the Regional, Station, Area, and detached unit office level. The justification shall display the estimated source and amount of indirect expenditures, by expanded budget line item, of funds in the agency's annual budget justification. The display shall include appropriated funds and the Knutson-Vandenberg, Brush Disposal, Cooperative Work-Other, and Salvage Sale funds. Changes between estimated and actual indirect expenditures shall be reported in subsequent budget justifications: *Provided*, That during fiscal year 2002 the Secretary shall limit total annual indirect obligations from the Brush Disposal, Knutson-Vandenberg, Reforestation, Salvage Sale, and Roads and Trails funds to 20 percent of the total obligations from each fund. Obligations in excess of 20 percent which would otherwise be charged to the above funds may be charged to appropriated funds available to the Forest Service subject to notification of the Committees on Appropriations of the House and Senate.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: *Provided*, That such amounts shall not exceed $750,000.

The Secretary of Agriculture may authorize the sale of excess buildings, facilities, and other properties owned by the Forest Service and located on the Green Mountain National Forest, the revenues of which shall be retained by the Forest Service and available to the Secretary without further appropriation and until expended for maintenance and rehabilitation activities on the Green Mountain National Forest.

## DEPARTMENT OF ENERGY

### 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), $579,000,000, to remain available until expended, of which $150,000,000 is to be available, after coordination with the private sector, for a request for proposals for a Clean Coal Power Initiative providing for competitively-awarded research, development and demonstration of commercial scale technologies to reduce the barriers to continued and expanded coal use: *Provided*, That all awards shall be cost-shared with industry participants: *Provided further*, That in order to enhance the return to the taxpayer, provisions for royalties from commercialization of funded technologies shall be included in the program solicitation, including provisions for reasonable royalties from sale or licensing of technologies from both domestic and foreign transactions: *Provided further*, 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: *Provided further*, That up to 4 percent of program direction funds available to the National Energy Technology Laboratory may be used to support Department of Energy activities not included in this account.

### NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out engineering studies to determine thecost of development, the predicted rate and quantity of petroleum recovery, the methodology, and the equipment specifications for development of Shannon Formation at Naval Petroleum Reserve Numbered 3, utilizing a below-the-reservoir production method, $17,371,000, to remain available until expended: *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

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in fulfilling installment payments 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, to be derived by transfer from funds appropriated in prior years under the heading ''Clean Coal Technology''.

### ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $940,805,000 to remain available until expended: *Provided*, That $311,000,000 shall be for use in energy conservation grant 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: $249,000,000 for weatherization assistance grants and $62,000,000 for State energy conservation grants: *Provided further*, That notwithstanding any other provision of law, in fiscal year 2002 and thereafter sums appropriated for weatherization assistance grants shall be contingent on a non-Federal cost share of 25 percent by each participating State or other qualified participant: *Provided further*, That the Secretary of Energy may waive up to fifty percent of the cost-sharing requirement for weatherization assistance for a State which he finds to be experiencing fiscal hardship or major changes in energy markets or suppliers or other temporary limitations on its ability to provide matching funds, provided that the State is demonstrably engaged in continuing activities to secure non-Federal resources and that such waiver is limited to one fiscal year and that no State may be granted such waiver more than twice: *Provided further*, That, hereafter, Indian tribal direct grantees of weatherization assistance shall not be required to provide matching funds.

### ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $1,996,000, 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.), $179,009,000, to remain available until expended, of which $8,000,000 shall be available for maintenance of a Northeast Home Heating Oil Reserve.

### ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $78,499,000, 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.

## 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, $2,390,014,000, 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 $15,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That $445,776,000 for contract medical care shall remain available for obligation until September 30, 2003: *Provided further*, That of the funds provided, up to $22,000,000 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, 2003: *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 $268,234,000 shall be for payments to tribes and tribal organizations for contract or grant support costs 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, prior to or during fiscal year 2002, of which not to exceed $20,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts or annual funding agreements: *Provided further*, That such costs should be paid at a rate commensurate with existing contracts and no new or expanded self-determination contracts, grants, self-governance compacts or annual funding agreements shall be entered into once the $20,000,000 has been committed: *Provided further*, That no existing self-determination contract, grant, self-governance compact or annual funding agreement shall receive direct contract support costs in excess of the amount received in fiscal year 2001 for such costs: *Provided further*, That funds available for the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

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, $369,795,000, 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: *Provided further*, That from the funds appropriated herein, $5,000,000 shall be designated by the Indian Health Service as a contribution to the Yukon-Kuskokwim Health Corporation (YKHC) to start a priority project for the acquisition of land, planning, design and construction of 79 staff quarters at Bethel, Alaska, subject to a negotiated project agreement between the YKHC and the Indian Health Service: *Provided further*, That this project shall not be subject to the construction provisions of the Indian Self-Determination and Education Assistance Act and shall be removed from the Indian Health Service priority list upon completion: *Provided further*, That the Federal Government shall not be liable for any property damages or other construction claims that may arise from YKHC undertaking this project: *Provided further*, That the land shall be owned or leased by the YKHC and title to quarters shall remain vested with the YKHC: *Provided further*, That $5,000,000 shall remain available until expended for the purpose of funding up to two joint venture health care facility projects authorized under the Indian Health Care Improvement Act, as amended: *Provided further*, That priority, by rank order, shall be given to tribes with outpatient projects on the existing Indian Health Services priority list that have Service-approved planning documents, and can demonstrate by March 1, 2002, the financial capability necessary to provide an appropriate facility: *Provided further*, That joint venture funds unallocated after March 1, 2002, shall be made available for joint venture projects on a competitive basis giving priority to tribes that currently have no existing Federally-owned health care facility, have planning documents meeting Indian Health Service requirements prepared for approval by the Service and can demonstrate the financial capability needed to provide an appropriate facility: *Provided further*, That the Indian Health Service shall request additional staffing, operation and maintenance funds for these facilities in future budget requests: *Provided further*, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That not to exceed $500,000 shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings: *Provided further*, That notwithstanding the provisions of title III, section 306, of the Indian Health Care Improvement Act (Public Law 94–437, as amended), construction contracts authorized under title I of the Indian Self-Determination and Education Assistance Act of 1975, as amended, may be used rather than grants to fund small ambulatory facility construction projects: *Provided further*, That if a contract is used, the IHS is authorized to improve municipal, private, or tribal lands, and that at no time, during construction or after completion of the project will the Federal Government have any rights or title to any real or personal property acquired as a part of the contract.

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.

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. 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.

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.

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.

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.

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.

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. 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. Such amounts shall remain available until expended.

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.

The appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

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, $15,148,000, 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.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $4,490,000.

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 five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $396,200,000, of which not to exceed $53,030,000 is 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, Latino programming, and outreach, 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 Street, 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 Street building or of planning, designing, and constructing improvements to such building.

REPAIR, RESTORATION AND ALTERATION OF FACILITIES

For necessary expenses of maintenance, 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, $67,900,000, to remain available until expended, of which $10,000,000 is provided for maintenance, repair, rehabilitation and alteration of facilities at the National Zoological Park: *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.

CONSTRUCTION

For necessary expenses for construction, $30,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without approval by the Board of Regents of recommendations received from the Science Commission.

None of the funds in this or any other Act may be used to initiate the design for any proposed 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 for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the advance written approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report No. 105–163.

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, $68,967,000, 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, $14,220,000, 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, $15,000,000.

CONSTRUCTION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $19,000,000, 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, $7,796,000.

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, $98,234,000, 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: *Provided,* That funds previously appropriated to the National Endowment for the Arts ''Matching Grants'' account may be transferred to and merged with this account.

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, $104,882,000, 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, $15,622,000, to remain available until expended, of which $11,622,000 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, $24,899,000, to remain available until expended.

CHALLENGE AMERICA ARTS FUND

CHALLENGE AMERICA GRANTS

For necessary expenses as authorized by Public Law 89–209, as amended, $7,000,000, for support for arts education and public outreach activities to be administered by the National Endowment for the Arts, 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), $1,274,000: *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), $3,400,000: *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, $7,253,000: *Provided*, That all appointed members of the Commission will be compensated at a rate not to exceed the daily equivalent of the annual rate of pay for positions at level IV of the Executive Schedule for each day such member is engaged in the actual performance of duties.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 96–388 (36 U.S.C. 1401), as amended (36 U.S.C. 2301–2310), $36,028,000, of which $1,900,000 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, $22,427,000, shall be available to the Presidio Trust, to remain available until expended.

The CHAIRMAN pro tempore. Are there any points of order against the provisions of title II?

POINT OF ORDER

Mr. BURR of North Carolina. Mr. Chairman, I make a point of order.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. BURR of North Carolina. Mr. Chairman, I raise a point of order that the language beginning with the words ''provided further'' appearing on page 89, line 13, and following through the words ''qualified participants'' on line 18 violates clause 2 of rule XXI of the rules of the House of Representatives prohibiting legislation on an appropriations bill.

The language in question directly contradicts current law by making weatherization assistance grants contingent on a 25 percent matching share from recipients. The Energy, Conservation and Production Act imposes no such requirement. Accordingly, the language changes current laws and constitutes a violation of clause 2 of rule XXI, and I must regrettably insist on my point of order.

The CHAIRMAN pro tempore. Does any other Member wish to speak on the point of order?

Mr. SKEEN. Mr. Chairman, I concede the point of order.

The CHAIRMAN pro tempore. The gentleman concedes the point of order.

The Chair finds that this provision explicitly supersedes existing law. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order of the gentleman from North Carolina is sustained, and the provision is stricken from the bill.

Mr. LUCAS of Oklahoma. Mr. Chairman, I move to strike the last word for the purpose of engaging the gentleman from New Mexico (Mr. SKEEN) in a colloquy.

Mr. Chairman, last March the U.S. Fish and Wildlife Service published a rule designating critical habitat for the Arkansas River shiner. The designated areas include 300 feet on either side of more than 1,100 miles of river in four States, including Oklahoma. This critical habitat for the Arkansas River shiner was designated as a result of a lawsuit filed by the Center for Biological Diversity.

Recently, the Tenth Circuit Court of Appeals ruled that the way the Fish and Wildlife Service conducts economic analysis for critical habitat designations does not comply with the Endangered Species Act and the court set aside the designation for critical habitat for the Southwestern willow flycatcher. The same type of analysis invalidated in that case was used in the Arkansas River shiner habitat designation.

This recent court decision casts a shadow of doubt on all recent critical habitat designations. The original intent of the Endangered Species Act has been lost as designations of critical habitat have gotten completely out of hand, while true endangered species recovery efforts are ignored.

Mr. Chairman, if I had my way, we would prohibit any finding in this bill to be used for the implementation of the critical habitat for the Arkansas River shiner. However, I know this debate is greater than just one species.

I would challenge my colleagues to join me in calling for much needed reform of the Endangered Species Act. If we do not do something soon, then it will be our farmers and landowners impacted by these designations that will become extinct.

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

Mr. LUCAS of Oklahoma. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I empathize fully with the gentleman's frustration with the Endangered Species Act and critical habitat designation requirements. The gentleman is exactly right in calling for reform of the act, and I look forward to working with him and the legislative committee of jurisdiction to see if we can address this problem in the 107th Congress.

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

Mr. Chairman, I rise to bring attention to an issue that is of concern to the people of Guam and within this Interior appropriations bill.

I believe an increase in funding for Compact Impact to Guam can be accomplished through an overall increase in funding for the Office of Insular Affairs. This issue is basically one of fairness for the people of Guam. In the past couple of years we have received funding, in fiscal year 2000 for $7.58 million, and in fiscal year 2001, the current year, we are receiving $9.58 million. The President's request is $4.58 million. I appreciate the subcommittee adding $800,000 to that.

However, the government of Guam has indicated that this kind of assistance, which is assistance that is given to the people of Guam as recompense, as reimbursement for the unrestricted migration from the Compacts of Free Association, is actually costing the government of Guam anywhere between $15 million and $25 million annually to provide educational and social services for these migrants.

I must point out to the House and to the American people that these are the only citizens of foreign countries that are allowed to freely migrate into the United States unmonitored and without restriction, and, by and large, the vast majority of them end up in Guam.

Even the Department of Interior acknowledges that best estimates are that annually the people of Guam spend at least $12.8 million for Compact Impact costs to Guam directly, and we have, for the record, a letter from Secretary of Interior Gale Norton detailing how the Department of Interior arrived at this calculation.

Regardless of the differences between the government of Guam and the Department of Interior, it is clear that the current funding level of $5.38 million, as recommended by the committee, is inadequate. We will continue to work on this in conference, and hopefully Members of both the majority and the minority, as well as Members in the other body, will see fit to increase the amounts for Compact Impact Aid assistance to Guam.

This is an issue of fairness, it is doable, and the people of Guam deserve it.

The CHAIRMAN pro tempore. Are there further amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III—GENERAL PROVISIONS

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, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

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. 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 2001.

SEC. 307. 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. 308. 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. 309. (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, 2002, 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. 310. 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, 105–277, 106–113, and 106–291 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 2001 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. 311. Notwithstanding any other provision of law, for fiscal year 2002 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'' Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California and Alaska that have been affected by reduced timber harvesting on Federal lands. The Secretaries shall consider the benefits to the local economy in evaluating bids and designing procurements which create economic opportunities for local contractors.

SEC. 312. (a) RECREATIONAL FEE DEMONSTRATION PROGRAM.—Subsection (f) of 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; 110 Stat. 1321–200; 16 U.S.C. 4601–6a note), is amended—

(1) by striking ''commence on October 1, 1995, and end on September 30, 2002'' and inserting ''end on September 30, 2006''; and

(2) by striking ''September 30, 2005'' and inserting ''September 30, 2009''.

(b) EXPANSION OF PROGRAM.—Subsection (b) of such section is amended by striking ''no fewer than 10, but as many as 100,''.

(c) REVENUE SHARING.—Subsection (d)(1) of such section is amended by inserting ''the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note),'' before ''and any other provision''.

(d) DISCOUNTED FEES.—Subsection (b)(2) of such section is amended by inserting after ''testing'' the following: '', including the provision of discounted or free admission or use as the Secretary considers appropriate''.

(e) SPECIAL USE PERMITS.—Subsection (b) of such section is amended—

(1) in paragraph (4), by striking ''and'' at the end of the paragraph;

(2) in paragraph (5), by striking the period at the end of the paragraph and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(6) in fiscal year 2003 and thereafter may retain, for distribution and use as provided in subsection (c), fees imposed by the Forest Service for the issuance of recreation special use authorizations not exceeding one year under any provision of law.''.

(f) CAPITAL PROJECTS.—Subsection (c)(2) of such section is amended by adding at the end the following new subparagraph:

''(D) None of the funds collected under this section may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate if the estimated total cost of the structure exceeds $500,000.''.

□ 1330

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. DEFAZIO:

Page 118, line 3, strike ''2006'' and insert ''2003''.

Page 118, line 5, strike ''2009'' and insert ''2006''.

Page 118, strike lines 6 though 8 (and redesignate the subsequent subsections accordingly).

Page 118, strike line 18 and all that follows through page 119, line 5 (and redesignate the subsequent subsection accordingly).

Mr. DEFAZIO. Mr. Chairman, I am attempting here to craft what I would see as a reasonable compromise on the contentious issue of the continued authorization of the so-called Recreation Fee Demonstration Program without any consideration, without one moment's consideration, by the authorizing committee on which I sit.

Now, this is a tax on the American people, plain and simple. We all agree that for years we have been charging to

access parks, to access developed camp grounds, special fee use areas; those things have ongoing maintenance costs that are directly attributable to the users. There is no issue over that and my amendment does not touch that authority.

However, the special new authority in the Recreation Fee Demonstration Program allows the United States Forest Service and the Bureau of Land Management to charge people to drive on Forest Service logging roads paid for by tax dollars to roadside areas, pull-offs, or the end of the road and have to pay a fee to do that.

Now, I represent many communities that are surrounded by national forests and for the people in those communities to recreate, they have to buy a pass to go out and hunt or picnic with their kids, drive the roads and park the car if they want to get out. Now, that is by any measure a tax on Americans, on average Americans who use our public lands. We essentially have created a new king's domain here: you can use the lands if you pay your fee.

Now, the rationale is we do not have enough money in the budget to pay for recreation use on these lands, even though these people may not be incurring any costs since they are using already developed Forest Service roads, turnouts, parking areas, whatever. These are already there; they do not require any maintenance that is paid for out of this program. So the question becomes, should we continue to assess this fee without having a deliberation and a consideration.

Now, on October 1 of this year, the GAO will render a new, updated report on the Recreation Fee Demo Program. I believe that that will point to a direction for some changes that are sorely needed. It will also point out how the money is being spent or has been spent.

In their first report, we find out that it generated $31.9 million on Forest Service lands. It cost almost $5 billion to collect that $31.9 million, so 18 percent of the revenue went to collection on the Forest Service, 18 percent went to administration over and above that. For the whole program, 21 percent went to collection costs. In addition to that, there is a general fund appropriation to subsidize the collection costs of $1.5 million, not a very efficient way to raise funds and, obviously, a very small amount of money, a tiny fraction of many of the giveaways in the recent tax bill.

So the question would be, why are we assessing this tax on tens of thousands of individual Americans, many of modest means, many of whom will be eligible for nothing in the tax bill because their incomes are so low, they are retired, they are not paying Federal income taxes; they may only be paying FICA taxes if they are still working, they are going to have to pay more than they are going to get back because we are saying we cannot afford to pay for these services.

So the compromise I offer is, since the then-subcommittee chairman, the now full committee chairman assured me 2 years ago when I did not ask for a recorded vote on this amendment that it would go through the proper authorizing process. It would actually have, God forbid, hearings; we would actually, God forbid, invite in the public; we might even go to some of the areas affected and hold a hearing, although that might be going a little far, and then we would actually act to authorize any future extension in the shape of this program and the levying of this tax on the American people.

This bill, without a single hearing, without a moment's hearing, will extend it for 4 years. My compromise would be to extend it for 1 year, receive the GAO report, and give the authorizing committee the opportunity to hold hearings and mark up a proper authorization. If we want a long-term authorization, I believe it should go through the authorizing committee and the proper process. If the committee cannot accept that amendment, we will then move on to my amendment to strike this provision all together. But in the interests of comity and time of the body, I would be willing, after we hear from at least one other speaker in support, to offer this as a compromise. If the committee is unwilling to accept it, we will then proceed to the debate and a recorded vote on a total repeal of this program.

Mr. SKEEN. Mr. Chairman, I rise in opposition to this amendment.

The Recreation Fee Demonstration Program has come a long way and it is improving. Through fiscal year 2002, it will have raised over $900 million to help fix the huge backlog in deferred maintenance in our national parks, forests, refuges, and public lands. Yes, there have been a few problems along the way, but we have provided congressional oversight and have improved the program every year.

The President has requested a 4-year extension and that is what I support as well. Similar amendments have been soundly defeated by the House in the past, and I ask the Members to defeat this amendment as well.

Mrs. BONO. Mr. Chairman, I move to strike the last word.

I rise today in support of the DeFazio amendment. For centuries, our forests have remained free and open to the public. So when Congress decided to start charging families for the right to park their car on the side of the road in order just to walk their dog or catch a sunset, it did not seem right. When I am told that the fee is not much, I cannot help but think of the families struggling to make it by month to month. Our public lands are a way they can share valued time off without the worries of being able to afford it.

Mr. Chairman, I am a great supporter of the national forest system and its personnel. The U.S. Forest Service staff are dedicated individuals for whom I have the utmost amount of respect, and I realize they do not operate with enough resources. However, I believe that the forests are for the entire Nation and should be supported through the traditional funding processes like most all other Federal Government programs.

This amendment seeks to extend the Adventure Pass program for only a year, because that would give Congress an opportunity to review the GAO report on this issue due out this fall. The more facts we have about this program, the better we are able to address it. Let us give ourselves a chance to learn more and maybe even improve on this program without making our constituents pay for it.

Mr. Chairman, I urge my colleagues to support the DeFazio amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The amendment was rejected.

AMENDMENT NO. 1 OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. DEFAZIO: Page 117, beginning on line 18, strike section 312 (relating to recreational fee demonstration program).

Mr. DEFAZIO. Mr. Chairman, here we are again. We are about to extend a tax which nicks the American people least able to afford it, people living in rural areas; certainly, some people who recreate on Federal lands can afford the $35, but many whom I represent in depressed logging communities and former mill communities cannot. To say that somehow we should extract $35 from each family so they can take the kids out, park the car by the side of a logging road and swim in their favorite stream that they have been swimming in for generations, or to go hunting for rocks or go hunting in the fall.

This is extraordinary to me. These are public lands. These are not developed areas. These do not require recurring costs to the Federal Government. We are creating a new king's domain. I mean let us be straight about it here. Let us admit we are charging the American people for something they have already paid for in their tax dollars. We are charging them to use logging roads and turnouts that were subsidized by their tax dollars. We are charging them to drive on public lands and park their car, public lands that are paid for and maintained out of the general fund of the United States in terms of forest firefighting and other issues.

Should those people be charged and be caused to bear those costs? I think not. This is not a fair fee or a fair tax.

The amendment I am offering, since the committee has turned down a reasonable proposal; I suppose perhaps there is something to hide here. Perhaps we do not want to go through the regular authorizing process as the subcommittee chairman promised me we

would do 2 years ago; perhaps we do not want to hold hearings in areas that are affected by this tax. Perhaps we are worried about the outcome. Perhaps the people on the Committee on Resources on which I sit, who represent people in the areas which are most affected, might not be totally receptive to this. Perhaps it would be a risk. Perhaps the program would be modified, changed, or maybe it would not even get through. That would be a true legislative process. Instead, buried deep in an appropriations bill without a single hearing is a 4-year extension of a new tax created in 1996. That is not right. It is not fair.

If my colleagues have confidence in this, because I heard in the debate last year, oh, people love this program. Of course, the Forest Service says something different. The people who are trying to enforce it are being abused and threatened. They have had more vandalism of the signs for this program than anything else. A lot of people do not even know where to pay the fee. The sign does not tell you. You get to the end of the logging road, this has happened to me, and there is a sign there saying, you must pay a fee to use the site. It is too far from anywhere for them to put one of those dead-man kind of collection things because someone will pull it out and take the money out of it. So it just says, you have to pay this fee somewhere, somehow, some time, or you are going to get a ticket if you park here. People do not even know where to go.

Yes, the program has been slightly simplified. No longer do you have to have 50 or 60 different passes to drive throughout forests in the Western U.S. In the Northwest, you can get away with just a couple. That is $70. Seventy bucks is a lot of money for an average working family. I know it does not nick people in this place too much, but it certainly does the people who I represent.

It is not fair to do this and it is not right to do this without going through the authorizing process, without holding hearings, without taking public testimony, without assessing the next GAO report on how much of this is going to administrative costs and collection costs because in the first cut, almost 40 percent of this program was going to administration costs and collection costs. Forty percent of a new tax. So every American family paying $35 is contributing 40 percent of that for bureaucracy and maybe the other 60 percent goes to something they care about. Since this money is not centrally controlled or not spent according to any plan, it is up to the discretion of the local forests. Some forests have done better than others in spending these excess funds out of this new tax. Others have not. They spend it in ways that the people who paid it do not want to see it happen.

So I urge my colleagues to support this amendment, to strike this section from the bill. It would still run for 1 year from next October, even if this is struck from the bill, and that would give the Committee on Resources a year to read and digest the GAO report, report an authorization, and take it up before the entire House. That is the way we normally do things around here, except when we have something to hide, and I guess in this case we have something to hide: an unfair tax on the American people that has never been properly authorized or commented upon.

□ 1345

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

Mr. Chairman, I rise in support of the DeFazio amendment on recreation fees. At the height of summer recreation season when tens of millions of Americans most enjoy their national parks and other public lands, the bill before us expands the recreation fees that are financially unfair to seniors, families, and children.

After just passing a tax cut, there are those who want to give money with the one hand and take it back with the other.

I am concerned with the scope and nature of the recreation fees being charged, and the fees' impact on senior citizens, families, and other recreational users. I am especially disturbed by the fact that while recreational trail users of our Federal lands are being asked to bear an increased financial burden for the management of these lands, the same is not being asked of many subsidized individuals, businesses, and industries whose consumptive use of Federal lands have far more impact.

It is unfortunate, Mr. Chairman, that proponents propose substantial increases in recreation fees at the height of the summer recreation season, yet have been unwilling to reduce the generous subsidy corporations receive from the use of public resources.

It is regrettable that proponents apparently believe that only private citizens, not the corporations that profit from the resources of this Nation, should be called upon to pay more. How much additional revenue can the majority expect to squeeze out of families and senior citizens?

Our national shrines and the national heritage embodied in our public lands provide an exceptional and unique place in which to instill a solid value system in our children. We should be encouraging this family value, not hindering it. It will be a sad day when families and other visitors have to look in their wallets to see if they can afford to use our great system of national parks, forests, and public lands in which they, the public, share ownership.

Mr. Chairman, I support the DeFazio amendment. I do not believe it is right that our constituents should have to pay to simply walk in our national forests or watch a sunset on our public lands.

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

Mr. Chairman, I rise in strong support of the elimination of this amendment. The fee program has worked extremely well. It has raised about $400 million that has been used to improve campsites, repair sanitation facilities, roads, bridges, and safety.

I heard this characterized as a tax. It is a user fee, and the people that pay the fee get the benefit. If one does not use the facilities, they are not paying for them.

We know that the backlog of maintenance in the national parks is about $5 billion, maybe $10 billion, no one knows for sure. But when we do not have maintenance, this means that the visitors do not have an opportunity to enjoy these facilities, as has been described.

By having a very modest fee, and usually the fee for a whole carload of people is about the price of one ticket to Disneyland, or maybe even less than that, they have the benefit of the trails, the campsites, the sanitation facilities, the enhancement of visitor locations.

Thus far, we have raised over $600 million. Under the language, this money has to be on top of the base support of the park program in the bill. This is not a substitute for what we would be normally spending. Therefore, the money is used to enhance the visitors' experience.

When I talk to the superintendents, they say that the vast majority, the vast majority of the people are happy to pay a fee. In fact, oftentimes they will contribute extra if they have a box for contributions. People appreciate the parks and forests and the recreational opportunities afforded to them, and they are perfectly willing in most cases to pay a very modest fee.

This program over the next year or year and a half will produce a total of over $900 million. Members can imagine what that means in fixing up rundown campgrounds and picnic sites, and fixing cultural parks that are part of our great parks and forest system.

Sometimes campgrounds are closed because they do not have the money to maintain them. By having the fee program, they have an opportunity to open these campgrounds and give more visitors a chance to use the facilities.

One other thing I am told by park and forest superintendents is that vandalism is substantially reduced, because when people pay a certain small fee they have a greater appreciation of the facility, plus the fact that they do not go in there in a careless way.

I still remember visiting the Angelos National Forest, where they built a beautiful picnic area with slides and charcoal burners and picnic tables. Obviously, what had happened the night before we were there, someone with one of these vehicles with huge tires had come into this facility and just drove over it, drove over the gate, smashed

everything in sight. Had they paid a fee they would not have done that, because they would have known that somebody at the gate knew they were in there. But at that time, there was no fee program.

This is just one example of how vandalism would be reduced under this program.

I think if we talk to park and forest superintendents, if we talk to the vast majority of people who use the parks and forests for recreation, they will be very supportive of this program. It has worked well. A lot of the facilities are in far better condition than they would be otherwise, had there not been the program of modest fees.

I think this is a bad thing, this amendment, it is a bad thing for the parks and forests. It would take away from them an opportunity to work with the visitors in improving their experience when they do use our parks and recreation facilities.

Mr. Chairman, I urge a strong no vote on this amendment.

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

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

Mr. DEFAZIO. Mr. Chairman, the gentleman has always been gracious in dealing with our disagreements over this, and I appreciate it.

I would just like to clarify, the gentleman kept saying parks and park superintendents. This amendment applies only to the Forest Service and the BLM, so the parks and park superintendents are not at issue here. They would still be allowed to go there.

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 1 additional minute.)

Mr. REGULA. Mr. Chairman, in the mind of the public, the forests and parks are oftentimes indistinguishable.

I might say, the forests are a very rapidly growing source of recreation. In fact, what used to a source of wood fiber is now a source of recreation, and I think the gentleman will find in this bill a lot of commitment of money to enhancing the recreation dimension of the national forests. So obviously the fee program works there as effectively, and will, as it does in the parks.

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

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

Mr. DEFAZIO. Mr. Chairman, the gentleman admits this will not affect the Park Service, it is only the Forest Service and the BLM.

Mr. REGULA. The committee in their wisdom chose to structure it that way.

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

Mr. Chairman, I rise in reluctant opposition to the amendment of my friend, the gentleman from Oregon (Mr. DEFAZIO). I frankly believe, based on my own visits to the parks, that the American people are delighted. Not everyone is delighted, obviously, but the vast majority are willing to make a small contribution for the maintenance of the parks, which, as we all know, is something that has been underfunded.

Last year, when I offered the conservation amendment with the gentleman from Wisconsin (Mr. OBEY), one of the things we had in it was a lot of additional money for maintenance. We recognized that our parks, our national forests, our recreation areas, need additional maintenance.

Under this program, 80 percent of the money that is collected stays at that local park, and when people see the signs about the improvements that are being made on the trails, in the housing for the workers, in the facilities, we have all kind of these facilities that are very, very old that need to have their sewers repaired, that need to have their septic tanks repaired, need to have work done on the water systems, many of which are old. People I think are willing to make this contribution.

The authorizing committees have had a lot of time here. This has been in place now for several years. They have time to have acted, and they have not acted. I think one of the reasons they have not acted is because they basically believe, as I do, that this program is working.

I want to commend the gentleman from Ohio (Mr. REGULA). He put this together. I supported him. I think it is working. We are doing better on maintenance, we are keeping these facilities in better condition, and the other 20 percent goes to the lesser parks, the lesser facilities. I think that also makes sense.

We are not substituting the money. Where in the past the money was sent back to Washington and then they would get the 80 percent locally but they would cut the amount of money that goes to that park, they are not doing that.

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

Mr. DICKS. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I ask the gentleman to consider this.

Mr. DICKS. Mr. Chairman, I have tried to help the gentleman with meetings with the Forest Service to try to clear up the problems in the gentleman's area.

Mr. DEFAZIO. I appreciate that the program is better than when it started, and we do not need 15 different forest passes in Oregon again.

But the gentleman from Washington and the gentleman from Ohio keep referring to parks. There is a huge infrastructure backlog in the parks. This amendment does not go to the parks, it goes to undeveloped recreation sites, off-logging roads, in the national forests and on BLM land.

If I could, one further point, the gentleman who preceded the gentleman, I would disagree with what he said, that people do not differentiate between parks and Forest Service land.

I am certain that the people in Oregon, as they do in Washington, discriminate between the parks and the forest lands. No one is contesting charging park fees. We are talking about a new fee on using Forest Service lands and BLM lands.

Mr. DICKS. I appreciate that, Mr. Chairman.

I would point out to the gentleman, however, that in terms of recreational opportunity, that our National Forest lands have more recreational opportunity than do our national parks. We have to keep and maintain those National Forest campgrounds and hiking sites.

I look forward to continuing to work with the gentleman from Oregon, but I think we should defeat his amendment here today and keep this bill moving forward to final passage before we have to leave today.

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

Mr. Chairman, I rise to oppose this amendment. A statement was made a few moments ago of the poverty in sawmill towns. That is one part of the statement from a previous speaker that I will agree with. He has been successful at helping create a lot of poverty in sawmill towns.

But when we go beyond that, we own one-third of America. The backlog on the Forest Service, the Fish and Wildlife Service, and the BLM is $12 billion to $15 billion, forgetting the Park Service, $12 billion to $15 billion.

Hearings were held. There were many chances to be heard. Let us look at the program and how it has worked. Visitors to the Forest Service and BLM are up. Why are they up? When we have the funds to maintain the trails, get the old logs out of there where trees have fallen, to maintain the facilities, to maintain and open new parking areas so people can come in, that is good.

I hear complaints where sometimes there are not enough parking areas, places to park and access our public land. It costs money for water and sewer and buildings and trails and roads. It costs a lot of money. Have we adequately put the money behind all of the land we purchased? No, we have not. In fact, we have taken money that should go to maintenance and we keep buying more land in all of these jurisdictions.

Trails have been reopened and improved with the demonstration fee money. Facilities have been updated. Boating areas have been expanded. Roads have been improved. Parking areas have been improved, and water and sewer made available. These are the things that the people need when they are out there.

Yes, the poor people of America use our parks, the working people of America use our parks. A little bit ago we had an amendment that took that

money away and gave it to some of the richest in America, the arts folks. Those are the richest people in America. The working people of America use our parks, and the vast majority support this program. There will be some that will not, but the vast majority of the people support this program because it works. They see what is happening. They see better roads. They see better facilities. They see better boating areas. The proof is in the pudding.

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

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

Mr. DEFAZIO. So I would ask the gentleman, Mr. Chairman, he wants to charge for users of public lands?

Mr. PETERSON of Pennsylvania. Only in limited areas.

Mr. DEFAZIO. If the gentleman will continue to yield, Mr. Chairman, I would ask him, how about oil, gas, mining, and mineral extraction? Would the gentleman be agreeable to a fee for mineral extraction from Federal lands?

Mr. PETERSON of Pennsylvania. Mineral extraction is big, it is paid for.

Mr. DEFAZIO. Mineral extraction is not paid for, there is no royalty. It is $3.50 cents an acre under the 1872 mining law.

I am glad the gentleman will support a fee on mining. I will have a bill to him in the near future.

□ 1400

Mr. PETERSON of Pennsylvania. Mr. Chairman, reclaiming my time, this program has benefited the people of America. Our facilities, we own a third of it, it ought to be accessible. Our facilities ought to be good. Our roads ought to be decent and safe. Our water and sewer facilities ought to be there.

We ought to make it accessible and a fun experience for all of those who want to use it. Mr. Chairman, I urge the continuation. If it needs altering, we will alter it. It has been a demonstration project. It is only on selected sites.

I have the Allegheny National Forest in my district, and they have some fees. I have not had complaints on those fees. People want to see those areas more accessible, brought up to date and where the experience is a good experience.

We, as a Congress, have historically not been willing to invest the money in the investment we have made in owning a third of America. This helps us do that. I urge a continuation. Should we alter it down the road? Probably.

But let us let this project move forward. It is the only hope of the public land having good facilities, well maintained, is having a fee schedule that helps us do that, because this Congress has been unwilling to put the dollars where their land is.

Mr. CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) will be postponed.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the remainder of title III 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 New Mexico?

There was no objection.

The text of the remainder of title III is as follows:

SEC. 313. All interests created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust, hereafter shall be exempt from all taxes and special assessments of every kind by the State of California and its political subdivisions.

SEC. 314. 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. 315. 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. 316. 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. 317. (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, including urban minorities, 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. 318. 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. 319. Notwithstanding any other provision of law, none of the funds in this Act may be used for GSA Telecommunication Centers.

SEC. 320. 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. 321. Amounts deposited during fiscal year 2001 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 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. 322. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 323. No timber sale in Region 10 shall be advertised if the indicated rate is deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar: *Provided*, That sales which are deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar may be advertised upon receipt of a written request by a prospective, informed bidder, who has the opportunity to review the Forest Service's cruise and harvest cost estimate for that timber. Program accomplishments shall be based on volume sold. Should Region 10 sell, in fiscal year 2001, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, all of the western red cedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. Should Region 10 sell, in fiscal year 2001, less than the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, the volume of western red cedar timber available to domestic processors at prevailing domestic prices in the contiguous 48 United States shall be that volume: (i) which is surplus to the needs of domestic processors in Alaska; and (ii) is that percent of the surplus western red cedar volume determined by calculating the ratio of the total timber volume which has been sold on the Tongass to the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan. The percentage shall be calculated by Region 10 on a rolling basis as each sale is sold (for purposes of this amendment, a ''rolling basis'' shall mean that the determination of how much western red cedar is eligible for sale to various markets shall be made at the time each sale is awarded). Western red cedar shall be deemed ''surplus to the needs of domestic processors in Alaska'' when the timber sale holder has presented to the Forest Service documentation of the inability to sell western red cedar logs from a given sale to domestic Alaska processors at price equal to or greater than the log selling value stated in the contract. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 324. The Forest Service, in consultation with the Department of Labor, shall review Forest Service campground concessions policy to determine if modifications can be made to Forest Service contracts for campgrounds so that such concessions fall within the regulatory exemption of 29 CFR 4.122(b). The Forest Service shall offer in fiscal year 2002 such concession prospectuses under the regulatory exemption, except that, any prospectus that does not meet the requirements of the regulatory exemption shall be offered as a service contract in accordance with the requirements of 41 U.S.C. 351–358.

SEC. 325. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—

(1) displacement of the holder of an authorization to provide commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected holders to determine what impacts the project may have on the holders. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.

(2) the return of a commercial recreation service to the Secretary for operation when such services have been provided in the past by a private sector provider, except when—

(A) the private sector provider fails to bid on such opportunities;

(B) the private sector provider terminates its relationship with the agency; or

(C) the agency revokes the permit for noncompliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus.

SEC. 326. For fiscal years 2002 and 2003, the Secretary of Agriculture is authorized to limit competition for fire and fuel treatment and watershed restoration contracts in the Giant Sequoia National Monument and the Sequoia National Forest. Preference for employment shall be given to dislocated and displaced workers in Tulare, Kern and Fresno Counties, California, for work associated with the establishment of the Giant Sequoia National Monument.

SEC. 327. EXPEDITIOUS TREATMENT OF FOREST PLAN REVISIONS.—The Secretary of Agriculture shall complete revisions to all land and resource management plans to manage a unit of the National Forest System pursuant to Section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) as expeditiously as practicable using the funds provided for that purpose by this Act.

SEC. 328. Until September 30, 2003, the authority of the Secretary of Agriculture to enter into a cooperative agreement under the first section of Public Law 94–148 (16 U.S.C. 565a–1) for a purpose described in such section includes the authority to use that legal instrument when the principal purpose of the resulting relationship is to the mutually significant benefit of the Forest Service and the other party or parties to the agreement, including nonprofit entities.

SEC. 329. (a) PILOT PROGRAM AUTHORIZING CONVEYANCE OF EXCESS FOREST SERVICE STRUCTURES.—The Secretary of Agriculture may convey, by sale or exchange, any or all right, title, and interest of the United States in and to excess buildings and other structures located on National Forest System lands and under the jurisdiction of the Forest Service. The conveyance may include the land on which the building or other structure is located and such other land immediately adjacent to the building or structure as the Secretary considers necessary.

(b) LIMITATION.—Not more than 10 conveyances may be made under the authority of this section, and the Secretary of Agriculture shall obtain the concurrence of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate in advance of each conveyance.

(c) USE OF PROCEEDS.—The proceeds derived from the sale of a building or other structure under this section shall be retained by the Secretary of Agriculture and shall be available to the Secretary, without further appropriation until expended, for maintenance and rehabilitation activities within the Forest Service Region in which the building or structure is located.

(d) DURATION OF AUTHORITY.—The authority provided by this section expires on September 30, 2005.

SEC. 330. Section 551(c) of the Land Between the Lakes Protection Act of 1998 (16 U.S.C. 460lll–61(c)) is amended by striking ''2002'' and inserting ''2004''.

SEC. 331. Section 323(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999, as included in Public Law 105–277, Div. A, section 101(e) is amended by inserting ''and fiscal years 2002 through 2005,'' before ''to the extent funds are otherwise available''.

AMENDMENT NO. 9 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. TRAFICANT:

SEC. . No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

Mr. TRAFICANT. Mr. Chairman, this is standard ''buy American'' language that has been placed on appropriation bills.

Mr. Chairman, I yield to the gentleman from New Mexico (Mr. SKEEN), the distinguished chairman of the Subcommittee on the Interior.

Mr. SKEEN. Mr. Chairman, I accept the Traficant amendment.

Mr. TRAFICANT. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I accept the Traficant amendment.

Mr. TRAFICANT. Mr. Chairman, I would just hope that we continue to focus on buying American goods and products wherever we can. I appreciate the fine work of the gentleman from New Mexico (Chairman SKEEN), his consideration, and the gentleman from Washington (Mr. DICKS), ranking member of the Subcommittee on the Interior. Mr. Chairman, I ask for an aye vote.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

Mr. DEAL of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from New Mexico (Mr. SKEEN), the chairman of the Subcommittee on the Interior.

Mr. Chairman, the administration included a land acquisition request for

several tracts of land along the Chattahoochee River within the Chattahoochee National Forest in my Ninth Congressional District of Georgia.

This particular acquisition ranked third on the Forest Service's fiscal year 2002 national land acquisition priority list. Recently, I was informed that the owners of these tracts have delayed their decision to sell their properties.

Fortunately, there are other landowners in the area with similarly important tracts of land who wish to convey them to the Forest Service. The land now available will provide habitat and watershed protection, as well as recreation opportunities.

The committee report provides $1 million for the Forest Service to acquire lands along the Chattahoochee River within the Chattahoochee National Forest.

Given the recent changes with land availability, I ask that the gentleman work with me in conference to remove the report language in the Forest Service land acquisition table referring to the Chattahoochee River and simply appropriate the $1 million to the Chattahoochee National Forest so they may purchase the key tracts now available.

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

Mr. DEAL of Georgia. I yield to the gentleman from New Mexico.

Mr. SKEEN. We have consulted with the Forest Service and the gentleman from Georgia (Mr. DEAL) is correct that the original tracts of land requested by the administration are no longer available. However, new tracts of land have become available that will help the forest to meet its management objectives.

Mr. Chairman, I will be happy to work with the gentleman as this bill moves forward to conference.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know that the gentleman from New Mexico (Chairman SKEEN) earlier was referring to the Maloney amendment and it was accepted, but I have some concerns with it; and I hope that in conference committee, the gentleman will consider these concerns.

The amendment wrongfully substitutes the use of ''spot'' prices as an index for the oil and gas value for royalty purposes in all cases.

The Clinton administration, when publishing the final oil valuation rule in March 2000, agreed with the Rocky Mountain producers that the use of spot prices was not an appropriate measure of the value. In fact, the current rule allows the use of comparable arm's-length sales of crude oil in the field to establish that value.

What the Maloney amendment really does is have Congress endorse the ''duty-to-market'' concept in the oil and gas valuation rules. It wrongfully requires lessees to pay royalties based on downstream value-added system, rather than the ''wellhead'' value which is required by existing leases and current mineral leases statutes.

This amendment seeks to prevent further royalty-in-kind crude oil pilot projects like in Wyoming, despite the analysis by the Minerals Management Service and the State of Wyoming, that the government received 45 cents per barrel more in revenue than it had received under the original or the current royalty-in-value system.

Saved administrative costs should not be ignored as a policy matter, and the royalty-in-kind involves far less administration by the Department of the Interior than the royalty in value.

The materials management service pilot project increasingly shows that the royalty-in-kind works. And in my home State of Texas, we have had a successful royalty-in-kind program for a number of years, and it can and does work very well.

The minerals management service recently completed its evaluation of the Wyoming royalty-in-kind pilot project and published that report in the Federal Register for public comment, and yet there were no objections submitted by the public.

The minerals management service based its Wyoming pilot on the criteria that to be successful the pilot must provide simplicity, accuracy, and certainty for leases and the government.

The revenue should be revenue neutral or better for the government and must reduce the administrative burden for leases and the government.

The Wyoming pilot met these criteria. Royalty-in-kind receipts exceeded comparable in-value royalties by approximately $810,000. In addition, the royalty-in-kind streamlined processes have established a foundation for administrative savings for the minerals management service and also the industry.

Mr. Chairman, I hope the minerals management has made it clear that they would not force any Federal lands into the royalty-in-kind and States where the State is not a partner, and there is no mandatory royalty-in-kind program or mandatory expansion.

The minerals management service should be allowed to manage the minerals and have the choice to use royalty-in-value or royalty-in-kind as allowed by the lease conditions, the market and the Federal statutes.

At this critical point, we need to address our Nation's energy needs. We should not restrict or limit the government's ability to conduct programs that benefit us all, particularly the taxpayers.

Mr. Chairman, I urge my colleagues to look at this amendment in conference committee, so it will benefit the taxpayers and also the producers.

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

Mr. GREEN of Texas. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I understand the gentleman's concerns, and we will definitely take a look at this during the conference with the House and the Senate.

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

Mr. Chairman, I rise to enter into a colloquy with the gentleman from New Mexico (Chairman SKEEN). The land acquisition that I would like to bring to the gentleman's attention today is 5,988 acres which is in-holding called Thunder Mountain. Thunder Mountain is located in the Payette National Forest in West Central Idaho and is located in the heart of the Frank Church-River of No Return Wilderness area.

This area is home to five listed species and large populations of game, large game including elk, deer, moose, and bighorn sheep. The purchase of this land would allow the Forest Service to protect the critical areas that are necessary for generations to come.

I offer my appreciation to the gentleman from New Mexico (Mr. SKEEN) in advance for the gentleman's sincere consideration of this effort.

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

Mr. OTTER. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I thank the gentleman for bringing this land acquisition request to our attention and for making his interests known. There were many worthy land acquisition projects requested for fiscal year 2002.

We tried to fund as many as we could; nevertheless, we will closely examine this request should the opportunity arise in conference.

Mr. OTTER. I thank the gentleman for his comments.

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

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

Mr. DICKS. Mr. Chairman, I have been in that area that the gentleman is talking about, and I think it is something we ought to look at very closely.

We appreciate the concern of the gentleman from Idaho for endangered species. That is kind of a new thing from Idaho, and we appreciate it.

Mr. OTTER. Reclaiming my time, Mr. Chairman, I want to say to the gentleman from Washington (Mr. DICKS) I appreciate his concern for those of us in Idaho who are becoming more endangered every year.

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

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

The Clerk read as follows:

Amendment No. 5 offered by Mr. RAHALL:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

Mr. CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, America's national monuments are under siege. Under the guise of an energy crisis, both the President and his Interior Secretary have publicly suggested that some of our national monuments might be pretty nice places for oil and gas drilling or perhaps even a coal mine.

