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House of Representatives

The House met at 10 a.m.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O gracious God, whose love is all about and whose mercy is without end, we pray that Your Spirit will lead us in a better way, Your Word will guide without fail and that by Your grace we will know lives of joy and serenity and peace. Cleanse our thoughts from those feelings that tear us down—from envy or resentment or rancor—and instead fill our hearts and souls with the light of Your Spirit, the beauty of Your company, and the steadfast hope that is Your gift to us. In Your name, we pray. 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. The gentleman from New York [Mr. FRISA] will lead the House in the Pledge of Allegiance.

Mr. FRISA 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 10 1-minute speeches on each side.

BIRTHDAY CARDS FOR MR. MEDICARE

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

Mr. HAYWORTH. Mr. Speaker, on July 30, 1995, our friend, Mr. Medicare, will turn 30 years old. His trustees recently told him that he is very sick, but he knows that if he just changes some of his habits, he might be able to survive. Let us take a look at some of his birthday cards.

Here is one: ''Dear Mr. Medicare: We're very sorry to hear you will be dead in 7 years. We can't help find a cure because we're focusing all of our efforts on misleading the public about your illness. Sincerely, the Democrat caucus.''

Here is another: ''Dear Mr. Medicare: We hope you're feeling better and are assured that we are doing everything we can to help find a cure for your sickness. Especially considering all the people that you help, we believe it is vitally important that you are around for years to come. Working hard for your future, the Republican conference.''

Mr. Speaker, it is obvious which card gives comfort to Mr. Medicare and all the people he helps.

SPEAKER'S PASSION FOR CAMPAIGN REFORM COOLING DOWN

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, exactly 1 month ago today, I publicly congratulated Speaker GINGRICH for his historic New Hampshire handshake with President Clinton.

The Speaker agreed to establish a nonpartisan commission that would write campaign and political reform legislation.

I urged the Speaker to use the independent commission bill I introduced in March with MARTY MEEHAN, TIM JOHNSON, and others as a starting point.

I sincerely hope that as Washington's summer weather has heated up, the Speaker's passion for reform has not cooled down.

Because, while the Speaker extended his hand to the President, the Republican National Committee is using both hands to grab huge chunks of special interest campaign cash.

It is incredible that the Republican majority deleted new meat inspection rules at the behest of large companies.

Republicans are catering to special interests at the expense of the public interest.

SIMPLIFY

(Mr. JONES asked and was given permission to address the House for 1 minute.)

Mr. JONES. Mr. Speaker, I have one simple proposal to strengthen Medicare—and that is to simplify Medicare. Nearly all seniors have two parts to their Medicare coverage—Medicare part A and Medicare part B—in addition to a MediGap policy. This system is too complicated.

There is too much paperwork. There are too many confusing forms. There are too many documents written by lawyers rather than real people. There are too many difficult rules and restrictions. There are too many examples of fraud and abuse by doctors and hospitals. Medicare must be simplified so that all of us, not just lawyers, can understand the Medicare system.

By simplifying Medicare, we can preserve and strengthen Medicare for those who are currently on it, and for those who are counting on it. Simplifying Medicare is a change seniors deserve and want.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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WAIT TILL YOU SEE WHAT THEY ARE GOING TO DO TO MEDICARE

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

Mr. ENGEL. Mr. Speaker, what have our Republican friends done since they have taken over Congress? They said they would give tax breaks to the rich. They kept their promise. They said they would increase defense spending boondoggles. They kept their promise. They said they would help the rich and powerful and told them that they would continue corporate welfare. They kept their promise.

But what have they done to the rest of us? They told senior citizens they would not touch Social Security or Medicare. They broke their promise. They told the students that they would not touch student loans or aid to education. They broke their promise. They told our veterans they would not harm their COLA's and their veterans' health care benefits. They broke their promise. They told the middle class they would not hurt the middle class. They broke their promise. They told the Nation's schoolchildren they would not rob school lunches, take them out of their mouth. They broke their promise.

In short the Republicans kept their promises to the rich and powerful. They just broke their promise to everyone else.

I say to my colleagues, ''Wait until you see what they're going to do to Medicare.''

PRESIDENTIAL FLIP-FLOP

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, in March 1992, then Gov. Bill Clinton was quoted regarding the issue of normalizing relations with Vietnam as saying:

> The president should not just state that the resolution of the issue is a ''national priority,'' he should make it the national priority, and direct that all agencies cooperate and resolve it. . . . Before I would normalize relations or provide assistance to any of the countries involved, they would be required to open their files and actively assist in solving this issue.

And then in October of that same year he said:

> It would be ''putting the cart before the horse'' to normalize relations before receiving a full accounting of the prisoner situation. . . .

I ask where is that full accounting President Clinton promised before normalizing of relations would occur? Where is it?

President Clinton has indeed put the cart before the horse. He has normalized relations with Vietnam in return he got nothing.

REPUBLICANS ARE CUTTING MEDICARE TO PAY FOR TAX BREAKS FOR THE WEALTHY

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

Mr. OLVER. Mr. Speaker, every senior citizen in this country needs to understand what is going on here. The Republicans are going to cut $270 billion out of Medicare. To make these huge cuts the Republicans will demand more copayments, raise deductibles, and hike premiums. I say to my colleagues, ''You will wake up in the year 2000 and your $46-a-month premium will be at least doubled. Your $100 deductible will be more than double. You will have to pay 20 percent of any home care or rehabilitation care that you need out of your own pocket even if your only income is Social Security.''