In my view, this is not what America is about. Americans are rightfully concerned about energy security, but I do not think that the majority of Americans believe that we are in such a sorry state of affairs that we must unleash big oil onto some of our most cherished and sacred public lands.

Make no mistake about it, some of the oil and gas companies have been hankering to get into these areas for years. They are salivating over the thought that these monuments might be opened.

Mr. Chairman, I maintain that our national monuments, our national heritage must not be sacrificed on the alter of greed and profit.

Mr. Chairman, my amendment would simply prohibit the issuance of new energy leases in designated national monuments.

It would not, it would not vanquish any valid existing right, nor would it prevent leasing in any situation where that activity was authorized when the monument was established. Establishment of a national monument is an authority vested with the President under what is known as the Antiquities Act.

Beginning with that great Republican conservative Teddy Roosevelt, 14 of the 17 Presidents who served since 1906 have used this power. In all, they have established 122 national monuments, with Congress subsequently redesignating 30 of them as national parks.

We are talking about places like the California Coastal National Monument and the Giant Sequoia National Monument in California. The Craters of the Moon National Monument in Idaho and Vermillion Cliffs National Monument in Arizona.

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

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

Mr. DICKS. Mr. Chairman, I wanted to ask the gentleman from West Virginia (Mr. RAHALL) a question. I did not want to interrupt the gentleman, and I will be glad to give him some additional time.

I say to the gentleman, is it not true that before these became monuments, these were all Federal lands? Mr. Chairman, sometimes people think that Presidents go out and create just out of whole cloth wilderness or whatever area, but the monument has to have been Federal land before it became a monument; is that not correct?

Mr. RAHALL. Reclaiming my time, the gentleman from Washington (Mr. DICKS), the distinguished ranking member, is exactly right.

Mr. Chairman, I yield further to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I just wanted to point that out to my colleagues.

Mr. Chairman, I ask that the gentleman from West Virginia be granted an additional minute due to my interruption.

The CHAIRMAN. The Chair is unable to grant that request unless there is a unanimous consent request that each side get an additional minute, because this is a controlled-time debate.

Mr. RAHALL. Mr. Chairman, reclaiming my time, these places I just mentioned, they are incredible treasures. They are incredible treasures; from the Atlantic to the Pacific, historic sites, glacial fjords, towering mountains and fragile deserts. Indeed, they are a lasting legacy that we as Americans can hand down for generations to come.

Are we really that desperate that we will allow coal mining or oil and gas drilling in these national monuments? I do not believe so. Yet there are some, there are some who see things differently.

Under the Bush administration, the Interior Department has conducted a new analysis of the energy potential of national monument lands, not all monuments, mind you, not an analysis of all monuments, just those it so happened were designated by President Clinton.

What a surprise. This new analysis found that a number of our national monuments may contain some oil and gas and coal resources. These areas apparently now represent the administration's monument hit list. So the question comes down to this: 95 percent of BLM lands in the western energy-producing States are already open to oil, gas and coal leasing; 95 percent BLM lands are already open to oil, gas and coal leasing.

□ 1415

Must we now sacrifice the remaining 5 percent of protected areas, our wilderness, our historic sites, our wildlife preserves? Must they now be subjected to exploitation and speculation? I say no, and I sincerely hope that this body says no as well.

Vote for our heritage. Vote for our legacy. Vote for our future generations. Vote for American values. And vote for this amendment.

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

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

This amendment would put in place a moratorium, stopping any new energy development within the current boundaries of the newly created national monuments without regard to the energy needs of the Nation. Passage of this amendment would limit the Department's capability to consider actions through the land planning process that could be in our Nation's interest. If after extensive consultation with all parties the President determines that it is in the best interest of the American people to modify a monument boundary, while still maintaining the integrity of our precious national monuments, he should not be prohibited from doing so.

Members have been rightfully concerned about the electricity situation in California and the rest of the West right now, and about supply and price problems of various energy fuels. This amendment sends the wrong message. It says regardless of the energy situation, we are going to place certain lands off limits, even if the President determines that leasing of those lands will not interfere with their national monument significance.

Therefore, I must ask for my colleagues' support in defeating this amendment.

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

Mr. RADANOVICH. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking member of the House Committee on Education and the Workforce and a former ranking member of the Committee on Resources.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me this time, and we must support this amendment. We must support this amendment so the energy crisis in California and the West Coast is not allowed to be used as a battering ram by this administration to batter down the designation of national monuments and some of the most valuable and most prized and most beautiful and sacred lands in this entire country.

This administration now wants to come in, after all the effort was made to delineate and to make determinations about the values of these lands in terms of their cultural and historic significance, and after the designation of the monument has been given in the name of the people of the United States of America, this administration would try to batter down those designations at the very time when millions of Americans are taking their children and other members of their family and traveling across this country visiting monuments of this country, recognizing the historical importance of these, the cultural importance of these lands, the Craters of the Moon, the Effigy Mounds, the Little Bighorn Battlefield, Scotts Bluff, the Statute of Liberty, Bandelier National Monument, Gila Cliff Dwellings, White Sands, Governor's Island, Oregon Caves. These are all different. In the West we have some

monuments, in the East we have different monuments, but this is about the culture of this Nation.

You tried to use the energy crisis in California to batter the California consumers, Mr. President, and that did not work. And now we see finally you are taking some actions to help those consumers. You should not use this energy crisis to batter down the designation of these lands. These lands belong to the people of the United States. And when your Secretary of the Interior sends a letter suggesting to consult with just local officials, these are not local parks, these are not local districts, these are national monuments. Why are we not consulting with all the people of this Nation? That is what President Clinton did before he made the designation. There were public hearings, there was a process, because we knew the significance and the importance of a monument designation.

We should not cower behind our energy problems in California to try to change the status of these great public lands.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind all Members that remarks during debate should be directed to the Chair.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Chairman, first of all, the amendment is nothing more than an attempt by the Democrats to congressionally legitimize those actions taken by President Clinton during the last hours, without adequate public input, in the dead of night.

These proclamations, of course, clearly abused the letter and the spirit of the Antiquities Act of 1906, when they knew what they were doing. The Antiquities Act, among other things, mandates that when a President declares a monument it ''shall be confined to the smallest area available, compatible with the proper care and management of the objects to be protected.'' Now, I know that that means we must question ourselves as to what we mean by objects or what we might mean by protected. However, as we all know, President Clinton blatantly used this act solely for political purposes like no other before him.

Mr. Chairman, passing this amendment would in effect put a congressional rubber stamp on those actions and those boundaries taken by these ill-considered proclamations. Secondly, if the boundaries of the national monuments do change, this amendment to the bill today is totally unnecessary. Most, if not all, the proclamations withdraw the lands from all forms of mineral entry, including oil and gas leasing, except when subject to valid and existing rights. This amendment keeps the exemption for valid and existing rights, thus actually does nothing at all, Mr. Chairman, for the monument boundaries if they are never adjusted.

Lastly, and however very important, by agreeing to this amendment we also prevent future oil and gas leasing in these areas that would not be withdrawn as a national monument if the boundaries ever did change. If the boundaries are to be adjusted to meet the real intent of the 1906 Antiquities Act and the real intent of protecting the object of significance contained in those monuments, then the areas withdrawn, which would not contain any significant objects, could be open to gas and oil and other exploration.

Eliminating future options for our country's resources is simply not acceptable, and I submit that the other side cannot have it both ways. You cannot suck and blow in the same breath, and, Mr. Chairman, that is precisely what they are doing.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), a valued member of our committee and the ranking member on the Subcommittee Committee on Energy and Mineral Resources.

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

Mr. KIND. Mr. Chairman, I thank the ranking member of the Committee on Resources for yielding me this time. As ranking member on the Subcommittee on Energy and Mineral Resources, I rise in strong support of the Rahall amendment that prohibits funding for new leasing for oil and gas exploration in our national monuments.

Mr. Chairman, Teddy Roosevelt must be rolling in his grave right now. A great Republican conservationist, he was the first President to use his powers of the Antiquities Act to designate national monuments throughout the country. Now, 100 years later, a Republican President is suggesting opening up these same very precious lands to oil and gas exploration. Our national monuments should be the last place open for energy development, not the first. We should instead be focusing on effectively managing the millions of acres of Federal land that are already available for energy development.

In fact, the work we have been doing in the Subcommittee on Energy and Mineral Resources, the gentlewoman from Wyoming (Mrs. CUBIN) and I have demonstrated that 95 percent of the available Federal lands are already accessible to oil and gas exploration. We should be keeping our focus on that rather than the remaining 5 percent that is not. Granted, there may be some permitting problems that have come out during the course of these hearings that we need to work through, but there is sufficient Federal lands already for the oil and gas energy needs that this country faces.

Rather than opening our national monuments to oil drilling, we should instead bring balance to our national energy policy by developing renewable and alternative energy sources, such as solar, wind, and biomass. We should be increasing our funding for those programs instead of cutting them, as the administration now proposes.

We should also be encouraging the development of hybrid cars in this country. The big three in this country have fallen behind the competitive scale when it comes to developing these hybrids, which are more energy efficient and more environmentally friendly. We have waiting lines across the country of consumers wanting to buy the foreign-made hybrid cars. So there is a market demand for this, Mr. Chairman.

Clearly, the American people would like to see more fuel efficient, environmentally friendly vehicles, not more drilling in the national monuments, and so I would encourage my colleagues to support this amendment.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that debate on the following specified amendments to the bill, and any amendments thereto, be limited to the time specified, equally divided and controlled by the proponent and an opponent.

An amendment to be offered by the gentleman from Florida (Mr. DAVIS) related to oil and gas leasing in Florida for 30 minutes; an amendment to be offered by the gentleman from Washington (Mr. INSLEE) regarding hardrock mining for 30 minutes; an amendment offered by the gentleman from Florida (Mr. DEUTSCH) regarding Biscayne National Park for 10 minutes; and an amendment offered by the gentleman from Florida (Mr. STEARNS) regarding the National Endowment for the Arts for 10 minutes.

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

Mr. DICKS. Mr. Chairman, reserving the right to object, I want to make certain on the Stearns amendment that I would have the 5 minutes in opposition; if we could just have that understanding.

Mr. SKEEN. I will yield that.

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

There was no objection.

The CHAIRMAN. The unanimous consent agreement is agreed to.

Mr. SKEEN. Mr. Chairman, I yield 5 minutes to the gentleman from Utah (Mr. HANSEN).

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

Mr. HANSEN. Mr. Chairman, this is a very interesting debate we are in. My good friend from West Virginia, I am afraid I am going to have to go to the other side on this one, and I want to explain why, because I have great respect for him and the ability he has.

I noticed when I read his statement this morning, he talked about the crown jewels that we were going to protect under this amendment. I would agree with that, if they were the crown jewels. If we go back to the 1906 Antiquities Law and carry it out and find out where we are going, those original ones truly did fit that category, the Grand Canyon, the Zion, the Bryce,

and the others, they are the crown jewels, and we compliment Teddy Roosevelt for taking the time, the initiative, and having the enlightenment to come up with the idea of taking care of those crown jewels.

But now we find ourselves in an entirely different situation today. What do we have on these crown jewels? Let me point out, Mr. Chairman, that we have a whole group of energy problems. I do not think there is any intelligent person in America that does not realize we are going to have a tremendous energy problem. It is going to be coal, it is going to be natural gas. We are talking about alternative sources, and we get 2 percent, that huge amount of 2 percent of alternative sources that everybody is talking about, and then we have got coal at 52 percent.

Now let me talk about one of these crown jewels my good friend from West Virginia talked about. On September 16, 1996, standing safely on the south rim of the Grand Canyon, President Clinton got up and he declared that he was going to put 1.7 million acres into one of these crown jewels. The interesting thing about it is that President Clinton had never been there. When he was asked where it was, he put it in Nevada, though that is immaterial. That is a little different than someone like Teddy Roosevelt, who had lived on the ground, who had been to the Grand Canyon, who had hunted in the Grand Canyon, had floated in the river, had hiked those canyons. He knew it from one inch to the other.

Now, do my colleagues know what the law says? I thought we were bound by the law. I thought it was necessary we follow the law. We are a Nation of laws. Yet this President comes along and he talks about the three things we are supposed to name in the 1906 Antiquities Law.

□ 1430

What are they? One is a scientific site. Another is an archeological site like Rainbow Bridge, obviously one. Another one is an historic site where the two trains came together. That is obviously an historic site.

This is the first President, and I have sat on this committee and chaired the Subcommittee on Parks and Lands, and now I am the chairman of the Committee on Resources, I cannot find a President who has violated that up to this point. This President did not state any one of the three. Not one.

What is the next thing that the law says, the law that we put our hand to the square and said, we will uphold this law. And the next part says this. It says, and he shall use the smallest acreage available to protect that site. In the first place, my colleagues, President Clinton did not name the site. In the second place, he gives us 1.7 million acres.

Mr. Chairman, let me go back to the idea of energy. What is in this area? I asked John Leshy, the solicitor for the Department of Interior, explain this beautiful area that President Clinton is taking care of. He did not know what he was talking about, and I say that respectfully, because he said where there is 1 trillion tons, get that word ''trillion,'' 1 trillion tons of low sulfur coal, the best in the world, right in the Kaiparowits Plateau.

Mr. Chairman, have any of my colleagues been there? It amazes me, we are so good about talking about places, but often my colleagues have never been there. Well, I have been there. My dad had mines on it. As a private pilot, I put airplanes down in the craziest places, I repent for doing that, but all through that area, and I can tell my colleagues without any equivocation, if my colleagues like rolling hills of sagebrush and nothing else but hot, dry land with bugs flying around, that is two-thirds of the Grand Staircase Escalante. Two-thirds of it is nothing but sagebrush. But there is a trillion tons of low sulfur coal.

Now we are talking about President Carter who says our ace in the hole is coal; and yet we say we cannot do that under the gentleman's amendment. We cannot take care of that.

What I have heard on some of these other 18 crown jewels that came about: fossil fuels, natural gas. All of these things, and these are not, my friends, the crown jewels that my good friend of West Virginia talked about. These are areas put in there, obviously abusing the 1906 antiquity law, obviously there for political reasons. In fact, we subpoenaed the papers and we wrote a pamphlet called ''Behind Closed Doors.'' I do not have the quotes here, I was at another meeting and just ran over, and so I quote from memory, ''These grounds do not deserve protection.'' Kathleen McGinty, working for President Clinton and Al Gore, ''These grounds do not deserve protection,'' yet we say they are crown jewels. Give me a break.

Why are we doing this anyway? Another thing between the Department of Interior and the White House, another statement, ''These grounds do not deserve that kind of protection.'' Yet today, we are here saying we have an energy crisis on our hands and we cannot handle it, so let us close up areas of rolling sagebrush.

The Grand Staircase Escalante does not deserve that protection.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in allowing me to speak in support of his amendment.

Mr. Chairman, I disagree with my colleague from Idaho who talked about sneaking this in the last hours in the dead of night. I am speaking just to one monument in the State of Oregon, the Cascade-Siskiyous, where approximately a year ago 52,000 acres were protected. I would suggest that there is significant support in our State, and the notion that this would be an area where we should open up to mineral exploration, energy exploration, is something that would be opposed by the people in our community.

Mr. Chairman, we may disagree over issues that deal with energy. I am sure we will have spirited debate, but I would hope that this is one area where we could step back and recognize that these are areas that deserve protection.

If the Congress wants to overturn the Presidential designation, if there is one that is inappropriate, by all means come forward and we will have the debate, have Members vote them up or down. But unless and until my colleagues are willing to step forward and show where they think it is not worthy of protection, I think we ought to support the gentleman's amendment, and I know that the people in Oregon appreciate it.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I have been in my office listening to the debate on the gentleman's amendment, and I have never heard so much energy wasted on an amendment that very frankly does damage to this Nation and not to the monuments. When I hear people talk about the Statute of Liberty and the Grand Canyon, they are full of it. That is really, in fact, not what this is all about.

Mr. Chairman, if my colleagues want to know what it is about, read this report called ''A Monumental Abuse: The Clinton Administration's Campaign of Misinformation in the Establishment of the Grand Staircase Escalante National Monument.'' I have it right here. This was passed by the Committee on Resources. Read it. It is the greatest blatant political piece of trash that administration did. There was no danger to that area of the Escalante, but because the environmentalists wanted it and Kathleen McGinty wanted it, they set this vast area of land, without consulting with the governor and without consulting with the local representative, and by the way he lost, because there was a huge coal deposit there and they did not want that coal deposit developed. Read your record. Do not vote for this amendment. It is nothing but a bunch of hot air.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, as far as the debate earlier on the recreation fee demo amendments, they are something that should be subject to the Committee on Resources, on which I serve, which is a tax on the average American people. It is hidden in this bill to avoid accountability and responsibility.

Now here hidden in this bill is the authority to go into and drill on national monuments. If my colleagues want to undo the national monuments, have

the courage of their convictions. Introduce legislation. Hold hearings. Have a debate. Bring it to the floor. Have a vote. See if it can be gotten out of the House of Representatives.

Mr. Chairman, I do not think that is going to happen. I do not believe this body is going to undo formally any monuments. So do not have this subterranean subterfuge of drilling. Be honest. If my colleagues want to undo the monuments, introduce the legislation and let us have a vote on it up or down.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, I could not agree more with the last speaker when he says introduce legislation if Members want to change it, do not do it through a rider.

Mr. Chairman, I had a hearing in Lewistown, Montana a couple of weeks ago. I had just short of 300 people there. It took 8 hours. There is not consensus on this.

When I came to Congress, I made the determination I would try and change the rhetoric when it came to natural resources policy so we do not dig ourselves into corners and then have to litigate our way back out.

The President dropped a bad piece in our laps. We are trying to pick up the pieces. We will do the best we can. We want full disclosure and full debate, but let us not close the door to a reasonable conclusion to something that is very emotional in my State of Montana.

Over 80,000 acres of private property were included in this monument. What reasonable President, if he had gone through the appropriate process of debate and consideration, would have allowed that to happen?

Secretary Norton recently sent out a letter to over 200 local officials asking their opinion. She has stated the position that she will not make changes without adequate consideration and due process. There is only one reason this amendment has been introduced, and that is to shut the door further on what we believe the President did in the first place.

Mr. Chairman, I hope my colleagues will vote against this amendment.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I rise in support of the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

Mr. Chairman, this amendment will prohibit oil and gas leasing and preleasing in our national monuments. Without this amendment, we may have to rename some of our national monuments to reflect their new status. The Statute of Liberty National Monument, for example, could become the ''Statue of Fossil Fuels Production National Monument,'' with an actual flame burning at the top of the torch. Of course, we will have to change the inscription to read:

Give me your drill bits, your rigs,
Your huddled oil companies yearning to drill free,
To dump their wretched refuse on our pristine shores,
Send these, your well-heeled executives to me:
I lift my lamp besides their golden doors.

Of course, there are other types of national monuments in our country. Here is a photograph from the Upper Missouri River Breaks National Monument. It is beautiful. But perhaps the oil industry could improve upon the view? Bam. Oil rigs in the national monument. How much oil would we retrieve from the Upper Missouri River Breaks? One hour's worth of our national consumption. One hour. What this amendment says is that one hour of our oil use in the United States is worth despoiling this pristine view forever.

Mr. Chairman, we cannot condone this wanton disregard of our responsibilities to succeeding generations. Our national monuments represent the most unique, most irreplaceable, the most breathtaking of all of the natural wonders in this great land. All we are asking is that we meet our energy needs outside the boundaries of these special treasures, not on top of them.

Mr. Chairman, I urge the committee to adopt the Rahall amendment. First, let us make SUVs and air conditioners and refrigerators more efficient before we tell every succeeding generation of Americans that we had no other option but to take the national monuments and to despoil them for one hour's worth of energy, and to damage them permanently.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, after listening to the last few speakers, I have to tell my colleagues, if rhetoric were fast food, Members would have to walk through golden arches to enter this floor, because I have never heard so much rhetoric as I have just heard from the gentleman from Massachusetts who just spoke. He talks about the beauty of these things, and many are beautiful.

But some of them, my colleagues ought to come to Idaho and look at the expansion of the Craters of the Moon. It is a bunch of lava rock. And we are still trying to figure out what the imminent threat was to the Craters of the Moon when they designated it as a national monument, yet they decided they had to do it. It was under no imminent threat. That is the reality.

Mr. Chairman, clearly my colleagues on the other side of the aisle are passionate about national monuments. So am I; and so is anybody on this side of the aisle. We all love our public lands and want to protect them, but look at what this amendment does. What this amendment does is say that we cannot have any preleasing, any leasing, or any related activities on a national monument as it existed prior to January 20, 2001.

Now, the gentleman from Oregon that spoke said we are not going to change any of those things. If Members want to change any of those things, bring them to the floor. We have done that in this Congress. Many of my colleagues voted for it because it went by suspension. We changed a national monument in Idaho to a national preserve, so we do change them occasionally and we need to look at that.

Mr. Chairman, the reality is the real purpose of the Rahall amendment is to freeze the dozens of monuments that President Clinton declared during the waning days of his administration and prohibit mineral leasing activities in these areas. That is the intent of this amendment. This would occur even if Congress enacted a law which adjusted a boundary to a national monument or if President Bush reduced the size of a monument by administrative order.

□ 1445

The effect of the Rahall amendment will be to lock up acres of coal, gas, oil and other much needed energy resources at a time the United States needs these domestic resources to avert a further energy crisis. The House of Representatives, as I have said, has already changed one to a national preserve, so the reality is we do look at them, we do change them, we do change the boundaries. But under current law, 30 United States Code section 181, mineral leasing cannot take place on national monuments. If you look at most of the national monument designations that have been made, they prevent mineral leasing in the designation.

I would bet the gentleman from Oregon that spoke earlier about the beauty of the national monument in his State if he would look at the designation would see that it is prevented in the designation of that national monument. So we are not going to go out and drill in these areas, Mr. Chairman. We should not tie Congress' hands and the President's hands with this ill-advised, unnecessary, silly amendment.

Mr. Chairman, the people on this side of the aisle care as much about our public lands and our national monuments as they do. That is why we live there, because we love the beauty of our rivers and mountains and streams. That is what we want to preserve. But yes, there are legitimate reasons to look at our national monuments for other purposes.

Mr. Chairman, I urge my colleagues to not adopt this amendment. It is silly and unnecessary.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman for yielding time. As a Rocky Mountain westerner, I rise in support of this amendment and I share the sentiments of the gentleman from Idaho (Mr. SIMPSON) that we do love these lands in the West. I have been dismayed, though, to

some extent to hear my colleagues describe these lands as sagebrush and rolling hills and nothing but black lava rock. But as we know, those lands provide us with solitude and great viewscapes, clean air, and clean water. They are God's creation. We should set them aside in perpetuity as President Clinton had the wisdom to do.

In our State, rapid population growth is putting increased pressure on all our Federal lands. We have become aware of the need to preserve and protect those lands. That is simply what President Clinton has done. But President Bush seems to be going the other way. In fact, I am tempted to borrow an old phrase and suggest that maybe we are on the verge of a ''war on the West.''

Unless we restore some balance, this energy policy will be a war on wilderness, a war on wildlife, a war on our open spaces, and ultimately a war on our economy which is dependent now on these open spaces and the clean air and the clean water.

This amendment will limit the potential of that potential attack. I hope it will be unnecessary. I hope that the President will pull back and not open our national monuments to drilling, but let us be safe rather than sorry. I urge support of this important amendment by the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I yield myself the balance of my time.

Secretary Norton has written a series of letters to various State and local officials encouraging reassessments of existing national monuments. I would like to quote directly from the Secretary's March 28 letter to the Governor of Arizona:

> I would like to hear from you about what role these monuments should play in Arizona. Are there boundary adjustments that the Department of Interior should consider recommending? Are there existing uses inside these monuments that we should accommodate?

Mr. Chairman, I think this clearly shows that our monuments are under threat. The President, on March 13, additionally said, and I quote, ''there are parts of monuments where we can explore.''

Vote for this amendment. Protect our heritage. Protect our national monuments.

Mr HOLT. Mr. Chairman, I support the amendment offered by my colleague from the state of West Virginia, Congressman RAHALL, to protect National Monuments from energy and mineral development. National monument status designation has been used to protect some of our most unique and significant natural and historic areas. In the last 95 years, 122 national monuments have been designated through the use of the Antiquities Act. Clearly, presidents from the time of Theodore Roosevelt have realized the wisdom of protecting sensitive public lands, already owned by the public, from natural resource exploitation.

The designation of national monuments follows a serious and deliberate process, including extensive study and involvement by the public. The process relies heavily on the input of local officials and citizens, those who will be most directly affected by the designations. Impacts are weighed in light of the benefits that will be enjoyed by the American public and the fact that a natural resources legacy has been created for future generations.

Some coal, natural gas, and oil does underlie a number of our national monument lands. However, the significance of these resources when compared to our overall energy supply was part of the consideration before the monument status was bestowed. Ninety-five percent of the public land managed by the Bureau of Land Management already is open to energy leasing. This amounts to millions of acres of federal land. We should be focused on doing a better job managing and developing fuels from the lands already available for leasing rather than looking at the remaining five percent for further exploitation.

The high cost of electricity and the rising costs of gasoline and home heating oil will not be reduced by drilling on national monument lands. The amount of energy resources on these lands is only a small fraction of what is available elsewhere. Our monuments must be protected against the forces of commercialization that would use them to enrich a few at the expense of the many by sacrificing our most spectacular and prized natural landscapes and historical sites. I urge you to join me and support the Rahall amendment.

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 clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) will be postponed.

Mr. CASTLE. Mr. Chairman, I move to strike the last word for the purpose of entering into a very brief colloquy with the chairman on a matter of importance to my State.

As chairman of the House Interior appropriations subcommittee, I know the gentleman from New Mexico is faced with many funding requests and faces a difficult task in balancing competing demands.

As the gentleman may know, Delaware has a rich heritage in the underground railroad. There are 18 underground railroad sites in Delaware, including the Governor's house at Woodburn where I lived, the courthouse where abolitionist Thomas Garrett was tried, and numerous other sites utilized by the principal underground railroad conductor Harriet Tubman.

Sadly, there is more information about Delaware's role in the underground railroad in the museum shop at Ford's Theater in Washington, D.C. than in Delaware's museums. Delaware is rallying to correct this oversight by filming a documentary about the underground railroad and sponsoring a lecture series at Delaware State University.

Pursuant to the National Underground Railroad Network to Freedom Act of 1998, the Delaware Underground Railroad Coalition is seeking $250,000 to develop a heritage plan to highlight Delaware's role in the underground railroad.

I seek the gentleman's support in working to provide funding for this heritage plan as the fiscal year 2002 Interior appropriations bill moves forward.

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

Mr. CASTLE. I yield to the gentleman from New Mexico.

Mr. SKEEN. It is true the committee views funding the National Underground Railroad Network to Freedom Act of 1998 as a priority. I pledge to work with the gentleman from Delaware as this legislation moves forward to accommodate this request if the opportunity for additional funding arises.

Mr. CASTLE. I thank the gentleman and I appreciate his support.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 6 offered by the gentleman from Vermont (Mr. SANDERS); amendment No. 1 offered by the gentleman from Oregon (Mr. DEFAZIO); and amendment No. 5 offered by the gentleman from West Virginia (Mr. RAHALL).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment 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 153, noes 262, not voting 17, as follows:

[Roll No. 178]

AYES—153

| | | |
|---|---|---|
| Abercrombie | Capuano | Eshoo |
| Ackerman | Carson (IN) | Etheridge |
| Andrews | Castle | Farr |
| Baird | Conyers | Ferguson |
| Baldwin | Crowley | Filner |
| Barrett | Cummings | Ford |
| Bass | Davis (CA) | Frank |
| Becerra | Davis (IL) | Ganske |
| Bereuter | Davis, Tom | Gephardt |
| Berman | DeFazio | Gilman |
| Berry | DeGette | Green (WI) |
| Blagojevich | Delahunt | Grucci |
| Blumenauer | Deutsch | Gutierrez |
| Boehlert | Dingell | Hall (OH) |
| Boswell | Doggett | Hansen |
| Brown (OH) | Emerson | Harman |
| Cannon | Engel | Hinojosa |

Holt
Honda
Hooley
Hulshof
Inslee
Jackson (IL)
Jefferson
Johnson (CT)
Johnson (IL)
Jones (OH)
Kelly
Kennedy (MN)
Kildee
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lipinski
LoBiondo
Lowey
Luther
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Morella
Nadler
Napolitano
Nussle
Owens
Pallone
Pascrell
Paul
Payne
Peterson (MN)
Petri
Platts
Quinn
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roukema
Ryan (WI)
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Sensenbrenner
Shays
Sherwood
Simmons
Slaughter
Smith (NJ)
Solis
Stark
Sununu
Sweeney
Tanner
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Woolsey
Wu

NOES—262

Akin
Allen
Armey
Baca
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bentsen
Berkley
Biggert
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cantor
Capito
Capps
Cardin
Carson (OK)
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Coyne
Crane
Crenshaw
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Evans
Fattah
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Gutknecht
Hall (TX)
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (RI)
Kerns
Kilpatrick
Kingston
Kirk
Knollenberg
Kolbe
Lampson
Largent
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
McCrery
McKeon
Meek (FL)
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Pelosi
Pence
Peterson (PA)
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ryun (KS)
Sabo
Sandlin
Schaffer
Schiff
Schrock
Scott
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Aderholt
Bachus
Callahan
Cox
Cramer
Cubin
Everett
Herger
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Neal
Riley
Rush
Serrano

□ 1514

Mr. CALVERT, Mrs. MEEK of Florida, Mr. HASTINGS of Florida, Ms. GRANGER and Mrs. TAUSCHER changed their vote from ''aye'' to ''no.''

Messrs. QUINN, SHAYS, HONDA, BERRY, KING, ROTHMAN, WELDON of Pennsylvania, Mrs. MINK of Hawaii, Ms. HOOLEY of Oregon and Ms. MILLENDER-McDONALD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, 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 NO. 1 OFFERED BY MR. DEFAZIO

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by a 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 129, noes 287, not voting 16, as follows:

[Roll No. 179]

AYES—129

Ackerman
Allen
Baldacci
Barcia
Bass
Becerra
Berkley
Blagojevich
Blumenauer
Bono
Boswell
Boucher
Brady (PA)
Capps
Capuano
Carson (IN)
Carson (OK)
Chabot
Clay
Clayton
Conyers
Coyne
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Deutsch
Doggett
Doolittle
Dreier
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Flake
Gallegly
Gephardt
Graves
Gutierrez
Hall (OH)
Hall (TX)
Hayworth
Herger
Hill
Hinchey
Holt
Honda
Hooley
Hulshof
Hunter
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Jones (NC)
Jones (OH)
Kildee
Kucinich
LaFalce
Langevin
Larsen (WA)
Lee
Lewis (CA)
Lipinski
LoBiondo
Luther
Maloney (NY)
Manzullo
Markey
McCollum
McDermott
McGovern
McKinney
McNulty
Meeks (NY)
Menendez
Mink
Moran (KS)
Nadler
Napolitano
Ney
Owens
Pallone
Pascrell
Paul
Payne
Peterson (MN)
Rahall
Ramstad
Rangel
Rothman
Roybal-Allard
Sanders
Saxton
Schakowsky
Schiff
Sessions
Shadegg
Sherman
Shows
Slaughter
Smith (NJ)
Solis
Stark
Strickland
Stump
Sununu
Tancredo
Taylor (MS)
Terry
Thompson (CA)
Towns
Udall (CO)
Udall (NM)
Velazquez
Walden
Waters
Watt (NC)
Wexler
Woolsey
Wu
Wynn

NOES—287

Abercrombie
Akin
Andrews
Armey
Baca
Baird
Baker
Baldwin
Ballenger
Barr
Barrett
Bartlett
Barton
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Castle
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Dooley
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McIntyre
McKeon
Meehan
Meek (FL)

Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Scarborough
Schaffer
Schrock
Scott
Sensenbrenner
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Aderholt
Bachus
Callahan
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Neal
Riley
Rush
Serrano

□ 1523

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 5 offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed, and on which the noes prevailed by a 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 242, noes 173, not voting 17, as follows:

[Roll No. 180]

AYES—242

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bartlett
Bass
Bentsen
Berkley
Berman
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Fossella
Frank
Frelinghuysen
Frost
Ganske
Gephardt
Gillmor
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Grucci
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Scott
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sununu
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—173

Akin
Armey
Baker
Ballenger
Barr
Barton
Bereuter
Berry
Biggert
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Culberson
Cunningham
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Flake
Fletcher
Foley
Gallegly
Gekas
Gibbons
Gilchrest
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Isakson
Issa
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Keller
Kerns
Kingston
Knollenberg
Kolbe
Largent
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Norwood
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Portman
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Aderholt
Bachus
Becerra
Callahan
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Neal
Riley
Rush
Serrano

□ 1532

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1530

Mrs. MINK of Hawaii. Mr. Chairman, I move to strike the last word.

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I would like to enter into a colloquy with the chairman of the subcommittee and with the ranking member with respect to what I believe to be an oversight in this legislation.

Years ago, in 1986, the Compact of Free Association was entered into between various entities in Micronesia, the Marshall Islands, and with Palau. It provided citizens of the Freely Associated States certain rights and privileges. One of the rights and privileges was free access to the United States. The 1986 Compact allowed citizens of the Free Associated States from the Marshalls, Micronesia, Palau and other places, unrestricted entry into the United States and access to residence, education, employment and all of the various services. Hawaii was always a major destination for these migrants.

Congress provided, in the legislation at that time, that beginning from September 30, 1985, such sums as may be necessary to cover the costs incurred by the State of Hawaii, the Territories of Guam and American Samoa resulting from the increased demand; the problem was the increased entry from these entities into Hawaii and Guam that has caused very serious additional expenses upon my State and Guam specifically. The costs to Hawaii since 1986 exceeds $64 million, $10 million just in the year 2000. Many of the Compact migrants who come to Hawaii have significant health problems, including

Hansen's Disease, hepatitis, tuberculosis and so forth, and they increase the costs of my State.

The intent of Congress and the legislation was to compensate the State of Hawaii and Guam and others for these additional expenses. So we had hoped that the committee would take this into consideration. All of us from the State of Hawaii and from Guam wrote the committee.

My purpose in raising this issue today, because this was not covered in the legislation, is to ask the chairman and the ranking member if they would comment on the reasons for noninclusion. Is there a legal restriction from being able to qualify for the monies that were intended to come to our State? But since the very beginning, in 1986, we have not been considered at all for compensation under this legislation. I would hope that I might get a very encouraging response from either the ranking member or the chairman of this committee. I yield to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentlewoman for yielding, and let me just say this. We appreciate the gentlewoman's concern on it, and we will see if there is anything, but it is a question of funding and just a limited bill and lots of choices. But we are early in the process and the gentlewoman is showing a lot of concern, and we will just have to see. I am sorry I cannot be more specific.

Mrs. MINK of Hawaii. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I appreciate the gentlewoman's hard work on this issue. I know this is a major concern. I want to work with the gentlewoman on this, and hopefully we can have a meeting before the conference and go through the details of this and try to work with our friends in the other body who now are chairmen of major committees that might be able to help us find some solutions to this.

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentleman for his words of encouragement. There is every indication that the Senate will comply with this request, and I am hopeful that the conferees from this body will agree to those additions to the legislation.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. DAVIS OF FLORIDA

Mr. DAVIS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Florida:

On page 131 after line 4 insert the following new section:

SEC. . NONE OF THE FUNDS IN THIS ACT MAY BE USED TO EXECUTE A FINAL LEASE AGREEMENT FOR OIL OR GAS DEVELOPMENT IN THE AREA OF THE GULF OF MEXICO KNOWN AS LEASE SALE 181 PRIOR TO APRIL 1, 2002.

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Florida (Mr. Davis) and a Member opposed each will control 15 minutes.

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

Mr. DAVIS of Florida. Mr. Chairman, I yield myself such time as I may consume.

I am offering this amendment today with the gentleman from Florida (Mr. SCARBOROUGH). The effect of the amendment, which has been read in its entirety, is to prohibit the Secretary of Interior from signing any new leases off the coast of Florida that would allow oil and gas drilling to proceed for the first 6 months of the next fiscal year.

The reason the amendment is necessary is because the Interior Secretary has expressed her intention to continue with a process which could well result in the issuance of oil and gas leases within 30 miles of Pensacola, with some of the most pristine beaches, not just in the State of Florida, but I would submit in the United States and the world, and 200 miles off the coast of the Tampa Bay area, my home.

I remember as a small child what happened when the last oil spill occurred in Tampa Bay. It took us years to recover from that. We in Florida do not want to see that happen again. This amendment will assure that what occurred in Tampa Bay some years ago and, unfortunately, has happened in other parts of the United States, does not happen to our precious coastline.

Our coastline is not just something that is precious to Floridians, because we cherish our environment and it is integral to our economy. This is truly a national treasure. I would urge all of my colleagues, Democrats and Republicans, to think about where their constituents are headed this summer. They are headed south. They are headed to our beaches, because they are beautiful beaches. We want to protect those beaches.

We are against quick fixes to solve our energy problems. We do not want to see oil drilling right off the coast of Florida at the expense of Floridians.

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

Mr. SKEEN. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, this sale was included in the Mineral Management Service's 5-year plan, and the Congress has voted specifically to exclude sale 181 from the current leasing moratorium for the past 6 years. More importantly, it is necessary that the sale of 181 may hold as much as 7.8 trillion cubic feet of natural gas. This is enough natural gas to supply 4.6 million households for 20 years. This sale represents one of the Nation's best short-term hopes for increasing much-needed natural gas supplies.

Energy issues have dominated the debate lately, especially as they relate to both prices and supply of energy fuels. This amendment sends the wrong message. It says, regardless of the energy situation, we are going to place certain lands off limits. We cannot continue to lock up the Nation's energy resources and then expect to let our energy problems simply solve themselves. That is why we ask for our colleagues' support in opposing this amendment.

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

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SCARBOROUGH), the cosponsor of this amendment,

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman from Florida, and I would like to stand beside him and other Members from Florida and across the country who support the Davis-Scarborough amendment.

As the gentleman from Florida said, we do have some of the most pristine beaches, not only in Florida or the United States, but, in fact, they are recognized as some of the most pristine beaches across the world, and are consistently rated at the top of every list that comes out. Yet, lease sale 181 would allow drilling and exploration less than 20 miles off of our shores.

We certainly do welcome tourists from across the country, across the world, and I disagree that this amendment sends the wrong message. I think it sends the right message. It recognizes that the people of the State of Florida, the Republicans and Democrats alike, the Republican Governor Jeb Bush, and all of us oppose oil and gas exploration less than 20 miles off the shore.

I applaud the gentleman from Florida (Mr. YOUNG) and the gentleman from Florida (Mr. GOSS) and other people that have led on this issue year in and year out. It is important to remember that this amendment will simply prohibit the Minerals Management Service from finalizing the lease sale on area 181, which is less than 17 miles off the coast of my district.

The gentleman from Florida (Mr. YOUNG) once again spearheaded the amendment that has kept Florida's waters rig-free for the past decade. This amendment builds on the chairman's language to include the 181 lease sale, and I commend the gentleman from Florida (Mr. GOSS) and the gentleman from Florida (Mr. DAVIS) and several others for supporting it. It is important. It is important not only to northwest Florida, it is important to the State and it is important that the country recognize, recognize the desires of the people of the State of Florida. In my home district, we do not want exploration less than 20 miles off of our shores.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. WICKER) a member of the committee.

□ 1545

Mr. WICKER. Mr. Chairman, I thank the gentleman for yielding time to me.

I have a map which I think will be helpful to our colleagues. Mr. Chairman, I rise in strong opposition to the

amendment offered by my friend, the gentleman from Florida, and supported by many of my friends from Florida.

I would think that we would realize we are now in an energy crisis in the United States of America. We are increasingly dependent on foreign sources of oil, but the one product in abundance we have here in the United States in North America is natural gas. That is what we are talking about primarily here, natural gas in lease sale 181.

This amendment would cripple one of the largest sources of natural gas we have in North America. As the chairman said, it is $7.8 trillion cubic feet of natural gas. My friend, the gentleman from Florida, when he introduced this amendment, said we do not need a quick fix in this area. My goodness gracious, this has been under review for 5 years, Mr. Chairman, an exhaustive review process. It began in 1996. For 5 years, sale 181 has been subjected to careful review and study to ensure all concerns are addressed.

In fact, then Governor Lawton Chiles expressed his appreciation to the Department of the Interior for recognizing his request to exclude any tracts within 100 miles of the Florida coast.

What are we talking about here? If my friends can look at the map, and those on the other side, I would appreciate it if they would come over here, we are talking about an area here that is 213 miles from Tampa, 108 miles from the coastline near Panama City. This little part that goes up near Pensacola, that is Alabama territory. Alabama gets to make the choice there. That is why it comes so close to Pensacola, because it is Alabama offshore territory.

It is true that the previous administration called for a moratorium on the exploration and drilling in the eastern Gulf of Members, but not for lease sale 181, not even the previous administration. Even this Congress took action to impose a moratorium on drilling in the eastern Gulf, except for lease area 181.

The last administration and this Congress have both recognized the critical importance of lease sale 181 in meeting our natural gas demand. I repeat, we are talking about 7.8 trillion cubic feet of sale of natural gas, one of the cleanest types of energy we could produce, during the time of an energy crisis.

With production declining over here in the western area and in the central area of the Gulf of Mexico, this part of the eastern section, just sale 181, hundreds of miles out in the Gulf of Mexico, is crucial to meeting our national energy needs. The sale of 181 is critical to that effort.

Mr. Chairman, with the current energy crisis, you would think our politicians might have learned their lesson about restricting the production of needed and environmentally-friendly energy sources.

I urge the defeat of this amendment. This may be one of the most important votes we take this summer.

Mr. DAVIS of Florida. Mr. Chairman, I yield 45 seconds to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman for yielding time to me.

The gentleman from Mississippi is correct, it may be a couple hundreds miles away from Tampa, but it is only about 15 miles away from the beaches of northwest Florida, where the gentleman from Mississippi and his family come to vacation every summer.

Mr. DAVIS of Florida. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Chairman, I thank the gentleman for yielding time to me.

I thank the gentleman for bringing this issue to the forefront, and for his continued efforts on behalf of Florida.

I would say to the gentleman from Mississippi, 181, it does not matter, it could be down in the Keys next, it could be someplace near Tampa. It is just the fact and idea that we do not want this open at all in Florida. I would say to the gentleman that this amendment is about Floridians and their wants; or, in this case, what they do not want. They do not want drilling off the coast of Florida.

Governor Jeb Bush has said that he, and I would say that 94 percent of the people who have contacted me from the nature coast, oppose further oil and gas drilling off the coast of Florida. Florida's economy and general welfare depend on a healthy marine environment, including clean beaches. An offshore accident of any size seriously threatens not only our shoreline, but it also will hurt our seafood and fishing beds. Clearly we must do all we can to protect Florida's sensitive seacoast.

What Floridians do want, though, what I have advocated, and so have many others on this floor, is a prudent, responsible energy policy that includes safe, clean supplies and reduced demand through conservation and energy efficiency.

Up to now, we have done too little in these areas. Renewable resources, such as solar and wind, I have to tell the Members, these energies could be providing energy today if we would just use the technology. We could be well down the road to a sensible energy policy if the majority had only considered in 1999 or 2000 the energy tax credit bill that my Democratic colleagues and I supported.

Instead of funding and using sources we now have, we again are debating issues that should have been settled by now. Years ago Congress first imposed the moratorium on expanded drilling in the Gulf. The past administration accepted the ban on drilling. The current administration does not.

If the administration forgets about oil drilling near Florida and if Congress would restore Bush budget cuts for energy efficiency and renewable energy programs, we can move forward to an energy policy that serves all Americans and does not include drilling off the coast of Florida. I support the Davis amendment.

Mr. SKEEN. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, in these times this amendment makes no sense, and it is the height of irresponsibility. This lease is not off the coast of Florida, it is in the Gulf of Mexico. It is off the coast of Louisiana and Mississippi. This amendment makes about as much sense as shutting down all exploration in the Gulf of Mexico. It weakens our energy security.

Our long-term energy security, particularly at this time, requires us to seek out new sources of oil and natural gas. America is growing increasingly dependent on foreign sources of oil. That trend endangers our national security. When the proportion of oil we import from a volatile region rises, average Americans grow more vulnerable to supply interruptions and international conflicts.

When we have an opportunity to reverse this trend, we need to seize upon it. We need to take responsible steps to decrease our dependence on foreign sources, and when we discover a promising domestic reserve of natural gas and oil, we need to move forward by opening that area to safe exploration.

Lease sale 181 has the potential to play a very important role in strengthening our energy security. It could hold trillions of cubic feet of natural gas and billions of barrels of oil. Natural gas and oil produced at home lowers the sway that potentially hostile foreign leaders would hold over average Americans.

Recently we have seen fluctuations in the price of natural gas because supplies have run short. This clean-burning fuel is becoming an increasingly important source of energy. Each additional source adds to the supply and can offset new demand for natural gas. Lease sale 181 can make natural gas prices lower and more stable.

Now, some Members oppose exploration in this area because they are concerned about environmental risks. That is a radical notion, because what we think is a reasonable and understandable concern is not a concern at all. We do not face an either/or proposition. Lease sale 181 can be explored safely. Today advances in technology let drilling platforms probe much larger areas. Sophisticated new drilling devices provide multiple protections against oil spills.

We can add these resources to our energy supply without compromising environmental standards. I say to the gentlewoman from Florida, the best fishing in the world is around these platforms, if the gentlewoman has ever taken the time to visit one. Over the past 20 years, oil exploration firms operating in the Gulf have built a solid track record of environmental stewardship.

Defeat this amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I would say respectfully to my dear friend, the gentleman from Texas, that perhaps the people of Florida would much rather have artificial reefs around which their fishing can be improved instead of oil platforms.

In addition to that, while we might say that it is radical to protect our environment, perhaps more and more Americans are becoming radical because, to look at the polls in this country, the American people strongly defend their environment. I do not think the American people want drilling off the coast of one of the most pristine areas in this country, because it belongs not only to Florida, it belongs to the people of my State in Ohio, it belongs to the people all over this country.

There are people who want to drill in the Great Lakes, which represent 20 percent of the fresh water supply of America. When do we stop trying to trade the treasure of this Nation to industries which are gouging the public, which are raising prices to unconscionable levels, which are withholding supplies?

We are going to put our trust in the gas and oil industry and forfeit our natural treasures? I think not. Support Scarborough-Davis.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Chairman, I thank the chairman for yielding time to me.

Mr. Chairman, section 181 is located 64 miles from my district. It is much closer to my district in Louisiana, and much closer, by the way, to Alabama and Mississippi than it is to Florida. That is point number one.

Point number two, right adjacent to section 181 BP just discovered 1.5 billion barrels of oil. There are huge reserves there, 7.8 trillion feet of natural gas probably in section 181. Section 181 is under a 5-year plan approved by President Clinton in his executive order 98, signed off by Florida and the other States of the area, that in fact respects the rights of Florida not to have drilling within 100 miles of its coast.

Section 181 can help us through a terrible crisis we are about to face. It is not moratorium, it is in the 5-year leasing plan, and it needs to be developed.

Ninety-two percent of the new electric power plants that are planned to be built in this country are being planned to be built with natural gas. Yet, we produce 14 percent less natural gas in this country than we did in 1973.

Section 181 is critical. It has, on best estimates, 7.8 trillion cubic feet of natural gas available for this country. We are not going to drill it? We are not talking about moratoriumed areas, we are not talking about monuments, we are talking about an area in the Gulf of Mexico right next to an area in Louisiana that is currently being drilled, currently being processed, for oil and gas for our country. It is an area rich in oil and gas for a nation that desperately need natural gas.

Seven out of twelve fertilizer plants in Louisiana were shut down this year because we could not afford the natural gas to process fertilizer for the rest of this country. Do Members want to see more problems? Shut down section 181 and we will begin to shut down America's farm belt. We will begin to shut down clean power for America. We literally predict a crisis that will come true.

Defeat this amendment for the good of the country.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Orlando, Florida (Mr. KELLER).

Mr. KELLER. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise today in strong support of the Davis amendment. We need oil rigs off the Florida beaches about as much as we need crackhouses next to our churches.

Florida is home to this Nation's finest beaches. We have a tourism-based economy. The last thing we need is oil drilling 17 miles off the shores of our Pensacola beaches in north Florida.

I represented the world's number one vacation destination. I get to meet thousands of tourists every year. I have never yet heard a child to me say, "I want to see Mickey Mouse, Shamu, and wouldn't it be great to see a couple oil rigs off the beaches?"

Reasonable people surely can differ on this issue. It genuinely is a risk-versus-benefits analysis, but in the case of Florida, in light of our economy, the risks outweigh the benefits.

□ 1600

To the extent we need more energy supply, and we do, let us start with places that actually want the oil drillings and not the Florida beaches.

Mr. SKEEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I thank the gentleman from New Mexico (Mr. SKEEN), the chairman of the Subcommittee of the Interior, for yielding me the time.

I am proud to follow some of my colleagues. As a country, we cannot enjoy a growing and cleaner economy without more domestic production of natural gas. It is clear that our Nation's demand for natural gas is growing significantly.

If our Nation is to meet its growing demand, then we have to have access to gas-prone areas like Sale 181, which is really closer to other States than it is to Florida.

We cannot set aside Florida. I wonder about my colleagues who want to have a vacation destination. People will not be able to drive there to enjoy Mickey Mouse unless we have production domestically.

We cannot have it both ways. We cannot demand lower energy prices and continued reliability and at the same time discourage domestic production. Exploration and production of domestic energy sources are keys to staying in front of our energy needs.

Sure, we need to conserve. Sure, we need to have alternatives, but conservation and alternatives will not satisfy the demands of the American people. We have to have production, particularly from natural gas, to fuel all of these cleaner-burning power plants that are on the drawing boards and actually being built.

Mr. Chairman, Sale 181 actually during the last administration was left out of President Clinton's executive order in 1998 because it was agreed to by all the States, including Florida. In fact, the sale was specifically excluded from the current leasing moratorium language.

Key stakeholders including Alabama, Florida and the Department of Defense were consulted on the 5-year plan. The sale of the area was drawn to ensure it was consistent with Florida's request for no oil and gas activities within 100 miles, but what we are talking about is within the Alabama border, and that is why we need this production.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Miami, Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Chairman, when are people going to get it in their minds that the people of Florida do not want oil and gas drilling in the sea bed of the Gulf of Mexico? It does not take a Ph.D. to figure that out. It is simple. Why is it my colleagues cannot figure that out?

Our Governor, Jeb Bush, has made it explicitly clear even to his brother that he does not want this to happen. Why can we not listen to those people who know what the deleterious effects will be of this in Florida? Within 30 miles of Perdido Key you want to drill. Sixteen million Americans residing in the State of Florida do not want it.

Mr. Chairman, I will repeat it again, I do not have much time, the people of Florida do not want it. The Governor does not wanted it. So do not push the President into wanting it. Please remember we do not want it. Do my colleagues want to ruin our beaches? My colleagues want to turn us into another Planet of the Apes.

We do not want it, the toxic pollution, offshore oil drillings, air pollution, spills. These things will happen. Why would we want to put our natural system at risk? We have Everglades here. We have the beauty that God has given us. Let us keep it. It is not that important.

We are not going to stand for it. We are not going to allow it to happen. We will not allow Bush I or II and their best friends to destroy this beautiful

natural system. Let us protect Florida's coastline and beaches. Support the Davis amendment.

Mr. SKEEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Louisiana (Mr. VITTER).

Mr. VITTER. Mr. Chairman, we face a real energy crisis in this country which is only going to grow; and to meet that crisis, we need a balanced long-term approach.

We are not going to drill our way out of the crisis, nor are we going to conserve our way out of the crisis, nor are we going to work our way out of the crisis through pure energy efficiency.

The bottom line is that clearly we have to do all of these things. The problem with this amendment is it takes safe, clear opportunity for domestic oil and gas production off the table, and we have been doing that for 30 years, taking more and more off the table.

That is exactly the sort of not-in-my-backyard mentality which has us where we are today. That is exactly what we have to get beyond if we are going to have a balanced comprehensive approach to meeting our Nation's energy needs.

The most ironic thing about this not-in-my-backyard argument, it is not even in their backyard. In fact, it is in Federal territory, and it is more in the backyards of Alabama and Mississippi and Louisiana than it is in their backyard.

Mr. Chairman, if my colleagues want to be so parochial in their approach, then maybe we could make a deal with them: I will not go to Florida beaches for a while. I will just go to Gulf Shores in Alabama, but my colleagues should not demand that and should not use energy from the rest of the country including everything that we explore and drill for and produce in Louisiana.

Obviously, we need to get beyond that narrow-mindedness and that parochialism and have a balanced approach, including producing this clean, safe energy.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Palm Beach, Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I want people to focus a little bit on the debate for a moment. It is very, very simple. We have heard people from other States, Texas, Louisiana, all say they are for oil drilling. You can have all you want. You can do it in your home State. You can do it off your shores.

Florida is making a very simple and specific request, leave us out of your dialogue and leave us out of your drawings. We believe strongly in having a cohesive environmental policy. In fact, in the 1970s I worked in a Shell gas station, and I remember having people antagonized over the fact they could not fill their tanks; but since the 1970s we have done very little to have a comprehensive energy policy. But just suggesting that we start putting pipes in the ground is not a solution.

A lot of people are paying attention and wanting to know when can we set the rigs. Florida is simply saying not in our backyard. We are delighted to say it and proud to say it.

Democrats and Republicans in the delegation joined together trying to urge Congress to leave us out of this. Have it in Alabama. Have it in Louisiana. Go to Texas. Go to California, and even in Alaska if you want. Yes, it may be controversial, but the sovereign right of that State should be heard. Our sovereign right is expressing opposition, and I urge my colleagues to join us in this initiative.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. THOMAS).

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

Mr. THOMAS. Mr. Chairman, actually, this would be a lot more fun if it was real. It is the phoniest debate I have heard in a long, long time.

If we look at the amendment, this significant move on the part of Florida is going to last until April 1, 2002; maybe April 2001 is more appropriate than 2002. The fact of the matter is if they were serious, they would have made it permanent. They did not make it permanent because it costs money.

We have heard about this particular area. It is in the Gulf of Mexico. The area looks like this. Why does it have this long neck? Because Florida said they did not want any drilling over there within 100 miles of their coastline. Frankly, most of the natural gas is probably in this area. So there was an agreement between Florida and the other States.

Mr. Chairman, this literally is 200 miles from Florida there and 100 miles from Florida there. But here is the dirty little secret that no one in Florida will tell you. Guess what this line is right across the gulf? That is an already-agreed-upon pipeline 740 miles to supply oil and gas to Florida. No, they do not want to drill near you, but they want the oil and gas to use.

How hypocritical can you be? How far is 100 miles? It is from New York City to Scranton, Pennsylvania. It is from Madison, Wisconsin, to Waterloo, Iowa. And if we cannot drill in an already-approved area in which the State of Florida was a negotiator and the lines were drawn to fit them, it really will be our Waterloo when we are trying to be self-sufficient for energy.

Here is the question, Members, when my colleagues vote: If it was worth fighting for oil and gas in the Persian Gulf, why is it not worth looking for in the gulf near America?

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from Miami, Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I rise to strongly support the Scarborough-Davis amendment that would prohibit the Secretary of the Interior from executing a final lease agreement for oil or gas development in the area of the Gulf of Mexico known as Lease Sale 181.

The beaches on the gulf coast of Florida are comprised of some of the most pristine and beautiful areas that would be devastated by an oil spill in the Gulf of Mexico. Our tourism and fishing industries would also be devastated by such a spill.

Many of my congressional colleagues have told me recently that they will be visiting this area of Florida during the July 4th holiday.

People come to Florida for the beaches. So please join the citizens of the State of Florida who overwhelmingly and in a bipartisan way oppose drilling off of our waters.

We are talking about 17 miles off of Pensacola Florida. Florida's white sand, clear waters, and gorgeous sunsets have truly not only become a treasure for our State, but they are a treasure for our Nation and the millions of tourists who visit Florida's beaches every year.

Please join the State of Florida in protecting our beaches and crystal blue waters by opposing offshore drilling. All of our constituents will thank you for it.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Florida (Mr. DAVIS), the bipartisan amendment. Certainly, Members from Louisiana and Texas and Florida and even Indiana and Ohio have every right to speak on this amendment.

Sixteen million Floridians do not want drilling off their shore. Tens of thousands of people from Indiana and Ohio and Illinois that go down to Fort Lauderdale, Long Key, Sanibel Island, also enjoy the tourism, the fishing, the environmental areas down there; and we want to see that protected.

There is an old saying that you cannot have it both ways. The problem with the Bush administration's energy policy is in energy you need to have it both ways. You need to have production and conservation. They only emphasize production and drilling and more drilling and drilling in Alaska.

We need to make sure we have a balanced approach to protect our environment. We need to make sure we enhance the new technologies out there to drill in prior areas and get more out of those areas rather than going into pristine environmental areas.

Support the Davis amendment. Support bipartisan environmental concerns and support going toward a balanced energy policy.

Mr. DAVIS of Florida. Mr. Chairman, I yield 15 seconds to the gentleman from Florida (Mr. SCARBOROUGH), a cosponsor of the amendment.

Mr. SCARBOROUGH. Mr. Chairman, I just wanted to give another point of reference to the gentleman from California (Mr. THOMAS), who was talking about 100 miles or 200 miles from Waterloo to whatever. We are talking about 17 miles which will not get you

from the United States capitol to the airport. Seventeen miles is what we are talking about, that will not even get you to Washington's airport at Dulles so you can fly home to California.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to respond to some of the statements that were made. Let us go back to the facts. Nobody has questioned the statement of the gentleman from Florida (Mr. SCARBOROUGH) that this is 17 miles from the coast of Florida.

Let us be perfectly clear. This is drilling for oil, crude oil, as well as gas; and there are 21 days of crude oil in Sale 181. If we raise fuel efficiency standards by 16 miles per hour, that achieves 10 times more result than proceeding with Sale 181.

Mr. Chairman, with the exception of the gentleman from California (Mr. THOMAS), every Member of Congress that told Florida that we should put our coastline at risk is from an oil-producing State, and they do not have to apologize for protecting jobs in their States. But our tourists do not wash up on their beaches, and we do not want their oil washing up on ours.

Let me just further say, with respect to the gentleman from Texas (Mr. DELAY), if being against the risk of oil spills in Florida makes us radical by Texas' environmental standards, then we proudly wear that label.

The point is, as the gentleman from Indiana (Mr. ROEMER) said, we need a balance here; and we support solutions to our energy problem. But let us have a thoughtful debate. Let us not engage in quick fixes at the expense of Floridians. We have suffered oil spills before. I saw one when I was a small child in Tampa Bay. I do not want my children or grandchildren to see that again.

□ 1615

This is in Florida's waters. This is something we are entitled to protect. We can do better. Let us adopt this amendment. Let us slow this down for 6 months and find a balanced solution to the energy challenges that face our country and not do so at the expense of Florida and its coastline.

The CHAIRMAN. The gentleman yields back the balance of his time.

The gentleman from New Mexico (Mr. SKEEN) has 45 seconds remaining.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. WAMP).

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

Mr. WAMP. Mr. Chairman, the entire Alabama delegation is on record supporting Sale 181. Unfortunately, the delegation is in Alabama with the President of the United States and will be unable to vote. I submit for the RECORD herewith the delegation letters in support of Sale 181.

UNITED STATES SENATE,
*Washington, DC, April 9, 2001.*

Hon. George W. Bush,
*President of the United States, The White House, Washington, DC.*

DEAR PRESIDENT BUSH: We are writing to endorse the State of Alabama's strong support for Outer Continental Shelf (OCS) Lease Sale 181 scheduled for December 2001. H.J. Res. 13, as passed by the Alabama Legislature and signed by Governor Siegelman unequivocally recognizes the positive benefits of Sale 181. We agree with the Governor's stated position supporting the proposed sale so long as no blocks are leased within 15 miles of the Alabama coast and safety measures are ensured.

We agree this sale is a crucial component of a strategy to develop new, diverse supplies of oil and natural gas to meet the ever-increasing energy demands of our nation's new economy. As production declines in the western and central portions of the Gulf of Mexico, there is a growing recognition of the need for the vast resources contained in this eastern segment of the Gulf. Importantly, all of Sale 181's tracts are outside the areas that are off-limits to exploration and production under the mandated federal moratorium area. The Gulf Of Mexico now provides about 24% of U.S. oil production and about 26% of U.S. natural gas production. The resources contained in this sale area are estimated to hold approximately 7.8 trillion cubic feet of gas and 1.9 billion barrels of oil.

The oil and natural gas industry has been good for Alabama, providing fuel and employment, to thousands of our state's residents, contributing to our economy and depositing millions of dollars into our state's treasury. It is estimated the oil and gas industry spends over $50 million annually on Alabama and Mississippi products and services. State funds derived from lease agreements in the Gulf of Mexico are utilized to improve our environment and protect unique coastal and estuarine habitats. The successful and timely continuation of Sale 181 would only further enhance these benefits to our state.

Alabama and the offshore industry have coexisted to the mutual benefit of both for decades. As you know, the oil and natural gas industry has an outstanding record for operating safety on the more than 3,800 offshore platform, which are subject to extremely rigorous environment standards. It is anticipated this excellent record will continue to improve as new technology allows the extraction of more oil and gas from wider areas using fewer wells and platform protecting seabeds and marine life.

Like other Gulf of Mexico states, Alabama has a thriving and expanding tourism business. The oil and natural gas activities offshore have not discouraged visitors to our beaches and other recreational areas along our coast.

We urge you to continue your support of responsible development of our domestic resources, including the Sale 181 area. Alabama is proud of our contribution to national energy security and economic growth through the prudent and environmentally sound development of our offshore energy resources.

With kind regards, we are
Sincerely,
Richard Shelby, U.S.S., Sonny Callahan, M.C., Spencer Bachus, M.C., Terry Everett, M.C., Bob Riley, M.C., Jeff Sessions, U.S.S., Robert Aderholt, M.C. Robert E. ''Bud'' Cramer, M.C., Earl Hilliard, M.C.

PROPOSED LEASE SALE 181,
DON SIEGELMAN, GOVERNOR,
*April 24, 2001.*

President Bush asked me to help with this proposed lease sale and I am pleased to lend my support as long as there are no blocks sold within 15 miles of the Alabama coast and safety measures are ensured. I believe this is in the country's and Alabama's best long-term interest. Because Alabama is an energy producing state, this proposed lease sale will help Alabama propel its economic development effort. It is my hope that this would help increase supply and reduce prices for consumers. At my request, we will meet with the Mineral Management Service on May 7th, to ensure that all safety measures are in place before moving forward with the lease sale. If I am satisfied that the necessary precautions are in place, I look forward to proceeding with proposed lease sale 181.

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DON SIEGELMAN, GOVERNOR,
*State of Alabama, January 24, 2001.*

DEAR MR. OYNES: With respect to your letter of December 1, 2000, concerning the draft environmental Impact Statement for proposed Eastern Gulf of Mexico Lease Sale 181, we offer the following comments.

I am pleased the Minerals Management Service is not offering any blocks in proposed Lease Sale 181 within 15 miles of the Alabama coast. The Interior secretary's decision to delete blocks within 15 miles offshore Baldwin County in the eastern Gulf of Mexico serves to mitigate the concerns of Alabama's residents regarding visual impacts from new natural gas structures in the areas of Gulf Shores and Orange Beach. In the future, I will continue to oppose the leasing of any unleased blocks southward and within 15 miles of the Baldwin County coast. We recognize that new natural gas structures may be installed on currently leased federal blocks, and we support and appreciate MMS's efforts to work cooperatively with the industry and the state of Alabama to minimize the visual impacts of new natural gas structures offshore Baldwin County. I request that you continue to work with the Geological Survey/State Oil and Gas Board of Alabama to find realistic methods for addressing this viewshed issue.

As you are aware, the state of Alabama consistently has supported protection for live bottoms, pinnacle reefs, chemosynthetic communities and other sensitive environments of offshore Alabama in the Central Gulf of Mexico Planning Area. We certainly support these same types of protection for Lease Sale 181 in the Eastern Gulf of Mexico Planning Area.

We continue to support MMS's nonenergy minerals program. It is important that MMS continue to gather geological and environmental information regarding Outer Continental Shelf sand resources that may be required for coastal erosion management. We appreciate MMS's interaction with the state of Alabama to identify these resources which may have both short- and long-term utility.

We have concerns regarding statements on page IV–128 of the DEIS which indicate that coastal Alabama has the highest probability of contact if a large offshore spill occurred in the area for proposed Lease Sale 181. In addition, we have concerns regarding the number of new pipeline landfalls (page IV–221), new gas processing plants (page IV–238), new oil pipeline shore facilities (page IV–238), and adverse impacts to air quality (page IV–287). These matters are of particular concern, given that the vast majority of blocks available for lease in proposed Lease Sale 181 are located offshore Florida. It would appear

that the coastal Alabama area could be significantly impacted by OCS activities occurring offshore Florida as a result of the proposed sale. I request that MMS meet with representatives of the Geological Survey/State Oil and Gas Board of Alabama and discuss all of these matters in detail in the near future.

The state of Alabama supports a balanced and reasonable Outer Continental Shelf (OCS) leasing program that leads to exploration, development and production, with the stipulation that all OCS activities be carried out in full compliance with relevant Alabama laws, rules, and regulations, and be consistent with our Coastal Zone Management Program.

We appreciate the opportunity to comment on the Draft Environmental Impact Statement for proposed Eastern Gulf of Mexico Lease Sale 181 and look forward to working cooperatively with MMS in the successful and safe development of the hydrocarbon resources located offshore Alabama and in sharing in the benefits of OCS leasing and production activities.

Sincerely,

*Don Siegelman, Governor.*

HOUSE JOINT RESOLUTION

Whereas, Alabama annual natural gas production from onshore and offshore wells, combined, is 433 billion cubic feet, of which 217 billion cubic feet come from offshore wells; and

Whereas, Alabama Gulf Coast and Dauphin Island tourism economy co-exist in harmony through mutual use of Alabama's natural resources with Alabama offshore natural gas production operations; and

Whereas, Alabama's recreational fishing and commercial fishing industry co-exist in harmony through mutual use of Alabama's natural resources with Alabama offshore natural gas production operations; and

Whereas, Alabama benefits from offshore natural gas operations in many ways, including, but not limited to, local and state revenues from severance taxes, and state revenues from Trust Fund interest, including royalty state payments, federal 8(g) royalties, and lease sale proceeds; and

Whereas, Alabama jobs, income taxes, and other positive economic benefits have been created by Alabama's offshore natural gas developments, including exploration and drilling, platform fabrication and installation, pipeline contracting and construction, onshore gas treatment plant construction, operation, and maintenance, and goods, services, and supplies purchased; and

Whereas, Additional positive economic benefits related to Alabama offshore natural gas developments include direct effects such as direct purchases, indirect effects such as purchases by contractors and suppliers, and induced effects such as the re-circulation of wages, salaries, and profits; and

Whereas, Alabama offshore natural gas developments and operations have performed in a safe and environmentally-sensitive manner, with benefits to Alabama citizens far outweighing any/all perceived risks; and

Whereas, Alabama citizens and industries, and individual natural gas consumers and industries outside Alabama continue to use and need more clean-burning natural gas supplies; and

Whereas, areas in the Eastern Gulf of Mexico Outer Continental Shelf (OCS) 25 miles and further south of Alabama's and Florida's coastlines represent a major prospect for drilling and producing future supplies of clean-burning natural gas; and

Whereas, two eastern Gulf of Mexico Outer Continental Shelf (OCS) areas, specifically an area known as the Destin Dome and Federal Lease Sale 181 Area, if drilled in a safe and environmentally-sensitive manner, are predicted to hold large natural gas reserves; and

Whereas, Coastal Alabama is the likely natural gas infrastructure area to take new reserves to market, increasing Alabama's economic benefits directly related to new natural gas production from the Eastern Gulf of Mexico; now therefore, be it

*Resolved by the legislature of Alabama, both houses thereof Concurring,* That we express our support for natural gas drilling and development in the federal Outer Continental shelf (OCS) Eastern Gulf of Mexico areas of the Destin Dome and Federal Lease Sale 181 Area. Be it further

*Resolved,* That copies of this resolution be sent to each member of Alabama's U.S. Congressional Delegation and to President Clinton, Secretary of Commerce William Daley, The Minerals Management Service, the National Oceanic and Atmospheric Administration, the Department of Energy, and the environmental Protection Agency.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. PETERSON), a valued member of the Subcommittee on Interior.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield to the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Chairman, I tell my friends briefly, in terms of a response, it is only 6 months, and the lines that are on the map are the lines that the Floridians agreed to. It is 100 miles from the Florida border, as agreed to by Florida's governor. So I understand my colleagues' concern, but as a matter of fact, what is going to be put in that pipeline? It is going to be some other State's gas. Come on.

Mr. PETERSON of Pennsylvania. Reclaiming my time, Mr. Chairman, in conclusion, gas prices last year doubled. We have put a huge amount of electric generation on this year, all natural gas. Next year home heating natural gas costs could double again and our energy sensitive businesses are going to be priced right out of business.

When my colleagues' seniors cannot afford to heat their homes next year, when they get the second year in a row with high natural gas prices, and look at any of the curves, the natural gas uses for electric generation exceeds any new gas coming out of the ground, My colleagues' seniors are going to be very angry with this decision.

Mr. HOLT. Mr. Chairman, I would like to express my support for an amendment offered by my colleagues from Florida, Representatives DAVIS and SCARBOROUGH, to prohibit oil and gas exploration and development off the coast of Florida. The issue at hand is the sale of Lease Sale 181 in the Gulf of Mexico, although offshore drilling threatens all coastal communities, including those of New Jersey. We in New Jersey thought we had put to rest the idea of drilling off the New Jersey coast, but recently we have begun to wonder.

Sale 181 contains 5.9 million acres of an offshore area in the Gulf, in water ranging from 108 to over 10,000 feet deep. The sale is scheduled for December, 2001. Although both the past administration and the present governor of Florida support a ban on oil and gas development within 100 miles of the coast of Florida, part of Sale 181 come to within 15 miles of the Alabama coast.

I see this sale as a potential threat to the economy and environment of the gulf states. Although cleaner than in the past, oil and gas exploration cannot be done without threatening our natural resources, commercial fishing industries, tourism, and marine ecology. Nearly 90 percent of the reef fish resources of the Gulf of Mexico are caught on the West Florida Shelf. Oil and gas development would threaten the shallow, clean water marine communities found on the Florida outer continental shelf. Ecology and environment are central to the economy of Florida. Damage to the environment would threaten the tourism industry upon which much of their economy is based.

Furthermore, there is no evidence that drilling in Lease 181 would have a significant impact on our energy supply. Increased conservation and efficiency would do more to meet our country's energy needs than drilling off of the coast of Florida, and the impact of conservation would be immediate with little environmental cost.

I endorse this amendment as a strong message to Secretary Norton to maintain the moratorium on offshore drilling and not to sacrifice our marine ecosystem in an attempt to satisfy our energy demands. I strongly support this amendment to prohibit the sale of the Sale 181 area and I urge my colleagues, particularly those who represent coastal states, to join me.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. DAVIS).

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

RECORDED VOTE

Mr. DAVIS of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida (Mr. DAVIS) will be postponed.

AMENDMENT OFFERED BY MR. INSLEE

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

The Clerk read as follows:

Amendment offered by Mr. INSLEE:

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 suspend or revise the final regulations published in the Federal Register on November 21, 2000, that amended part 3809 of title 43, Code of Federal Regulations.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that, notwithstanding the unanimous consent agreement that was previously reached, we limit this amendment to 20 minutes, 10 minutes on each side.

The CHAIRMAN. And all amendments thereto?

Mr. DICKS. And all amendments thereto.

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

There was no objection.

Mr. SKEEN. We approve.

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

This is a bipartisan amendment offered by the gentleman from California (Mr. HORN) and myself. It is a bipartisan amendment intended to maintain, maintain, existing environmental protections. It is about arsenic, it is about cyanide, it is about sulfuric acid, it is about making sure that we do not roll back existing rules in place today that have been implemented to prevent the discharge of arsenic and cyanide and other toxics into our streams and rivers.

Mr. Chairman, here is why this amendment is necessary. Before the adoption of these rules, we had a scandalous situation in mining and release of toxics. Twelve thousand miles of streams in the West are polluted from mining tailings, 40 percent of streams in the West. Ninety-six percent of all of the arsenic compounds artificially released in the environment have been from the mining industry, without these rules that have now been implemented; 600 million pounds of arsenic and arsenic compounds a year from the mining industry.

Mr. Chairman, we need to make sure in this appropriation bill that no hand is taken to reduce the effectiveness or repeal these rules that have been adopted after 4 years and 35,000 pieces of input from the American public.

Now, let me tell my colleagues, there are three things at risk here: Number one, the existing rules adopted by rule. Number one has environmental performance standards, standards that every mining operation has to meet to prevent the discharge of cyanide. And because of the implementation of cyanide heap leach mining, this is extremely important.

Number two, we have got to have a way for local communities to have input in these decisions of siting, and we do not want to allow any hand to remove the ability to have local communities where there is substantial irreparable harm to a local community. This is a local control issue.

Number three, we want to make sure the mines put up adequate bonding capability. Under this rule, the administration, to its credit, has said they will keep this part, this one-third of the bill, and this is the part we want to make sure we keep the administration policy in hand.

So, Mr. Chairman, this is a bipartisan bill, and so we seek bipartisan support. It is a strong problem that deserves that we keep the status quo for the environment.

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

The CHAIRMAN. Does the gentleman from New Mexico seek time in opposition?

Mr. SKEEN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I cannot support the gentleman's amendment. I see nothing wrong with the Department of Interior reevaluating regulations that were finalized in the last days of the past administration. In fact, it is my understanding that this type of review is commonplace during the changes of administration.

We should allow the rulemaking process to continue and not preempt the process by establishing yet another moratorium on this bill. The Interior bill is not the appropriate place to address the changes in the Mining Law of 1872. This is best left to the authorizing committee which has jurisdiction over this issue.

After reviewing the National Research Council report on hardrock mining on Federal lands, it is obvious to me that the previous administration went too far in amending the mining regulations. It is my opinion that these rules will have a significant economic impact on the mining sector. However, while I personally would like to limit any changes to these regulations to the regulatory gaps identified by the National Research Council, I have refrained from doing so because we have an appropriate rulemaking process in place to address this issue.

I therefore ask for my colleagues' support in opposing this amendment. Amen.

Mr. INSLEE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. HORN), the cosponsor of this amendment.

Mr. HORN. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise today to urge my colleagues to support this amendment, which seeks to continue our commitment to responsible public land management. Environmental mining rules, also known as 3809 regulations, provide critical Federal oversight specifically for hardrock mining on lands managed by the Bureau of Land Management.

The current regulations were enacted because the old regulations failed to keep pace with modern mining techniques. The current rule is critical because it requires mining companies to pay for the full cost of environmental cleanup rather than being able to shift those costs to taxpayers. Right now, because of the old mining rules, taxpayers are on the hook for $1 billion in cleanup costs just at currently operating mines.

The current rule puts strong environmental standards in place to protect water supplies from excessive contamination of arsenic and other heavy metals by directing mining operators to protect surface and groundwater resources. As of the year 2000, the Environmental Protection Agency estimated that 40 percent of the headwaters of all the western watersheds are polluted by mining. This is due in part to the fact that the old mining rules had no environmental performance standards.

This amendment simply states that no funds shall be used to suspend or revise the final regulations published in the Federal Register on November 21, 2000. This will ensure the protection of our waters from arsenic, cyanide and other toxic pollutants and give certainty that the taxpayers are protected as well.

I again urge my colleagues to support this amendment and keep the current rule in place.

Mr. SKEEN. Mr. Chairman, I yield 2½ minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from New Mexico, the chairman of the subcommittee.

Mr. Chairman, I rise in strong opposition to this rider on an appropriation bill. I listened with interest, Mr. Chairman, to my good friend from Washington State, because in a previous Congress, both on October 4 of 1999 and October 21 of 1999, he told us how horrible it was to have riders added to appropriation bills. In fact, he likened them to fleas.

Well, I will tell my colleague what is going to flee. With the passage of some of these anti-mining and anti-jobs riders, say good-bye to the jobs. If my colleagues care about endangered species, I wish we cared one whit about the people of America who earn a solid, decent, honest living from mining. But we can laugh and watch the other countries put up help wanted signs and kiss off another industry, when the fact is that already on the books there is effective regulation that has ended the scourge of environmental harm. The industry has changed.

Look, all we are saying is let the current administration have the same courtesy the previous administration did. Let a reexamination of section 3809 take place, rules that took effect in the last nanosecond of the previous administration on January 20. Why not have a situation where we can review them?

This body has twice directed the Department of the Interior to not promulgate rules inconsistent with the recommendations of a congressionally mandated study of hardrock mining on Federal lands by the National Research Council of the National Academy of Sciences. We hear so much about the NAS and its studies, we hear so much lip service paid to science, yet when we have a provision here that says let us stand up for sound science, we want to abandon it, and with it the jobs of this industry, to make headlines in terms of what some deem to be politically correct.

What this amendment will do is set the precedent my friend from Washington State was so concerned about in 1999. This will unfurl a cascade of riders for the remainder of this appropriations process. And what again this will do, and this is the tragedy of the situation, Mr. Chairman, we will add more regulation and cost more jobs. For my friend from California, who is interested in high-tech, I wonder how his

computers are going to work when we do not have the copper wiring any more.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume to respond that we seek to maintain the existing regulation, which is fully consistent with the NAS study that concluded we needed better regulations against arsenic and cyanide in our waters.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

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

Mr. PASCRELL. Mr. Chairman, I rise in support of the amendment by my esteemed colleague, the gentleman from Washington, (Mr. INSLEE), to keep standards in place that protect our water resources from mining pollution.

Clean water is the most fundamental quality of life issue we have in this country. That is why I support funding the U.S. Geological Survey's water science programs and its 54 State Water Institutes in the amount recommended by the Subcommittee on Interior.

□ 1630

We cannot live without clean water. This amendment will strengthen the committee's wise decision to fund the USGS water programs by adding environmental safeguards to protect our water resources from pollution caused by mining. The USGS mission from its inception has focused on water resources. They must remain focused on our water resources in order to preserve the health of every American.

In New Jersey alone, our percentage of impaired waters have worsened from 50 percent of our streams and rivers in 1993 to 65 percent today. Changing the USGS focus away from these crucial water programs in order to protect any industry is the very last thing we should be allowing.

Mr. Chairman, I ask for total support of this amendment.

Mr. Chairman, I rise in support of the amendment by my esteemed colleague from Washington, Mr. INSLEE, to keep standards in place that protect our water resources from mining pollution.

Clear water is the most fundamental quality-of-life issue we have in this country. That is why I support funding the US Geological Survey's water science programs and its 54 State Water Institutes in the amount recommended by the Interior Subcommittee of Appropriations—We cannot live without clean water!

Mr. Chairman, this amendment will strengthen the Committee's wise decision to fund the USGS water programs, by adding environmental safeguards to protect our water resources from pollution caused by mining.

The Department of the Interior proposes to change the mission of the US Geological Services away from water in order to focus more on mining. But focusing on mining at the expense of our water science and clean water protection is the wrong approach!

The USGS mission, from its inception, has correctly focused on water resources—and it must remain focused on our water resources, in order to preserve the health of very American!

Without the US Geological Survey's water programs and USGS State University Institutes—including our own Rugers Institute—we cannot assess the quality of our water, or train our future water professionals. These programs are the core of the USGS! The Geological Survey must remain much more than simple mining protection!

The USGS ability to track and map problems with our water is a vital component in helping our state environmental agencies, so we can visualize problems while solutions are still doable and still cost effective.

In New Jersey alone, our percentage of ''impaired'' waters has worsened from 50% of our streams and rivers in 1993, to 65% today, according to the most recent study.

In our state, data from USGS has helped us see that worsening pollution follows our ''sprawl line''—and I know that in every state the causes of pollution may differ, whether it is sprawl, or acid rain, or mining, or some combination of pollutants.

But Mr. Chairman, it is only with these important USGS tolls that we can learn about these pollutants, and learn what does not work in the way we manage our water resources and land use! Changing the USGS focus away from these crucial water programs, in order to protect the mining industry, is the very last thing we should allow, if we want to continue preserving our water and our health!

Mr. INSLEE's amendment is exactly what is needed to help protect these threatened resources, by allowing our communities and land management agencies to protect our water from pollution.

Our communities already struggle to keep our fragile watersheds pure—as we well know in New Jersey. So I want to commend the Chair and Ranking Member of the Interior Subcommittee, and all of my Appropriations colleagues, for supporting our water science programs, and voting unanimously to restore more than $90 million in funding to the USGS.

And I want to thank my many colleagues on both sides of the aisle for helping me to champion the USGS water science programs—the Honorable ASA HUTCHINSON, and MICHAEL BILIRAKIS; and my colleagues Mr. GIBBONS, and Mr. GREEN and Mr. BOEHLERT, as well as many of my Republican colleagues.

I also want to thank my esteemed colleagues form this side of the aisle—Mr. KIND, Mrs. NAPOLITANO and Mrs. MALONEY; Mr. BLUMENAUER and Mr. PAYNE, Mrs. MINK and Mr. PALLONE—and many, many others of you who have recognized—as I do—the importance of the USGS water programs to our nation's health.

Mr. Chairman, I know, and my esteemed colleagues know that the USGS is our ''early warning system'' in the battle against deadly toxins and pollution in our water. We must not tolerate the dismantling of these vital programs or a change in the USGS mission away from water, to focus on mining.

I urge all of my colleagues to support the full funding that was appropriated for all U.S. Geological Survey water programs, and to support Mr. INSLEE's amendment protecting our water resources from deadly mining pollution.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Chairman, I want to respond, and I want to oppose the amendment of the gentleman from Washington (Mr. INSLEE).

Mr. Chairman, the National Academy of Sciences indicated prior to the issuance of the regulations that we are questioning today, the 3809 changes by the Clinton administration, the National Academy of Sciences issued a report prior to the existence of those regulations that the current 3809 regulations on hardrock mining on public lands, stated that the ''existing array of Federal and State laws regulating mining is effective in protecting the environment.'' They did not say we needed additional regulations for that. They said the existing array of regulations are effective in protecting the environment.

What we have here, Mr. Chairman, is an attack on the mining industry. I am proud to say that America's mining industry is the world's most modern, technically advanced and environmentally responsible mining industry, and I am proud as an American to have the mining industry especially in our State, the State of Nevada.

Mr. Chairman, this regulatory change that is being attempted here obviously goes to addressing the issue of whether or not this administration has the right to address regulations. We are going about it by saying if legislative fiat is what we are after to change and stop an administrative ability to change regulations, then that is what we should be doing. But then let us do it in all cases as well, and let us take away the administrative power for making changes to regulatory action, which is in the realm and the authority of the administration.

Let me say that the mining industry today is already responsible for and applicable to the Clean Water Act. It cannot pollute the water and not be responsible for it. That is a myth that is being propagated out there. It is already responsible for the Clean Air Act. It cannot pollute the air and not be responsible for it.

Mr. Chairman, I oppose this gentleman's amendment.

Mr. INSLEE. Mr. Chairman, if I may inquire as to the time remaining?

The CHAIRMAN. The gentleman from Washington (Mr. INSLEE) has 4¼ minutes remaining. The gentleman from New Mexico (Mr. SKEEN) has 4 minutes remaining.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I note that the argument just propounded essentially was rejected in a lawsuit which refused to stay implementation of these rules several weeks ago.

Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I thank the cosponsor of this amendment, the

gentleman from Washington (Mr. INSLEE) for yielding me this time.

Mr. Chairman, normally I would have offered this type of amendment, being the usual suspect, because I have a long history on the issue that it touches upon. I have invested a great deal of time, indeed years, in an effort to reform the Mining Law of 1872.

To be clear, I fully support this amendment. It represents a type of policy that should be in place. At the same time, it is far past time to be doing piecemeal reform of the Mining Law of 1872. The solution is, without a doubt, comprehensive reform, not this piecemeal fashion that we have been doing. I have stood on this floor with amendments and bills on this issue, yet the hard heads in the hardrock mining industry just do not get it. They have not gotten it yet. Their allies in this body, although in a minority, are in a position to block comprehensive reform measures from being considered in committee; so we are forced to come to the floor with amendments of this nature or amendments that I have offered in the past on efforts to stop the patenting of mining claims and to uphold the millsite decision. This will continue until the mining industry comes to the table.

Mr. Chairman, I say to the industry, come to the table. Negotiate. Compromise. My door is open. We will find common ground. Not ground sold for $2.50 an acre under a 19th century law. No, not that common ground. Not ground from the public's gold and silver that is mined with no royalty paid to the true owners of the land, the American people.

I believe we can reach a sensible agreement on how to address issues which swirl around this industry and plague this industry in its investment decisions, and I understand the need for stability and certainty before making those types of investment in large equipment that is needed to mine our Nation's resources.

Mr. Chairman, there is new leadership at the National Mining Association. I have told them my door is open. Let us work together to restore the public faith and interest in this matter.

In the meantime, I urge a ''yes'' vote on the Inslee amendment. I say to my colleague, the gentleman from Arizona, who described these regulations as promulgated by the last administration in the last nanosecond, that is because a Republican Congress for five times has delayed through appropriations riders these regulations.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just to expand on the comments of the gentleman from West Virginia (Mr. RAHALL), for 4–5 years, the administration could not act even though 35,000 people had impact on this decision. Now it is time for us.

Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I strongly support the Inslee amendment. The gentleman from Arizona said let the law stand. That is what we are trying to do here. We are trying to let section 3809, which was the law, the regulations properly adopted, we would like to see those sustained. The Bush administration has suspended the 3809 rule and intends to revise the rule. Remember, this is just on BLM lands. The Clinton administration also granted BLM the authority to deny permits to irresponsible mines in places where they would cause substantial, irreparable harm to environmental and cultural resources. The mining industry opposed both of those provisions.

Mr. Chairman, I think the Inslee amendment is called for; and I intend to support it.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, this is not a rollback of environmental laws. Critics of the mining industry charge that reviewing the Clinton-Babbitt 3809 regulations constitutes a rollback of environmental laws. This is not true. The industry is not fighting to lessen any necessary environmental regulations governing hardrock mining on Federal lands. In fact, it supports and complies with all existing environmental statutes and supports the addition of any new rules consistent with the recommendations of the study on hardrock mining on Federal lands completed for Congress by the National Academy of Sciences.

The new 3809 regulations are extremely burdensome, complex and counterproductive, and contradict the NAS report. They go far beyond filling the narrow regulatory gaps identified by the report and add onerous regulatory burdens that will deter mineral exploration in mining activity in the western United States.

Unnecessarily strict new performance standards and expanded liabilities are created under the new regulations that the amendment before the House would keep in place. This would greatly disrupt the preexisting coordination between the Bureau of Land Management and the western States regarding the environmental regulations of mining. A number of new performance standards are prescriptive, one-size-fits-all requirements which are inconsistent with the Academy's recommendations that mining regulations should be based on site-specific performance standards.

There are strong environmental laws in effect that will not be rolled back or lessened in any way by suspending the new 3809 regulations. For instance, the disposal of mining wastes is strictly regulated on Federal, State and private lands through the Resource Conservation and Recovery Act and the Clean Water Act, as well as numerous State laws and regulations protecting groundwater resources. All facets of mining are covered by equally comprehensive legal frameworks.

The mining industry pays millions of dollars each year to comply with laws to ensure the protection of the environment. That is hardly the mark of an industry trying to flout its responsibility by fighting to roll back environmental laws.

The CHAIRMAN. The gentleman from Washington (Mr. INSLEE) has 1 minute remaining. The gentleman from New Mexico (Mr. SKEEN) has 2 minutes remaining, and the right to close.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when there was a discussion about rolling back arsenic standards some time ago, the American people went into basic revulsion. If we reject this amendment today, we will be heading in the same direction, rolling back standards designed to keep arsenic out of our streams and rivers, cyanide out of our streams and rivers, sulfuric acid out of our streams and rivers.

I believe the American public made their position very clear on this during the last several months while people in this town were discussing going backwards on the environment. I stand here today to say that in this appropriation process, we should not go backwards on arsenic. We should not go backwards on cyanide. That history has given us 12,000 miles of polluted rivers and a problem with arsenic in our water. That is why the League of Conservation Voters is so keenly interested in this vote. That is why I hope we stand together on a bipartisan basis and make sure that we adhere to the existing standards on arsenic.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Chairman, we have heard much about how old this law is and how unnecessary it is in this day and age. I suspect that is consistent with what we have heard today for quite awhile. Mr. Chairman, it seems we forget that there was also a law written in the late 1700s. We call it the Constitution today; yet that law has sustained us pretty well because, for the most part, we have tried to adhere to it.

Mr. Chairman, that law written in 1872 was written in the best of times for mining because it was one of the most important economies to the United States. But I would also remind my colleagues, consistent, I suspect with the inconsistency that we hear here that one day it is a good idea to put a rider on the bill and the next day it is not.

I am confused by all of this admittedly, Mr. Chairman, and I have only been here 165 days, but I am beginning to learn; and I am beginning to learn that what the people feel about Congress being out of touch, Americans out in the country that feel that Congress is no longer representative of them, now I understand.

There is no need to be consistent up here, Mr. Chairman. I have seen it happen. I have seen it happen to my colleagues that have been here far beyond my days and far beyond my years. Because not only do they not remember what they said yesterday, they do not remember that it is the very government that they now want to completely entrust in this day and age with the safeguards of our environment, was the very government that went to the Coeur d'Alene mining district during World War I and World War II and said forget about what you might do to the rivers and lakes, we need those minerals for the defense of that very Constitution, and we need these minerals for the very defense of this country.

So if I cannot ask for anything else, I would ask my more learned colleagues who maybe are more learned because they have been here longer to be consistent, if nothing else, and be representative of the law that was written in the 1700s as well as 1872.

Mr. HOLT. Mr. Chairman. I would like to express my support for an amendment offered by my two colleagues, Representatives INSLEE and HORN, regarding the Bureau of Land Management hard rock mining rules. New mining regulations were put into place at the end of the Clinton Administration, after a four-year period of intense public comment, hearings, and Congressional input. These new regulations are a vast improvement over the old BLM rules under the 1872 Mining Law. The old rules did not protect the public from the financial burden of failed mining ventures—leaving a legacy of thousands of abandoned mines, and the risk of a further billion dollars for potential clean up of ongoing operations. Furthermore, the old regulations did not protect the public from the massive pollution potential at modern large-scale mines.

The new mining regulations provide these protections, and I believe that they ought to be preserved. They require mining companies to pay the full cost of environmental cleanup, rather than shifting the cost to the taxpayer. The new rules put into place standards to protect surface and ground water from harmful mine drainage. EPA estimates that 40 percent of the western watersheds are polluted from mine drainage and leaching. Finally, the new rules prevent mining companies from staking a claim on public lands without regard to environmental and archeological resources or consideration of local communities.

The Inslee/Horn amendment will protect public lands and local communities by ensuring that the new mining regulations are kept in place. We can not afford to retreat on environmental and public health safeguards by weakening protective standards. The values of the 1800s no longer apply to the mining industry of today and the old rules do not offer the protection that is needed. Too much is at stake for us to allow mining companies to contaminate our water supply or lands. This amendment is the best way we have to protect our communities from outdated and harmful practices. I urge my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington (Mr. INSLEE) will be postponed.

□ 1645

AMENDMENT OFFERED BY MR. DEUTSCH

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

The Clerk read as follows:

Amendment offered by Mr. DEUTSCH:

Insert before the short title at the end the following new section:

SEC. ____. (a) LIMITATION.—None of the funds appropriated or otherwise made available in this Act may be used to pay the salaries or expenses of personnel of the Department of the Interior to extend the leases, any standstill agreement, or the terms of the settlement agreement that took effect March 30, 2001, concerning the holders of interests in seven campsite leases in Biscayne National Park, Florida, identified as campsite leases 2173A, 2146A, 2167A, 2159A, 2213A, 2157A, and 2303A and collectively known as ''Stiltsville''.

The CHAIRMAN. Pursuant to the previous order of the Committee of today, the gentleman from Florida (Mr. DEUTSCH) and the gentleman from New Mexico (Mr. SKEEN) each will control 5 minutes.

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

Mr. DEUTSCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a limiting amendment to prevent the implementation of rules that the Secretary of Interior has overturned of the previous administration dealing with seven leasehold parcels in Biscayne National Park, parcels whose leases ran out 3 years ago, six of whom were subsequent leaseholders who purchased those leases from the original leaseholders at fair market value. So we have seven leaseholders who have not paid rent for 3 years.

Under the prior administration, regulations were in place to develop a management plan. The Secretary of the Interior overturned that regulation upon her assumption of that office. This is really not just an issue about these seven leaseholders. This is really an issue about private use of a national park or public lands. That is what this issue is about. This happened in my district, in my area. I represent 90 percent of Biscayne National Park. But this could happen tomorrow in any of the national parks, the 400 national parks in the United States of America.

I urge my colleagues to overwhelmingly and sincerely support this amendment to prevent this from happening.

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

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I rise in strong opposition to the Deutsch amendment introduced at the 11th hour affecting a very important area in my congressional district. Stiltsville is in my congressional district, miles away from the district of the gentleman from Florida (Mr. DEUTSCH). Stiltsville is a group of seven homes located south of Key Biscayne in my district that has been part of the landscape and seascape of our young community since the 1930s.

This amendment prevents the Secretary of the Interior from extending any further standstill agreements. After much negotiation between Stiltsville homeowners and the Park Service, a standstill agreement was reached earlier this year that expires on March 31, 2002. This agreement is crucial because it prevents both parties from acting against each other and allows time for constructive negotiations and prevents the houses from being unfairly torn down. The Deutsch amendment ties the Secretary's hands and allows the clock to run out on further talks, putting Stiltsville owners at a negotiating disadvantage.

The Deutsch amendment is an underhanded attempt at tearing down these historic homes without coming out and saying so. The houses that make up Stiltsville are internationally known as the place that has that little village in the middle of the bay.

And who supports Stiltsville? Governor Jeb Bush. Who else supports Stiltsville? The Florida House of Representatives that passed a unanimous resolution in support of preserving Stiltsville. The Miami-Dade County Commission supports Stiltsville. The city of Miami. Let me tell my colleagues the cities that have said we want to support these homes: the City of Miami; the City of Miami Beach; the City of Coral Gables; the City of Hialeah Gardens; Homestead; Miami Springs; South Miami; West Miami; Key Biscayne, Key Biscayne that is just miles from these beautiful homes; Sweetwater; Virginia Gardens. I could go on and on.

It is incredible that the gentleman from Florida (Mr. DEUTSCH) would come here and present this amendment when literally thousands of homeowners support the preservation of Stiltsville.

Mr. DEUTSCH. Mr. Chairman, I yield myself 30 seconds just to respond to some specific points.

First of all, I represent 90 percent of Biscayne National Park. My district is literally feet, not miles, from Stiltsville. My colleague represents 10 percent of the park. It so happens these structures are there. But I think the critical distinction that we need to make, number one, I support Stiltsville. This is not about Stiltsville. What this is about is freeloaders in a national park. My colleague said owners. These people are not owners. These are leaseholders. The people that own that property is

us, the people of the United States of America, not the seven leaseholders. There is a difference between leaseholders and owners. We, as the owners, deserve to do what we want, which is to keep Stiltsville but use it for public purpose, not private gain.

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

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Chairman, I talked to my son Danny today. He is 16 years old. He is no owner of one of these houses. He and his friends, however, through the generosity and the courtesy of the folks that lease here, they go out there and they fish and they swim. I talked to Danny today. I said, ''Danny, there is going to be an amendment to, in effect, knock these houses down. What should I tell my colleagues?''

He said, ''Dad, that's a Florida tradition. Nature is taking care of that.''

So why should now Congress intervene and knock down these homes? This is a really unfortunate amendment that our colleague from the other side of the aisle has brought forward. Let the kids go out there and swim and fish.

Mr. DEUTSCH. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, in 1980 this Congress created Biscayne National Park, a park for all the people of the entire country. At that time there were seven leaseholders in the park who held campsites by lease. They were given a period of time to remove themselves from the national park. In 1990, they asked for an extension. That extension was given to them, and they had until 1999. They have had 20 years now for these leaseholders to get out of a national park. They are denying access to the public by holding these leases. This is a park that has been designated by the Congress for the enjoyment of all the people of the country. Anyone should be able to go there. They should not be able to be stopped by people who have illegal leaseholds. That is precisely what this is.

The issue here is a very simple one. In a national park, are we going to allow private people who are intruders, who are violating the law, who have overstayed their welcome, to continue to be there and prevent the rest of the public from using that public land appropriately as the Congress has designated? That is the issue.

I think that most people here would say no to that. We want the national parks to be used for the right purpose, to be used by all people, not by a few who have special interests, who have the ear of the Governor, or who have the ear of one of us Members of the Congress. I do not think any of us want to uphold that kind of a policy for public lands. A national park is there for all the people of the country. Let us make sure that this national park, Biscayne National Park, finally achieves that status and these people who have overstayed their welcome can finally leave quietly so that the rest of the public can enjoy that national park appropriately.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Utah (Mr. HANSEN), the distinguished chairman of the Committee on Resources.

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

Mr. HANSEN. Mr. Chairman, I think this is a very interesting debate. I find this interesting because I took the time to go down there. I held a hearing on it as chairman of the Subcommittee on National Parks and Public Lands a few years back. We could not find any problems at all with any of the scientists we brought up of hurting any of the environment.

A lot of people have said they have overstayed their welcome. I find that very interesting because these homes were there 50 years before the park. Who overstayed their welcome? Who was there first?

Another thing my colleagues may find interesting on this, I come from Utah. We do not have big pieces of Biscayne Bay. But what we do have, we have these beautiful cabins that are scattered all over the Forest Service and BLM and they are leased to those areas. What do those folks do with them? They go up there, they hold Boy Scout things, they teach young kids how to be good Americans, they use them and they take awfully good care of them. I wondered, what can they do in Florida with that old flat land down there? I cannot believe it.

Then I went down with the gentlewoman. What did I find down there? I found that exactly the same thing was going on. They take Boy Scouts out there. I got in this power boat with some guys and we went out and looked at that thing. They have Boy Scouts, people go out, they enjoy it. It turns out to be one of the things that they are very proud of.

Now, my colleagues worry about that. I think a few hurricanes may take care of it but right now it is one of the beautiful things they have got in that area. This is part of their heritage. This is part of something they love and believe in. I did not talk to a soul and when we held the hearings everybody that came up there said we love this area, we like Stiltsville.

What this amendment would do, Mr. Chairman, is in effect say, the heck with Stiltsville, it is gone. And one of the best parts that America can have in Florida will go with it. Why do you want to go away with that heritage? Why do we want to take away the things that people have built? Why, this would be like taking Temple Square out of Salt Lake City.

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

Mr. HANSEN. I yield to the gentleman from Florida.

Mr. SHAW. I would like to congratulate the gentleman on his statement and also express the appreciation of those who have lived in south Florida, I for my entire life, in going down and seeing that unique little village that we have, and it is not even a village anymore. It is not doing any harm. It is part of our heritage. Let us leave it alone. Some day a hurricane will take it out, but until then let us leave it alone and let us let it continue as it is.

Mr. DEUTSCH. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I think my colleagues on the other side of the aisle have made the case for this amendment. This is a great area, everybody loves it, everybody uses it, everybody likes it the way it is, except that it is not open to the public. That is the agreement that we made with the people that had these leases. They got a 25-year lease, the lease is now at the end, and now we have had some political intervention so they do not have to vacate the leasehold so that in fact all of the public can use it.

I will grant that one of the people leasing these properties let a Congressman's son come go fishing there, but what about other people that want to go fishing there? It is nice that they let some Boy Scouts in. The whole purpose of this is open up these leaseholds for public uses and public purposes so that whether it is the Boy Scouts or other organizations can come and use these facilities. There is a planning process that is going on so that this in fact can be a public facility of which it is. Because the original leaseholders made a decision, they have sold their interest, they entered into those leases, those leases have expired, and now it is just a question of whether you are going to use the power and the might of the United States Congress or the Secretary of Interior's office so she can close out the public so that seven entities get to continue to control what everybody says here is a wonderful asset that the public would love to use.

We ought to support the Deutsch-Hinchey amendment on this and open it up in fact to the public like all national parks.

Mr. DEUTSCH. Mr. Chairman, I yield myself the balance of my time.

I support Stiltsville. I think Stiltsville is a wonderful part of our community of south Florida. I live in south Florida. My family was raised there. I want to stay there for the rest of my life and hopefully for generations after. But again this is literally private use of public lands. These are leaseholds that ran out 3 years ago. Six of the seven people bought those leases at fair market value from the original leaseholders. They ran out 3 years, they have not paid anything, on us the owners. They have not paid anything to us as the owners, the people of the United States of America, for the last 3 years. They have been freeloading. If

it can happen in Biscayne National Park, it can happen anywhere. Let us stop this policy of the Secretary of the Interior.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTSCH).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida (Mr. DEUTSCH) will be postponed.

AMENDMENT OFFERED BY MR. STEARNS

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

The Clerk read as follows:

Amendment offered by Mr. STEARNS:

At the end of the bill, preceding the short title, insert the following:

SEC. . The amounts otherwise provided by this Act—

(1) for ''CHALLENGE AMERICAN ARTS FUND—CHALLENGE AMERICA GRANTS'' are hereby reduced by, and

(2) for ''DEPARTMENT OF ENERGY—ENERGY CONSERVATION'' are hereby supplemented by an additional appropriation for energy conservation grant programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507) in the amount of,

$10,000,000 each.

Mr. STEARNS (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 Florida?

There was no objection.

The CHAIRMAN. Pursuant to the previous order of the Committee of today, the gentleman from Florida (Mr. STEARNS) and the gentleman from Washington (Mr. DICKS) each will control 5 minutes.

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

Mr. STEARNS. I ask my colleague, is there any way we can get more time than that?

Mr. DICKS. No. This is the end of this bill. The gentleman is having the second shot at this.

Mr. STEARNS. By unanimous consent, Mr. Chairman, I request 10 minutes apiece.

Mr. DICKS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment which would basically do something very simple. As many of my colleagues know, this morning we passed an increase for the National Endowment for the Arts by another, I believe it was $10 million. All my amendment does is quite simple, is reduce that $10 million back to level funding.

□ 1700

So it is not a cut. So a lot of people who come on the floor who will be voting for my amendment should realize this is not about cutting the National Endowment for the Arts. This is basically keeping level funding for this program and, in fact, taking the $10 million which was added on to this program and using it for the Department of Energy; more specifically, for energy conservation for grant programs to help across this Nation for people who need increased amount of energy and in a larger sense to help low-income people in weatherization of their homes.

So I ask my colleagues to consider the priority of the two, increasing $10 million for the National Endowment for the Arts or increasing the Department of Energy's energy conservation program.

Now, this debate used to be about reducing or, as that side would say, cutting the NEA; but this is not a debate about that. So I want to take that off the table, and I hope that side will realize that the debate and focus has changed.

Mr. Ivey, who is head of the department of National Endowment for the Arts, has made a great effort to change the image of the National Endowment for the Arts, and I applaud him for his efforts. I think at this point he has been successful so that our debate today is more about should we increase that program at the expense of energy conservation.

Now let me just take my colleagues on a little, small journey on what we could do with this money. Items funded under this program include research and development projects that develop new and improved existing technologies; Federal energy management; low-income weatherization assistance; and State energy program grants.

Through these projects and research, we can continue to sustain future economic growth while at the same time, Mr. Chairman, increasing America's awareness of new energy efficiency.

In my home State of Florida we expect to need about 10,000 to 15,000 megawatts of new generation to keep pace with demand. Florida is one of the foremost populous States, increasing by over 20 percent last year since 1990 in population. In addition, we are the sixth highest in energy consumption.

The need for energy conservation is clear. We need to focus funds where the need is. We are not in a position where we can say we are not in a crisis, because we are. We could have rolling blackouts across this country. Arts is important, I know it is, but energy is also important. So surely, Mr. Chairman, the money provided for energy conservation under this amendment will serve the taxpayers, I believe, in a much more satisfactory manner.

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

Mr. DICKS. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from New York (Ms. SLAUGHTER), in opposition to the amendment.

Ms. SLAUGHTER. Mr. Chairman, I thank the gentleman from Washington (Mr. DICKS) for yielding me this time.

Mr. Chairman, this amendment is being offered for one purpose and one purpose only: to squash a fair and hard-fought victory that we had 4 hours ago to increase funds for the National Endowment for the Arts and other cultural agencies.

Similar to our debate last year, some Members have resorted to last minute shenanigans to reverse support for arts funding and to wrongfully deny the NEA, a most worthy agency, from receiving the funds it justly deserves.

At the last minute, without warning, the gentleman from Florida (Mr. STEARNS) has designed an amendment to eliminate the entire amount that we had granted the NEA, a modest boost of $10 million. The amendment is an obvious attempt to sabotage this, the first clean, overwhelming positive vote that we have had on NEA in years.

Witnessing our amendment win fair and square, some Members have gotten nervous and put forth yet another cheap tactic to deny this agency the small pot of money that it deserves. With today's vote of 221 to 193 in favor of increasing funds for the cultural agencies, the House has taken its stand in support of them.

It is ludicrous and unconscionable to consider this amendment on the heels of this victory and a great disservice to those Members and the constituents they represent to go back on their word. I urge a no vote.

Mr. STEARNS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman from Florida (Mr. STEARNS) for yielding me this time.

Mr. Chairman, I stand in strong support of this. This amendment simply puts the NEA back to the funding level that it should be at, and the funding level that was passed on a bipartisan level by the committee. More importantly than that, it invests the money in energy conservation.

Here are some of the things that the NEA does: promotes poetry, promotes puppetry, promotes jazz. All these things are very important. These are things they do in my area; and frankly, my folks can do this without the NEA's help. Given the choice between a puppet show and gas selling at $1.50 a gallon versus $1.20 a gallon, we would rather have gas at $1.20 a gallon, and then we would write our own checks to promote art locally.

I believe we need heat for hospitals, light for learning and gas for going places; and that is what the Stearns amendment does. It puts money into energy conservation so there will be more energy, more source of energy for all of us; and I believe that this is a far more needed expenditure than spending additional money on the NEA at this time.

Mr. DICKS. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, this amendment has as much to do with energy as it has to do with my dead dog. All it is is an effort to try to get a second kick at the cat and thereby eliminate a fairly won decision to increase funding for the arts.

For those of you who are interested in seeing this bill completed today, I simply want to remind you, if this double-backed maneuver were to succeed, and I do not believe it will, but if it were to succeed, and if this amendment would be adopted, that would require yet another revolt in the full House, again further delaying the adjournment of this House tonight.

I do not think you want to do that. I also do not think that you want to have to explain another vote reversal. So I think for the good of all concerned, I would advise you to stick with your final vote. It is consistent; it is fair; and it is a whole lot easier to explain to the folks back home.

Mr. STEARNS. Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from New York (Mr. HINCHEY), a member of the subcommittee.

Mr. HINCHEY. Mr. Chairman, what we have learned this afternoon is that some Members in the majority party here hate the National Endowment for the Arts more than they hate energy conservation. If they really liked energy conservation, they had an opportunity to pass some responsible amendments to this bill, both in the Committee on Appropriations where it was defeated by a party line vote and out here on the full floor where they denied us the opportunity to have a vote on a bill that would have brought about $200 million in energy conservation.

We are talking real energy conservation, not this little bit that the gentleman is talking about here. The gentleman does not want any energy conservation. He just cannot stand the National Endowment for the Arts more than he cannot stand energy conservation. He says it is not a cut. His bill gives us $57 million less for the National Endowment for the Arts than we had for it in 1995, and now we have a $10 million increase making us still $47 million lower than we had in 1995; and the gentleman wants to take that $10 million away. He ought to be ashamed of himself.

Mr. STEARNS. Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. HORN), a cosponsor of our amendment.

Mr. HORN. Mr. Chairman, I thank the gentleman from Washington (Mr. DICKS) for yielding me this time.

Mr. Chairman, I must say I am disappointed with this further attack on the NEA and the NEH and the Institute of Museums and Libraries. I cannot believe that. When little kids in rural America and urban America need to get this type of culture and music and this great history of this Nation, I cannot believe it when individuals start and say let us get rid of people that study history or everything else. It is just plain wrong.

Mr. STEARNS. Mr. Chairman, I yield 25 seconds to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, when George Bush became President, he promised the American people fiscal discipline; that he would limit the size of government; that they would get some of their money back in tax cuts and we would pay down the public debt. So far Congress has kept faith with the President, and we want to limit the size of government. Why are we getting such a huge increase to NEA? This controversial agency has not had a funding increase that big in almost 20 years. This is $10 million more than the President asked for. I urge my colleagues to do the right thing for fiscal restraint and support this amendment.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I conclude by just saying this is not about cutting the NEA. This is continuing the level of funding and moving the money that we increased to energy conservation, a priority between energy conservation and increasing the NEA.

Mr. DICKS. Mr. Chairman, I yield myself 1 minute to close.

Mr. Chairman, I would hope that my colleagues would not do what we did last year when we reversed this vote. I would ask everyone to use good common sense. This amendment was offered. We had a good hour debate. Everybody had a chance to present their point of view and clearly the people of this House, by a good majority, 221 to 193, voted to give modest increases to the National Endowment for the Arts, for the Humanities and Museum Services. Now the gentleman from Florida (Mr. STEARNS) comes in and tries to reverse that decision. We increased the budget for energy programs by over $300 million. So the budget is not lacking in funding for energy conservation, where the gentleman tries to add the money. So this is done strictly for a political purpose. I would say let us stay with this. This is a good decision. It is a modest increase. This House has sent a strong message to the NEA and they have responded. They are now making grants that are quality grants, and so I think this is a vote that we do not want to have to repeat in the House. Let us just vote no and sustain the position in the committee.

The CHAIRMAN. All time for debate has expired. 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 clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

Are there further amendments to the bill?

The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Department of the Interior and Related Agencies Appropriations Act, 2002''.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: an amendment by the gentleman from Florida (Mr. DAVIS); an amendment by the gentleman from Washington (Mr. INSLEE); an amendment by the gentleman from Florida (Mr. DEUTSCH); and an amendment by the gentleman from Florida (Mr. STEARNS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. DAVIS OF FLORIDA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DAVIS) on which further proceedings were postponed and on which the noes prevailed by a 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 vote was taken by electronic device, and there were—ayes 247, noes 164, not voting 21, as follows:

[Roll No. 181]

AYES—247

| | | |
|---|---|---|
| Abercrombie | Clement | Frank |
| Ackerman | Clyburn | Frelinghuysen |
| Allen | Condit | Frost |
| Andrews | Conyers | Gallegly |
| Baca | Costello | Ganske |
| Baird | Coyne | Gephardt |
| Baldacci | Crenshaw | Gilchrest |
| Baldwin | Crowley | Gilman |
| Barcia | Cummings | Gordon |
| Barrett | Davis (CA) | Goss |
| Bartlett | Davis (FL) | Graham |
| Becerra | Davis (IL) | Green (WI) |
| Berkley | Davis, Tom | Greenwood |
| Berry | DeFazio | Gutierrez |
| Bilirakis | DeGette | Hall (OH) |
| Bishop | Delahunt | Harman |
| Blagojevich | DeLauro | Hastings (FL) |
| Blumenauer | Deutsch | Hill |
| Boehlert | Diaz-Balart | Hilliard |
| Bonior | Dicks | Hinchey |
| Borski | Doyle | Hinojosa |
| Boucher | Dunn | Hoeffel |
| Boyd | Ehlers | Hoekstra |
| Brady (PA) | Ehrlich | Holden |
| Brown (FL) | Engel | Holt |
| Brown (OH) | English | Honda |
| Camp | Eshoo | Hooley |
| Capito | Etheridge | Horn |
| Capps | Evans | Hoyer |
| Capuano | Farr | Hutchinson |
| Cardin | Fattah | Inslee |
| Carson (IN) | Ferguson | Jackson (IL) |
| Castle | Filner | Jackson-Lee (TX) |
| Chabot | Foley | Johnson (CT) |
| Clay | Ford | Johnson (IL) |
| Clayton | Fossella | |

Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Ney
Oberstar
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Platts
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Rahall
Ramstad
Rangel
Rivers
Roemer
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Scott
Shaw
Shays
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walsh
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOES—164

Akin
Armey
Baker
Ballenger
Barr
Barton
Bass
Bentsen
Bereuter
Biggert
Blunt
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Cannon
Cantor
Carson (OK)
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Edwards
Emerson
Flake
Fletcher
Gekas
Gibbons
Gillmor
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (TX)
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson, Sam
Kennedy (MN)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lipinski
Lucas (OK)
McCrery
McKeon
Mica
Miller, Gary
Mollohan
Moran (KS)
Nethercutt
Northup
Norwood
Nussle
Ortiz
Osborne
Otter
Oxley
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Pryce (OH)
Radanovich
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rohrabacher
Royce
Ryun (KS)
Sandlin
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stenholm
Stump
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Vitter
Walden
Wamp
Watkins (OK)
Watts (OK)
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—21

Aderholt
Bachus
Berman
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
Linder
McInnis
Meehan
Meeks (NY)
Neal
Riley
Rush
Serrano

□ 1736

Messrs. ENGLISH, SWEENEY, HUTCHINSON, NEY and STRICKLAND changed their votes 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 clause 6 of rule XXVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. INSLEE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. INSLEE) 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 vote was taken by electronic device, and there were—ayes 216 noes 194, not voting 22, as follows:

[Roll No. 182]

AYES—216

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Bentsen
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Frank
Frelinghuysen
Frost
Ganske
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (VA)
Morella
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Schiff
Scott
Shays
Sherman
Shows
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sununu
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Woolsey
Wu
Wynn

NOES—194

Akin
Armey
Ballenger
Barr
Bartlett
Barton
Bereuter
Berkley
Berry
Biggert
Bilirakis
Blunt
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Camp
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Flake
Fletcher
Foley
Fossella
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry

Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—22

Aderholt
Bachus
Baker
Berman
Boehner
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Meehan
Neal
Riley
Roukema
Rush
Serrano

□ 1744

Ms. BROWN of Florida. Mr. ENGLISH and Mr. SHOWS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DEUTSCH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTSCH) 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 vote was taken by electronic device, and there were—ayes 187, noes 222, not voting 23, as follows:

[Roll No. 183]

AYES—187

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Schiff
Scott
Shays
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOES—222

Abercrombie
Akin
Armey
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (NY)
Manzullo
McCrery
McHugh
McKeon
Meek (FL)
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—23

Aderholt
Bachus
Baker
Berman
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Graham
Houghton
Israel
Kaptur
Lewis (GA)
McInnis
Meehan
Neal
Pitts
Riley
Roukema
Rush
Serrano

□ 1751

Mr. DAVIS of Illinois changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. STEARNS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment 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 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 145, noes 264, not voting 23, as follows:

[Roll No. 184]

AYES—145

Akin
Armey
Barr
Bartlett
Barton
Bilirakis
Blunt
Boehner
Bonilla
Brady (TX)
Brown (SC)
Bryant
Burton
Buyer
Camp
Cannon
Cantor
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Deal
DeLay
DeMint
Doolittle
Dreier
Duncan
Dunn
Emerson
Flake
Fletcher
Ganske
Gibbons
Goode
Goodlatte
Graham
Graves
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kerns
King (NY)
Kingston
Knollenberg
Largent
Latham
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McIntyre
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Otter
Oxley
Paul
Pence
Petri
Pickering
Pitts
Pombo
Putnam
Radanovich
Rogers (KY)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Toomey
Upton
Vitter
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOES—264

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird

Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Granger
Green (TX)
Greenwood
Grucci
Gutierrez
Hall (OH)
Harman
Hart
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kirk
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McHugh
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Scott
Shaw
Shays
Sherman
Sherwood
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sununu
Sweeney
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walden
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Wolf
Woolsey
Wu
Wynn

NOT VOTING—23

Aderholt
Bachus
Baker
Berman
Callahan
Calvert
Cox
Cramer
Cubin
Everett
Houghton
Israel
Kaptur
Lewis (GA)
McCarthy (NY)
McInnis
Meehan
Neal
Peterson (PA)
Riley
Roukema
Rush
Serrano

□ 1759

Messrs. TAUZIN, BONILLA, and MORAN of Kansas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) 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. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 174, 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? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. 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.

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 vote was taken by electronic device, and there were—yeas 376, nays 32, not voting 24, as follows:

[Roll No. 185]

YEAS—376

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
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Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
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Kildee
Kilpatrick
Kind (WI)
King (NY)
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Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
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Larsen (WA)
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Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
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Price (NC)
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Rogers (KY)
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Young (AK)
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NAYS—32

Barr
Berry
Cannon
Crane
Culberson
Emerson
Flake
Gibbons
Goode
Goodlatte
Green (WI)
Hefley
Hostettler
Johnson, Sam
Jones (NC)
Moran (KS)
Otter
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Ryun (KS)
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Sensenbrenner
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| Simpson | Stearns | Toomey |
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NOT VOTING—24

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| Aderholt | Cubin | Meehan |
| Bachus | Everett | Neal |
| Baker | Ford | Riley |
| Berman | Houghton | Roukema |
| Callahan | Israel | Rush |
| Calvert | Kaptur | Scarborough |
| Cox | Lewis (GA) | Serrano |
| Cramer | McInnis | Watson (CA) |

□ 1819

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT FRIDAY, JUNE 22, 2001, TO FILE REPORT ON DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tomorrow, June 22, to file a privileged report making appropriations for the Department of Transportation and Related Agencies for the fiscal year ending September 30, 2002, and for other purposes.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

## PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, I was unavoidably detained on rollcall number 177, the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER). Please let the RECORD show that had I been present I would have voted ''aye.''

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2172

Mr. GILLMOR. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2172.

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

There was no objection.

## LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I wish to inquire of the distinguished majority leader the schedule for the remainder of the week and next week, and I yield to the majority leader.

Mr. ARMEY. Mr. Speaker, I am pleased to announce that the House has completed its legislative business for the week. I should mention, however, that many Members of the House have moved their business to their field of dreams.

Mr. BONIOR. Dreams is the important word there, Mr. Speaker.

Mr. ARMEY. Dreams is the important word. It is the annual charity baseball game between the Democrat and Republican Members of the House, with a beautiful trophy at stake and bragging rights for at least a year. I am sure our champions of the diamond will acquit themselves well on our behalf. Nevertheless, we will have no further business on this floor until the crowing begins next week.

The first opportunity for that, for one side or the other, will be when the House next meets for legislative business on Monday, June 25, at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. The House will consider a number of measures under suspension of the rules, a list of which will be distributed to Members' offices tomorrow. On Monday, no recorded votes are expected before 6 p.m.

On Tuesday and the balance of the week, the House will consider the following measures:

H.R. 2213, the 2001 Crop Year Economic Assistance Act;

The Transportation Appropriations Act for fiscal year 2002;

The Agriculture Appropriations Act for fiscal year 2002;

And the Energy and Water Appropriations Act for fiscal year 2002.

I thank the gentleman for yielding.

Mr. BONIOR. If I could just inquire of my colleague on a couple of points.

Can the gentleman tell us or does the gentleman know which days the appropriation bills will be brought up on transportation, agriculture, and energy? Do we have a day for those yet, or what order they will be in?

Mr. ARMEY. I thank the gentleman for asking. The transportation bill will be up on Tuesday. We would expect to do agriculture on Wednesday and Thursday and energy and water on Thursday and Friday, if necessary.

Mr. BONIOR. I thank my colleague for that. We definitely think we will be in on Friday next week; is that where we are going with this at this point?

Mr. ARMEY. Mr. Speaker, I appreciate the gentleman's inquiry; and yes, I think it is the last week before a major recess period and the schedule has announced that since January. We would, of course, hope to have expeditious work on these appropriation bills. Since some Members would like to have a break on that, if at all possible we would hope to see it turn out that way. But all Members should, I think in the better part of prudence, be prepared to be here at work on Friday of next week.

Mr. BONIOR. The gentleman is correct, he has notified us way in advance that we would be working this next Friday. I understand the need to finish the bills; and hopefully, we will do it expeditiously and perhaps maybe not have that Friday session.

Mr. Leader, may I also ask this question: the Tauzin-Dingell bill on telecommunications and broad band, can you give us any sense of when that may be brought to the floor? Next week perhaps or, if not then, when?

Mr. ARMEY. Again, if the gentleman will continue to yield, I thank the gentleman for asking. This bill is very important legislation dealing with a major sector of the American economy. The Committee on the Judiciary, as the gentleman knows, also has exercised jurisdiction on that, and I think at this point what we would prefer to do is examine the work of the Committee on the Judiciary.

There is nothing planned at this time with respect to scheduling that bill for floor debate. Certainly I would not see it next week, and I could not tell the gentleman at what time we might expect it following the recess.

Mr. BONIOR. And on H.R. 7, the Charitable Choice bill, might the gentleman give us any indication when that would be brought to the floor.

Mr. ARMEY. Again, I thank the gentleman for his inquiry. The committees are marking up on that bill. They expect to have a markup on Tuesday. It is my anticipation that that bill also would, while it may be reported by the committees, would probably not be available to the floor until after the recess.

Mr. BONIOR. Finally, let me ask this: Is the HMO bill coming to the floor before the July 4 recess?

Mr. ARMEY. Again, I appreciate the gentleman's inquiry. That is a very important subject, and we are working feverishly on it; but again I do not expect it before the recess.

Mr. BONIOR. How about the campaign finance bill coming to the floor the first week when we come back from recess?

Mr. ARMEY. Again, if the gentleman will continue to yield, the committee is working on that. The committee will have a markup next week. It is our very fervent hope that we can have the committee report the bill next week and it be available to the floor on the week we return.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his responses.

## RANKING OF MEMBER ON COMMITTEE ON RESOURCES

Mr. ARMEY. Mr. Speaker, I offer a resolution (H. Res. 176) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 176

*Resolved,* That on the Committee on Resources, Mr. Hayworth shall rank after Mr. Tancredo.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ADJOURNMENT TO MONDAY, JUNE 25, 2001

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

## PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO HAVE UNTIL 5 P.M. FRIDAY, JUNE 22, 2001, TO FILE REPORT ON H.R. 1954, ILSA EXTENSION ACT OF 2001

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the Committee on International Relations have until 5 p.m. tomorrow, June 22, to file a report on H.R. 1954.

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

There was no objection.

## WISHING BASEBALL GAME PARTICIPANTS GOOD HEALTH AND FELLOWSHIP

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that all Members of this body join me in a fervent prayer that all our happy warriors tonight from both sides of the aisle complete their evening's activities without mortal damage to any of our participants and that they all walk away happy and in good fellowship.

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

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore (Mr. KIRK). The Chair will entertain 1-minute requests.

## CURRENT ENERGY PROBLEM

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

Mr. OSBORNE. Mr. Speaker, I would like to discuss our current energy problem. It has taken more than 20 years to develop; and obviously, there is no quick solution. But I guess the good news is that we have a plan, where before we had none. It provides for the conservation of energy, exploration and development of new energy sources; and it presents a plan for alternative fuels.

I would like to just briefly mention the Gasoline Access and Stability Act, which has recently been introduced and I think can be part of the solution. This has been sponsored by the House leadership and the entire Nebraska delegation has signed on. This act reduces 45 blends of gasoline to 3.

Currently, our refineries have to shut down totally when a new blend is introduced, and they have to clear their pipes. This is very time consuming and expensive. This bill would require 2 percent oxygenated fuel in the summer and 2.7 percent oxygenated fuel in the winter. The benefits would reduce green house gas emissions by 25 to 30 percent, save motorists up to 12 cents per gallon of gasoline, protect consumers from price spikes, and certainly reduce our independence on foreign oil.

## NUCLEAR ENGINEERING EDUCATION

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

Mr. KNOLLENBERG. Mr. Speaker, I rise today to urge support for H.R. 2126, the Department of Energy University Nuclear Science and Engineering Act, which was introduced by the gentlewoman from Illinois (Mrs. BIGGERT), and I am proud to be an original cosponsor.

The crisis in California has awakened our Nation to the lack of energy supply that confronts us. Nuclear power currently provides 20 percent of America's electricity. Interestingly, it provides 30 percent of California's electricity; and it is an obvious answer, I believe, to our energy needs.

The nuclear science and engineering programs in our universities are crucial to this research in that they provide the critical foundation for our nuclear industry.

□ 1830

Currently support for nuclear science and engineering programs is at a 35-year low. H.R. 2126 authorizes a critical investment of roughly $240 million over 5 years from the Department of Energy.

Mr. Speaker, this modest investment will ensure that nuclear power will be able to meet California's needs and this Nation's demands. It is imperative that this crucial piece of legislation receives our support.

## CONGRESS NEEDS TO PASS BUSH ENERGY PLAN

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, we have been hearing a lot about how big oil and big energy companies are picking on California. We are told they are gouging their citizens and only price controls can stop this. Has anyone asked the question, Why California? Why are the big oil and energy companies not picking on Illinois, Pennsylvania, Ohio or New York?

Maybe it is because they are not picking on anyone at all. Energy costs are high across the country, but energy prices are higher in California because that State has prevented through burdensome regulations the construction of new power plants for the last 10 years. The prices that the rest of the country is paying are high because we are trying to meet today's needs with yesterday's energy infrastructure, and it is not working.

Our energy demands have increased 47 percent over the past 30 years, and yet we have half as many oil refineries, static pipeline capacity and 20 times as many mandated gasoline blends.

Low prices throughout the 1980s and 1990s have lulled American consumers and producers into a belief that low prices will always be here. But we know now that is not true.

President Bush has proposed the first comprehensive energy plan in a decade that will increase efficiency, improve how our energy is delivered, diversify our energy sources, protect the environment and assist low-income Americans through these current price increases.

I suggest we get off the rhetorical high horse and get to work passing this energy plan.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KIRK). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## TROPICAL STORM ALLISON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, I rise to share some more stories on the devastation left in my hometown of Houston by Tropical Storm Allison. From Tuesday, June 5, when landfall was made through Sunday, June 10, when the rains began to taper off and the water began to recede, it is now estimated that over $4 billion of damage was done by this seemingly minor tropical storm. It also cost 23 lives in the Houston area. Of course this storm not

only damaged Houston, but also Louisiana, Mississippi; and it dumped a great deal of water in Pennsylvania this past weekend.

For my colleagues not from coastal areas, this was just a tropical storm. Damage was exclusively from flooding. There was no damage from high winds, tornadoes or other weather events had it been a full-blown hurricane.

While many areas of Houston had significant flooding, the 29th district was particularly hard hit. Many of the city's bayous run through my district. Bayous such as Hunting and Greens, overflowed their banks, causing widespread flooding in businesses and residential areas.

Over 10,000 residents were forced from their homes by Greens Bayou alone, as flooding reached the 1,000-year flood level. Even those who were not flooded out of their residences suffered thousands of dollars worth of damage to their homes and personal belongings.

Damage estimates for homes have not yet been completed, but the total is significant. 303 homes totally destroyed; 12,451 with major damage and are uninhabitable; and 20,491 homes have minor damage, with families able to at least partially begin the process of moving back in.

I would like to thank the Federal Energy Management Agency, FEMA, for their prompt response in the Houston area. Almost as soon as the rains stopped, FEMA personnel were establishing a command center in the Greens Point area and setting up disaster relief centers where victims could register for home inspections, SBA loans, or temporary housing assistance and other Federal benefits, along with State agencies in these centers.

As of 6 p.m. last night, 47,000 people had registered with FEMA on their toll-free hot line; over 41,000 have registered for the disaster housing program; and $17 million in funding has been approved. For individual and family grant programs, almost 17,500 registrations have been received; and nearly $13 million in funding has been approved.

I would like to recognize the thousands of volunteers from the American Red Cross and the Salvation Army in their role in the recovery process. These organizations quickly opened shelters for those driven from their homes. They have provided more than 800,000 meals to victims of this disaster and currently are offering additional aid so that individuals can begin to replace clothing and other belongings that were ruined or swept away during the floods. Also our Army, Air Force and National Guard, and AmeriCorps, and numerous other government agencies have contributed to helping Houstonians and people who live in Harris County clean up and begin the long process of rebuilding their lives.

The task ahead of us, though, is going to be long and arduous. For example, the damage to our hospitals will place a heavy burden on our health care infrastructure for the near future. Let me share some of the numbers: in my district, East Houston Medical Center, complete evacuation for 2 or 3 months before reopening; maybe 1 year for complete restoration.

Hermann Memorial Hospital, one of our two Tier I trauma centers in Houston, evacuated and closed for an estimated 6 to 8 weeks.

Methodist Hospital closed due to extensive damage, potential partial reopening this week, but 6 months to restore completely.

St. Luke's Hospital, their emergency room suffered extensive damage. Six months to 1 year for complete restoration.

St. Joseph's Hospital, emergency room closed for extensive damage, 3 to 6 months before reopening, and 1 year before complete restoration.

Northwest Columbia Hospital, closed and unable to operate possibly for 1 year due to extensive damage.

Ben Taub, one of our public hospitals, full to capacity; emergency room on diversion status except for extreme cases.

LBJ Hospital, damaged but still operating, another one of our public hospitals, full to capacity with emergency room operators up 260 percent compared to prestorm level.

Park Plaza, emergency room operations up 440 percent compared to prestorm levels.

Even though classes were out and summer school had not yet begun, our public schools were not spared. 155 of the 300 schools in Houston ISD suffered flood damage, with 13 of those sustaining substantial damage.

Other districts were not spared, either. North Forest ISD's schools and administration building suffered severe damage, especially for office equipment and computers. They were also forced to postpone their summer school program.

Additionally, the Sheldon Independent School District suffered severe flooding in all but two of their schools, and they have been forced to cancel part of their summer school program.

There is a great deal of work to do, Mr. Speaker, but we will continue to rebuild our homes and schools and our business. I thank the agencies that helped us.

## EAST SIDE ACCESS AND SECOND AVENUE SUBWAY CRUCIAL NEW YORK CITY TRANSPORTATION PROJECTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY of New York. Mr. Speaker, in New York City there are two crucial transportation projects: the East Side Access and the Second Avenue Subway. These two projects would provide the New York region with the first significant expansion of transit capacity in over half a century.

The MTA is moving forward with both projects on a fast track. Because they will be intersecting benefits and impacts, they need to advance together. The New York delegation is united in wanting to provide support to these projects in this year's title III appropriations bill. We have joined the MTA in requesting $149 million for the East Side Access and $20.5 million for the Second Avenue Subway.

The Committee on Appropriations had made a very serious mistake by providing only $10 million for the East Side Access and absolutely no funding for the Second Avenue Subway. This is a terrible decision that seriously undermines New York's ability to meet its transportation needs for the 21st century.

The New York City region is the largest transit market in the United States with nearly 8 million daily trips. Our subways and railroads have twice the ridership of the rest of the Nation's rail system combined.

At the same time, the MTA is the most efficient transit system in the country, covering over 60 percent of its operating cost from the fare box. New York City is serious about the need to continue investment in our transit system. The MTA expects to fund over 70 percent of its 2000–2004 capital program with city, State and internal resources, a commitment of over $12 billion.

New York State has included $1.05 billion for the Second Avenue Subway and its MTA 5-year capital plan and $1.5 billion for the East Side Access. The MTA is committed to funding 50 percent of the cost for the Second Avenue Subway and East Side Access.

The Second Avenue Subway, which will run from East Harlem to the tip of Manhattan and provide for eventual extensions into the Bronx, Brooklyn, and Queens, is the most important project to the MTA's agenda. It will bring subway service to underserved areas of Manhattan, enable East Side Access passengers to travel to their jobs, and provide relief to passengers on the Lexington Avenue Subway, which is the most overcrowded subway in the entire country. The east side of Manhattan is one of the most densely populated areas in the country. We are continuing to grow in population, but our communities are served by only one subway line. We have neighborhoods with over 200,000 residents per square mile, and many must walk 15 or 20 minutes to reach the nearest subway. The project is vitally important to the economic health of the New York region.

The East Side Access will connect the Long Island Railroad to Manhattan's East Side, enabling over 70,000 Long Island and Queens residents to reach their jobs in the Grand Central terminal area, the most densely populated business district in the United States.

70,000 East Side Access riders cannot fit on the Lexington Avenue line, which already carries thousands of riders more than it was designed for. They

need the Second Avenue line. Unless these new riders have another transportation option, they will overwhelm the Lex, and reduce the capacity with disastrous results for people who live in my district and Manhattan and Queens, as well as those who live in the Bronx and Brooklyn.

The Second Avenue Subway, which will provide an alternative route to hundreds of thousands of riders, is the only solution to this problem. The Second Avenue Subway and East Side Access have the support of the New York delegation, the MTA, the governor, and the mayor. What is more, the Second Avenue Subway has had the financial support, serious support from the City, the State, and the Federal Government.

It makes absolutely no sense for Congress to stop funding the Second Avenue Subway now that it is underway by providing only $10 million for the East Side Access and no money for the Second Avenue Subway. This transportation appropriations bill gravely shortchanges the New York metropolitan region and undermines our financial future.

Mr. Speaker, I urge my colleagues and particularly the New York delegation to vote against the transportation bill when it comes to the floor because the Second Avenue Subway was not continued in its funding. It is a safety hazard, a transportation hazard and it is just plain wrong, particularly when the State has committed over $1 billion to fund this project.

Mr. Speaker, in New York City there are two crucial transportation projects—East Side Access and Second Avenue Subway.

These two projects would provide the New York Region with the first significant expansion of transit capacity in over half a century.

The MTA is moving both projects forward on a fast track.

Because they will have intersecting benefits and impacts, they need to advance together.

The New York delegation is united in wanting to provide support to these projects in this year's Title III appropriation.

We have joined the Metropolitan Transportation Authority in requesting $149.5 million for East Side Access and $20.5 million for the Second Avenue subway.

The Appropriations Committee has made a serious mistake by providing only $10 million for East Side Access and no funding for the Second Avenue Subway.

This is a terrible decision that seriously undermines New York's ability to meet its transportation needs for the 21st Century.

The New York City Region is the largest transit market in the United States; with nearly 8 million daily trips.

Our subways and railroads have twice the ridership of the rest of the nation's rail systems combined.

At the same time the MTA is the most efficient transit system in the country, covering over 60 percent of its operating costs from the farebox.

New York is serious about the need to continue investment in our transit system.

The MTA expects to fund over 70 percent of its 2000–2004 Capital program with City, State, and internal resources, a commitment of over $12 billion dollars.

It has included $1.05 billion dollars for the Second Avenue Subway and $1.5 billion dollars for East Side Access in its Capital Plan.

The MTA is committed to funding 50 percent of the cost for the Second Avenue subway and East Side Access.

The Second Avenue subway, which will run from East Harlem to the tip of Lower Manhattan, and provide for eventual extensions into The Bronx, Brooklyn, and Queens, is the most important project on the MTA's agenda.

It will bring subway service to underserved areas of Manhattan, enable East Side Access passengers to travel to their jobs and provide relief to passengers on the Lexington Avenue line, which is the most overcrowded subway line in the country.

The East Side of Manhattan is one of the most densely populated areas of the country.

We are continuing to grow in population, but our communities are served by only one subway line.

We have neighborhoods with over 200,000 residents per square mile, where many must walk 15 or 20 minutes to reach the nearest subway.

This project is vitally important to the economic health of the New York region.

The MTA is moving forward quickly with its plans to build the subway.

It has completed a Draft Environmental Impact Statement for the upper portion of the line and is working on a Supplemental DEIS for the remainder of the project.

Additionally, the MTA has completed a screening of qualifications and developed a short list of three consultant teams for the engineering and design consultant for this project.

It is currently preparing a request for proposals and it will award a contract and begin work on preliminary engineering this year.

East Side Access will connect the Long Island Rail Road to Manhattan's East Side, enabling over 70,000 Long Island and Queens residents to reach their jobs in the Grand Central Terminal area, the most densely developed business district in the United States.

Each of these riders will see their daily journey to work reduced by over 30 minutes.

The Final DEIS has been completed.

East Side Access received $8 million from Congress last year and $370.6 million from the State under the MTA Capital Plan.

The MTA has awarded contracts for engineering for tunnels in November 1998 and for the rest of the project in February 1999. They are awaiting a record of decision from the FTA.

It is the consensus opinion of most elected leaders in New York that these two projects must be completed together.

Seventy thousand East Side Access riders cannot fit onto the Lexington Avenue line which already carries thousands of riders more than it is designed for—they need the Second Avenue Subway.

Unless these new riders have another transportation option, they will overwhelm the Lex and actually reduce its capacity, with disastrous results for people who live in my district in Manhattan and Queens, as well as those who live in The Bronx and Brooklyn.

The Second Avenue subway, which will provide an alternative route to hundreds of thousands of riders, is the only solution to this problem.

The Second Avenue Subway and East Side Access have the support of the New York delegation, the MTA, the Governor and the Mayor.

What's more, the Second Avenue Subway has had the financial support of the City, the State and the Federal government.

The Speaker of the Assembly, Sheldon Silver, held up the MTA Capital Plan until he received a commitment for a full-length Second Avenue Subway. As a result $1.05 billion is budgeted for the Subway in the MTA's five year.

The Manhattan Borough President, C. Virginia Fields, committed $1 million from her budget for the Subway. The Second Avenue Subway was authorized under TEA–21 and last year, Congress provided $3 million in new start funds.

It makes no sense for Congress to stop funding the Second Avenue Subway now that it is underway.

By providing only $10 million for East Side Access and no money for the Second Avenue Subway, this Transportation Appropriations bill gravely short-changes the New York Metropolitan region and undermines our financial future.

I urge my colleagues, and particularly the New York delegation, to vote against this Transportation Appropriations bill.

□ 1845

## AMERICA'S ENERGY CRISIS

The SPEAKER pro tempore (Mr. KIRK). Under a previous order of the House, the gentleman from Montana (Mr. REHBERG) is recognized for 5 minutes.

Mr. REHBERG. Mr. Speaker, I rise today because I wish to speak to America about our current energy crisis. While prices rise at the pump to over $2 a gallon in some places and Californians are forced to contend with blackouts, this Nation is still in a position to extricate ourselves from this crisis and once and for all prevent future energy and fuel shortages.

There is no quick fix or one-stop-shop solution to this problem. Through a balanced approach combining research and development, capital investment and conservation measures, we can once and for all provide our Nation with clean, abundant energy.

We must commit ourselves to developing cheaper and more efficient ways of harnessing renewable sources of energy. We can now only meet a fraction of our energy needs with solar, hydro and wind powers. If we invest in developing these clean, unending energy sources, we will in time be able to satisfy much of our demand without using a drop of oil or a lump of coal.

While research and development will take time to show their benefits, there are things we can do now to ameliorate our situation. Building new power plants will start us on the road to providing energy for the near future. Improving our energy infrastructure will deliver what energy we have to homes, businesses and industries in a more efficient manner.

Finally, we must face the reality that energy is wasted. Eliminating this waste will not be easy, but a small sacrifice now will avoid the necessity of even greater sacrifices later. Fellow citizens, by turning your lights out at night, buying energy-efficient appliances and taking public transportation, you can reduce our collective energy need drastically. Every time you turn off a light you will be brightening the light of America's future.

I have confidence in American solutions to America's energy problems. Ingenuity, self-sacrifice and faith in science and the future will deliver us into an era in which we will no longer have to worry about our energy needs.

## ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GRUCCI) is recognized for 5 minutes.

Mr. GRUCCI. Mr. Speaker, I rise today to address a crucial issue to this country, an issue that many Members have taken to the floor to highlight, an issue that is incredibly important to not only my district but to the entire Nation. That issue is energy.

America in the year 2001 faces the most serious energy shortage since the 1970s, and the effects are being felt in the homes of all Americans. For years, the White House ignored this crucial matter and did not act. Now, with new leadership, we have a new beginning. We have started a much needed dialogue on a viable new energy policy.

My district, the First Congressional District of New York, is at the east end of Long Island. As we are isolated from many large power sources, I am here to stress the importance of improving the distribution of power. Distribution constraints are resulting in high prices for consumers. Energy is the entity that knows no boundaries and we should work to get power across the Nation safely, efficiently and productively.

My State, New York, has worked successfully with the State of Connecticut in developing environmentally safe delivery alternatives such as a power cable beneath the Long Island Sound. It is with this spirit of collaboration that we can work as a region to remedy this growing problem. In order to move ahead with a feasible energy policy, we must continue to highlight and support the use of renewable energy sources. Such sources as wind, solar and hydroelectric power are crucial to producing clean and environmentally sound energy.

I applaud President Bush and his energy task force for recognizing the need for renewable and alternative sources of energy. The Energy Policy Development Group has suggested tax incentives for electricity generated by renewable energy sources, which is a step in the right direction. We must support these technologies and the research that makes these discoveries possible. As we continue to expend our precious oil, coal and gas reserves, we must be proactive in finding ways to make renewable energy technology affordable, effective and abundant.

While renewable energy is crucial to the future, we must work in the present to find a cleaner and more environmentally friendly way to use conventional fuels. We need to update our decades-old power plants so we can continue to produce affordable energy while protecting the environment for future generations. We must also continue to invest in clean coal technology, allowing us to burn coal cleaner and more efficiently.

Nowhere is the crunch of the energy crisis felt more than at the pump. In some areas of my district, people are paying over $2 a gallon for gasoline. Hardworking, middle-class American families need relief from high gas prices. By reducing our country's reliance on oil for power needs, we can hopefully see some relief from skyrocketing gas prices.

Mr. Speaker, I urge my colleagues to come to the table and work together in a bipartisan manner to curb this looming energy crisis.

## HONORING DR. MARTIN OF GREAT BLACKS IN WAX MUSEUM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise today to pay tribute to Dr. Elmer Martin, cofounder and president of the Great Blacks in Wax Museum located in my district of Baltimore.

Dr. Martin can very well be described as an educator and historian. In fact, he was well-educated, earning a Bachelor's Degree in sociology from Lincoln University in Jefferson City, Missouri in 1968, a Master's Degree from Atlanta University in 1971, and a doctorate in social welfare from Case Western Reserve University in Cleveland, Ohio, in 1975. Dr. Martin was a professor at Morgan State University and also an author of several books dealing with the African American community.

The adjectives that I believe most aptly describe Dr. Martin's spirit are ''visionary'' and ''dreamer.'' Dr. Martin had a vision of how to breathe life into African American history. He envisioned a museum that would tell the story of a people stripped of their culture, language, families and religion and brought to a foreign land to survive as slaves; the story of a people that, despite this injustice and years of continued racial strife, has still triumphed. Dr. Martin's dream was to instill pride in African Americans while at the same time educating this Nation about our history and culture.

His dream became reality in early 1980 when he bought a store front with $30,000 he had saved to purchase a home and opened the Great Blacks in Wax Museum, the first wax museum dedicated to African American history. He initially commissioned four wax figures—Frederick Douglass, Mary McLeod Bethune, Harriet Tubman, and Nat Turner—which were hauled to schools, churches and malls for history lessons. The figures were popular at the museum and the museum was on its way.

What better way to memorialize the story of African Americans than through life size wax figures and scenes of historic events. From slave ships to enslavement, through reconstruction and Jim Crow, before and after segregation and throughout the present civil rights era, every period of African American history is presented. The museum honors African Americans that played key roles during each of these periods, slaves, abolitionists, educators, religious leaders, politicians, civil rights activists and inventors.

Not only did he found a museum, but Dr. Martin's mission included youth advocacy, classroom and cultural awareness programs. Further, employment and job training programs are sponsored to encourage at-risk youth to develop their entrepreneurial skills. Community service is also a focus, providing citizens the opportunity to improve their neighborhoods while taking part in cultural activities.

Today, the museum is a 10,000 square foot facility located in a community rich with its own African American history and attracts about 275,000 visitors annually. It is a tribute not only to African Americans but now to its founder, Dr. Martin. Sadly, last week Dr. Martin passed. However, his dream still lives on.

Every person that visits the Great Blacks in Wax Museum will get an education not only in African American history but the history of this Nation, for our history is this Nation's history. Every person that visits the museum will feel the aura that exudes from the realistic figures of those persons that made significant contributions to the African American community and this Nation. And every person that visits the museum will leave with an understanding of how a race of people turned strife and struggle into victory. Yes, Dr. Martin's dream of educating us about African Americans will live on.

In paying tribute to this great dreamer and visionary and his family, I encourage all Members of this body to visit the Great Blacks in Wax Museum and personally experience Dr. Martin's dream. Finally, I say thank you to a great dreamer. And, as he stated, ''Thank you to that higher power that grants all dreamers the courage to dream.''

## STANDARD TRADE NEGOTIATING AUTHORITY, LABOR AND ENVIRONMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH. Mr. Speaker, during the last 2 weeks, I have introduced the House to my Standard Trade Negotiating Authority Act that I have introduced which in my view offers a new approach to trade promotion authority.

I have highlighted the portion of the bill which provides for a congressional preauthorization process, increasing accountability and transparency in trade policy. Beyond that, H.R. 1446 allows for full and appropriate consideration of labor and environmental issues as important trade agreements are negotiated.

We know that not every trade agreement raises blue and green concerns. For example, labor and environmental provisions are not appropriate to append to financial services or competition policy agreements. However, where serious disparities exist between America and a potential trading partner in the scope or enforcement of workplace protections, labor rights or environmental regulation, so much so that normal social costs become a significant competitive disadvantage in attracting or retaining jobs, under these circumstances, Mr. Speaker, our trade negotiators should be allowed to encompass basic labor and environmental standards as part of an enforceable agreement.

Most Americans recognize that some of our trading partners do not give workers the right to strike or the right to organize. Some do not give workers livable working conditions or guarantee workplace safety. We need to be able to establish a level playing field for our workers competing in the global marketplace through agreements that will protect the environment and workers and promote a healthy economic competition that strengthens and promotes and expands American values.

My bill ensures that no country could engage in a race to the bottom in order to lure jobs by sacrificing the environment or debasing the common rights of its citizens. This bill provides for an assessment of labor and environmental issues with every potential trading partner when the President indicates to Congress he would like to begin negotiations. By establishing a commission made up of representatives of government and private agencies with real expertise in these areas, my bill addresses blue and green concerns at the start of the process instead of as an afterthought.

The commission, once created, will assess the labor and environmental standards of the countries involved, the enforcement and implementation of those standards, and make recommendations on how to comply with the objectives set forth by Congress. Congress and the President would then review the commission's findings and include applicable language in the preauthorization that as a part of its scope would address specific labor and environmental concerns with that country.

Mr. Speaker, this fundamental reform of fast track brings labor and environmental issues into the appropriate focus in trade policy. It represents a conceptual compromise on how to incorporate these very real issues into trade policy. We should be confident that a voluntary exchange of goods and services will buttress our values and strengthen the rights of workers in countries that do business in our market and create an economy that in the long run financially supports environmental challenges.

I urge my colleagues to think about trade policy reform outside of the box, avoiding a debate of sterile extremes that all too often has blighted fast track proposals in the past. I call on every one of my colleagues to step back from partisan posturing and ideological preconceptions and consider how we can unite in defense of our national economic interest.

□ 1900

## THE INCREDIBLE TRAVESTY OCCURRING IN KLAMATH BASIN IN OREGON

The SPEAKER pro tempore (Mr. KIRK). Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. WALDEN) is recognized for 60 minutes as the designee of the majority leader.

Mr. WALDEN of Oregon. Mr. Speaker, I rise tonight to address my colleagues in this House about the incredible travesty that is occurring in the Klamath Basin in Oregon.

What I will do tonight is talk about the background of the Klamath Project, which also includes the Tulelake area of Northern California, and about the devastation that has occurred there because of the Federal Government's decision to overappropriate the water and basically tell the farmers they cannot have a drop this year.

That is the first time since this project was created back in 1905 that the Federal Government has failed to keep its word to the people that it enticed, indeed lured, to this basin.

You may be able to see to my left here information from the family that sent me this. After each world war, the Federal Government enticed veterans to settle the Klamath Basin with a promise of water for life. You can see an application for permanent water rights. This is a picture of Jack and his wife Helen and their family in Tulelake, California. They were promised this. They were invited out as veterans to settle the reclaimed lake beds of the Klamath Basin, the Tulelake, California, area and to grow food to feed the world, indeed feed the country, indeed settle the West.

Let me talk about this basin for a moment, and then I will talk about the science that has gone into these decisions, the disputes that exist about that science, and really why the Klamath Basin has become ground zero in the battle over the Endangered Species Act.

First let me give some history. The U.S. Bureau of Reclamation, Klamath Irrigation Project, lies within three counties along the Oregon and California borders: Klamath County in Southern Oregon; Modoc and Siskiyou Counties in Northern California.

Under the 1902 Reclamation Act, the States of California and Oregon ceded lake and wetland areas of the Klamath Basin to the Federal Government for the purpose of draining and reclaiming land for agricultural homesteading. The United States declared that it would appropriate all unappropriated water use rights in the basin for use by the Klamath Project.

So under section 8 of the Reclamation Act, these water use rights would attach to the land irrigated as an appurtenance or appendage to that land.

During the mid-1940s, 214 World War II veterans were lured to the area by the United States Government with promises of homesteads and irrigated farmland and guaranteed water rights.

Established in 1905 as one of the reclamation's first projects, the project provides water for 1,400, that is right, 1,400 small family farms and ranch operations on approximately 200,000 acres. Municipal and industrial water comes from this project, and water for three national wildlife refuges.

Together, farmers and wildlife refuges need about 350,000 acre feet of water.

Now, in 1957, the two States formed the Klamath Compact, to which the Federal Government consented. The compact set the precedence for use in the following order: domestic use, irrigation use, recreation use, including use for fish and wildlife, industrial use and generation of hydroelectric power.

Now producers grow 40 percent of California's fresh potatoes, 35 percent of America's horseradish and wheat and barley. Water users claim that they use less than 5 percent of the water generated in the basin. Yet they generate in excess of $250 million in economic activity every year. Now I want you to think about that number: $250 million annually of economic activity in this basin.

On April 6 of this year, the Federal Government said, none of that is going to happen. We are not giving you a drop of water.

In 1988, the U.S. Fish and Wildlife Service listed the short-nosed and the lost river sucker fish as endangered under the Endangered Species Act. In the drought year of 1992, the U.S. Fish and Wildlife Service recommended that Upper Klamath Lake be kept above a minimum elevation of 4,139 feet during summer months, although it allowed that the lake could drop to as low as 4,137 feet in 4 of 10 years.

For the first time in Klamath Reclamation Project's history, irrigation deliveries were curtailed at the end of the growing season to meet minimum

lake levels. That was in 1992, a year of a large drought.

In 1996, the Bureau of Reclamation agreed to meet certain minimum instream flows below Iron Gate Dam to protect habitat for tribal trust resources in anadromous fishruns. In 1997, Southern Oregon and Northern California coastal Coho salmon were listed under the Endangered Species Act as threatened. A 1999 biological opinion from the National Marine Fishery Service concludes Klamath Project operations would affect, but not likely jeopardize, the Coho; and then in the year 2000 a study that some consider to have used controversial experimental technology, to say the least, by Dr. Thomas Hardy, a Utah State University hydrologist, and it called for instream flows to protect the fish far higher than those set by the Federal Energy Regulatory Commission or those agreed by the reclamation in 1996.

Suits have been filed by environmental, tribal and fishing groups to enjoin the Bureau of Reclamation from operating the project without a current biological opinion for the Coho salmon.

Judge Sandra Armstrong subsequently ruled the project may not be operated without adequate flows sent downstream to the salmon.

Following a declaration of severe drought for the Klamath Basin in this year, 2001, a new biological opinion from the U.S. Fish and Wildlife Service for the suckers called for a minimum elevation in Klamath Lake to be raised to 4,140 feet. That is a foot higher than the minimum elevation required during the last drought in 1992, and that was allowed to drop to as low as 4,137. So you are really looking at a 3-foot difference in lake levels all of a sudden that are required, with no tolerance for lower elevations in drought years; no tolerance for lower elevations in drought years.

Then a new biological opinion based on this Hardy flow study called for increased flows below Iron Gate Dam to protect the Coho salmon habitat. On the one hand, you have a Fish and Wildlife biological opinion saying you must maintain a lake level of 4,140 feet with no exception to protect a bottom mud living sucker fish, and then you also have to have a whole bunch more water flowing down the river out of that lake for the Coho salmon.

Analysis of the studies underlying these opinions showed that requirements for the two species appropriate all, all, of the water available in a normal precipitation year; all of the water available in the normal precipitation year to take care of the suckers in the lake and the Coho salmon in the river, according to these new biological opinions. Yet there is incredible discussion, debate, frustration about these two biological opinions, how they were crafted, what they contain, the conclusions that they draw; and I will get into that in some detail soon.

In fact, in a study of historical flow data taken from the past 36 years, now this is important, Mr. Speaker, in the last 36 years annual flow targets were met in only 13 of those years and monthly targets were never achieved. So think about what this means for the people in this basin. Our veterans from World War I and World War II lured there to settle the lands with the promise of water forever, now have the spigots turned off. The canals are dry, as are their fields.

Operations consistent with these biological opinions would rarely provide water for irrigation or, and this is important, wildlife refuges. Perhaps farming could occur 3 years out of 11; 3 years out of 11.

This is a very complex water system in this basin. They reclaimed lake beds, they built canals. They built diversions. They built sumps. They have added irrigation from pumps. They have moved the water around in this basin to accommodate the wildlife, to provide for the farmers and for the fish. Yet every year we seem to get a new set of biological opinions that say we need more water in the lake, more water in the river. Sorry, if you are a farmer, you are not going to get a drop.

So on April 6, 2001, the Klamath Project Water Allocation decision was announced stating that based on biological opinions and the requirements of the Endangered Species Act there would be no water available from Upper Klamath Lake to supply the farmers of the Klamath Project. Only a small area over in the Langell Valley and Bonanza would receive water from a different system in Clear Lake and Gerber Reservoirs.

Last Saturday, six Members of this House of Representatives, including four members of the House Committee on Resources, participated in a field hearing in Klamath Falls. So many people in that basin wanted to turn out to observe this hearing, and this was not a town meeting but this was an official hearing of the full Committee on Resources, that we had to move the hearing from the Ragland Theater that seats 750 or so people to the Klamath County Fairgrounds where more than 2,000, some have said as high as 3,000, people turned out. For 5½ hours, the grandstands in that fairgrounds contained people concerned about the future of that basin. They sat there with us as we took testimony and heard about the problems.

Somewhere here on one of these posters, I want to show what happened before the hearing started. I think this speaks to the magnitude of the problem, Mr. Speaker. What we see here is a semi-truck, a semi-truck loaded with food. In 5 days, we organized a food drive in Oregon, thanks to the Oregon Grocers Association, with most, if not all, of the grocery stores in the State participating. Eight semi-truck loads of food came down to replenish the food in the Klamath food bank. The number of people accessing that bank is up 1,400. Now, we are talking about a small rural community; 1,400 more people, I think was the number, of what they would normally have at this time of year, 1,400.

Think about this sad irony, Mr. Speaker. We have truckloads of food from all over Oregon from grocery stores that often compete but today were united, bringing food to a food bank to feed farmers, farmers going to a food bank. Think how they feel and how the people that work for them feel.

I thank the grocery industry in Oregon for their generosity. This will get us through the middle of August. That is all, the middle of August. Then we will be back looking for more help, and we can use it.

I said that science is always at issue in debate here, and I want to get into why I believe the Endangered Species Act needs to be revised to deal with the issue of science. In this case again we are dealing with two biological opinions, one from the Fish and Wildlife Service and one from the National Marine Fisheries Service.

The one from the Fish and Wildlife Service, I am told, was originally put together, the science there as part of the tribal trust obligations of the Department of Interior through the Bureau of Indian Affairs, to be used as data in water adjudication issues for the Klamath tribes, a legitimate purpose. It all makes sense, but those data and the analysis then came over to the other part of the Department of the Interior, the Fish and Wildlife Service, and used there to set the lake level, not part of the adjudication now but to set the lake levels they believed, these scientists believed, necessary to improve the lives of the suckers.

One of the things the Endangered Species Act does not require is that that data, those analyses, those data not be made public. I think it ought to require that, because I think each of us in this Chamber and those elsewhere should have an opportunity to review this science. I do not see what would be wrong with saying, you ought to have that opportunity and that ability and the law to specify that.

The law under the Endangered Species Act does not require that that science be independently reviewed, peer reviewed. It does not require that.

In this case, the Fish and Wildlife Service, to their credit, went to one of the great establishments in Oregon, educational institutions, Oregon State University, and asked for a review of their pre-decisional draft professional scientific review. They went to these outside scientists; said, you take a look at this and tell us what you think.

I want to read what the scientists at Oregon State University said in response to the biology that had been put together to make this decision. Now, again, this is the pre-decisional draft. This is not what they ended up with, but I just want to say what we started with.

Here is what they wrote. This review of the BO, the biological opinion, will address both the key scientific issues

related to the opinion and editorial problems with the document. The editorial problems are of such magnitude that they severely influence this review. The misspelled words, incomplete sentences, apparent word omissions, missing or incomplete citations, repetitious statements, vagueness, illogical conclusions, inconsistent and contradictory statements, often back-to-back, factual inaccuracies, lack of rigor, rampant speculation, format content and organizational structure make it very difficult to evaluate this biological opinion.

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We urge in the strongest possible way that the Service revisit every single sentence for importance, applicability, grammar, spelling, content and internal consistency with other parts of the document. The document is excessively long. The problems are not, quote-unquote, window dressing. Rather, they obscure the data and make it very difficult to find validity in the claims. This document has the potential to have a severe negative impact on the Service's public credibility.

Now, as I said, in this case the biologists went for outside consultation, peer review, and they got it. They got it.

Now, it is important to understand this document was dated 6 March, 2001. The decision that set the new lake level came down 6 April, 2001, a month later. Now, to their credit, the folks at Oregon State reviewed the final decision of the Biological Opinion and said it is reasonable. They cleaned it up, they fixed it, and you could come to the conclusions they came to based on the data that is there.

Now, I have also seen an e-mail from one of the scientists that did this review who said he also thinks it errs on the side of the fish, and that you could reach a different conclusion. So the science is still being debated out there. But the one thing that is not debated out there is that there is no water for the farmers.

Now, take a look at this. Normally this would be a green field this time of year. Normally this would be a green field. This is a wheel line. You can see the wheel is mired down here in the dust of what should be a green field. The winds are kicking up the dust. And I realize it may not be the highest definition picture here, but suffice it to say, in many areas, this is what we are beginning to see happen. Farms that would be producing wheat or horseradish or alfalfa or other pasture or other grains, look like this. Some farmers tried to do their best to put a cover crop on so that it would not blow away. Most of them have succeeded in that. But as the summer sun bakes on this land and the winds kick up, we are seeing more and more of this problem. They have no water.

Now, I say the science is being questioned. In our Committee on Resources hearing on Saturday, David A. Vogel testified, and he is a biologist with all the kind of background you would want, a Master of Science Degree in natural resources and fisheries from the University of Michigan, Bachelor of Science in biology from Bowling Green State University, worked in the Fishery Research and Fishery Resources Division of the Fish and Wildlife Service for 14 years, in the National Marine Fishery Service for a year, received numerous superior and outstanding achievement awards and commendations, on and on and on, has done a lot of research on the Klamath Basin.

Let me tell you what he said about what has happened here. I am quoting from his testimony before our committee.

''In my entire professional career, I have never been involved in a decision-making process that was as closed, segregated and poor as we now have in the Klamath Basin. The constructive science-based processes I have been involved in elsewhere have involved an honest and open dialogue among people having scientific expertise. Hypotheses are developed and rigorously developed against empirical evidence.''

That is pretty harsh stuff.

''None of those elements of good science characterize the decision making process for the Klamath project.''

Now, I would say as a disclaimer, the Klamath water users have hired his firm to evaluate this science. But if this was the fate of your farm, would you not be hiring well-qualified scientists to question the data that a month before it is put into use is ripped apart in a stern indictment. Now, again, they cleaned it up, but I got to tell you when no water is flowing and the only thing that is coming your way is a foreclosure notice, you ought to look at the science and hire quality people to do that. I believe they have done that here.

Some other things I want to point out, because I think it is important. Again from Mr. Vogel, who has credentials in this area:

''It is now very evident that the Upper Klamath Lake sucker populations have experienced substantial recruitment in recent years, and also exhibit recruitment every year. Only 3 years after the sucker listing, it also became apparent that the assumptions concerning the status of short-nosed suckers and Lost River suckers in the Lost River-Clear Lake watershed were in error. Surveys performed just after the sucker listing found substantial populations of suckers in Clear Lake reported as common, exhibiting a biologically desirable diverse age distribution. Within California, the U.S. Fish and Wildlife surveys considered populations of both species as relatively abundant, particularly short-nosed, and exist in mixed-age populations, indicating successful reproduction. Recent population estimates for suckers in the Lost River-Clear Lake watershed indicated their populations are substantial and that hybridization is no longer considered as rampant, as portrayed in the U.S. Fish and Wildlife Service study in 1988. Tens of thousands of short-nosed suckers exhibiting good recruitment are now known to exist in Gerber Reservoir.

''In 1994, the Clear Lake populations of Lost River suckers and the short-nosed suckers were estimated at 22,000 and 70,000 respectively, with both populations increasing in recent years exhibiting good recruitment and a diverse age distribution. Unlike the information provided by the U.S. Fish and Wildlife Service in the 1988 ESA listing, it is now obvious that the species' habitats were sufficiently good to provide suitable conditions for these populations. Additionally, the geographic range in which the suckers are found in the watershed is now known to be much larger than believed at the time of the listing.''

He goes on to say, ''I believe the U.S. Fish and Wildlife Service's recent biological opinion on the operations of the Klamath project has artificially created a regulatory crisis that did not have to occur.'' That did not have to occur.

He goes on, and I think this is very important, ''This circumstance was caused by the Fish and Wildlife Service focus on Upper Klamath Lake elevation and is a major step in the wrong direction for practical natural resource management. The U.S. Fish and Wildlife Service rationale for imposing high reservoir levels ranges from keeping the levels high early in the season to allow suckers spawning access to one small lakeshore spring, to keeping the lake high for presumed water quality improvements. This measure of artificially maintaining higher than historical lake elevations is likely to be detrimental, not beneficial, for sucker populations. These data do not show a relationship between lake elevations and sucker populations.''

Listen to that again. The data do not show a relationship between lake levels and sucker populations, ''and to maintain higher than normal lake elevations can actually promote fish kills in water bodies such as Klamath Lake.''

So which scientist do you believe? Which scientist do you believe? The problem is when it comes to the Endangered Species Act, the only ones that are believed are the ones that issued this biological opinion that resulted in no water for the farmers.

Mr. Vogel goes on to write, ''During the mid-1990s, I predicted that fish kills would occur if Upper Klamath Lake elevations were maintained at higher than historical levels. Subsequently, those fish kills did occur. The U.S. Fish and Wildlife Service recent biological opinion dismissed or ignored the biological lessons from fish kills that occurred in 1971, 1986, 1995, 1996 and 1997, and instead selectively reported only information to support the agency's concept of higher lake levels. All the

empirical evidence and material demonstrate that huge fish kills have occurred when Upper Klamath Lake was near average or above average elevations, but not at low elevations. This is not an opinion, but a fact, extensively documented in the administrative record and subsequently ignored by U.S. Fish and Wildlife Service.''

So that is Mr. Vogel's comments.

Now I would like to share with my colleagues comments from another very learned individual, Mr. Harry Carlson, Superintendent, Farm Adviser, on the letterhead of the University of California. I will find his credentials here, because they are very solid.

He says, three degrees from the University of California at Davis, BS in wildlife and fisheries biology, MS in agronomy, and a PhD in ecology. Superintendent at the University of California Intermountain Research and Extension Center in Tulelake, California. He is also the university farm adviser for field and vegetable crops in Modoc and Siskiyou Counties. So in these roles he collaborates with many university researchers on issues of importance regarding agriculture in the Klamath Basin. Obviously a gentleman with incredible credentials and very capable of commenting on this science.

He says, ''Serious gaps and errors in logic in the 2001 NMFS Biological Opinion on Coho salmon severely damage the credibility of the report in demanding huge increases in flows for the protection of the species. The legal basis for issuing this opinion lies solely on the threatened status of Coho salmon in the greater southern Oregon-northern California region. Yet, the NMFS Biological Opinion is almost solely based upon Chinook salmon, not on threatened Coho species. Further, there is almost no discussion on the explicit effects of Klamath project operation on Coho populations in this area. Most of the discussion is centered on Chinook populations and life stages, while acknowledging that Coho life histories and the use of the river resource are very different from Chinook. This leads to serious errors in logic and invalid conclusions.''

He goes on to say, ''The report acknowledges that very little is known about the status of Coho in the Klamath River, but at the same time, ignores the detailed hatchery return data that are available. Full analysis of these data probably would show that there is very poor correlation between Iron Gate flow regimens, Coho survival and spawning returns.''

He writes, ''My overall conclusions are these: The salmon Biological Opinion never comes close to making a case that proposed project operations and resultant flows in any way jeopardize the continued existence of Coho in the Klamath River. Science and logic dictate that the increased flow requirements demanded in the Biological Opinion will most likely have little impact on the continued existence of Coho salmon in southern Oregon and northern California. Similarly, the high lake levels demanded in the sucker fish Biological Opinion are not supported by logic or available data. Indeed, high lake levels may be part of the problem. An independent, unbiased review of the Biological Opinions would lead to the almost inescapable conclusion that the maintenance of high Klamath Lake levels and the increased demand for flows in the river will have little or no impact on the recovery of the threatened and endangered fish.''

Again, the University of California, Harry L. Carlson, Superintendent, Farm Adviser, PhD ecology, BS in wildlife and fisheries biology. Learned individuals who have also looked at these data and come up with much different conclusions.

Yet, again, the only conclusion these folks have who want to farm in this basin and were promised water is that there is nothing in the A Canal and nothing in their fields. I want to tell their story now. You heard about the conflict over the biology and the science.

Before I get to their story, I think it is important to again say, does this not speak volumes about the need for independent, blind, peer review of the data? Why should we not change the Endangered Species Act to require that? Should we not know that at the foundation of a decision that affects 1,400 farm families, ruins a $200 million economy, and threatens the survivability of bald eagles in the refuge that holds the most of them in the winter of anywhere in the lower 48 and is a major stopping point on the Pacific flyway, where 70 percent of the food is raised on farms like this. Where are those birds going to eat? They can eat dirt, and the bald eagles are going to suffer. The environmental organizations are threatening to sue over all of these decisions, because there is not water adequate enough for the refuge.

Let me share some of the stories of some of the people I represent in the Klamath Basin. Reading from boxes of testimony, you probably cannot see them, colleagues, but two full boxes of testimony over here that we picked up at the hearing from individuals who wanted their thoughts heard, so we have gone through that. I want to share some, because they are heart-wrenching and they speak to the problem.

This is entitled ''Proud to be an American.'' ''When my daughter, who was raised here in the Basin, left to go to college, eager to live in a bigger city, I told her one day she would be back. I was right. She did come back, and married a wonderful, hard-working, caring and intelligent man. He happened to be a farmer. I felt blessed to be able to live near them. Soon they gave our family two more precious people to love, my grandchildren. Life seemed good. I was and am a proud grandparent, and I was a proud American. And I don't feel that now.

''My daughter spent her birthday this January in the hospital receiving the news her 5-year-old son has Type I diabetes. Our families were shocked and scared. As you can imagine, it has changed all of our lives forever. Then this. No water for farmers, no farming, no money, no health insurance for their son. I wake every night unable to sleep, tossing and turning with constant thoughts of all this mess. Driving to and from Merrill to Klamath Falls, I look at the fields, the sheep, the cattle, the horses, and all the types of birds soaring in the sky. It is hard to imagine that this will all be gone.

□ 1930

''The other grandparents and farmers are too and were in the process of retiring. Imagine trying to start a new career at the age you are supposed to be thinking of retirement. This is just one family. Some may be a little better off, some a little worse, only time will tell. I will never feel the same about our country or our flag that I was always so proud of. The men who fought for what it was supposed to represent have my pride, but it ends there. I would never have believed America would turn its back on its own. What a joke.

''My soon-to-be six-year-old-grandson can go by any field around here and he can tell you who it belongs to, what they are growing and knows all the equipment names and how they are used. No one can ever tell me that the love of farming was not born in this young boy.

''This is not about a drought, it is about destroying a way of life, taking away freedom, crushing hopes and dreams and changing forever the lives of generations to come. When this all started, I decided to make a scrapbook for my grandson, thinking it would be something he would be proud of: the farmers fighting for their rights and winning. I never dreamed I would be putting together a book that would show him how he lost his heritage as a fifth generation farmer. My heart breaks for my daughter and her family and all the other farmers facing the demise of their honorable profession. Proud to be an American? Not anymore.'' Signed, Susan Morin.

Jeffrey Boyd writes, ''This water crisis has the potential to destroy everything my grandfather, my father, and my family have worked to build. My grandfather is 92 years old and is confined to a bed in a rest home in Klamath Falls, Oregon. He may not be able to move, but he is aware of what is going on and he cannot believe what is happening to the Klamath project. My father will be 60 years old this year and this will be the first time in his 40-plus years of farming that no water will be delivered to the Klamath project, to the Tulelake irrigation district. His land values have fallen and he is worried that the bank will foreclose.

''As for myself, my family and I are determined to stay and fight for what we know is right. However, I am not

able to get financing because of no water; and other than a minor amount of well water, I am not able to irrigate my crops. My father, out of the goodness of his heart, can employ me until October, and then my job is gone. To top all of that off, the potato packing shed that my wife works for will probably have to lay off people because the growers that run potatoes through the shed have no water and can raise no potatoes. I hope this sounds bad, because it is.''

It is bad. It is tragic, and it does not have to happen.

For Mary Lou Clark, she writes, ''As an educator, I am alarmed that the loss of hundreds of millions of dollars in property taxes and farm production will devastate our schools as well as all public services in the Klamath Basin. All sectors of our community are beginning to feel the devastation as farmers go bankrupt. Laborers go hungry and businesses supporting farmers are forced to close their doors. I urge you to help us right this terrible wrong. We are more than willing to participate in solutions, but the people of the Klamath Basin should not have to bear the brunt of the consequences of the Endangered Species Act and water shortages alone. Common sense has to prevail.''

This one from Richard and Nicola Biehn. ''It is crucial that the economic hardships of the people are considered. For us, the slowdown of the asphalt construction, my husband has lost days of work, as paved streets and driveways are not priorities when people are worried about mortgages and grocery bills. The construction trade is grinding to a halt. Thus, there will be less work in the future for local small companies.''

And from Deep Creek Ranch in Merrill, Oregon, Don and Connie and Julie Dean write, ''At 60 years of age and a lifetime effort expended maintaining a livestock and farming heritage established by my parents, how do I attempt to explain the heartache and the stress factor created by the complete loss of a year's production? Granted, we are not a large operation, but it provides for my mother, my wife, and myself and, I thought, future for my daughter, my sister-in-law and their children who are the next generation taking over this operation. What reassurance can there be for the younger generation of a country that will blind side its citizens with such economic devastation? The initial loss of $150,000 in sales for 2001 together with approximately $125,000 of capital expenses for establishing an irrigation well and replanting the alfalfa acreage destroyed by the man-made drought erodes the financial stability of this family farm.

The passage of time used to be a comforting asset in the growing of crops, but under the present situation, time has become a mortal enemy, slowly moving many families in the Basin closer to total financial collapse. As we approach fall, the thoughts of thousands of farm families and town businesses finding themselves with their backs against the wall could make for a desperate group to deal with. It is with utmost sincerity that I request this honorable committee to take urgent action and the $221 million aid package being considered to rectify the taking of our contractual irrigation water.''

Indeed, this administration stepped forward immediately with a $20 million package in the supplemental appropriations that we approved yesterday in this House Chamber. Twenty million of a $250 million problem. I thank them for the initial help. Obviously, much more needs to happen.

Unfortunately, the others in the other body today, they worked on language to remove that $20 million. How heartless. How senseless. How wrongheaded. Hopefully, my colleagues will come to their senses and restore it, because if we cannot get $20 million, what are we really telling these people? We do not care at all? It is wrong. It has to change.

Mr. Speaker, the other sad irony in all of this, these people who have not had the water turned on at canal, who fought for our country in World War I and World War II and settled this land at the asking of the government, who are now having to go to food banks and beg with their banks not to foreclose on them and explain to their kids and workers who have worked the fields for them for 30 years that the future is bleak. They are also getting bills from the Federal Government to pay for the operations and management of a project that delivers no water to them; delivers no water. They get a bill for it.

We are going to try and change that too. I am going to call on the Department of Interior, the Bureau of Reclamation to take pity and mercy on these people and at least waive those fees for this year. If they are not going to get water, why should they have to pay when they have had another promise broken to them.

Here is another letter I received, and it is amazing how many people also send photos of themselves and when they settled here and what it was like and what it has become for them.

''The day of April 6, 2001 was as infamous to the people in this Valley of Tulelake as December 7, Pearl Harbor Day, was to the citizens of the United States.'' This from retired staff sergeant Fred Robison, I believe, U.S. Air Force, 1942 to 1946. He sent a picture here, my colleagues probably, I am sure, cannot see, but I will read the caption because it was on the front cover of Reclamation Era Magazine, February 1947.

''Fortune smiled on Fred and Velma Robison because we wanted our readers to see that others shared their joy.'' Here is the full picture from which the cover was made. Fred had to wait until number 61 was drawn before hearing the good news. You can tell by those big grins that it was well worth it. He was one of the Tulelake homestead winners, 1947. No water today. He fought for his country. They turn off the spigot.

A letter to the gentleman from Utah (Mr. HANSEN), chairman of the Committee on Resources from Darla Parks, a 40th generation farm family teacher and mother. She said the day they cut off the water was one of the worst days of her life. It says, ''Instead, I feel that I was naive and betrayed by a government that I knew was imperfect, but a government that I trusted not to breach contracts, a government that could use common sense and look at the real facts and would surely put entire communities before fish and find an equitable solution where both fish and farmers could survive.''

That is the argument I am trying to make tonight, is both can survive. They have, they can. These decisions are based on science that is in dispute, by certified, smart people. I read their credentials. They have looked at the same science and said, I get a different conclusion. But under the Endangered Species Act, there is only one conclusion that prevails, and that is the one that comes from the agency, and that is not right.

I have a lot of other letters here. I want to share a few comments and then I will yield my time back to the Chair. A couple of these I just feel like I have to share.

Bob and Lynn Baley, and Kylee and Allie and Bradlyn. ''I, Bob Baley and my wife Lynn are both third generation farmers in the Tulelake area. We have both worked to live in this community all of our lives. When we planned our family of three wonderful girls, it was our dream and intentions to raise them in the same town, attending the same schools, church, 4–H and FFA programs that we have had the experience and pleasure enjoying in this drug-free, nonviolent, rural community. Grandfather Baley raised his first commercial table stock potato crop in 1929 on this family farm. The Baleys have provided potatoes every year from then until this devastating water cutoff year of 2001. Along with commercial potatoes, this family farm has worked very hard to build itself into a very diversified family farming operation of 3,000 acres consisting of contracted Frito Lay potatoes for the past 32 years, contracted dehydrated onions for the past 41 years, contracted peppermint for oil, along with alfalfa for hay, barleys, wheat and peas, all of which are water-dependent crops. One year without fulfilling our contracts, we have a very high chance of never achieving them again, and that will financially destroy this operation.''

So I say to my colleagues, as we pick up a bag of Frito Lay potato chips, think about the Baleys, the fact that for years they have had contracts with companies like Frito Lay, to provide for the potatoes that go into those bags. I have to laugh, some people think you get milk from a carton and potato chips from a bag and you forget

they are grown by men and women who take the risks, who work long days and in some cases long nights, who fight against Mother Nature's freezing temperatures and yes, droughts, and now our government who says they cannot have water.

And then they go up against some radical environmentalists. We had one that testified, who actually I have worked with and worked out some solutions with, but I was really disturbed by his comments to the committee because he said ''Locally, potatoes are being raised more for the government subsidies than the market.'' Totally erroneous. Factually in error. Sure, there are some potato growers here that probably have crop insurance, just like you and I have auto insurance, to protect us against the unexpected. It is a prudent business practice. But growing for subsidies? The Baleys do not grow for subsidies, they grow for Frito Lay. There are no subsidies for these crops.

This person also said, first it is marginal farmland. You put water on this land like they have since 1905 and it produces some of the best yields in America. I do not know many crops in the garden at my house if I fail to water it, if I do not go home this weekend and the water system does not work, they are not going to look very good on a summer weekend. Without water, we do not grow things in this country. I grew up on a cherry orchard. We did not water often, but the trees would not have survived if we did not water at all. That is what we have happening. We are getting dust bowl where we used to have a Basin that was so very productive and farmers who were successful.

Mr. Speaker, I want to close with just two other comments. This is from one of the outstanding commissioners, county commissioners; and we have some really great county commissioners in these counties. I am most familiar, of course, with the Klamath County commissioners, Steve West, John Elliott, and Al Switzer, who have worked day and night with me on trying to do everything we can to get help. But I think Commissioner West who was asked to testify said it well. He said, ''In passing the Endangered Species Act legislation, the people's elected Federal representatives said that these species were important enough to the people of the United States to pass a powerful law.

The Endangered Species Act is the Federal law for all of the people of the United States. Therefore, all of the people of the United States should have to shoulder the cost of implementing this law, not just those that make the upper Klamath Basin their home. The people of Klamath County and the upper Klamath Basin cannot be asked to pay the entire costs of the Endangered Species Act for the entire Klamath River watershed. All of the problems of water quality, quantity and endangered species in the Klamath River system cannot be solved on the backs of the upper Klamath irrigation project, the people of Klamath county and the people of the upper Klamath Basin alone.''

These people want to work together with environmentalists, they want to respect the tribal rights of the Yuroks and the Klamath and others who have legitimate claims here that we need to respect and not trample their rights, but we do not need to trample the rights of the other people in this Basin.

So in closing, I want to thank the gentleman from Utah (Mr. HANSEN) for his willingness to allow us to have this full Committee on Resources hearing in my district. I want to thank the gentleman from California (Mr. HERGER) who has been tireless at my side and I at his as we work to find solutions. Sue Ellen Waldbridge over at the Department of Interior for agreeing to come out and testify but, moreover, for spending 82 hours on the ground out there trying to learn about every angle of this problem and look and work with us for solutions.

□ 1945

I want to thank the gentleman from Washington (Mr. HASTINGS), the gentleman from Nevada (Mr. GIBBONS), the gentleman from Idaho (Mr. SIMPSON), and especially the gentleman from California (Mr. POMBO), who joined me on the dais, and who participated for 5½ hours on Father's Day weekend to take testimony and hear about the problem. He pledged to work with me as we tried to find solutions so we do not have a dust bowl, so we do not have farmers going to food banks, so we have an Endangered Species Act that works for the species that does not pit one against the other, bald eagles against suckerfish, but one which works for all.

This reform is definitely needed.

## ISSUES AFFECTING SOUTH DAKOTA AND THE UNITED STATES

The SPEAKER pro tempore (Mr. REHBERG). Under the Speaker's announced policy of January 3, 2001, the gentleman from South Dakota (Mr. THUNE) is recognized for 14 minutes, the remainder of the leadership hour, as the designee of the majority leader.

Mr. THUNE. Mr. Speaker, I appreciate the opportunity to visit about some of the issues that are impacting not only my State of South Dakota but the entire country.

As most Members know, I represent the entire State of South Dakota, a State that consists of 77,000 square miles and about 750,000 people, which means there is a lot of real estate out there, and which makes us as a State very dependent upon energy.

Our number one industry is agriculture, a very energy-intensive sector of the economy. We rely heavily upon travel in our State during the summer months. People come to the Black Hills and Mt. Rushmore and many other sites in South Dakota. In order to make sure that that tourism industry thrives and prospers, we have to have an affordable supply of gasoline.

Of course, since people live in small towns, just to get back and forth to the doctor, to take advantage of many of the services that are provided in the more populated areas of my State, it requires sometimes driving great distances. So this energy crisis is a very real one.

Mr. Speaker, I would simply say, as well, that as I have looked at the farm economy in the last few years, and we have seen how we have had this chronic cycle of depressed agricultural commodity prices, and we see now increasing energy costs and input costs going up, the bridge, the gap between what it takes to run an operation and what a farmer or rancher can derive from income in that farm or ranch operation, the gap continues to grow or widen. It is increasingly difficult for our producers to make a living on the land.

This energy crisis, Mr. Speaker, I would argue has particular ramifications for areas like South Dakota and other rural areas across the country. In fact, last week at the elevator in South Dakota, one of the elevators I was looking at, the price for a bushel of corn was $1.45 a bushel. The price for gasoline in that same town was $1.59 a gallon, actually down about 20 cents from a couple of weeks previous. So they cannot even, as a farmer today, get for a bushel of corn what it costs to purchase a gallon of gasoline. There is something seriously wrong with that picture.

Mr. Speaker, we are in the process right now of writing a new farm bill in the Committee on Agriculture in hopes that we will be able to have that on the floor sometime before the end of this year, so we can put in place a new program that will enable our producers to make decisions about their future, hopefully with a bill that provides more stability, more predictability, more certainty about what the incomes and the costs and everything else are going to be associated with agriculture as we move into the future.

The one thing they cannot control is the cost of energy. Mr. Speaker, it is important that this Congress begin to focus and to zero in like a laser beam on this issue. It is our responsibility.

We can argue, and we have, about who is at fault for this. Frankly, we have not had an energy policy in this country for the past 8 years. That is one of the things we have all talked about. Republicans blame Democrats and Democrats blame Republicans, but the fact of the matter is, this is not a Republican or a Democrat problem, this is an an American problem, an American challenge. We need to work together across political aisles to find a solution.

Mr. Speaker, I believe that we have a good starting point. The President and his Commission on Energy came out with a report about a month ago. It is 170 pages or thereabouts long. It has 105

specific recommendations, many of which can be implemented by executive order, many of which are directives to agencies, and many of which require legislation by this Congress.

I think this Congress has a responsibility, Mr. Speaker, to take this report, to take those recommendations for legislation, and to act upon them, because we do not have any alternative.

The farmers and ranchers in South Dakota and the farmers and ranchers in Montana and North Dakota and all across the country, and the people who rely day in and day out upon energy, they do not have any choice or any alternative. They have to pay what they have to pay when they go get a gallon of gas. They have to pay whatever the utility company says it is going to cost them for electricity. There are people who are hurt and hurt deeply if we fail to act.

Mr. Speaker, I would hope, as we begin to debate this issue over the course of the next several weeks and months, that we will focus on a couple of key issues. One of the things that has been said is that the President's proposal is short or lacks somehow in the area of conservation and emphasis on alternative sources of energy.

If we read this carefully, nothing could be further from the truth. There are extensive incentives for alternative sources of energy. There is a great discussion on conservation, things we can all do to decrease the demand for energy in this country. Really, Mr. Speaker, we ought to be looking at one or two things. That is, what can we do that, one, will increase supply of energy, or two, decrease demand? The rest is conversation.

But I believe we ought to be looking at what we can do in terms of legislative action, administrative action, that will increase supply or decrease demand for energy in this country so we can close the gap and lessen our dependence upon foreign sources of energy. We cannot afford as a nation to have Saddam Hussein dictating energy policy in America.

The fact of the matter is that today we are even more dependent upon foreign sources of energy than we were 25, 30 years ago. Back in the early 1970s, at the time of the Arab oil embargo, the big discussion was that America is 35 percent dependent upon energy sources outside the United States. We talked about what a travesty that was and how something had to be done.

Yet today, we are more than 50 percent dependent upon energy sources that come from outside the United States of America, primarily the OPEC nations. That trend will only continue. Twenty years from now, the expectation is that two-thirds of our entire oil supply will come from outside the United States.

Mr. Speaker, we cannot afford to be in a situation where we are held hostage to countries around the world who have unstable political regimes and are very unreliable in terms of the supply that is coming into this country.

I believe we have to look at what we can do to generate more supply. That means environmentally-friendly supply, looking for new sources of oil, doing it in a way with technology that will allow us to capture and get at those oil reserves in a way that protects the environment, that minimizes any disruption. I believe that technology exists, Mr. Speaker. It is our responsibility to take the steps that are necessary to access the domestic oil reserves that we have here in America.

I also believe profoundly that we have to support alternative sources of energy. We have one in my State of South Dakota. It is corn. It is used to produce ethanol. We have an industry that is beginning to flourish, and with the President's recent action with respect to the California waiver, the Midwest has an opportunity to ramp up the supply of ethanol to meet the increasing and growing demand in this country.

Mr. Speaker, I do not think it is just California, but we ought to have an energy strategy that puts in place a demand for ethanol all across this country, because it helps clean up the environment. It helps lessen our dependence upon foreign sources of energy. It helps support American agriculture.

We have an economic crisis in agriculture today. We have an energy crisis in America. We can use renewable sources of energy to help meet the demand for energy. Mr. Speaker, I believe we need to put incentives in place through legislation that would encourage and stimulate more and more development of renewable sources of energy.

How about wind? How about nuclear, things that we have not perhaps talked about in the past becoming more economical in the present? Technology continues to advance. We have opportunities that we did not fathom possible a few years ago. But we need to be looking at alternative sources of energy, and supporting and encouraging and providing incentives for their development and expansion.

We need to be looking at what we can do to access the supplies of oil in this country and natural gas, doing it in an environmentally friendly way. Then, Mr. Speaker, of course we need to look at what we can do to lessen and to decrease the demand that we have for energy.

All of us in our daily lives can make decisions that will help preserve those sources of energy and lessen and decrease the demand for them in this country. There is not a family, I daresay, across America who could not do a better job of becoming more efficient.

We now have appliances that are more efficient and less energy-intensive. We have opportunities to turn the lights off when we leave the room, or to turn the computer off. We are much more reliant and dependent upon energy today than we were 20 years ago.

Look at the appliances in our very homes: microwaves, VCRs, DVDs, computers, all those things that perhaps 20, 25 years ago did not exist. Yet, we do not do a very good job of teaching the next generation about the importance of conservation of many of our natural resources.

So as we begin this debate, Mr. Speaker, I hope we can take some of the partisan vitriol out of that debate, some of the political attacks and accusations that occur oftentimes here on the floor of this House, and have an honest dialogue about what we can do as a country to increase the supply of energy, to decrease the demand, and to diversify our energy mix so that we are less reliant upon fossil fuels, on hydrocarbons, and more dependent upon alternative sources of energy that come from wind, from some of our renewable sources like corn and biomass.

Mr. Speaker, this is a crisis for America. It is something that becomes progressively worse over time if we do not act now. Yes, we need a short-term solution, but we need to put in place a long-term energy policy for America's future that recognizes the importance in a growing and expanding economy of having an affordable source of energy that powers our homes, powers our businesses, allows this economy to expand and grow and enhance and improve the quality of life for all Americans.

I am anxious to engage in that debate. It matters profoundly to the future of American agriculture, to the people that I represent, in the great State of South Dakota and all across the country.

Mr. Speaker, I encourage my colleagues, as we begin this debate, to not engage in partisan blasting and bashing, but to take what I think is a very thoughtful and meaningful starting point, which is the President's energy proposal, and work from this to develop an energy policy, an energy strategy that will serve this country well, not only in the immediate future but in the long term future.

It is critical to our children and to our grandchildren that we not deprive them of the opportunities that many of us have enjoyed because we do not have and have not put in place a coherent energy strategy and energy policy for America's future.

Mr. Speaker, I look forward to that debate. I encourage my colleagues to work together in a bipartisan and cooperative way to put in place many of the incentives that are going to be necessary to see that we have alternative sources of energy into the future, and to talk honestly, not in emotion but in a science-based, factual way, about getting at those sources, those resources we have here domestically here in this country in a technologically and environmentally friendly way for America's future.

LIVABILITY IN AMERICA'S COMMUNITIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the minority leader.

Mr. BLUMENAUER. Mr. Speaker, it is my pleasure this evening to address this Chamber dealing with issues, as I have often done on this floor, of livability: what the Federal government can do to be a better partner helping American families to be safe, healthy, and more economically secure.

□ 2000

And as we approach the notion of how to structure that partnership, there are those that suggest that there are areas of new rules or regulations, tax, fees, new government programs, and they all have their place, I suppose, in the toolkit towards enhancing liveability.

Mr. Speaker, I am of the opinion that the single most important factor that enters into the Federal Government being a better partner with our local communities is simply to lead by example. For the Federal Government to model the behavior that we expect of other entities, corporations, individuals, and governments, for the Federal Government to walk the talk, there is nothing that is more powerful, more compelling, that is going to cost less and be more effective.

For instance, I have worked with many in this Chamber on a simple piece of legislation that would require the United States Post Office to obey local land-use laws, zoning codes, environmental regulations, to engage the American public in a constructive fashion on decisions that affect communities large and small in over 40,000 locations around the country.

It is not particularly revolutionary. It is not going to cost the taxpayer any money. It is not going to be in the long term more difficult for the post office. There is no real difference than their competitors like UPS, for instance, or FedEx. It will help change, however, the relationship that we have with the post office and local communities.

Mr. Speaker, as we reflect on ways that the Federal Government can lead by example, I am struck by how key the decisions that we make regarding the United States Department of Defense for our military which is the largest manager of infrastructure in the world, over $500 billion worth of roads, bridges, hospitals, docks, classrooms and apartments.

The military, however, is stuck in this struggle in terms of how it is going to promote liveability for enlisted personnel and for the communities in which we are surrounded. In fact, there is all the discussion we have in the United States about the consequences of unplanned growth, the consequences of sprawl; but I think we can make the argument that it is the United States military that is affected the most by the consequences of sprawl and unplanned growth.

Think for a moment about the controversies that are facing the military from Hawaii to Puerto Rico, where there is growing resistance to the areas in which the military is conducting its training exercises, people are trying to stop the use of live ammunition and equipment in Hawaii. And as we have seen, the Bush administration has recently announced that in 3 years we are going to stop these activities in Puerto Rico.

Mr. Speaker, the question arises where is the military, in fact, going to undertake these activities that are still essential to maintaining military readiness for the men and women who serve in the Armed Forces?

We are facing a question with this administration, as we did with the Clinton administration before us, what are we going to do with the inventory of military bases and other facilities that are in excess of what are necessary to maintain our fighting forces? Indeed, we have an inventory of military bases that basically reflects a tremendous overhang from World War I and World War II.

We have more inventory than we need for today's military bases. But as is well known to Members of this Chamber that when you try attempting to close them, there is a great storm of controversy.

There are some communities that are, frankly, very apprehensive about the consequences of losing the employment base in their community, but there are others who frankly are more concerned about what is going to be left once you shut down this base of operation. After you have recycled the jobs elsewhere, will there be an opportunity to use this land for productive purposes?

We look at Fort Ord 10 years after the BRAC process closed that base, we have yet to be able to fully transition all of that land to productive private sector uses. As we approach a new round of BRAC decisions, uncertainty about what is going to happen to communities and an unwillingness of the Federal Government to act in a prompt and thoughtful fashion, to clean it up and turn it over adds to the uncertainty.

It is going to make it more difficult for this administration politically, economically, and environmentally to do what is right for right-sizing the scale of American military operations.

It is going to end up costing us more money, and it is going to delay the use of these lands for more productive uses. There is another serious problem that is associated with it. Today we have an all-volunteer Army; and increasingly, we find that the skill level that is required for the men and women who are in uniform is rising ever higher, retaining these highly qualified men and women, the best and brightest of whom can transition into the private sector, have more certainty in their life, higher quality of life, earn more money, and have more career advancement.

In order for the military to retain the highly qualified, technically proficient men and women who make the modern military work we give to them a high quality of life.

If we are facing a situation where military housing is substandard, and I have seen reports that suggest half or more of a third of a million military housing units is substandard, it is very difficult to retain the men and women in uniform and their family members, because increasingly, these people are, in fact, more mature. They have their own families, and they care about quality of life.

Finally, Mr. Speaker, I would reference the difficulty the military faces with the exposure to liability for not having cleaned up after itself. Dealing with the environmental problems that are the legacy of military operations for over a century has the consequence, not only of denying productive use of this land to the community, but it is a distinct liability that the United States Government and the Department of Defense cannot escape. Ultimately, we are responsible for cleaning up after ourselves.

The bill is going to come due for the Department of Defense. The longer we evade, the longer we delay in cleaning it up in a forthright fashion, the more expensive it is going to be for the taxpayer, the more damage to the environment.

We are looking at what is happening in the State of Massachusetts with the Massachusetts military reservation where there is a toxic plume that is poisoning the aquifer on Martha's Vineyard, the source of drinking water for some of the exclusive properties in this pristine and valuable land. It has historic significance. It is very significant to some of the best and brightest around the country.

That is slowly being poisoned because we have not been able to move quickly with the Department of Defense to clean up after itself. The liability in Massachusetts on Martha's Vineyard is not going to get smaller over time; indeed, it is going to escalate. More environmental damage, a larger bill for the taxpayer.

One of the areas that I am most concerned about deals with the legacy of unexploded ordnance. We have across the country in over 1,000 sites with potential contamination of 20, 30, 40, maybe 50 million acres or more where we have the legacy of unexploded ordnance from past military activities.

We have had this visited upon people, burst on the scene in unexpected ways. My colleague, the gentlewoman from New York (Mrs. KELLY), had this occur in her district where on Storm King Mountain State Park, overlooking the Hudson River, the park actually was not a military range, but it was near West Point, and as effective and well trained and talented as the men and

women are at West Point, often the targeted were missed.

The shells that they were using were lodged in the land in and around the Storm King Mountain State Park.

We had a situation here a couple of years ago where there was a serious forest fire and the firefighters were out to try to stop the blaze; and all of a sudden, there were a series of explosions where these shells that had been buried, in some cases for up to a century or more, started exploding due to the heat of the forest fire; and we were forced to close Storm King Mountain State Park, one of the examples of where the unexploded ordnance has returned to haunt the American public and the military.

Earlier this spring, Mr. Speaker, I led a group to the campus of American University and to Spring Valley, one of the most exclusive residential districts in the District of Columbia.

I am not talking about some far-flung area in the wilderness that had been used for military operations. I am talking about a location that is about a 25-minute bicycle ride from where I am speaking this evening.

I have here a map, an aerial map that dates from 1922. It seems that the land adjacent to and surrounding American University, in fact, some of the land on the American University campus during World War I was the location of the American testing for chemical weapons.

We have here an aerial view that shows the location of test pits where they had goats and rabbits and hamsters, where they would inflict nerve gas, mustard gas on these animals, where we would manufacture it, where we had over a thousand structures and almost 2,000 men and women working during World War II.

Mr. Speaker, it was one of the most toxic sites in America. Some of the facilities were so contaminated they could not even tear the sheds down. They ended up burning a number of them and burying the residue, burying the leftover chemicals and weapons.

Now what we see, 83 years after World War I, we still have a toxic legacy here in the United States capital. In fact, Mr. Speaker, we had a situation in the mid-1990s after we had gone in with the work of the Corps of Engineers spending over $30 million, removing contaminated soils and materials and bombs.

There were working people out on this site escavating a foundation for one of the multimillion dollar homes for the Spring Valley Development, most of them are between $1 million to $5 million or more, and the workmen were busy with the backhoe.

It hit something, broke something and the work people were sent to the hospital because they had discovered a container of a toxic chemical.

□ 2015

As they went to the site and started working around it, they found a container of phosphorus where the steel container had rusted away and left the ceramic shell. And when they broke the shell open, the phosphorus came in contact with the oxygen in the air and burst into flames. The question occurs to a thoughtful person, what would have happened if it was a child who had been playing on a construction site who had found this waste from World War I?

Farfetched? Well, as I speak, we are spending another $40 million to try and decontaminate the site. As I speak, one can go out to this exclusive residential neighborhood and find little flags in various and sundry properties in the neighborhood where they are taking samples to try and find out where the contaminants are. If any of my colleagues were to go to a cocktail reception at the home of the Korean Ambassador, who lives in a little $10 million bungalow just off this site that I mentioned here, the Korean Ambassador to the United States, I would suggest they not go in his back yard, because they will find that it is all dug away as they are trying to remove the contaminants in his back yard.

Just up the hill and across the road from the Ambassador is the child care center from American University. It is a modern child care center. The playground equipment is visible in the yard. But it is vacant because the levels of arsenic in the soil upon which this child care center is built is 20, 40, 50 times the level that is regarded as safe.

There are young women who were on the rugby team, the girls that played on the girls intramural field at American University, who wondered why the rashes that they suffered when they were playing on that field did not heal properly, and questions have been raised as to whether or not the contamination on that field was a part of it.

I mention Spring Valley not because it is the worst site in America, I mention it because it is here, literally in the shadow of the American Capitol, and it is 83 years after World War I has concluded, after we have spent over $30 million cleaning it up, and we still have not been able to tell the residents around Spring Valley and the university community at American University that we have taken care of the problem.

It is not farfetched to speculate what might happen with children who come across unexploded ordnance in over a thousand locations around America. There was a tragic situation that occurred in San Diego where there were three junior high students, young boys, playing in a field in a subdivision that had been built on a formerly used defense site. They came across a shell. Now, 10-, 11-year-old boys will do what children will do. They were playing with it, trying to figure out what to do with it, if it was real, and seeing if they could open it up. It exploded. It killed two of them.

I have been able to identify 65 Americans who have been killed as a result of unexploded ordnance. And I suspect on America's military reservations, bases, bombing ranges, that if we had full access to all the information, that, in fact, we have probably had far more than these 65 that I have been able to identify.

In Portland, Oregon, just across the river from us, a half-hour's drive, there is a 3,800-acre military reservation, Camp Bonneville. No longer used for military purposes, it has been used for the better part of the last century. It is separated from the public, for most of the 3,800 acres, by three strands of barbed wire. No way we are going to keep out the public. People have been using these 3,800 acres for years. Children have played on it, people have ridden horseback, there are people who have hunted, folks who have used it just for a day hike, even though we attempt to post signs and keep people off it.

The military personnel who are responsible for it advise there is no way to secure it and people continue to use it. We do not yet know what all is on the site of Camp Bonneville. We have had situations where they have found 105-millimeter shells on the surface. Now, these are the shells that are about like this, that have seven and a half pounds that serve to detonate the shells.

There are ambitious plans to return these 3,800 acres to public use, for a wildlife refuge, for a park, and the people of Vancouver and Clark County, Washington, are excited about the prospect, but we have not yet been able to analyze what is on the site. We have not been able yet to understand what we need to make sure that it is clear and that we can turn it back over.

Mr. Speaker, I could go on and spend the remainder of the hour that has been allocated to me just talking about these examples. As I work with the men and women in this Chamber, virtually everybody I work with has a problem like this in their community or near it, my colleague, the gentleman from California (Mr. FARR), with Fort Ord in California. Ten years after Fort Ord has been closed, we still have not been able to turn over the 28,000-acre former home to the 30,000 men and women who were there.

We have a situation with my colleague, the gentleman from Colorado (Mr. UDALL), with Rocky Flats, Colorado, a former nuclear weapons production facility that they are attempting to be able to make the transition for.

We have situations with the Aberdeen Proving Ground, affecting the district of the gentleman from Maryland (Mr. EHRLICH) and the gentleman from Maryland (Mr. GILCHREST), that contains a number of closed ranges with unexploded ordnance and chemical weapons materials. Now, this is a problem not just for what is on the land there, but the potential of exposing the Chesapeake Bay and its tributaries and

the potential contaminants in a plume that threatens Harford County's drinking water supply.

We have Savannah Army Depot, which concerns the gentleman from Illinois (Mr. EVANS) and the gentleman from Illinois (Mr. MANZULLO), some 9,000 to 10,000 acres that we would like to transfer to the Fish and Wildlife Service, but much of the acreage along the Mississippi River is not suitable for transfer or reuse because of UXO.

I could continue on and on and on this evening. I will not. Suffice it to say this is representative of over 1,000 locations around the country where we have these problems. It is something that knows no geographic limits because it is east and west, north and south, and indeed it is the islands that the United States is responsible for off our territorial boundaries in Hawaii, in Guam, and in Puerto Rico. It is a situation where we are today, at today's rate of cleanup, looking at this problem continuing for one century, two centuries, 500 years, perhaps 1,000 years or more given the current rate of cleanup.

It is a situation where we do not even know what the dollar amount is. What we do know is that the estimates that have been provided by the Department of Defense are completely inaccurate. They are unreliable. They understate the problem in a dramatic sense. The most recent numbers are like $13 billion. It is off by an order of magnitude not just tenfold but it could be $200, $300, $400 billion or more to clean this up. But the notion that it is $13 billion is absolutely laughable.

Well, what needs to be done? It seems to me that first and foremost people in the United States Congress need to report to the game. Congress is missing in action in a battle that is still claiming casualties 141 years after some of these materials were deposited during the Civil War, 83 years after World War I, 56 years after World War II, and 25 years after Vietnam. We still have casualties, and not just in the United States.

Frankly, the technology that we should be developing to clean up military waste and contamination, unexploded ordnance, the technology that will help us determine whether it is a hubcap or an unexploded land mine will make a difference, and not just in the United States. Sadly, unexploded ordnance, bombs, shells, and land mines are found in former battlefields and current battlefields all across the world, in Kosovo, in the Balkans, and in sub-Saharan Africa. In Southeast Asia, on a trip with President Clinton this last fall, I looked at the children who were blind, maimed, missing limbs as a result of unexploded ordnance and land mines detonating. There are people in Vietnam, Cambodia, Laos, as we speak, every single week, who are being maimed and being killed.

We have a situation where there are some people who are so desperate economically that they are mining these fields trying to recover the military hardware at the risk of their lives. If the United States is able to develop the technology to more efficiently decontaminate, decommission, identify and remove, it will not only return tens of millions of acres to the public for reuse, for wildlife, for open space, for housing and parks, but it will help save lives around the world.

I suggest that what we need to do first and foremost is for the United States Congress to no longer be missing in action. I will be proposing legislation in this session of Congress to first of all put one person in charge. Right now the administration, Members of Congress, the public, the media cannot find out exactly what this problem is. There is nobody who is responsible for putting the pieces together. This is unconscionable. And by simply designating somebody in the Department of Defense, in EPA, or an independent agency to be responsible for monitoring, collecting the data, being in charge of the tens of millions of dollars of work that is going on right now to make a dent in it, this will help us in significant, significant ways.

□ 2030

Second, we need to put more money into cleaning up after ourselves. At a time when this administration can propose spending $100 billion or $150 billion or more on unproven technology for an unproven threat of a missile attack from a so-called rogue nation like North Korea sometime in the next 10 years, with no expectation that after the $130 billion we have already spent on Star Wars, that it is going to be any more successful.

Put aside for the moment that military experts, and I think every Member of this Chamber will acknowledge that if a rogue nation really wanted to inflict damage on the United States, rather than spending a lot of time and money trying to put together a missile that may or may not hit us 10 years from now, which we could track, know who it is and bomb into the Stone Age, it would be much more simple for them to simply float a biological, chemical, or nuclear device into the New York harbor, into San Francisco Bay, into Seattle. They could bring it right here into our Nation's capitol. That is a much more real threat. It poses more danger and could happen tomorrow.

But put aside for a moment the logic, think about the numbers. If we are going to invest $100 billion or more on something that is unproven, against a threat that although unproven, will likely have destabilizing effects diplomatically, should we not put a few billion dollars a year into fixing something that threatens the health and safety and environment of American families all across the country? Absolutely, we should. The amount of money that I am talking about to double or triple what we are doing today is literally rounding error in the Pentagon's $350 billion budget.

The United States Congress should step to the plate and put $500 million, a billion dollars extra into accelerating the cleanup.

Second, they should put more money into research. I mentioned earlier a problem we have got. We have highly sophisticated techniques to detect metal way under the surface. But as I said, we do not know if that is a 105 millimeter Howitzer shell, a hub cap, or a land mine. If my colleagues meet with people in industry, as I have, they will tell my colleagues that with more concentrated research money, we can develop the technology to make it much more efficient and cost effective to know what is there and to move forward with the decontamination.

Finally, we need to make a long-term commitment to solve this problem.

When it is driven by political considerations, when something like Spring Valley happens, and it happens in the backyard of the rich and the famous in the shadow of the United States Capitol, then we can find $40 million extra to try to clean it up right, 83 years after we made the mess in the first place. But this is taking away from other problems around the country.

Mr. Speaker, we are just shifting from serious problem to serious problem based on what has the most media cache, what has the most political pressure. It should not be that way, and it is not the fault of the Corps of Engineers or the Department of Defense. They should not be in a situation where they are making these tradeoffs. It is the responsibility of the United States Congress to adequately fund the cleanup.

I would hope that before we recess for the summer we have stepped up and made a significant financial contribution to the research and the cleanup and we have put somebody in charge. What will happen if we do that? Again, if my colleagues talk to the firms that are involved with the military cleanup right now, they will tell my colleagues that if they make a concerted effort with adequate funding and a commitment for multiple years, you are going to see the private sector leap into action. They will invest more themselves.

We are going to have the research. They are going to develop their own techniques, and in fact we can issue contracts that enable them to do the research and to retain some rights in terms of developing the patent, the techniques, so they profit by helping us solve the problem. What that will do is it will bring more competition. It will drive down the per unit costs. We will have more momentum, and we will be able to decontaminate far more acreage than if we were sitting around doing this in fits and starts, bits and pieces.

Once we do that, the savings to the public multiply. As I mentioned, the liability for the Federal Government cleaning up after itself as the largest polluter of superfund sites in the United States, it is the Department of

Defense. It is the Federal Government itself.

We cannot evade that responsibility by just putting up fences and pretending that it does not exist. And by going faster and being more efficient, what we have done is not only lower the per unit cost, we eliminate long-term responsibilities.

If we do not pollute the aquifers in suburban Maryland that threaten the Chesapeake Bay or Martha's Vineyard, we are going to save the Federal Government a huge bill in the future.

Once we decontaminate that land, we are creating value. Right now these abandoned bases, the contaminated areas, are a liability. We spend money trying to keep people away. The trail in West Virginia that has a sign on it that says stay on the path, it is safe on the path. If you go off, they warn of explosions. Or the grade school children in Hope, Arkansas who take home flyers every year describing to children what the potential military waste looks like and that they should not touch it.

We are spending a lot of money now trying to keep people away from these destructive forces. If we are able to return the land to productive use, we are going to strengthen the environment. We are going to improve wildlife habitat. We will have more recreational opportunities in communities around the country where open space is a premium. We see unplanned growth and sprawl, and being able to turn these facilities back to the public, back to local government, back to park and recreational districts, which add value and quality of life.

Many of these facilities, abandoned bases and bombing ranges and military maneuvers, when they are returned have opportunities to be turned into commercial and housing uses, but they must be safe. Once we certify it is safe and we can turn it over, there are opportunities for colleges to be built and airports to be constructed, for parks and recreation, opportunities for commercial activities. These have tremendous, tremendous value.

In a nutshell, we will be adding value to communities, saving money and meeting our responsibilities for the environment.

Mr. Speaker, I am convinced that the American public is often ahead of the Federal Government and Members of this Chamber. In the energy debate of late it is interesting to note despite some of what I think is misleading information which has been presented by some in the Federal Government, the American public has a pretty good idea of what they want to have happen as far as energy is concerned. They want wise stewardship. They want conservation. They want us to have more fuel-efficient vehicles. The last thing they want to do is spoil the environment, drill in the Arctic Refuge and build massive numbers of power plants.

The same way when it comes to making our communities livable. Citizens would like us to do our job for the Federal Government to be a better partner with them. In over 500 referenda on the State and local level across America, the public has voted at the ballot box to purchase open space, to clean up contamination, to protect watersheds, to provide more transportation choices, to fight against sprawl.

The Federal Government has an opportunity to work with the citizens to kind of run to catch up with them, maybe not lead the charge, but to be a full partner. There is nothing that the Federal Government can do that will make more of a difference for improving the livability back home than for us to take these sites, whether it is Spring Valley near the American University campus here in Washington, D.C., Camp Bonneville near Portland, Oregon, the Massachusetts Military Reservation, or any of the other 1,000 sites across the country, clean up after ourselves and enter into a partnership with the American public.

Mr. Speaker, I am hopeful during this session of Congress we will no longer be missing in action. We will put the structure in place so somebody is in charge. We will put more money into research so we can do this job better. We will fund adequately over a specific period of time so the private sector can do its job, and we can make it easier to promote the livability of America's communities and make our families safe, healthy and more economically secure.

## FAITH-BASED INITIATIVES

The SPEAKER pro tempore (Mr. REHBERG). Under the Speaker's announced policy of January 3, 2001, the gentleman from Indiana (Mr. SOUDER) is recognized for 60 minutes.

Mr. SOUDER. Mr. Speaker, the subject I want to address tonight is one that has been in the news a lot lately, and a lot of people are confused and many Members of Congress are confused. I want to review some of the basics, and that is about the faith-based initiative or the so-called Community Solutions Act that will be marked up presumably next week in the Committee on the Judiciary and the Committee on Ways and Means, as well as hopefully brought to the House floor right after the July 4th break.

This is an area that has, as I said, a lot of controversy in it, a lot of conflict in it, and at the same time is so basic to how we are going to deliver social services and how we might address the problems of the United States that it is absolutely essential.

I would like to go into a little bit of overview as to what all of the fuss is about and why so many people are talking about faith. One would think from some of the media coverage this is a brand new idea discovered by President Bush and it was never talked about before in American history. In fact, it has been part of the United States from the very beginning. It has just been in recent years that we have tended to deny this.

The Pilgrims came here because they wanted to practice freedom of their faith. The Catholics in Maryland came because they wanted freedom for their faith.

The Quakers in Pennsylvania came to the United States because they wanted freedom to practice their faith. We have seen multiple revivals in American history, when George Whitfield came through and it swept through America right through the American Revolution, the Wesley brothers came and settled in south Georgia and then moved up the United States, and there was another evangelical revival.

On Monday on the House floor there is a proposal to build a memorial to John Adams and John Quincy Adams and Abigail Adams, but particularly focusing on John Adams.

The current second best-selling book in the United States by David McCullough, if you read that book, at the very beginning, it talks about how John Adams was raised in a religious family, and his father was a minister, and how John Adams initially started as a schoolteacher, and his dad wanted to be a minister. And it was only after deciding to become an attorney that he decided not to become a minister himself.

At the very end of that book when John Adams is giving advice, he says, ''Walk humbly and serve God.'' John Adams, from the beginning, the middle, and the end was a very religious man.

But it was not just John Adams. John Quincy Adams' son who died in Statutory Hall, which used to be the old House Chamber, his last words were that he was ready to meet his maker and he was ready to go to heaven. He wrote a special book for his son giving him advice from the Bible and telling him how to avoid all of the perils of the European culture when he was over in Europe.

□ 2045

But it was not just the Adams family. Even those who were the least religious in the founding of our American Republic, arguably Thomas Jefferson and Ben Franklin, Thomas Jefferson was concerned enough about it that he did his own, in my belief, a phony Bible; but he took many of the teachings of the Bible with it because he believed it was a historic and important document for America's faith.

Ben Franklin repeatedly called on Congress at the very time when we were supposedly debating about the separation of church and state, right after they passed the religious liberty amendment Ben Franklin was among those who called and passed a resolution saying Jesus Christ was the one and only son of God and was the saviour of mankind.

Ben Franklin also had George Whitfield, probably the greatest evangelist ever to come to America, at his

home; and Ben Franklin was not, in my terms, a particularly religious man, but he understood the power and importance of faith to America and how it was so integrated in our culture, and he at least understood the power of faith.

We also saw that evolve. If Jefferson and Franklin were kind of the least religious of our Founding Fathers, we had the founders of the America Bible Society in our early Continental Congress, in our early Congresses. Most of the people in those Congresses were divinity school graduates.

Even when you look here in the House Chambers, and it will not be able to be seen on C–SPAN, but there are lawgivers all around this Chamber from Rome, from Greece and so on. All their heads on this side are turned that direction. On this side, they are turned that direction. There is only one facing towards Congress. It is Moses, Moses of Bible fame, who looks straight down on the chairman. Behind the chairman, it says, ''In God We Trust.''

So when we talk about separation of church and state, let us do not get too cute here. We have Moses looking down on us every time we debate this, with ''In God We Trust'' behind us.

What does this have to do with what we are talking about in public? It is because we have increasingly in America tried to deny this heritage and separate and act as though somehow we are not rooted in that and the people are not rooted in that, whereas the people in America are still a religious people; but the government has in effect tried to impose a secular alternative on this.

Let me look at the role of faith in social services. In fact, if religious organizations had not stepped in in the education field, all of our major universities were religious universities to begin with. They are not now, but Harvard and Princeton and Yale, all of these universities were founded as religious universities. All the major social organizations, hospitals, child abuse, juvenile centers, all of these things in America were religiously founded.

The book ''Tragedy of American Compassion,'' by Dr. Marvin Olasky, is a brilliant exposition of how we went from a basic religious-based provider of social services to the government taking over most of those options.

Now we had a terrible Depression. There were other things that were occurring as well, but he highlights how some of it has been a substitution of character mixing with private charity and helping others to a government takeover of social services initiatives.

I commend all of Dr. Olasky's books to us. He has a great book on compassionate conservatism that is probably the best single book out on that subject right now. He has several books on leadership and some of the American heritage to understand the mixing of how faith was so important in our country.

Going back to the social service providers, what has happened is government has taken over more of the social service providing. They do not have the character mix. I am not saying government employees are not committed, but they are not going to stay there in the evening. They often will move back to their suburbs rather than live and work in the communities where the problems actually are. It is a different type of commitment. It is not leveraged with private funds.

On top of that, what it has done it has absolved the rest of us from our obligations to help those who are hurting and those who have problems. We say now it is the government's business. It is partly because our Tax Code is high and partly because we see all of these billions of dollars being spent in the social programs; therefore we do not have to do it. But let us not kid ourselves. Part of this is an excuse. It covers our selfishness, and we have allowed the government to step in and provide social services that are really our responsibility as well.

I am not saying there is not a government role. Obviously, a safety net is needed; but it can be a supplemental role. President Bush is not proposing to have government replaced. He is proposing to have an additional add-on and to add the hearts and compassion of the America people on top of our tax money that is going to this. That is what we are trying to do with this, is to expand the base of how we do social services.

I want to read a couple of examples from World Magazine of which Dr. Olasky, who I referred to earlier, was one of the original founders. World Magazine is probably the best of the evangelical publications now. It is kind of like a Time Magazine for Christians, for lack of a better word. This week's issue, June 16, has a feature on compassionate conservatism and particularly looking at a lot of things related to this initiative of President Bush.

One of the articles is on Teen Challenge, and let me read a little bit about this. Then I am going to relate these into the larger question of how faith-based organizations and community solutions work. Quote, ''Just tell them it is a spiritual bootcamp,'' responds the man who runs the Teen Challenge. It is a 4-month induction phase to the 12-month Teen Challenge program. The New Orleans center serves as the ground level, weed-out program that grabs drug users off the street and incubates them in Biblical teaching. Those who stay off drugs and complete daily Bible lessons receive gold stamp certificates and a bus ticket to another 8-month training center that offers intensive Bible study and job skill training. Only 20 percent of the residents who enter the Teen Challenge program graduate after 12 months. Of those graduates, 86 percent remain drug-free 7 years after graduation, according to a study done by the National Institute of Drug Abuse in 1975 and later confirmed by university studies in 1994 and 1999.

''At this place, we deal with the problem of sin, not its effects,'' says Mr. Pallitta. The only way to change sin is through the deliverance power of Jesus Christ.

We had Teen Challenge at one of our committee hearings. They are one of the only programs that have been steadily audited by different groups who cannot believe their success rate because we are told, you mean clean for 7 years? That is amazing compared to our drug programs.

It is a difficult question because it is clearly an overtly Christian program. How do we deal with that in this Community Solutions Act and the faith-based initiative? That is part of what I am going to talk about as I develop tonight's Special Order.

Now here is another story. This one is in Dallas, a crime-infested area in Dallas. It says, ''We use Biblical principles to help children develop leadership skills,'' he said, explaining that there are no neighborhoods or parks in the area; just 10,000 apartment units that often host drug gangs and prostitution rings. These children are exposed to so much. Everything you would not want your child to see is right outside in the parking lot. It says that these children participate in community service programs, in a youth choir that performs at local nursing homes and malls. David Pruessner, a 45-year-old lawyer volunteer who teaches chess, quote, ''You have to learn to develop a strategy and think ahead.'' During the summer, he gives group lessons to 20 students at a time using ten game boards and hand-made wall charts but teaching about God is at the center of the program, for Mr. Gaddis states that the gospel is the only thing that really changes lives.

Now here is another story in this same issue of World Magazine on the Good Samaritan Center, actually Good Samaritan House in Orlando, or actually Sarasota, Florida. It says, at the Good Samaritan House, ''The right direction begins with a set of simple, nonnegotiable rules.'' Residents must remain alcohol and drug free and accompany Mr. Cooley to church and Bible study weekly. They must secure a full-time job or work as day laborers at a local temporary agency until they find permanent employment.

GSH residents must pay rent, $6 a night after their fifth free night of shelter. While they may spend a little money on personal needs, the men must save much of their earnings with the goal of becoming economically independent of this house. The rules include in bed by 10:00; no foul language; no fighting; and no women, presumably at least outside of marriage.

I wanted to illustrate some of these examples because you can see that many of these groups are effective. How does this relate to the government and how do we work through this question of religious liberty in America, because it is illegal to use taxpayer dollars to do proselytization or to do direct, overt funding of Christian activities or any other religious activities

with taxpayer dollars. It is unconstitutional.

So how do we work through these? What would you think, from many people's criticism of this program, is that this is the type of thing that we are directly funding and we are directly funding the proselytization, but that is not the case.

Let me walk through a little bit first some of the legal questions. David Ackerman at the Congressional Research Service has probably done the most work on this subject. His most recent is April 18, 2001, analyzing this charitable choice part of the debate. There are three parts to this that I want to illustrate in this section.

The first is what is happening now. As he says in this document, that in the past, because contrary to public impression many faith-based organizations, hundreds and thousands of them, currently are involved in government. So what is this debate about? Well, the debate is that, as he says, these organizations have in the past generally required programs operated by religious organizations that receive public funding in the form of grants or contracts to be essentially secular in nature, essentially secular in nature. That means, for example, religious symbols and art had to be removed; religious worship instruction and proselytizing have been forbidden. Therefore, they are not really when they are doing these religious organizations anymore. So many religious organizations do not even apply to do social service work in any government grant program because they basically have to become, as is stated here, essentially secular in nature.

So what is the President proposing to do, and what are we going to look at here in the House? People think of it as just this charitable choice, but it is to help States set up their own versions of faith-based and community initiatives. It is to help implement the charitable choice measures. It is to help pilot programs in this, but it is also a whole series of tax initiatives including giving nonitemizers the right to claim charitable deductions; to permit tax-free withdrawals from IRAs; to have individual development accounts; to encourage States to adopt charitable gift tax credits; to increase the charitable donation from corporations to 10 to 15 percent. It is a series of tax incentives as well, and then also technical assistance to small community and faith-based organizations.

So are those things unconstitutional?

Now what David Ackerman writes, and this is the fundamental kind of guts of the argument, he says, more particularly, the Supreme Court now appears to interpret the establishment clause in a manner that does not automatically disqualify pervasively sectarian institutions from participating in direct aid programs and perceives them as able to honor restrictions to secular use even without intrusive government monitoring. But the court's revised interpretation still requires that direct aid be limited to secular use by recipient organizations and the court has left open the possibility that other limitations may apply as well. Moreover, all of the justices have expressed doubt that direct money grants to pervasively religious entities can pass constitutional muster.

The standards governing indirect aid, however, do not appear to have changed. Some aspects of the charitable choice proposals that have been enacted seem to satisfy these requirements. The provisions do not give religious institutions any special entitlement public aid but simply require that they be considered eligible on the same basis as nonreligious institutions.

In addition, they all bar the use of public aid for sectarian worship, instruction and proselytization; i.e. they require that the aid be used only for secular purposes. Then it is constitutional.

What we have been working through the last week in particular is some concerns regarding the original drafting of the bill and whether it met these constitutional questions.

Now let me illustrate some of the types of things that we are working with. To give you an example, there was a report that an official of the Department of Housing and Urban Development wrote to the bishop in charge of the St. Vincent de Paul Housing Center in San Francisco asking them to rename the building the Mr. Vincent de Paul Center because they got a government grant. That is how ridiculous some of this is getting.

In another case that was reported in the Washington Post January 28, 2001, in a George Will column, a city agency notified the local branch of the Salvation Army that it could be awarded a contract to help the homeless only on the condition that the organization remove the word ''salvation'' from its name.

Now those are extreme cases, but more generally the problem has become, as Dr. Amy Sherman has said, charitable choice, most important effect thus far, is that it made the collaboration plausible for those within government and the faith community who had previously assumed such partnering was somehow outside the bounds of constitutionality under their misguided interpretation of the first amendment.

In other words, much of this has not been unconstitutional. It is that people did not realize it was constitutional. So that was kind of attempting to address some of the constitutional questions.

Now let me explain and review again this mix of what we are trying to do with the Community Solutions Act.

First, and this is first because it is the most dollars and the most important, it is not government. It is the private sector.

Secondly, it is tax incentives, because the best way to help the private sector is to encourage more charitable giving. Then we do not have the debate about whether or not government is involved or not, and there are more dollars than the government will have in it.

□ 2100

Thirdly, it is technical assistance for small communities and churches. There are lots of Hispanic and black churches in urban American that have 15 to 50 people in them. They do not have CPAs and accountants in their churches. They do not know how and when the government grants are coming. They need technical assistance, so, one, they do not get sued, and, secondly, so they can figure out how to be eligible for the grants.

Then we come to charitable choice. Let me go through each of those a little bit in particular here. First let me deal with the question of corporate philanthropy. This has become highlighted because of a speech that President Bush gave at the University of Notre Dame, as a graduate I would have to say arguably the best university in the United States.

But he chose that to address the question of why corporations have not been allowing, they do not allow their corporations to give to faith-based. In other words, we can complain about government, but Dr. Michael Joyce, who has been a leader in a lot of these things, Michael Joyce was with the Bradley Foundation and is now working with the Capital Research Center and other groups, and he is the person who called this to the attention of President Bush.

Listen to some of our biggest corporations in America and their standard for corporate giving, and then we can talk about the problem of faith-based, but let us first look at what is happening in the private sector. When the government starts to separate faith, but it is even the private sector that separates.

General Motors, number one in corporate giving, declares contributions are ''generally not provided to religious organizations.''

The Ford Motor Company fund, the number three corporation, ''as a general policy does not support the following religious or sectarian programs for religious purposes. That is in the same undesirable category as animal rights organizations or beauty or talent contests.''

So Ford and General Motors do not allow their funding to go to faith-based organizations.

The fourth largest, Exxon-Mobil, explains, ''we do not provide funds for political or religious causes.'' That is not exactly true, since the company touts its support of environmentalists, advocacy groups for women and groups performing ''public research.'' But no money for faith-based organizations.

But IBM, the number six corporation, ''does not make corporate donations or grants from corporate philanthropic

fund to individuals, political, labor religious or fraternal organizations or sports groups,'' and many faith-based groups also have trouble with the last two words of IBM's ban which says that they will not give any money to organizations that discriminate, for example, on gender and sexual orientation, which means faith-based organizations like the Catholic church that do not allow female priests or any religion, which is most major religions, including Christianity, traditional orthodox Judaism, Muslims, on homosexuality. So they are ruled out because they have ''discrimination.''

So we have General Motors, Ford, Exxon-Mobil, IBM, saying no donations to faith-based groups. No wonder we are having a problem with faith-based groups getting funded. As Michael Joyce told the President, according to this article, ''I said the President is both the President of the government, but also President of the Nation. There is a huge private sector that spends billions emulating what the government does.'' So our lack and kind of our trying to separate ourselves from faith has resulted in the private sector also separating themselves from faith.

Now one of our colleagues here, the gentleman from Wisconsin (Mr. GREEN), has developed legislation which I am thrilled to cosponsor, and I praise him for his initiative, to try to have Congress go on record saying this is wrong out of the private sector. We need the private sector and the corporate sector leading in the effort to try to get more money to the people who are effective at the grassroots or actually changing people's lives.

Now, the second part of this is the tax incentives. I was in an earlier life in the eighties the Republican staff director of the House Committee on Children, Youth and Families, when Dan Coats was the ranking member, former Congressman and Senator.

We came to the conclusion after looking at so many of the problems in the United States that there was going to be a limitation on how far the Federal Government and even state governments and local governments are going to be able to go in assisting in solving our tremendous problems in this country, and that the best way to achieve this was going to be through faith-based organizations and the best way to achieve that was going to be through assisting in the Tax Code.

Let me give you an illustration. It does not matter whether the state has a Republican Governor or a Democratic Governor or who controls this Congress. We have not increased funds outside of education for most of the social problems in America to keep up with the problems of child abuse, with runaways.

There is not a probation department in America that does not realize that their caseload per probation officer is increasing. In Indiana, we are now entering, I think it is our 13th year of Democratic governors, and we have seen more money for education, but not for rehabilitation, not for a lot of the family services, not for child abuse, not for how we deal with the people when they are in prisons and try to help them; that no matter which party you are at the state level, we are a little slow here in Washington, you are saying the only way we are going to be able to address these problems is if we can extend the government dollars and get the faith-based groups involved.

The most direct way to do that, I have an act that we call the Give Act to try to increase the value of the charitable deduction. When I worked for Senator Coats, we developed the charitable tax credit. Senator SANTORUM and Senator LIEBERMAN in the Senate have introduced this Community Solutions Act as a tax bill, and as I mentioned earlier, it is part of our Community Solutions Act in the House. Arguably the most important.

Now, I am disappointed that we have cut back the President's proposal so much than the non-itemizers, but I understand we are under tremendous budget pressures. I am still enthusiastic about the bill. I will take whatever we can get.

But I am disappointed that we were able to come up with tax cuts for other groups, but not where we really need it in a lot of the social programs where the people are hurting the most, and I hope we can continue to increase that over the number of years, and I hope the President will keep the pressure on in the Senate, and in the next few years to increase that if our surplus continues to come in the way it is.

But the tax incentives and the private sector philanthropy, plus the efforts of Steve Goldsmith and now Les Linkowsky in a lot of everything, from AmeriCorps to a lot of the other public service things, in addition to the President's proposals in each department to see if the departments can look at how they can extend staff to help on faith-based, those are actually the biggest part and the most important part of the Community Solutions Act.

The next part is this technical assistance question. We have $25 million I believe in the bill to go to HHS. The President is also, I believe next week, having mayors in to talk about what they can do at the local level. We are encouraging states to set up initiatives.

It does not all have to come out of Washington. Most of the best execution and the better ideas do not come out of Washington, they come up towards Washington. Part of this is how are we going to help? The fundamental thing we are trying to address here really is how do we help those who need the help most and what is the gap?

One of the gaps is that we see at the grassroots level, even in the worst cases, as my friend Bob Woodson always points out, all you guys down there seem to do is focus on the failures. Why do you not focus on the successes?

When you look at the successes, in the worst places, I got challenged once by Bob when I first came in as a staff director and he said, ''Don't be a typical white guy who sits on your duff and pronounces what is wrong in our urban centers. Go in and talk to people who are successful and figure out what is working.''

When I have been into Harlem and Brooklyn and inner-city L.A. and in Detroit and Washington and Baltimore and most of the major cities of the United States over the last 15 years as a staffer and Member and talked to people, in the worst places possible, there is always a success story there. There is always somebody who is not failing, who is succeeding. At least 40 percent, even in the worst cases, are succeeding.

I remember one study by, I think it was David Farrington out of England, that if your parents are not married, one of them is gone from your home, they both have been in prison, they are both abusing drugs, neither are employed, and the chances of that child getting caught up in the juvenile delinquency system are only 33 percent. What happened to the other 67 percent?

Well, usually they got involved in some sort of a mentoring and faith-based hook. The fact is that success stories are when there are two parents involved, or when there a faith-based mentor involved, or a church involved, and there is work. We know what the keys to success are. We have to build on those successes, rather than trying to reinforce the failures.

Now, part of this is how do we help those little organizations? Pastor River's organization in Boston, they talk about how they have helped reduce the number of killings on the streets and so on, and you hear all these government programs bragging about it. But most government programs abandon that area and their neighborhoods in downtown Boston and the inner-city areas about 5:30 or 5 o'clock, maybe even at 4:30. The people who are left there are the people in the community and the churches.

But they do not get the grants. How do they know between June 15 and June 30 there is a grant on juvenile delinquency? How do they have the time or knowledge to write out the grant proposals? What we do in small business? For example, when I was in my 2-year MBA program at Notre Dame, one of the things we did in small business was we went out as students, and part of our requirement was to go out and help people prepare the grant requests.

We have microenterprise centers to help small businesses and start-up businesses get started in a lot of these communities to do that. Why do not we have that in social services? That is partly what the President is talking about in his compassion fund. That is partly what the President is talking about when he says the agencies need to help that.

We need to have the creativity and the entrepreneurship and the reinforcement in the social areas if we are really serious about addressing the problems, like we do in trying to provide jobs for people. The two things go hand-in-hand. Part of the solutions are economic and part of them are in here.

Broken families, you cannot educate somebody or you cannot educate a child if they are being beaten at home. If they are worried about whether their parents are going to get divorced, if they do not know where they are going to get their evening meal, it is pretty tough to educate them. It is a social problem and an economic problem, and we have to address both of themselves.

I hope our universities, one of my dreams is that some of the universities would say, look, we are going to work with some tech centers, we are going to have our students spend some volunteer times in the communities helping these small groups figure out how to apply for some of the grants, how to raise the private money from the philanthropic groups as they become more sensitive to the need for faith-based organizations.

So that is the technical assistance questions, because we have to come up with some creative ways to address that.

Now let me move to the most controversial part, which is charitable choice. So the basic question is, if someone chooses to attend a faith-based program, why should that be denied? That is really the fundamental question here. If you want to go in a drug treatment program and go to a faith-based program, why should that be denied?

For example, if you want to go to Salvation Army center for the homeless, why should you be denied that, if you want to go to the rescue mission. If you have a child care program and you want to go to a Catholic sponsored child care center, this include a hospice for the elderly, respite care, housing for people dying or trying to recover from AIDS, programs for juvenile delinquents.

If you want to go to a faith-based programs, why should you not be able to go to a faith-based program? Faith is a big part of most American's lives, whether it is Christian, Jewish, Muslim, Buddhist, whatever it is, why should you be denied, particularly at the time of your greatest crisis, any access to faith if you so desire?

Let me go through some of the difficulties with this. As I said before, one of the questions is, can you use my money, for example, I am a committed evangelical Christian, can you use my money to fund a Muslim program? Quite frankly, I do not want to fund the teaching of the Koran, but the money cannot be used for proselytization, and if we are trying to figure out how to help somebody who is dying from AIDS and provide a hospice shelter for them or recovery center when other people will not care for them, and they are Muslim and they want to go to a faith-based organization, and I am not being forced into that, and they cannot use my money for proselytization, why should I care, if that is what is going to be most effective and what that person wants?

Now, a key part of that, which is one of the things we have been battling about in this bill, is you have to have a choice. Let me give you a couple of illustrations with this.

I have a son, Zachary, who is 7th grade moving into 8th grade. Let us say his junior high has an after-school program, and so many of us are used to thinking of it in a different way, so let me phrase it this way. Let us say that the group that wins the bid for the after-school program is Muslim.

He comes home at night and tells me, hey, after we got started with the program we bowed down to Allah and had a prayer to Allah, and then a little later we had a study on the Koran.

I call up the school and say, what in the world are you doing, putting my son in an after-school program where they are bowing down to Allah and studying the Koran? They say, oh, that part was done with private money, not with Federal money.

Ha, I do not care. My son was in the middle of the program. You mean, he would have had to step out and have a big mess so he did not get up and embarrass himself in front of his friends? Look, if this is an after-school program and everybody is in there, you cannot mix it that way.

But now what if there were two after-school programs? What if he had the option of which one he wanted to go to, and there was a secular option, why should not those kids who wanted a Muslim program be able to go to a Muslim program? Not really a very good reason why they cannot, but you do have to have the option or clearly it is unconstitutional in my opinion.

Let me give you another illustration. A nutrition site, say, in Fort Wayne Indiana, not one of the more international cities of the world, but changing like the rest of the country. We have had a lot of influx of immigrants. Most people think, oh, Mexican and Central American Spanish-speaking people.

No, we have a problem, because in some of our areas, a problem in the sense the fire department talked to me about language problems, but it was not about the Spanish language. It was about the fact we have had the largest population of dissident Burmese in the United States in Fort Wayne, and one of the housing complexes on the north side of town is about half Burmese. Interestingly, what Chief Davey was talking to me about was the other half roughly of this complex, which are Bosnian.

□ 2115

Now, if we put a nutrition site in Fort Wayne, Indiana; admittedly, a mostly Anglo, mostly Protestant and Catholic city, but in that area, if you do a nutrition site and it was faith-based it would probably either be Buddhist or Muslim. Now let us say you are a Christian in that neighborhood and the only nutrition site is either Buddhist or Muslim, you have a problem. But if you have a choice, which is critical to the faith-based option here, it is not a problem. If the Bosnians who come to Fort Wayne organize themselves, and I am not saying they do, but if they organize themselves around a Muslim church, or if the Buddhists are more comfortable with their faith in having something, say a respite care center that teaches the pacifistic and relaxing attributes of Buddhism and that is what they want for hospice care, and there is an alternative for the other people in the neighborhood, why is that wrong? It is part of their institutional strength of what a community builds upon. Faith cannot be separated from life for most people, regardless of what their faith is, somewhere around 80 to 90 percent of Americans of all types and all heritages and all religions.

So one of the things is we clearly have to have a choice, but we have to understand, those of us who are in the majority, that we are not always going to be in the majority in a given neighborhood and that religious liberty means religious liberty. Now, one problem that some conservatives are having with this is that say, what do you mean a Buddhist group can be funded? Hey, that is what religious liberty is. If this organization is the best to address the problems of that community and people want to choose that, that means it can be Buddhist or Muslim. It does not just mean that Christian organizations are going to be funded in this bill; it means that any religious organization, as long as there is another provider, has the flexibility to do that, because faith means faith. It does not mean one kind of sectarian faith over another kind of sectarian faith. It has to be balanced. There has to be equal opportunity. And that goes in both directions.

If I am saying that if you want to have a Christian program or a Jewish program or a Muslim program or a Buddhist program, and you have to have a secular alternative, you ought to also have the opportunity, if there is a secular program, to be able to opt out and choose a faith-based program. It goes in both directions. We keep hearing here how you cannot have people forced into a faith-based program. Well, they should not be forced into a secular program either if they want to opt out and take that choice, for example, in drug treatment.

Now, one other thing that we have been debating here, and this is another very ticklish situation, is should the grants go directly to the church or should we set up 501(c)(3)s, meaning an independent entity much like Catholic charities or Catholic social services, Lutheran social services. Those are big

churches, big denominational setups. Okay. Now, let us take an African American church in inner city Philadelphia like one of our witnesses was that is small, maybe 70 people. How do they set up a 501(c)(3)? That is our technical assistance question, and this is a very difficult question, because we need to help them set up a 501(c)(3), and what I have become aware of as I have worked more with this issue and I have carried charitable choice bills to the floor now about four times, is we have to be very careful we do not suck the church into a very ill-defined and increasingly changing court decision-making process on what constitutes the flexibility of religious freedom.

Now, for example, the bottom line is I do not want to sink the church in the name of faith, and that could happen here if we are not careful, because there are very difficult questions. Would the church be covered by minimum wage laws? Some say of course it should be covered by minimum wage laws, but what does that mean? We have run into this with a number of religious children's homes. What it means is you get paid for 40 hours and if there is a problem at your home and the kids need help and your 40 hours is up and the church does not have more money to pay you, you have to leave, regardless of what the problem is, because you are not allowed to volunteer. That was meant to protect workers in the United States from corporations taking advantage of them and saying, okay, your 40 hours is done, now I need you to stay a little bit of overtime and we are not going to count it because we are not going to pay you. It was meant to protect workers, but it has never applied to churches, because many people in the churches are volunteers and working for the church. Probably there are very few church secretaries, very few church staffers who do not both get paid for a certain number of hours and then volunteer when there is a revival, volunteer to take kids to an amusement park. You cannot do that if you lose your religious exemption.

Another tough question. As I mentioned earlier, some religions, some major religions, both in Protestant and in Catholic faiths and big parishes and churches believe in a very tough thing to say today, but in sex discrimination, they believe that in certain positions, there should not be male nuns, for example, and do they have the right to maintain their religious freedom. If the church gets sucked into that and gets government money, this is a tough, tough question.

One of the most hotly debated subjects in America today is homosexuality, and many, many, if not most faiths, still believe that that is morally wrong. They have the right in America as a church to have that view. If we put government money directly into the church, we endanger them, depending on where the court moves, on this subject, if they have a 501(c)(3) as a separate entity that receives it. The clarity is still being sorted through, but the church mission itself will not be at risk.

Now, the closer the 501(c)(3) is to a direct faith initiative; for example, Catholic schools basically are exempt also for the most part because of the religious exemption, because the mission of the school is very faith based. But the degree you move, for example, to an exercise class or if a church moves to say a Pepsi bottling plant, the farther they move away from their basic mission, the more they are covered by sex discrimination laws, minimum wage laws, and a very difficult one, hate crimes laws, because how we define that in America has become increasingly flexible and puts those who have strong views on certain moral issues in potential risk. These are crucial matters of religious freedom and how we draft this bill and move through is very important, because we do not want to destroy the church.

Now, a fundamental question here is, and I would suspect that many churches will not apply. Nobody has to apply for a government grant. If any church is fearful that they could be drawn in, then do not apply. It is very simple. You do not have to get caught up in this. But I believe, as in multiple votes here generally speaking with a margin of about 290 Members supporting, it has ranged from probably 240 to 300 and some, have supported charitable choice, because we believe that ultimately, it is going to be impossible to address the problems in this country without the help of faith-based initiatives, and I commend the President for his Community Solutions Act.

Let me finish with two things. One is a further quote from Michael Joyce. It is an article about him, and I will insert the full article from World Magazine into the RECORD at the end of my remarks.

Joyce says, ''Ordinary people understand this really well. We take human nature into account. We understand humans as they were wrought by God. These people wish to remake them,'' he means the government, ''and rearrange them. It is like that line in a Bob Marley song: 'Don't let them rearrange you. That is why they fail.' ''.

They are not accounting for the basic human emotions and needs and beliefs of the American people in many of these government programs.

One of the most moving things that I have had happen to me in my life was the first time I visited Freddie Garcia and Juan Rivera at the Victory Life Temple program for drug addicts that they operate in San Antonio and now throughout Texas. Admittedly, this illustrates several things. This program would not be eligible for a direct government grant, period, because it is overtly faith. They would benefit from corporate philanthropy, they would benefit from the tax exemptions, but this is why so many of us feel that faith-based things have to be involved in any programs.

I have just visited Johns Hopkins where they told me you could not go off crack cocaine without tremendous effort. I met in one day at least 150 former addicts who went cold turkey because they gave their lives to Jesus Christ. I met them in housing complexes. I met them in churches. I met them in neighborhoods. It was extraordinary. They told me over and over, we were dealers. Generally speaking, when I would come into the different housing complexes or places where they were, they would say, can we get you a drink of water, and I would say either yes or no, depending on if it was a hot day in San Antonio, and they would say, can I tell you how I met Jesus Christ? I was lost and he turned my life around. They do not operate a drug treatment program, they operate a turn-your-life-around program which gets people off drugs. Nobody disputes that they have the best success record.

Later that evening, after having met, like I say, 150 to 200 people, I was with Juan Rivera who was telling me his story, how he went cold turkey, and we were in this little building with the sandy streets around it, he talked about this tree where he first read the Bible and he was in his backyard, at the backyard of that, and I pictured kind of a woods and it was just one barren tree with sand everywhere, a little different than the Midwest, and he said how he just is so thankful because he was on multiple drugs, how his life was a mess, like many of the others had told me, and he said, I was going to be a dead man. He said, now my life has changed. And I said, I am really embarrassed, because I have had a great life and I am not thankful enough. And he said, you should be ashamed and I said, well, I really am ashamed. He said, my dream is that some day my kids can have the opportunity that you have.

When we see people who are hurting in drug abuse and we see people who do not have opportunities; part of the reason we started government programs was in the area of AIDS because many people would not help people with AIDS because they thought they could catch it and only the churches went out because they were confident of their souls, so they were willing to take the risk, so they reached out, and that is partly how the government got involved in faith-based organizations, because only the Christians and the Buddhists were early on too, in the area of AIDS.

Then in the area of the homeless. We do not have enough dollars for the homeless. Organizations like the Salvation Army and the rescue missions and churches reached out to the homeless. We are going to tell these people, because faith is mixed in, you do not even get the option of going to faith based?

This has been a tragedy to watch how America went from Founding Fathers, from Congresses where we put Moses there and ''In God We Trust'' behind us, to the point where our major corporations in America will not even let

their contributions go to faith based; where we have to fight about the Tax Code, where we have to try to get help for faith based and people object. If there is a guarantee you have another option, and if there is a protection, that people would still oppose faith-based groups getting in. You either care about people and want to help them in every way possible.

Mr. Speaker, I support the government programs that try to reach people, but we also need to strengthen our private sector. I hope that we can pass soon, and I am thrilled that President Bush has made this such a key part of his agenda, and I hope the House and Senate will have the courage to move forward with this.

[From World, June 16, 2001]

FRONT-LINE REPORTS

(By Marvin Olasky)

One journalism newsletter complained recently that reporters have overquoted me during this year's debate about President Bush's faith-based initiative. I agree. Reporters shouldn't be basing their stories on what Barry Lynn of Americans United for Separation of Church and State says. They shouldn't be basing their stories on what I say. They should be going out into the field and talking with people fighting poverty at the front lines.

That's what WORLD is trying to do this year with stories of four kinds—and over the next 22 pages you'll see examples of each. The first kind illuminates the debates going on within religious anti-poverty groups as they think through how to respond to the faith-based initiative. As the following story about Teen Challenge shows, evangelicals are not easily led, and the questioning is intense and good.

The second kind documents the perseverance of some social entrepreneurs. Journalists not familiar with their activities sometimes assume that the poor must wait on the lords of government. The articles beginning on p. 76 show how individuals—Mo Leverett in New Orleans, Ray and Carolyn Cooley in Sarasota, and Vincent Gaddis in Dallas—have created programs that inspire both those in need and volunteers willing to help.

The third variety extends the boundaries of compassionate conservatism to areas sometimes seem as apart from it. The day-to-day work of crisis pregnancy centers is probably the clearest example of compassionate conservatism around: Counselors suffer with individuals in need, working to save bodies and souls. Our story on p. 84 tells more about the major technological boost those counselors are now receiving.

While we roam the countryside we try through a fourth kind of story to cover the debate inside the Beltway, but even there we want to go beyond the usual suspect themes. In that vein we conclude this section with a look at visionary Mike Joyce's battle to get corporate and foundation givers to drop their frequent discrimination against religious groups.

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[From World, June 16, 2001]

TEEN CHALLENGE'S NEWEST CHALLENGE

(By Candi Cushman)

''If all you're looking for is an oil change, this isn't the place. Because the oil will get dirty again,'' says dark-haired Enzo Pallitta, speaking with a thick New Jersey accent and dramatic hand mannerisms. ''Listen closely,'' he says, leaning over his desk and staring at his listener. ''This is not just about getting clean. This is about changing your lifestyle.''

Mr. Pallitta isn't selling cars. But as an ex-heroin addict turned Christian counselor, he doesn't mind high-pressuring the addicts who walk through his door. ''I don't like to give them time. I've seen so many guys walk out the door, get shot, or pop a pill and overdose. I'm trying to reach them before the cycle begins again.''

After drifting through six secular treatment centers, Mr. Pallitta broke his own cycle in 1995 by checking into Teen Challenge, a Christian drug-rehabilitation program. Founded 40 years ago by a Pentecostal minister, Teen Challenge has over 300 worldwide affiliates, including 147 U.S. chapters. At the New Orleans affiliate, Mr. Pallitta and six other ex-addicts run a street-front operation in the heart of the Ninth Ward ghetto. Their office—a weathered, two-story clapboard home—faces a grungy concrete bar called Paradise Lounge and rows of dilapidated wooden homes whose occupants sit in metal chairs beneath brightly striped awnings.

This morning's walk-in—a thin blond man in his late 20s with long sideburns and bleary eyes—slumps in a chair across from Mr. Pallitta and stares at the wall. He can't seem to kick his six-year heroin habit, he says, and his parents don't know how to help him. ''I stayed away from it for five days, but I crashed this weekend. . . . I need help, but I'm worried my dad won't like this place. He wanted me to go to a boot camp.''

''Just tell him it's a spiritual boot camp,'' responds Mr. Pallitta. As the four-month ''induction phase'' to the 12-month Teen Challenge program, the New Orleans center serves as a ground-level, weed-out program that grabs drug users off the street and incubates them in biblical teaching. Those who stay off drugs and complete daily Bible lessons receive gold-stamped certificates and a bus ticket to another eight-month ''training center'' that offers intensive Bible study and job-skills training.

Only 20 percent of residents who enter the Teen Challenge program graduate after 12 months. Of those graduates, 86 percent remain drug free seven years after graduation, according to a study done by the National Institute of Drug Abuse in 1975 and later confirmed by university studies in 1994 and 1999. ''At this place we deal with the problem—sin—not its effect,'' says Mr. Pallitta. ''And the only way to change sin is through the deliverance power of Jesus Christ.''

Drug addicts aren't the only ones undergoing change at Teen Challenge. As a poster child for President Bush's faith-based initiative, the organization has received unprecedented media attention in recent months, and as name recognition increases so does scrutiny. Critics note that many staff members are ex-addicts whose only degree is a Teen Challenge certificate. That, worries the liberal group People for the American Way, ''could nullify state regulations for substance abuse professionals by requiring states to recognize religious education as equivalent to any secular course work.''

The complaint marks the latest round of volleys fired at President Bush's efforts to allow faith-based social-service programs to compete for federal funding. At first, left-wing groups argued that putting Christ-drenched programs like Teen Challenge on a level playing field with secular programs amounted to state-funded ''proselytism.'' John Dilulio, head of the White House faith-based office, placated them in February and March by guaranteeing that programs like Teen Challenge wouldn't be eligible for grants. But after conservative pressure forced him to reverse that policy, opponents discovered another buzzword, quality control. At issue is how much oversight Uncle Sam should have over Christian groups that accept funding.

As a preemptive strike, Teen Challenge leaders have pushed voucher-style funding and prodded their own centers to adopt higher standards. The question is, can Teen Challenge accept more regulations without diminishing the grassroots flavor that makes it so effective?

All Teen Challenge affiliates currently follow 80 standards outlined in a 28-page manual published by the organization's national office in Missouri. Affiliates must keep written job descriptions and evaluations of each staff member, maintain student files for at least five years, and record each discipline ''incident'' and individual counseling session. They must also adhere to their own states' health and safety codes and pay for annual independent audits. To guarantee adherence, the national office collects monthly financial reports and conducts on-site inspections every four years.

This self-regulation is burdensome enough without adding onerous oversight from Uncle Sam, says Greg Dill, the New Orleans director. ''I'm already struggling to pay for the audit, which costs me $3,000 each year,'' he said. ''If they throw in another 10 regulations, that would be fine. But if they throw another manual on the table, that's another matter.''

Mr. Dill's center is cramped but clean. A tiny reception area doubles as a dining room filled with plastic round tables, fish tanks, and maroon couches. At the door, two parakeets greet visitors with cat calls they learned from the residents. Upstairs, 14 men wait in line for three showers and share three bedrooms, but each has his own bunk and closet space. Residents begin their day at 7:00 a.m. with group prayer, breakfast, and household chores followed by eight hours of mandatory Bible study, chapel, and choir practice, even if they can't sing. (''They have to learn to praise God instead of just asking Him to fix their problems,'' says one employee.)

At 8:30 a.m., they squeeze around an upstairs conference table covered with Bibles and spiral notebooks. Behind a small wooden podium stands Brother David Sampson, a 6-foot-2, 220-pounder with lots of gold rings on his fingers and a heavy silver cross handing from his neck. ''Some of you guys figure, OK, this is Christian and that's good as long as I'm getting out of jail,'' says Brother Sampson. ''but the real jail is not a place; it's your mind. And if your spirit doesn't change, then your mind won't change.'' Brother Sampson ends his lesson with a commentary on the book of Romans: ''That guy Paul, he knew something.'' he concludes. ''He knew that no one becomes a Christian by accident. God never tricked a person into becoming his follower. This isn't a Burger King, 'have-it-your-way' religion.''

As the on-site ''dean of students.'' Brother Sampson teaches and counsels drug addicts eight hours a day. But he doesn't have a college degree. His qualifications are 15 years of street experience as a homeless crack addict and three years of Bible classes. After graduating from Florida's Teen Challenge training institute in 1995, he became a certified teacher making $50 a week. (''It's not that we're opposed to hiring MSWs [master of social work], it's just that most MSWs didn't go to school to make $50 a week,'' said Mr. Dill, who also graduated from the program. ''This is a ministry, not an occupation.'')

Mr. Dill and his colleagues are what national Teen Challenge leaders call ''street fighters''—ground troops working on the front lines to rescue prisoners from enemy territory. Street fighters aren't concerned with national strategy or whether the battalions are appropriately equipped; they simply want to save lives at any cost. ''Without them this organization would just be another

institution. They are the only ones who can reach the people we want to reach,'' said Dave Scotch, the Teen Challenge accreditator, Problem is, most feisty street fighters tend to resist outside mandates. ''We're still trying to resist outside mandates. ''We're still trying to get them to wear our national logo,'' sighed Mr. Scotch.

And now he wants to convince them to accept more regulations so Teen Challenge can compete for faith-based funding. Texas became the first testing ground recently as some 40 Teen Challenge directors met for a southwest regional conference at the gleaming white Calvary Temple building in Irving, a Dallas suburb. ''If Teen Challenge is going to climb the mountain, we've got to learn to live with change,'' insisted Teen Challenge's president, John Castellini: ''Say, change.'' Some 40 directors mumbled, ''Change.''

A balding minister with bushy eyebrows and round cheeks, Mr. Castellini was trying to unite the independent-minded street fighters in a willingness to apply for government funds in order to expand their programs. He started out treading lightly, first telling a few introductory jokes about his grandchildren and reading a news article about how hotels earn five-star ratings. Then he levied the final punchline: ''You just think you've been inspected now. But just wait until this faith-based initiative takes off,'' he said, adding that some centers might need the pressure: ''The parents are the real inspectors. Can I be very honest? I would not drop off my son or daughter at some Teen Challenges.''

That comment irritated some directors, who still have fresh memories of their less-than-glamorous beginnings. ''When we first started, our place was dirty and run down, and all of our staff were wearing 15 different hats. But you know what? People got saved, delivered, and set free,'' argued Jim Heurich, director of the San Antonio affiliate. ''My concern is that we are going to be so evaluated that we are evaluated out of business.''

''Go Jim,'' whispered someone across the room. Mr. Castellini remained unfazed. ''We should treat the government like any other private donor and be accountable,'' he said. ''The government consists of taxpayers.'' Mr. Castellini believes the extra funding and added legal protection provided by faith-based legislation will outweigh the cost of conformance to regulations as long as those regulations don't change the Christian emphasis. But local affiliates remain skeptical.

Mr. Heurich has good reason to feel skittish. In 1995, state officials tried to shut down his San Antonio center, even though it was not state licensed, did not receive government funding, and defined itself as a ''discipleship program.'' After a much-publicized rally at the Alamo (see WORLD, July 29, 1995), then-Gov. Bush came to the rescue, pushing through a state law exempting faith-based social programs from state interference. That was the beginning of his compassionate conservative campaign.

So far, that campaign hasn't helped other Teen Challenge centers. Florida director Jerry Nance received food stamps for 17 centers and 650 residents every year until officials suddenly withdrew assistance in 1999, announcing that unlicensed facilities no longer qualified. Here's the catch: To obtain the license, Mr. Nance had to replace Bible lessons with group psychotherapy sessions and hire state-approved counselors. Explaining that his program was a ''discipleship model, not a medical model,'' he refused and lost $100,000.

''Does this make sense to you?'' Mr. Nance asked a White House drug abuse committee last year. ''Individuals can live in the streets, use drugs, rob people, and still get food stamps. But if they decide to get help and come into a faith -based program, they lose their stamps.''

At the heart of the dilemma is a difference in diagnosis: State-funded groups treat drug addiction as a disease, prescribing medical treatments and psychotherapy. But Teen Challenge says the disease began with a condition of the heart and prescribes a relationship with Jesus Christ. That difference threatens some people: ''This [faith-based funding] will roll us back 60 years, right back to when people thought you were an alcoholic merely because you didn't accept Jesus as your personal savior,'' fretted Bill McColl, spokesman for the National Association of Drug and Alcohol Counselors.

But Mr. Castellini says he just wants the right to offer his solut9ion alongside others: ''We're not asking for a handout. We just want a level playing field so we can take care of people's basic needs.'' With that in mind, he is also offering his own ground troops a compromise: In exchange for federal vouchers for food stamps, emergency medical assistance, and lodging, Teen Challenge will accept reasonable government safety, health, and accountability standards. (''Just because you're saying the name Jesus doesn't mean you should build fire traps,'' he said.)

Mr. Castellini, however, emphasized that Teen Challenge will not accept extra regulations—like teacher education requirements or required psychotherapy sessions—that ultimately undercut faith-based initiative by eliminating differences between religious and secular entities. Ultimately, he said, the street fighters will have the final say: ''We will only lead those who want to be led.''

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[From World, June 16, 2001]

LEADING YOUNG LEADERS

(By Candi Cushman)

Crowded with nondescript business buildings, dingy low-income apartments, and well-lit liquor stores, the northeast Dallas business district hardly seems a place for children. But every day at 3:30 p.m., backpack-laden children fill the sidewalks and weave their way through condemned apartment buildings and asphalt parking lots.

Like an urban deliverer, 42-year-old Vincent Gaddis stands on a street corner welcoming them into the tree-lined courtyard of the Fellowship Bible Church of Dallas. Wearing a navy cap and matching dress slacks, he escorts them into an office decorated with red and green round tables and wooden bookshelves full of Bible videos and Dr. Seuss books. Through his Youth Believing in Change ministry, Mr. Gaddis provides tutoring, Bible studies, and free meals for some 150 inner-city kids a year.

''We use biblical principles to help these children develop leadership skills,'' he said, explaining that there are no neighborhoods or parks in the area—just 10,000 apartment units that often host drug gangs and prostitution rings. ''These children are exposed to so much. Everything you wouldn't want your child to see is right outside in the parking lot.''

Mr. Gaddis, who is black, works with Hispanic children in a predominantly white church. But God was the original Deliverer, he insits—and he first heard the tune 12 years ago while pointing a revolver to his head. Mr. Gaddis at first made the Dean's List every semester at his college in Tennessee, but then his mother unexpectedly died of a brain hemorrhage during his second year there. Grieving and angry with God, he turned to drugs as an escape. Nine years later, a long-time drug dealer, he planned his final act of rebellion—suicide. But as he cocked the trigger, a Bible verse floated through his mind: What does it profit a man, if he shall gain the whole world but lose his own soul? His mother had taught him that.

''In spite of everything I had done, all of the Scriptures I learned as a child were still with me,'' Mr. Gaddis said, and instead of killing himself, he turned himself into local police. After serving a five-year prison sentence, he came to Dallas as a homeless man, found a church to attend, and earned enough money to attend college and seminary. He graduated from Dallas Theological Seminary in April 2000, with a master's degree in Christian education.

Now he identifies with the children who walk the city sidewalks. ''I want them to understand how the Scriptures apply practically to their life, not just memorize them. I didn't have that understanding growing up,'' said Mr. Gaddis. To accomplish his mission, he recruited the help of Fellowship Bible Church, which supplies free office space and weekly volunteers. With a $240,000 annual budget, the program is funded by donations from individuals and churches.

Three nights a week, volunteers donate their time tutoring children, who mostly come from single-parent families that speak little or no English. Tonight's tutoring session begins with cheese cracker snacks and peer-led singing. The children hold hands in a circle as a fourth-grade boy named Bryan stands in the middle and loudly recites several Bible verses. With his hands raised in the air, he then leads his playmates in a boisterous chorus of ''Lord, I Lift Your Name on High.'' Afterward, the children go to their assigned tutors, including a college librarian in a starched yellow dress shirt, a bilingual businessman wearing khaki shorts and Birkenstock sandals, and a housewife in a long flowing broom skirt.

During the summers, YBC takes the place of the public school, providing free lunches for poor children and a refuge for latchkey kids stuck in crime-ridden apartments. Children who attend regularly can go to a riverside Bible camp in the Ozarks.

YBC children participate in community service projects and a youth choir that performs at local nursing homes and malls. Volunteer David Pruessner, a 45-year-old lawyer, teaches chess, where ''you have to learn to develop a strategy and think ahead,'' During the summer, he gives group lessons to 20 students at a time using 10 game boards and handmade wall charts. But teaching about God is at the center of the program, for Mr. Gaddis states that, ''The gospel is the only thing that really changes lives. When I sat in the car with a gun to my head and when I went to prison, I already had a good education. But that didn't help me. What really changed my life was the word of God. And that's what's going to save these kids.''

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[From World, June 16, 2001]

THE GOOD SARASOTAN

(By Barbara Souders)

''The nerve!'' huffed Carolyn Cooley, hurstling her two young daughters past the unkempt man who lay surrounded by beer cans, sprawled against a palm tree on church property. A battered hat shielded the man's eyes, but holes in the soles of his shoes seemed to watch church-goers' reactions. Mrs. Cooley's indignation dissolved into tears when, within the hour, she learned the man's identity. The ''bum'' was actually her pastor, Neville E. Gritt. He'd stationed himself outside the church that Sunday morning to awaken his congregation to needs he'd seen while driving through Sarasota, Fla.

Heartsick, Ray and Carolyn Cooley prayed that day in 1985 that they could begin to show Christ's love to such people. Feeling God's call, they spent the evening pruning their tight budget and gauging their financial ability to rent a house that would serve

homeless men. They followed through, and during the past 16 years almost 2,000 men have found refuge at Good Samaritan House (GSH), honored this year with a Florida ''Points of Light'' award—and some have found hope. The home provides emergency housing for homeless men recovering from traumas (such as surgery, a mental breakdown, or a prison term) and a longer transitional program for those ready to try to get back on their feet.

Andrew Cunningham is one of the people helped. At age 22, he was on and off drugs, on and off the streets, and on and off in his relationship with God. Initial stints at Good Samaritan House and a Sarasota Salvation Army shelter didn't change him. But a stay in an abandoned house where he and a friend stayed ''strung out on crack cocaine'' convinced him to return to GSH. At 25, he emerged clean and sober. Now 13 years after that emergence, Mr. Cunningham is married with twin daughters, works as a certified nursing assistant, owns a home, and is an active church member. ''Ray set my feet in the right direction,'' he says.

At GSH, the right direction begins with a set of simple, nonnegotiable rules: Residents must remain alcohol- and drug-free, and accompany Mr. Cooley to church and Bible study weekly. They must secure a full-time job, or work as day laborers at a local temporary agency until they find permanent employment. GSH residents must pay rent: six dollars per night after their fifth free night of shelter. While they may spend a little money on personal needs, the men must save much of their earnings, with the goal of becoming economically independent of GSH. The rules include: In bed by 10:00 p.m., no foul language, no fighting, and no women.

The rules echo those of 19th-century Christian workhouses. While neighbors and church members in American towns generally cared for people made suddenly poor by calamity or death, townspeople built workhouses for men made poor by alcoholism or sloth. Residents of such homes were expected both to work and pursue virtue in exchange for their keep. At the Chelmsford workhouse in Massachusetts, for example, the ''master'' of the house could at his discretion reward faithful and industrious men, while punishing ''the idle, stubborn, disorderly and disobedient.'' Use of ''spirituous liquors'' was prohibited, and house rules demanded every man ''diligently to work and labor.''

Although the Cooley's efforts at GSH were grounded in such history, and in Scripture, many Sarasota Christians didn't support their efforts to help homeless individuals in the area.

The house in which the Cooleys launched GSH stood on the property of a small Sarasota church; the church's leadership agreed to let the Cooleys rent it and start the shelter there. ''But the church became upset with what we were doing,'' Mrs. Cooley said, ''and the numerous needy and homeless [on the property] giving the church a bad image.'' After 11 months, the church asked the Cooleys to leave. That's when they bought the 1920s-era home that is now Good Samaritan House.

The Cooleys don't hold fundraisers. Today, two churches regularly donate money and in-kind gifts to support GSH, but from the beginning, the couple financed—and still finance—the shelter largely with their own cash. That means Mr. Cooley, 61, continues to work five days a week as a zone technician for Verizon Wireless. After work he goes home to spend time with his family; at about 8 p.m., he heads for GSH. There, he spends most evenings talking and watching television with the men who pile in after their own day's work to sink into sofas and chairs that crowd the paneled living room. Mornings, the aroma of brewing coffee lures residents downstairs to grab a cup before biking or busing to work. Mr. Cooley also leaves, going home to his family (if his wife and son—his daughters are grown—haven't spent the night at GSH) before heading off to his day job again.

Mr. Cooley himself had struggled with alcoholism until a pastor's life inspired him to change. Today, he says his aim is ''to live his faith in front of the men, to plant seeds.'' During each man's stay at GHS, Mr. Cooley guides him through a substance-abuse recovery program that emphasizes Christ as the basis of healing and renewal. Mrs. Cooley supports her husband, spending time at the house with him and the men, attending church with them. Wednesday and Sunday evenings, and distributing free clothing to GSH residents and other Sarasota homeless people.

The Cooleys say they rarely hear again from men who leave GSH: ''They're embarrassed and don't want to be reminded'' of things like job loss, mental illness, or substance abuse that led them there in the first place. But some, like Everett Reid, 36, maintain contact. He learned of GSH through Sarasota agencies that appreciate the Cooleys' no-nonsense biblical approach to helping homeless men become self-sufficient. ''It's a good place for them to go. They have rules to follow,'' said Robert P. Kyllonen, executive director of Resurrection House, a day resource center for the homeless. Eleven months after showing up on GSH's oak-shaded front porch and starting to follow the rules, Mr. Reid moved to Jacksonville. He has completed the first year of a four-year sheet-metal apprenticeship.

In February, the Community Foundation of Sarasota County recognized GSH with its Unsung Hero Award and commended the Cooley for funding the program themselves, rather than waiting for outside assistance. With George W. Bush's offer to make faith-based programs eligible for federal grants, will the Cooleys now seek outside help? Mr. Cooley thinks not. He fears the Feds might tamper with GSH's staunchly biblical program. Still, he may seek funding for the Clothes Closet, a GSH clothing-distribution program that he sees as less vulnerable to government strings.

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[From World, June 16, 2001]

A DAY IN THE LIFE . . .

(By Candi Cushman)

Richard Scarry has won fame for children's books with titles like What Do People Do All Day? Few people understand what New Orleans minister Mo Leverett does all day, and what he has done most days for the past 10 years. As founder of Desire Street Ministries (DSM), an outreach program that uses Christian principles to disciple youth and foster economic renewal, he is a white man who has dedicated his life to mentoring black kids in New Orleans' worst ghetto. Here's what he and two people he has inspired do on a typical day:

10 A.M. On a rainy summer morning, Mr. Leverett winds his car through narrow New Orleans streets named Pleasure and Abundance, showing a reporter the gutted warehouses, crumbling brick housing projects, and razor-wire fences of his neighborhood. On Desire Street, three miles north of the French Quarter, rows of graffiti-covered housing projects sit amid piles of dirt and broken glass. Behind thick metal doors, project residents stare like frightened prisoners through rectangular window slats.

This is the Ninth Ward, an area whose daily drug shoot-outs garnered it a reputation as ''New Orleans' murder capital.'' With 10,000 units in the center of the ward, the Desire projects gained notoriety during the 1950s as the second-largest (and one of the most dangerous) housing projects in the nation. Although city officials recently demolished most of the units, some 1,000 people still live inside the rat-infested rubble. Over half are children under the age of 17 whose single mothers live below the poverty level.

In 1991, Mr. Leverett moved into a tiny duplex home near the projects, his family of four becoming the only white family in the Ninth Ward. For the next nine years, he volunteered as an assistant football coach at the public high school and led locker-room Bible studies. He remembers how his passion for cross-cultural outreach began during high school years in Macon, Ga., where he felt forced to live a double life: Friday nights on the football field, with white and black teammate pursuing victory together, and Sunday mornings at all-white churches where racial jokes brought laughs.

''On the football field there were two cultures working together toward a common goal,'' he says, but at other times ''I had the heart-wrenching experience of discovering that the people who most resisted the struggle for freedom were white evangelical Southern men like me.'' After a broken hip dashed his dreams of a football career, he enrolled in Reformed Theological Seminary in Jackson, Miss., studied faith-based models for urban renewal, and became an ordained minister within the theologically conservative Presbyterian Church in America.

11 A.M. Wearing tube socks, khaki shorts, and a navy polo shirt, Mr. Leverett is standing before an office blackboard in the $3 million outreach center he opened last year across from the housing projects. With a slickly polished gymnasium, 10 classrooms, and 13 new computers, the 36,000-square-foot building built with private donations, doubles as a youth recreation center and a church.

Today he is training three of his 20 full-time employees. Like a coach explaining play-by-play strategy, he draws lots of little arrows and circles. But the game plan starts with a phrase: ''incarnational ministry.'' Mr. Leverett tells his students, ''Like Christ, you have to enter into their lives and suffer redemptively for them. Part of that suffering is just demonstrating a willingness, a willingness to hear gun shots at night, to feel insecure, unsafe, and exposed.''

In addition to offering weekly tutoring, Bible studies, and sports leagues, Mr. Leverett helps students start for-profit businesses, including the ''Brothers Realty'' housing renovation program. He's also planning for next year, when the outreach center will host the area's first private school—Desire Street Academy.

2 P.M. While Mr. Leverett does more mentoring, staff members like 25-year-old Heather Holdsworth are working the neighborhood. As DSM education director, Miss Holdsworth every afternoon visits Carver Washington High School, located three blocks from the projects and with the look of a giant warehouse. Outside are gray bricks and chain-link fences. Inside, the classroom doors have deadlocks, and the hallways are bare except for signs touting the school health clinic and day-care center.

Sporting tattooed arms and baseball caps turned backwards, the students have crowded into a small gymnasium for a school basketball game. Miss Holdsworth is there, sitting amid hundreds of shouting students in the gymnasium bleachers, greeting them and inviting them to after-school tutoring. When she first arrived three years ago, none of the students would speak to her. Even local police officers stopped her, asking if she had come to buy drugs. ''She was a white girl

who came out of nowhere. So it took me a good three months to speak to her,'' said Dwana, a 17-year-old student.

Now, though, Dwana prays twice a week with Heather and attends DSM Bible studies and tutoring classes. Carrying a pink diaper bag, she leaves the basketball game at 3 p.m. to retrieve her 8-month-old baby. This June, Dwana will marry the baby's 18-year-old father inside the Desire Street Ministries building. ''I want my baby to grow up reading the Bible and doing the right things,'' she said.

Each year, Miss Holdsworth helps some 30 students like Dwana pass their ACT college admission tests and apply for financial aid. That's a noteworthy accomplishment considering that Carver students average a dismal 14 out of a possible 36 points on the ACT test. The welfare mentality that pervades the projects provides a formidable obstacle to her efforts, says Miss Holdsworth. While tutoring seniors, for instance, she discovered that several parents allowed their kids to apply for disability certificates instead of diplomas so the family could receive federal aid. That decision automatically disqualified them from college scholarships.

3:30 p.m. Mo Leverett is doing his best to break the underachieving mentality by emphasizing the second part of his game plan: indigenous leadership. Inside the DSM classrooms, students peruse books including the Westminster Confession of Faith. They are pupils in Mr. Leverett's first Urban Theological Institute, a school designed to create indigenous spiritual leaders.

Institute student Richard Johnson, one of Mr. Leverett's first disciples, says a lesson on the ''Noetic principle'' (man's blindness to sin) caught his attention: ''The principle applies to the projects: There's no family foundation for children to see here. All we had were guys and women just having sex and selling drugs. That's all our kids see and they don't see any wrong in it. In our community you are respected if you are a great athlete, a big drug dealer, or a murderer.''

During high school, Mr. Johnson says, he respected his older cousin, a drug user who eventually shot his mother seven times. Mr. Johnson believes he was destined for similar destruction until ''Coach Mo'' became his new role model: ''When he first walked on the field, we were like, man, somebody's going to jail. Because a lot of the guys on the team were selling drugs and we thought he was a cop. Coach Mo wasn't just another fly-by-night white dude. He stood firm and he coached, he preached and he loved.''

6 P.M. Dressed in baggy jean shorts and a black jacket, Mr. Johnson stands behind a wooden podium as some 100 high-school students file into the gym for a Tuesday night Bible study. Boys with spray-painted nylons tied around their heads and girls wearing lots of gold jewelry chat noisily. But the audience grows quiet as Mr. Johnson explains the concepts of original sin and undeserved grace.

''We can't overcome sin on our own because there is nothing in us that is spiritual,'' he tells them. ''If you are watching porno flicks or doing drugs, the only way to overcome those things is to let Christ rule in your heart.'' Later, Mr. Johnson confides that he feels a sense of urgency at every Bible study. Too often, unresponsive students walk out the door only to become victims of drive-by shootings or drug overdoses: ''Sometimes I feel like they aren't listening, but I keep preaching anyway. Knowing that Christ paid a debt I couldn't repay keeps me going.''

As Mr. Johnson teaches Bible study, ''Coach Mo'' squeezes in some family time at his 9-year-old daughter's softball game. Watching her play, he remembers other children he watched today, especially those who came to the Bible study to escape the drugs or physical abuse that pervade their own homes. ''I feel many different emotions as I think about that,'' says Mr. Leverett. ''I want to shelter my own children, but I also want to teach them the heart of Christ.'' Although his children attend a school outside the ward, Mr. Leverett encourages them to interact with playmates from the housing projects during after-school programs and Sunday school.

Some people have called Mr. Leverett's decision to move his family into the ghetto a foolhardy sacrifice. But sacrifice is just his point, he says: ''I want my children to see the incarnate gospel.''

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[From World, June 16, 2001]

WHEN A PICTURE IS WORTH 1,000 LIVES

(By Leah Driggers)

Amber, 17, sits on a chair in an ultrasound room swinging sneaker-clad feet back and forth. Nearby, an embroidered pink quilt hangs on the wall proclaiming: ''God's love always forgives.'' A door swings open and ultrasound nurse Kay Morton strides in, white lab coat fluttering.

''How are you doing?'' asks Mrs. Morton, 50, smiling over multicolored reading glasses as she pages through the girl's medical file. The answer is sad: ''My fiancé just passed away,'' says Amber, her hands trembling. Amber's boyfriend hanged himself two weeks before, and Amber found the body, dangling. Now she is faced with a crisis pregnancy, and is in the process of choosing whether to carry or abort her child. The Dallas Pregnancy Resource Center is offering a free sonogram to help Amber decide.

''OK, just lie back,'' Mrs. Morton says in a soothing voice, laying a white blanket across Amber's legs. Amber holds her cotton T-shirt in place and pulls down black overalls to reveal a slightly rounded belly. Mrs. Morton squeezes a bottle that spits clear, blue gel on Amber's stomach. ''Oh!'' laughs Amber: ''That's cold!'' The room grows dim, and the jittery high-school senior freezes as Mrs. Morton presses a handheld transducer into her abdomen. A few feet from Amber's wide eyes, an image jumps on a small computer screen.

''See that flickering spot?'' Mrs. Morton asks, using a mouse to point a virtual arrow at a light that pulsates on-screen. ''That's your baby's heartbeat.'' A huge grim spreads across Amber's face. Mrs. Morton clicks the mouse again and an electronic line appears that she uses to measure the tiny image from head to toe. ''It looks like your baby's about seven weeks,'' she tells Amber. The girl nods slowly, eyes glued on the black-and-white monitor, her body stone-still. Mrs. Morton points out the baby's legs, arms, and the head; Amber clutches the top of her T-shirt, motionless.

Mrs. Morton types and two words appear on the screen: ''HI, MOM!'' The image shakes as Amber giggles. ''Isn't it incredible that your baby already has developed brain waves, a heartbeat, and individual fingers?'' Mrs. Morton asks. ''When I was in college studying to be a nurse, I didn't believe in God. But when I studied the development of the embryo, that's when I said there must be a God. Isn't your baby amazing?'' Amber nods, still staring at her sleeping child. Mrs. Morton prints a still shot from the sonogram while Amber wipes tears from her eyes. ''I can't wait for my Mom to see this,'' she murmurs, fingering the photo. ''Now it is real.''

Amber chose to keep her unborn baby alive, and many more moms are making similar decisions as crisis pregnancy centers (CPCs) and support organizations nationwide discover the power of ultrasound to affect hearts and minds. Heartbeat International, one of the largest national CPC organizations, recently surveyed 114 CPCs that use ultrasound. CPC directors reported that 60 to 90 percent of abortion-minded clients decide to keep their babies after seeing live pictures of them.

''Ultrasound connects a woman with reality—what she's actually carrying in the womb,'' said Tom Glessner, president of the National Institute of Family and Life Advocates. ''It's no longer a 'condition' when the mother sees her moving child. A bonding takes place.''

Ultrasound also helps other people in a pregnant woman's life see a problem pregnancy as a person. Often, women choose abortion because of unsupportive boyfriends or parents. So centers strongly encourage clients to return with doubting friends and family. Technicians nationwide relate stories of bored boyfriends who shuffle in with arms crossed, but later break down in tears or exclaim something like, ''My son! That's my son!'' Grandparents, too, point at the screen in shock, demanding, '''Are you kidding me? Is that what's going on in her? Is that my granddaughter?''

The military first used ultrasound to locate submarines. But it wasn't until the early 1980s—at least a decade after *Roe* v. *Wade* opened the abortion floodgates in 1973—that CPCs began using ultrasound in their clinics. At least 200 CPCs nationwide now provide the service, and other among the estimated 3,000 CPCs across the country are converting themselves into medical clinics that offer ultrasound and other diagnostic pregnancy-related services. CPC directors say medical clinics draw more clients—especially abortion-minded ones—than non-medical counseling centers.

Too bad ultrasound is so expensive: A machine costs about $30,000. But some manufacturers offer discounts for pro-life organizations, cutting the price tag to around $18,000. Support supplies like gloves, gel, and film run around $1,000 annually, but medical professionals are the major cost. Some CPCs that can't afford to buy a machine or employ a technican are networking with other ultrasound clinics. Such links save lives: When a counselor at a non-CPC clinic senses that her client will choose abortion, she can call a local ultrasound-CPC for an emergency visit.

To broaden the reach of ultrasound, some sonographers independently contract services with local CPCs, toting their own machines from center to center. Some OB/GYN doctors also offer ultrasound services in their offices. Dr. Wendell Ashby has offered sonography in his Amarillo, Texas, office for the past nine years. ''We are a visual society,'' he said. ''[Mothers] can't handle their conscience saying, 'You're killing your baby.' When they see little arms and legs kicking and moving, a heart beating, a brain, stomach, bladder, spine, and babies sucking their thumbs, it's no longer just tissue. [These women] say they had no idea—they thought it was just a little tadpole in there.''

Shari Richards believes it's never too early to detonate the tadpole myth. The founder of Sound Wave Images, an international ultrasound education group in West Bloomfield, Mich., has turned her attention to the next generation by developing an ultrasound video shown in over 5,000 classrooms worldwide. Schools using the ultrasound video as part of abstinence curricula report declines in teen pregnancy of up to 25 percent, Ms. Richards said.

After seeing the Sound Wave video, one student wrote, ''I've always thought abortion was a choice each woman should make. But after seeing the babies, I know that abortion is wrong.''

[From World, June 16, 2001]

MY BABY WOULDN'T BE HERE

(By Leah Driggers)

Tessa Malaspina was 22 years old when the cheap pregnancy test she bought turned positive. ''I was going to have an abortion,'' remembers Ms. Malaspina, a blonde club dancer who once was heavily into drinking and drugs: ''I was having way too much fun partying.'' When her mom convinced Ms. Malaspina to stop by the Dallas Pregnancy Resource Center, Ms. Malaspina warned her: ''It will not change my mind.'' She'd already had one abortion; three months pregnant, she climbed the stairs to the CPC's ultrasound room, determined to have another one.

''I didn't want to see it, but at the same time I didn't think it would matter,'' she says of the pending sonogram. ''But once I saw it was a moving person with a heartbeat, I couldn't do it,'' Ms. Malaspina told WORLD. ''I couldn't even think about [abortion] again. I never realized how advanced they were so early. . . . They give you information in school and stuff, but never enough. If I hadn't have seen it, I wouldn't have changed my mind. I don't know how anyone could go through with an abortion after seeing an ultrasound.''

The day she decided to keep her second child, she quit dancing, smoking, and taking drugs. ''It totally changed my life around,'' she says, pausing to tend blue-eyed son Riley, 6 months old. Ms. Malaspina, who now works full-time as a bill collector, says her mom helps her with the baby: ''It's hard,'' she says of being a single mom, ''but I wouldn't have it any other way.''

Beverly Wright, 29, was five months pregnant when she stepped through the glass door to Dallas Pregnancy Resource Center, seeking a free pregnancy test ''to make sure.'' She had just lost her job and her car, and was also behind on her rent. ''I had an option to pay my rent or get an abortion,'' she remembers. After the pregnancy test confirmed her pregnancy, Ms. Wright's CPC counselor asked if she would also like an ultrasound. ''I didn't know what to expect,'' Ms. Wright confesses. ''But my No. 1 choice was abortion, so I wasn't scared.''

When the picture popped up on the screen, Ms. Wright began crying. ''I was shocked,'' she says. ''They were all telling me, 'Look at her move! She's so pretty! Do you see the hand?' That's what did it. I saw what it really was—my baby. It gave me a change of heart.''

Ms. Wright took home the black-and-white sonogram photos and kept them on her dresser in a white envelope marked simply ''Baby.''

''It made me accept that I had her. And it made me fall in love with her,'' says Ms. Wright, now the proud mother of smiling 14-month-old Tia. ''I still have those pictures. If I had never seen the ultrasound, my baby wouldn't be here,'' she says, shuddering. ''From the bottom of my heart, she's the best thing that ever happened to me.''

Now Ms. Wright spends every day with Tia working as a live-in employee in a health care home. What would she say to other abortion-minded clients? ''Come get a sonogram, and see what you've got inside. It'll change everything.''

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[From World, June 16, 2001]

SEPARATION OF CHURCH AND BUSINESS

(By Tim Graham)

The White House faith-based initiative is opening up a new front, and some of its guns are aimed squarely at big business.

''Faith-based organizations receive only a tiny percentage of overall corporate giving,'' President Bush announced late last month. ''Currently, six of the 10 largest corporate givers in America explicitly rule out or restrict donations to faith-based groups, regardless of their effectiveness. The federal government will not discriminate against faith-based organizations, and neither should corporate America.''

The president's numbers came from a study soon to be released by the Washington-based Capital Research Center, which has issued an annual guide to ''Patterns of Corporate Philanthropy'' since the mid-1980s. CRC's Christopher Yablonski has noted that policies posted on the websites of these top corporate givers often include rules to discriminate against charities that see a connection between material problems and spiritual problems. For instance:

General Motors (No. 1 in corporate giving) declares contributions ''are generally not provided to . . . religious organizations.''

The Ford Motor Company Fund (No. 3), ''as a general policy, does not support the following: religious or sectarian programs for religious purposes.'' That's in the same undesirable category as ''animal rights organizations'' and ''beauty or talent contests.''

ExxonMobil (No. 4) explains, ''We do not provide funds for political or religious causes.'' That's not exactly true, since the company also touts its support of environmentalists, advocacy groups for women and minorities, and groups performing ''public research.''

IBM (No. 6) ''does not make equipment donations or grants from corporate philanthropic funds to . . . individuals, political, labor, religious, or fraternal organizations or sports groups.'' Many faith-based groups might also have trouble with the last two words of IBM's ban on ''organizations that discriminate in any way against race, gender, ethnicity, or sexual orientation.''

The Citigroup Foundation (No. 7) declares: ''It is not our policy to make grants to . . . religious, veteran, or fraternal organizations, unless they are engaged in a significant project benefiting the entire community.''

AT&T (No. 8) will only fund groups that are ''nonsectarian and nondenominational.''

Wal-Mart, the No. 2 corporate benefactor, was the main contrarian. Mr. Yablonski said the company awards a lot of small grants, and on previous donation lists, it looked like ''every other grant'' was to a faith-based charity. And the other companies' policies don't always completely bar donations to religious groups. CRC found that in contributions of $10,000 or more, some bans were complete (IBM zero percent, AT&T 0.06 percent), but some let a little sunshine in (GM 2.2 percent, Ford 3.2 percent, Citigroup 3.9 percent). One top-10 giver without an explicit ban, Boeing McDonnell, still only gave 4.6 percent of its grant money to faith-based organizations.

Corporations today often view their contributions as a business expense. The CRC regularly finds liberal women's and minority groups at the top of the corporate donation list, which is a handy inoculation device against discrimination lawsuits. But faith-based groups barely register on the typical corporate radar screen. ''I was on a panel with a corporate officer who said the First Amendment didn't allow them to give to religious groups,'' said conservative philanthropy executive Michael Joyce, commenting on the corporate mindset. ''Corporate leaders are working with some intellectual rot, or some pure ignorance.''

At a meeting at the White House in late January, Mr. Joyce took his turn to speak about corporate discrimination against faith-based groups: ''I said the president is both president of the government, but also president of the nation. There's huge private sector that spends billions emulating what government does. A few well-placed words from the president could have a profound effect. He could call in top CEOs and ask 'what's going on here?' The president picked up on that right away.''

This month, at age 58, Mr. Joyce is stepping down from the helm of the Milwaukee-based Lynde and Harry Bradley Foundation to lead two new nonprofit groups at the crossroads of business, politics, and faith-based initiatives. The first, based in Washington, will take on the ''short-term game'' of lobbying members of Congress and other Washington elites about the virtues of President Bush's plan, as summarized in the ''Community Solutions Act'' before the House of Representatives. The second, based in Phoenix, is a ''larger project, educating the culture, and private donors in particular, for the long haul.''

But how will Mr. Joyce's new groups deal with campaign-finance conspiracy theorists and follow-the-money investigative journalists in the major media? They may quickly insinuate that the groups are a clever way for Bush donors to puff up the presidential legacy without any troublesome contribution limits. Mr. Joyce thinks such a brouhaha would be a waste of breath. ''Barry Lynn [of Americans United for Separation of Church and State] and his crowd have a lot of resources. It isn't who funds anything. It's what they actually do.'' He plans on keeping in touch with the White House, but ''what we cannot do is carry out their wishes. We will have to operate independently. It's just that simple.''

Tom Riley, director of research at the Philanthropy Roundtable (which Mr. Joyce had a major role in creating decades ago) says Mr. Joyce was an atypical foundation executive during his 15 years at Bradley. Most program offices at large foundations are incredibly risk-averse, and since there's no risk of financial ruin, the biggest risk is bad press. Many corporations and foundations try to avoid controversy by avoiding charities that might be unpopular with the press. ''Michael Joyce took those risks, and he was strategic rather than reactive. He had a vision, a long-term approach of building a movement, an infrastructure.''

Mr. Joyce brings a similarly unorthodox approach to his new calling. Whenever the subject is the success of conservative philanthropy, Mr. Joyce sees no big secret. ''Ordinary people understand this really well,'' he said. ''We take human nature into account. We understand humans as they were wrought by God. These people wish to remake them and rearrange them. It's like that line in a Bob Marley song, 'don't let them rearrange you.' That's why they fail.''

BRADLEY'S FIGHTING VEHICLE

Neal Freeman of the Foundation Management Institute called Michael Joyce ''the chief operating officer of the conservative movement. . . . Over the period of his Bradley service, it's difficult to recall a single, serious thrust against incumbent liberalism that did not begin or end with Mike Joyce.''

From his perch at the top of the John Olin Foundation, another conservative heavyweight, Mr. Joyce took over the brand-new Bradley Foundation in 1985 when it began with $280 million from the sale of Milwaukee electronics giant Allen-Bradley to Rockwell. Despite giving away almost $300 million in grants, Mr. Joyce is turning over the keys to a foundation that now lists assets of $700 million. It's the 68th largest foundation in America, and Mr. Joyce oversaw $44 million in grants last year.

''I had no immediate offers or opportunities'' upon retirement, he said, but ''I did

place my trust in providence.'' Just then along came Paul Fleming, the Phoenix magnate of P.F. Chang's Chinese Bistro, a 25-state restaurant chain. ''From his many years seeing faith heal in the center city of Phoenix, he was enriched in his own faith by what can be done.'' Together, they decided to form a tax-deductible group to educate corporations on faith-based charities. ''I talked him out of putting it in Washington,'' Mr. Joyce said. ''I visit Washington often, but when I leave, I always say, 'I'm going back to America.' I told him, be proud of your city.''

Mr. Joyce continues to apply his vision of keeping the country from becoming a ''prisoner to a hopeless progressivism'' with his new enterprise. ''At the end of the 19th century, liberals considered themselves the new Founding Fathers,'' he said. ''They had their 100 years, and they made a mess of things. At the start of a new millennium, they are out gas.''

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUSH (at the request of Mr. GEPHARDT) for today on account of attending a funeral.

Mrs. CUBIN (at the request of Mr. ARMEY) for today on account of illness.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

(The following Members (at the request of Mr. WALDEN of Oregon) to revise and extend their remarks and include extraneous material:)

Mr. ENGLISH, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. MCHUGH, for 5 minutes, on June 28.

Mr. THUNE, for 5 minutes, today.

Mr. GRUCCI, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, on June 25.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. REHBERG, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

## ADJOURNMENT

Mr. SOUDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until Monday, June 25, 2001, at 12:30 p.m., for morning hour debates.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2617. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–P–7602] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2618. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7763] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2619. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2620. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''Tobacco Control Activities in the United States, 1994–1999: Report to Congress,'' in accordance with Section 3(c) of the Comprehensive Smoking Education Act of 1984, Public Law 98–474; to the Committee on Energy and Commerce.

2621. A letter from the Deputy Director, Department of Defense, Defense Security Cooperation Agency, transmitting a report of enhancement or upgrade of sensitivity of technology or capability for United Arab Emirates (Transmittal No. 01–0B), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2622. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–76, ''DNA Sample Collection Act of 2001'' received June 21, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2623. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2624. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2625. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Kentucky Regulatory Program [KY–230–FOR] received June 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2626. A letter from the Division Chief, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Construction and Operation Of Offshore Oil and Gas Facilities in the Beaufort Sea [Docket No. 990901241–0116–02; I.D. 123198B] (RIN: 0648–AM09) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2627. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS); NOAA Information Collection Requirements; Regulatory Adjustments [Docket No. 010530142–1142–01; I.D. 040601J] (RIN: 0648–AP23) received June 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2628. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Tuna Fisheries; Regulatory Adjustments [Docket No. 010523137–1137–01; I.D. 051501C] (RIN: 0648–AP29) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2629. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Groundfish Fisheries off Alaska [Docket No. 010112013–1139–04; I.D. 011101B] (RIN: 0648–AO82) received June 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2630. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Black Sea Bass Fishery; Commercial Quota Harvested for Quarter 2 Period [Docket No. 001121328–1041–02; I.D. 060501A] received June 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2631. A letter from the Acting, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 010112013–1013–01; I.D. 060801A] received June 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GILMAN:

H.R. 2263. A bill to require that ten percent of the motor vehicles purchased by Executive agencies be hybrid electric vehicles or high-efficiency vehicles; to the Committee on Government Reform.

By Mr. WELLER (for himself, Mr. COYNE, and Mrs. JOHNSON of Connecticut):

H.R. 2264. A bill to amend the Internal Revenue Code of 1986 to expand the expensing of environmental remediation costs; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. DEFAZIO, Mr. HOSTETTLER, and Mr. STUMP):

H.R. 2265. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow consumers greater access to information regarding the health benefits of foods and dietary supplements; to the Committee on Energy and Commerce.

By Mr. ALLEN (for himself and Mr. BALDACCI):

H.R. 2266. A bill to reduce the risk of the accidental release of mercury into the environment by providing for the temporary storage of private sector supplies of mercury at facilities of the Department of Defense currently used for mercury storage, to require the Administrator of the Environmental Protection Agency to appoint a task force to develop a plan for the safe disposal of mercury, and for other purposes; to the Committee on Energy and Commerce, and in

addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARGENT:

H.R. 2267. A bill to amend the Internal Revenue Code of 1986 to encourage energy production; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 2268. A bill to enforce the guarantees of the first, fourteenth, and fifteenth amendments to the Constitution of the United States by prohibiting certain devices used to deny the right to participate in certain elections; to the Committee on House Administration.

By Mr. BOEHNER (for himself, Mr. ARMEY, Mr. SAM JOHNSON of Texas, Mr. TANCREDO, Mr. BAIRD, Mr. LUCAS of Kentucky, Mr. MCINNIS, Mr. FOLEY, Mr. SMITH of Washington, Mr. OXLEY, Mr. DICKS, Mrs. ROUKEMA, Mr. BAKER, Mr. CAMP, Mr. ENGLISH, Mr. GUTKNECHT, Mr. KIRK, Mrs. TAUSCHER, and Mr. HOLT):

H.R. 2269. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to promote the provision of retirement investment advice to workers managing their retirement income assets; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself, Ms. ESHOO, Mr. CONDIT, Mr. COX, Mr. BACA, Mr. BECERRA, Mr. BERMAN, Mrs. BONO, Mr. CALVERT, Mrs. CAPPS, Mr. CUNNINGHAM, Mrs. DAVIS of California, Mr. DOOLEY of California, Mr. DOOLITTLE, Mr. DREIER, Mr. FARR of California, Mr. FILNER, Mr. GALLEGLY, Ms. HARMAN, Mr. HERGER, Mr. HONDA, Mr. HORN, Mr. HUNTER, Mr. LANTOS, Ms. LEE, Mr. LEWIS of California, Ms. LOFGREN, Mr. MCKEON, Mr. MATSUI, Ms. MILLENDER-MCDONALD, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. OSE, Ms. PELOSI, Mr. POMBO, Mr. RADANOVICH, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. SANCHEZ, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMAS, Mr. THOMPSON of California, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 2270. A bill to amend the Clean Air Act to permit the exclusive application of California State regulations regarding reformulated gas in certain areas within the State; to the Committee on Energy and Commerce.

By Mr. COLLINS:

H.R. 2271. A bill to amend the Internal Revenue Code of 1986 to modify the depreciation of natural gas pipelines, equipment, and infrastructure assets to be 10-year property; to the Committee on Ways and Means.

By Mr. KIRK (for himself, Mrs. JOHNSON of Connecticut, Mr. CASTLE, Mr. BOEHLERT, Mr. HOBSON, Mrs. KELLY, Mr. MALONEY of Connecticut, Mr. GILMAN, Mr. SMITH of New Jersey, Mr. BOUCHER, Mr. PORTMAN, Mr. FALEOMAVAEGA, Mr. HASTINGS of Florida, and Mr. GREENWOOD):

H.R. 2272. A bill to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries who take action to protect critical coral reef habitats; to the Committee on International Relations.

By Mr. CONYERS:

H.R. 2273. A bill to amend banking laws with respect to offshore activities, investments, and affiliations of national banks, and for other purposes; to the Committee on Financial Services.

By Ms. ESHOO (for herself, Ms. PELOSI, Mrs. CAPPS, Mr. BECERRA, Mr. LANTOS, Mr. STARK, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mr. HONDA, Mrs. NAPOLITANO, Ms. LEE, Ms. HARMAN, Ms. ROYBAL-ALLARD, Ms. WOOLSEY, Mr. LARSEN of Washington, Mr. THOMPSON of California, Ms. LOFGREN, Mr. BERMAN, Ms. SOLIS, Mrs. DAVIS of California, Mr. FILNER, Mr. BAIRD, Mr. ISSA, Mr. BACA, Mr. MATSUI, Mr. FARR of California, Mr. CONDIT, Ms. MILLENDER-MCDONALD, Mr. SCHIFF, Ms. SANCHEZ, Mr. GEPHARDT, Mr. HUNTER, Mr. WAXMAN, Ms. WATSON, Mr. SHERMAN, and Ms. WATERS):

H.R. 2274. A bill to require the refund of unjust or unreasonable rates and charges for certain sales of electric energy after June 1, 2000, in the Western United States; to the Committee on Energy and Commerce.

By Mr. EHLERS (for himself and Mr. BARCIA):

H.R. 2275. A bill to amend the National Institute of Standards and Technology Act to ensure the usability, accuracy, integrity, and security of United States voting products and systems through the development of voluntary consensus standards, the provision of technical assistance, and laboratory accreditation, and for other purposes; to the Committee on Science.

By Mr. GEKAS:

H.R. 2276. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for aliens to present a border crossing card that contains a biometric identifier matching the appropriate biometric characteristic of the alien; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 2277. A bill to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors; to the Committee on the Judiciary.

By Mr. GEKAS (for himself, Ms. LOFGREN, Mr. SMITH of Texas, Ms. JACKSON-LEE of Texas, Mr. CANNON, Mr. DOOLEY of California, Ms. DUNN, and Mr. DREIER):

H.R. 2278. A bill to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States; to the Committee on the Judiciary.

By Mr. HEFLEY:

H.R. 2279. A bill to amend the Internal Revenue Code of 1986 to provide special rules for the charitable deduction for conservation contributions of land by eligible farmers and ranchers, and for other purposes; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Mr. ENGLISH, Mr. HAYWORTH, Mr. RAMSTAD, Mrs. THURMAN, Mr. POMEROY, and Mr. STARK):

H.R. 2280. A bill to amend the Internal Revenue Code of 1986 to permit cooperatives to pay dividends on preferred stock without reducing patronage dividends; to the Committee on Ways and Means.

By Mr. JEFFERSON (for himself, Mr. ENGLISH, Mr. CUMMINGS, Mrs. JONES of Ohio, Mr. ISRAEL, Mr. FATTAH, Mr. UPTON, Mr. BERMAN, Mr. MOORE, Mrs. CLAYTON, Ms. CARSON of Indiana, Mr. RODRIGUEZ, Ms. SLAUGHTER, Mr. KUCINICH, Mr. WEXLER, Mr. MCGOVERN, Ms. MCKINNEY, Mr. FROST, Mrs. CHRISTENSEN, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. MEEKS of New York, Mr. OWENS, Ms. LEE, and Mr. CLEMENT):

H.R. 2281. A bill to amend the Internal Revenue Code of 1986 to extend and expand the enhanced deduction for charitable contributions of computers to provide greater public access to computers, including access by the poor; to the Committee on Ways and Means.

By Mr. KUCINICH (for himself, Mr. FRANK, Mr. CONYERS, Mr. NADLER, Ms. WATERS, Ms. LEE, Ms. MCKINNEY, Mr. OWENS, Mr. SANDERS, Mr. DEFAZIO, Mr. GEORGE MILLER of California, Mr. DAVIS of Illinois, Ms. SOLIS, Ms. CARSON of Indiana, Mr. OLVER, Mr. STARK, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. WAXMAN, Ms. NORTON, Mr. ABERCROMBIE, Mr. HILLIARD, Mr. CLAY, Mr. FILNER, Mr. MCGOVERN, Mr. HINCHEY, Ms. KAPTUR, Mr. BROWN of Ohio, Ms. PELOSI, Mr. EVANS, Ms. VELAZQUEZ, Ms. BROWN of Florida, Mr. ANDREWS, Mr. MARKEY, and Ms. ROYBAL-ALLARD):

H.R. 2282. A bill to amend title 9 of the United States Code to exclude all employment contracts from the arbitration provisions of chapter 1 of such title, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Mr. BALDACCI, Ms. BERKLEY, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BONIOR, Ms. BROWN of Florida, Mr. BROWN of Ohio, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mrs. CLAYTON, Mr. CONYERS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAURO, Mr. EVANS, Mr. FATTAH, Mr. FILNER, Mr. FRANK, Mr. FROST, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KUCINICH, Mr. LANTOS, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MORELLA, Mr. NADLER, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, and Mr. WEXLER):

H.R. 2283. A bill to amend the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to make grants to States for assistance in hiring additional school-based mental health and student service providers; to the Committee on Education and the Workforce.

By Mr. LEWIS of Georgia:

H.R. 2284. A bill to amend title XVIII of the Social Security Act to provide for payment of certain chiropractic examination procedures, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself, Mr. SAXTON, Mrs. ROUKEMA, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, and Mr. FERGUSON):

H.R. 2285. A bill to prohibit the Secretary of the Interior from issuing oil and gas leases

on portions of the Outer Continental Shelf located off the coast of New Jersey; to the Committee on Resources.

By Mrs. LOWEY (for herself and Mr. HINCHEY):

H.R. 2286. A bill to provide grants to eligible consortia to provide professional development to superintendents, principals, and prospective superintendents and principals; to the Committee on Education and the Workforce.

By Mrs. MALONEY of New York:

H.R. 2287. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a domestic partner, parent-in-law, adult child, sibling, or grandparent if the domestic partner, parent-in-law, adult child, sibling, or grandparent has a serious health condition; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-McDONALD (for herself and Mr. STEARNS):

H.R. 2288. A bill to authorize the Secretary of Health and Human Services to carry out programs regarding the prevention and management of asthma, allergies, and related respiratory problems, to establish a tax credit regarding pest control and indoor air quality and climate control services for multifamily residential housing in low-income communities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2289. A bill to exclude certain properties from the John H. Chafee Coastal Barrier Resources System; to the Committee on Resources.

By Mr. PORTMAN (for himself, Mr. MATSUI, Mr. BACHUS, Mr. TANNER, Mr. BASS, Mr. UDALL of Colorado, Mr. McHUGH, and Mr. SUNUNU):

H.R. 2290. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for land sales for conservation purposes; to the Committee on Ways and Means.

By Mr. PORTMAN (for himself, Mr. LEVIN, Mr. CUMMINGS, Mr. OXLEY, Mr. RANGEL, Mr. HERGER, Mr. WYNN, Mr. LATOURETTE, Mr. STUPAK, Mr. LEWIS of Kentucky, Ms. CARSON of Indiana, Mr. ISAKSON, Mr. KILDEE, Mr. CUNNINGHAM, Mr. REYES, Mr. WATKINS, Mr. McNULTY, Mr. SESSIONS, Mr. ABERCROMBIE, and Mr. BARRETT):

H.R. 2291. A bill to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROTHMAN (for himself and Mr. MENENDEZ):

H.R. 2292. A bill to amend the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 to require that, in order to determine that a democratically elected government in Cuba exists, the government extradite to the United States convicted felon Joanne Chesimard and all other individuals who are living in Cuba in order to escape prosecution or confinement for criminal offenses committed in the United States; to the Committee on International Relations.

By Mr. RYAN of Wisconsin:

H.R. 2293. A bill to amend the Internal Revenue Code of 1986 to provide a temporary reduction in the maximum capital gains rate from 20 percent to 15 percent; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. LEACH, Ms. LEE, and Mr. TOWNS):

H.R. 2294. A bill to amend title XVIII of the Social Security Act to exclude clinical social worker services from coverage under the Medicare skilled nursing facility prospective payment system; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SUNUNU:

H.R. 2295. A bill to amend title 23, United States Code, to authorize the Secretary of Transportation to make grants to States to carry out innovative projects to promote increased seat belt use rates; to the Committee on Transportation and Infrastructure.

By Mr. WU:

H.R. 2296. A bill to terminate the price support and marketing quota programs for peanuts; to the Committee on Agriculture.

By Mr. WU:

H.R. 2297. A bill to require that the level of long-range nuclear forces of the Department of Defense be reduced to 3,500 warheads consistent with the provisions of the START II treaty; to the Committee on Armed Services.

By Mr. WU:

H.R. 2298. A bill to eliminate the use of the Savannah River nuclear waste separation facilities in South Carolina; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. RAHALL, Mr. HALL of Texas, Mr. ENGLISH, Mr. TANCREDO, Mr. HILLEARY, Mr. BARR of Georgia, Mr. SOUDER, Mr. SMITH of New Jersey, and Mr. BUYER):

H.J. Res. 54. A joint resolution recognizing the authority of public schools to allow students to exercise their constitutional rights by establishing a period of time for silent prayer or meditation or reflection, encouraging the recitation of the Pledge of Allegiance, and refusing to discriminate against individuals or groups on account of thier religious character or speech; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRABACHER (for himself, Mr. HUNTER, and Ms. SANCHEZ):

H.J. Res. 55. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Ways and Means.

By Mr. ARMEY:

H. Res. 176. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. EVANS (for himself, Mr. CLEMENT, Mr. PHELPS, Ms. SCHAKOWSKY, Mr. FILNER, Ms. KILPATRICK, Mr. FROST, Mr. RUSH, Mr. JACKSON of Illinois, Mr. DEFAZIO, Mr. BLAGOJEVICH, and Mr. LIPINSKI):

H. Res. 177. A resolution supporting the National Railroad Hall of Fame, Inc., of Galesburg, Illinois, in its endeavor to erect a monument known as the National Railroad Hall of Fame; to the Committee on Transportation and Infrastructure.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. KINGSTON.

H.R. 52: Mr. CALVERT.

H.R. 85: Mr. SKELTON and Mrs. JONES of Ohio.

H.R. 91: Mr. WELDON of Pennsylvania.

H.R. 97: Mr. PHELPS, Mr. SMITH of New Jersey, Mr. VITTER, Mr. BACA, and Mr. PLATTS.

H.R. 123: Mr. TAYLOR of North Carolina, Mr. SCHROCK, Mr. BURTON of Indiana, Mr. LEWIS of Kentucky, and Mr. PLATTS.

H.R. 134: Ms. HOOLEY of Oregon.

H.R. 147: Ms. SANCHEZ and Ms. LOFGREN.

H.R. 162: Ms. DEGETTE and Ms. ROYBAL-ALLARD.

H.R. 168: Ms. LOFGREN.

H.R. 189: Mr. PITTS.

H.R. 218: Mr. LANGEVIN, Mr. SCHROCK, Mr. TIAHRT, Mr. GRUCCI, and Mr. PASCRELL.

H.R. 239: Mr. THOMPSON of Mississippi, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. TIERNEY, Ms. KAPTUR, Ms. SCHAKOWSKY, and Ms. WOOLSEY.

H.R. 267: Mr. SESSIONS.

H.R. 287: Mr. McDERMOTT and Mr. BOSWELL.

H.R. 303: Mr. UPTON.

H.R. 321: Mr. NADLER, Mr. HALL of Ohio, Mr. OBERSTAR, and Mr. FARR of California.

H.R. 326: Mr. KENNEDY of Rhode Island.

H.R. 389: Mr. HINCHEY.

H.R. 415: Ms. ROYBAL-ALLARD.

H.R. 507: Mr. GOODLATTE.

H.R. 534: Mr. HALL of Texas and Mr. KERNS.

H.R. 570: Mr. LEWIS of Kentucky and Mr. TERRY.

H.R. 572: Mr. RAHALL.

H.R. 583: Mr. ADERHOLT and Mr. RYAN of Wisconsin.

H.R. 638: Mr. ROTHMAN.

H.R. 639: Mr. BRADY of Pennsylvania, Mr. MASCARA, Mr. ANDREWS, Mr. RAHALL, and Mr. PETERSON of Pennsylvania.

H.R. 662: Mr. THOMPSON of California and Mr. OTTER.

H.R. 668: Mr. PRICE of North Carolina, Mr. WU, and Mr. KIRK.

H.R. 671: Mr. LANGEVIN.

H.R. 690: Ms. SOLIS.

H.R. 709: Mr. HOYER, Mrs. THURMAN, Mr. DOOLEY of California, Mr. FILNER, and Mr. BAIRD.

H.R. 778: Mr. YOUNG of Alaska, and Mr. LARSEN of Washington.

H.R. 785: Mrs. CHRISTENSEN.

H.R. 822: Mr. SHAW.

H.R. 826: Mr. SHADEGG.

H.R. 828: Mr. SIMMONS, Mr. ISRAEL, and Mr. ROGERS of Michigan.

H.R. 868: Mr. ROGERS of Kentucky, Mr. BISHOP, Mr. SUNUNU, Ms. CARSON of Indiana, Mr. ISRAEL, Mr. HOBSON, Mr. HOLT, Mr. DOYLE, Mr. HOUGHTON, Mr. McNULTY, Mr. CUMMINGS, Mr. RAHALL, Mrs. JONES of Ohio, and Mr. FATTAH.

H.R. 869: Mr. LANGEVIN, Mr. HORN, Mr. HINCHEY, Mr. FRANK, Mrs. ROUKEMA, and Mr. ENGLISH.

H.R. 875: Mr. ABERCROMBIE, Mr. McGOVERN, Mr. SERRANO, Mr. FROST, Mr. STARK, and Mr. McDERMOTT.

H.R. 876: Ms. McCOLLUM, Mr. HOEFFEL, Mr. WEINER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KIRK, Mr. OSBORNE, and Mr. MORAN of Kansas.

H.R. 877: Mr. ANDREWS and Mr. RILEY.

H.R. 912: Mr. GILMAN.

H.R. 917: Mrs. MALONEY of New York.
H.R. 936: Mr. MATHESON.
H.R. 943: Mr. WAXMAN and Mr. BROWN of Ohio.
H.R. 950: Mr. PETERSON of Pennsylvania and Mr. PENCE.
H.R. 951: Ms. SCHAKOWSKY, Mr. ROEMER, Mr. HAYES, Mr. BACHUS, Mrs. NORTHUP, Mr. HILLIARD, Mr. PASCRELL, Mr. MCINTYRE, Mr. THUNE, Mr. ANDREWS, Mr. MARKEY, Mr. STUPAK, Mr. CASTLE, Mr. MASCARA, Mr. ROSS, and Mr. BURR of . North Carolina.
H.R. 1007: Mr. TAYLOR of Mississippi.
H.R. 1008: Mrs. EMERSON and Mr. MANZULLO.
H.R. 1021: Mr. MANZULLO.
H.R. 1024: Ms. HART and Mr. HOUGHTON.
H.R. 1030: Ms. HART, Mr. DIAZ-BALART, Mr. HONDA, Mr. BEREUTER, Mr. LANTOS, Mr. SHADEGG, Mr. BARR of Georgia, Mr. MCKEON, Mr. PORTMAN, Mrs. BIGGERT, and Mr. CLYBURN.
H.R. 1036: Mr. ACKERMAN, Mr. FILNER, Mr. DEUTSCH, Mr. DOGGETT, Mr. SHOWS, Mr. GUTIERREZ, Mr. MARKEY, Mr. HALL of Texas, Mr. JEFFERSON, Mr. STRICKLAND, Mr. HONDA, Mr. BAIRD, and Mrs. THURMAN.
H.R. 1038: Mr. OBERSTAR, Mr. BARRETT, Mr. NADLER, and Mr. HALL of Ohio.
H.R. 1076: Mr. FORD, Ms. HARMAN, Mr. FALEOMAVAEGA, Ms. KILPATRICK, Mrs. CHRISTENSEN, and Mr. HILLIARD.
H.R. 1136: Mr. WHITFIELD, Mr. MEEKS of New York, and Mr. KIRK.
H.R. 1145: Mr. NEY.
H.R. 1149: Mr. FROST, Mr. WU, Ms. HARMAN, and Mr. BOUCHER.
H.R. 1165: Mr. HALL of Texas and Mr. EHLERS.
H.R. 1170: Mr. DICKS and Ms. WATSON.
H.R. 1172: Mr. HULSHOF, Mr. SWEENEY, Ms. ROS-LEHTINEN, Mr. PORTMAN, and Mr. HALL of Texas.
H.R. 1187: Mr. COYNE and Mr. CLYBURN.
H.R. 1192: Mr. MURTHA.
H.R. 1198: Mr. DEFAZIO, Mr. MCGOVERN, Mr. FRANK, Mr. BROWN of South Carolina, Mr. GALLEGLY, Mr. HUNTER, Mr. BROWN of Ohio, Mr. FALEOMAVAEGA, Mr. THOMPSON of Mississippi, Mr. GONZALEZ, Ms. LOFGREN, Ms. BROWN of Florida, Mr. SANDERS, Mrs. THURMAN, Mrs. CLAYTON, Mr. SCHIFF, Mrs. MALONEY of New York, Ms. HART, Mr. SMITH of New Jersey, Mrs. JOE ANN DAVIS of Virginia, Mr. DUNCAN, and Mr. BURTON of Indiana.
H.R. 1201: Ms. HARMAN.
H.R. 1230: Mr. EVANS and Mr. KIND.
H.R. 1238: Mr. TAYLOR of Mississippi and Mr. JACKSON of Illinois.
H.R. 1255: Ms. LEE and Mr. BALDACCI.,
H.R. 1269: Mr. PRICE of North Carolina, Mr. MORAN of Virginia, Ms. NORTON, Mr. BERMAN, Mr. JACKSON of Illinois, Ms. KAPTUR, Ms. MCCARTHY of Missouri, Mr. TIERNEY, Mr. CAPUANO, and Ms. LOFGREN.,
H.R. 1296: Ms. HOOLEY of Oregon, Mr. WU, Mr. LAMPSON, and Mr. PAYNE.
H.R. 1304: Mr. DOOLEY of California.
H.R. 1305: Mr. GIBBONS and Mrs. TAUSCHER.
H.R. 1310: Mr. SANDERS.
H.R. 1316: Mr. PHELPS and Mr. WAMP.
H.R. 1329: Mr. HORN and Mrs. NORTHUP.
H.R. 1340: Mr. KIRK.
H.R. 1401: Ms. SLAUGHTER.
H.R. 1410: Mr. HILLEARY.
H.R. 1421: Mr. LANGEVIN, Mr. OWENS, Mr. GUTIERREZ, Mr. BECERRA, and Mr. Simmons.
H.R. 1433: Mr. STUPAK.
H.R. 1462: Mr. MCINNIS.
H.R. 1477: Mr. HINOJOSA.
H.R. 1487: Mrs. THURMAN.
H.R. 1488: Mr. GEORGE MILLER of California and Mr. BLUMENSUER.
H.R. 1508: Mr. PLATTS.
H.R. 1522: Mr. HINCHEY and Mr. ANDREWS.
H.R. 1541: Mr. HINCHEY.
H.R. 1556: Mrs. EMERSON, Mr. KENNEDY of Rhode Island, and Mr. SMITH of New Jersey.
H.R. 1596: Ms. MCKINNEY, Mr. BARTLETT of Maryland, Mr. SAXTON, Mr. FROST, Mr. WOLF, and Mr. KING.
H.R. 1598: Mr. SIMMONS.
H.R. 1600: Ms. ESHOO and Mr. CALVERT.
H.R. 1605: Mr. ROSS.
H.R. 1609: Mr. CLEMENT Mrs. CHRISTENSEN.
H.R. 1636: Mr. BEREUTER and Mr. LEWIS of Kentucky.
H.R. 1644: Mr. FOSSELLA, Mr. PETERSON of Pennsylvania, Mr. COLLINS, and Mr. SCHROCK.
H.R. 1657: Mr. GUTKNECHT.
H.R. 1668: Mr. HOLT, Mr. TIBERI, Mr. SHAW, and Mr. HORN.
H.R. 1682: Mr. GREEN of Texas, Mr. MCGOVERN, Mr. GONZALEZ, Mr. HILLIARD, and Mr. REYES.
H.R. 1723: Ms. LOFGREN and Mr. DINGELL.
H.R. 1733: Ms. MCKINNEY and Mr. ALLEN.
H.R. 1754: Mr. SIMPSON and Mr. HINCHEY.
H.R. 1773: Mr. CANTOR, Mr. BACA, Ms. HART, and Mr. FILNER.
H.R. 1786: Mr. DEAL of Georgia and Mr. PETERSON of Pennsylvania.
H.R. 1805: Mr. PENCE.
H.R. 1808: Mr. GILLMOR, Mr. PASCRELL, and Mrs. MCCARTHY of New York.
H.R. 1827: Mr. FILNER.
H.R. 1839: Mr. GONZALEZ.
H.R. 1841: Mr. HILL and Mr. HOSTETTLER.
H.R. 1859: Mrs. JONES of Ohio.
H.R. 1873: Mr. HILLIARD and Mr. HONDA.
H.R. 1881: Mr. PENCE.
H.R. 1919: Mr. BUYER, Ms. HART, Mr. GEKAS, Mr. HULSHOF, Mr. GILLMOR, Mrs. NORTHUP, Mr. BACHUS, Mr. PASCRELL, Mr. WALSH, Mr. OSBORNE, Mr. HOLDEN, and Mr. NEY.
H.R. 1928: Mr. KENNEDY of Rhode Island.
H.R. 1935: Mr. MCNULTY, Mr. BARTLETT of Maryland, Mr. THORNBERRY, Mr. MCGOVERN, Ms. MCCARTHY of Missouri, Mr. SAXTON, Ms. BALDWIN, Mr. FOLEY, and Mr. KUCINICH.
H.R. 1945: Mr. HINCHEY.
H.R. 1949: Mr. FARR of California, Mr. MURTHA, Mr. BALDACCI, Mr. MCHUGH, Mrs. THURMAN, Mr. EVANS, Mr. ALLEN, Mr. BROWN of Ohio, and Mr. PASCRELL.
H.R. 1950: Mr. SHAW.
H.R. 1954: Mr. TIAHRT, Mr. UPTON, Mr. YOUNG of Florida, and Mr. SHAYS.
H.R. 1958: Mr. ANDREWS, Mr. RODRIGUEZ, and Mr. BRADY of Texas.
H.R. 1983: Mr. SHAYS, Mrs. MCCARTHY of New York, Mr. CANTOR, Mr. MCKEON, Mr. Saxton, Mr. MEEKS of New York, Mr. FOLEY, Mr. PETERSON of Minnesota, Mr. GOODE, and Mr. KING.
H.R. 1988: Mrs. JONES of Ohio, Mr. COYNE, and Mr. SHOWS.
H.R. 2001: Mr. GUTKNECHT.
H.R. 2012: Mr. SANDERS, Ms. KAPTUR, Mr. LAHOOD, Mr. ALLEN, Mr. STUPAK, Ms. MCCOLLUM, Mrs. MORELLA, Mr. HANSEN, and Mr. HOLDEN.
H.R. 2027: Mr. PETERSON of Pennsylvania.
H.R. 2038: Mr. PETERSON of Minnesota.
H.R. 2055: Mr. FLAKE, Mr. BONILLA, Mr. SHAW, and Mr. OTTER.
H.R. 2073: Mr. PASTOR, Mr. FROST, Mr. FALEOMAVAEGA, Mr. ISAKSON, Mr. BALDACCI, Mr. JONES of North Carolina, Ms. WOOLSEY, Mr. HINCHEY, and Mr. BOUCHER.
H.R. 2074: Mr. FORD.
H.R. 2076: Mr. TOM DAVIS of Virginia.
H.R. 2095: Ms. HART.
H.R. 2096: Mr. ARMEY.
H.R. 2097: Ms. CARSON of Indiana, Mr. FATTAH, Ms. NORTON, Ms. MCKINNEY, Mr. CLYBURN, Ms. MILLENDER-MCDONALD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Ms. WATERS, Mr. PAYNE, Mr. FORD, and Mr. CLAY.
H.R. 2101: Mr. OTTER and Mr. THORNBERRY.
H.R. 2102: Mrs. MEEK of Florida, Mr. HILLEARY, Mr. FALEOMAVAEGA, Mr. PRICE of North Carolina, Mr. BOUCHER, and Mr. STUPAK.
H.R. 2116: Mr. GRAHAM and Mr. BALLENGER.
H.R. 2123: Mr. BLUNT.
H.R. 2125: Mr. ALLEN, Mr. ISAKSON, Mrs. THURMAN, Mr. PALLONE, and Mr. BOUCHER.
H.R. 2131: Mr. MCGOVERN.
H.R. 2143: Mr. KIRK, Mrs. NORTHUP, Mr. OTTER, Mr. CANTOR, Mr. TIAHRT, and Mr. OXLEY.
H.R. 2149: Mrs. CUBIN, Mr. MCKEON, Mrs. BONO, and Mr. THORNBERRY.
H.R. 2154: Mr. LANTOS and Ms. VELAZQUEZ.
H.R. 2157: Mr. ENGLISH, Mr. SESSIONS, and Mr. JOHNSON of Illinois.
H.R. 2158: Mr. CONYERS and Mr. FILNER.
H.R. 2161: Mr. DOOLITTLE.
H.R. 2164: Mrs. TAUSCHER.
H.R. 2172: Mr. DREIER.
H.R. 2175: Mr. GRAHAM, Mr. RAHALL, Mr. HEFLEY, Mr. HOEKSTRA, Mr. BARTON of Texas, and Mr. PETRI.
H.R. 2176: Mr. MCDERMOTT.
H.R. 2177: Mr. WATKINS and Mr. HINOJOSA.
H.R. 2178: Mr. NEAL of Massachusetts.
H.R. 2182: Mr. MEEHAN.
H.R. 2200: Mr. BAKER.
H.R. 2212: Mr. OXLEY, Mr. LARGENT, Mr. TANCREDO, Mr. ARMEY, Mr. WATTS of Oklahoma, Mr. CANTOR, Mr. SENSENBRENNER, Mr. SUNUNU, and Mr. BALLENGER.
H.R. 2219: Mr. NEAL of Massachusetts.
H.R. 2235: Mr. HOLT.
H.R. 2244: Mr. BACHUS and Mr. RYUN of Kansas.
H.R. 2252: Mrs. JO ANN DAVIS of Virginia.
H.R. 2258: Ms. LEE.
H.J. Res. 13: Mr. PASCRELL.
H.J. Res. 36: Mr. YOUNG of Florida, Mr. ANDREWS, Mr. WELDON of Pennsylvania, Mr. CANNON, and Mrs. NAPOLITANO.
H. Con. Res. 45: Mr. DIAZ-BALART and Mr. GREEN of Texas.
H. Con. Res. 161: Mr. NORWOOD, Mr. JOHNSON of Illinois, Mr. MILLER of Florida, Mr. OSE, Mr. CHAMBLISS, Mrs. TAUSCHER, Mr. BAKER, Ms. MCKINNEY, Mr. KING, Mr. JOHN, Mr. THUNE, Mr. DIAZ-BALART, Mr. ROHRABACHER, Mr. SHAW, Mr. MCNULTY, Mr. RAHALL, Mr. SUNUNU, Mr. PETRI, Mr. CALVERT, and Mr. DEAL of Georgia.
H. Con. Res. 164: Mr. ENGLISH.
H. Res. 49: Mr. RANGEL.
H. Res. 117: Mr. WEINER.
H. Res. 152: Mrs. TAUSCHER, Mr. CLAY, Mr. HINCHEY, and Mr. ALLEN.
H. Res. 172: Mrs. KELLY, Mr. RANGELL, Mr. NADLER, Mr. MCNULTY, Mr. ENGEL, Mr. BOEHLERT, Mr. REYNOLDS, Ms. SLAUGHTER, Mr. CAPUANO, Mr. SERRANO, Mr. HOUGHTON, Mrs. LOWEY, Mr. TIERNEY, Mr. QUINN, Mr. LAFALCE, Mr. WEINER, Mr. OWENS, Mr. TOWNS, Mr. BLUMENAUER, Mr. HOYER, Mr. MCGOVERN, Mr. TERRY, and Ms. VELAZQUEZ.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2172: Mr. GILLMOR.

## DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. CARSON on House Resolution 146: Eddie Bernice Johnson and Alan B. Mollohan.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2217

OFFERED BY MR. INSLEE

AMENDMENT NO. 10: 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 suspend or revise the final regulations published in the Federal Register on November 21, 2000, that amended part 3809 of title 43, Code of Federal Regulations.

H.R. 2217

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 11: At the end of the bill, add the following section:

SEC. 332. None of the funds appropriated or otherwise made available by this Act may be used to fund the National Endowment of the Arts.