Why are the Republicans making these huge cuts? To give $245 billion in tax cuts, yet more than half of these cuts will go to people earning more than $100,000 a year. I say to my colleagues, ''That's easily 10 times your income on Social Security.''

Mr. Speaker, I say to my colleagues, ''The Republicans think Medicare is the bank of the budget. They'll pull up to the bank window, withdraw your money, and put it right into the pockets of the richest Americans who simply don't care whether you get needed health care or not.''

THE DISTINCTION BETWEEN LEGAL AND ILLEGAL IMMIGRATION

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

Mr. BILBRAY. Mr. Speaker, America is a nation of immigrants; America is also a nation of laws. As the House begins consideration this week on a comprehensive immigration reform, we should be mindful of the distinction between legal and illegal immigration. With this in mind, our laws should reflect our desire to reward legal immigration and discourage illegal immigration.

Current law, Mr. Speaker, sends conflicting signals. Immigrants who play by the rules, observe our laws, and go through the proper legal channels wait for years to be U.S. citizens. Conversely, if an undocumented woman crosses the border illegally, gives birth to a child on U.S. soil, that child automatically becomes a citizen. The child, and by extension its parents who are here illegally, are eligible for a menu of State and Federal benefits.

When our laws punish legal behavior, but reward illegal behavior, Mr. Speaker, it is no wonder the American taxpayers demand that we redress this situation.

SENIORS HAVE REASON TO BE AFRAID OF WHAT THE REPUBLICANS ARE DOING

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

Mr. LEVIN. Mr. Speaker, what is behind the Republicans' wild swings at Medicare? In part it is to finance a tax cut for the privileged few, but it is also a reflection of a basic Republican dislike of Medicare. Words can be very meaningful, and look at what the majority leader said yesterday about Medicare: I would like to be free to choose not to become in any extent a ward of the State.

Americans are not wards of the State when they receive Medicare. Indeed, Medicare helps make seniors independent, not dependent. Medicare helps seniors avoid becoming wards of the State and wards of their children.

Mr. Speaker, Republicans are scaring the seniors of this country, and seniors have reason to be afraid of what the Republicans are doing.

WE NEED TO GET TO WORK ON SAVING MEDICARE

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Mr. Speaker, a few weeks ago Members on the other side of the aisle demonstrated their unhappiness with this House ending business early in the day. Yet on Monday of this week the very first thing the Democrats wanted to do after a 9-day break for the Independence Day recess was to adjourn the House.

We did not need a recess after 9 days off. We did not need to adjourn the day after a vacation. What we need to do is roll up our sleeves and work on preserving, protecting, and strengthening Medicare.

And now that very famous Democrat liquor store memo that said participants should encourage individuals to, quote, think that the GOP wants to cut Medicare, not to make it more efficient, but to hurt the elderly, end quote. The memo then states that, quote, we need to exploit this, end quote. Mr. Speaker, we do not need to exploit Medicare. We need to save it.

At the end of this month Medicare will celebrate its 30th anniversary, and the new majority of this House wants Medicare to be around for the next 30 years. While we are trying to strengthen, protect, and preserve Medicare, some just want to go home.

SMOKING GUN ON RUBY RIDGE

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

Mr. TRAFICANT. Mr. Speaker, let us look at the facts:

The FBI shot and killed Randy Weaver's unarmed son. The FBI then shot and wounded Randy Weaver. The FBI then shot and killed Randy Weaver's unarmed wife while holding her infant son, shot her right between the eyes. Now reports say that the FBI destroyed documents to conceal the incident of Ruby Ridge.

Did anyone really believe the FBI would leave a smoking gun on Ruby Ridge? It is unbelievable, my colleagues.

The bottom line here is the FBI says they made a mistake. I say the FBI committed felonies and committed a crime on Ruby Ridge. Since when did the Congress of the United States empower the FBI to first entrap and then shoot down and kill unarmed American families?

The remains of the Weaver family are screaming out from graves for justice, and Congress is turning its back. Let us investigate Ruby Ridge, and let us let the FBI answer to the people, the Constitution, and the Congress of the United States of America.

WE ARE GOING TO PROTECT, PRESERVE, AND IMPROVE MEDICARE

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Mr. Speaker, Republicans have a simple three-step plan to give Medicare recipients the right to the same quality and choice that their own children and grandchildren have.

First, all senior citizens currently on Medicare must be allowed to remain on Medicare just exactly the way it is for as long as they want, if that is what they choose.

Second, all seniors who want to join a health plan that covers more than today's Medicare, including routine physicals, prescription drugs, and eyeglasses, should have that right.

Third, all seniors who want to set up a Medicare savings account that will pay for their health care needs and reward them for making healthy choices should be given that right as well.

Mr. Speaker, today's seniors deserve the right to the best medical care system possible, and tomorrow's seniors deserve to know that the money that they have paid in Medicare taxes will also have been a sound investment, and, Mr. Speaker, according to the budget resolution all of this would be done with an increase in spending per beneficiary from $4,816 in 1995 to $6,734 in 2002.

We are going to protect, preserve, and improve Medicare.

SAVE MEDICARE

(Ms. JACKSON-LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, the real question is, How many years have your loved ones, parents, aunts and uncles, relatives, been in the work force? 30 years? 40 years? 50 years?

The legacy of our seniors who have given to this country is one of hard work.

But do my colleagues know what the call of the Republican Party is today?

Let's ration them. Let's voucher the Medicare system. Let's make sure that seniors and the disabled just get a minimal amount of medical care and make sure that, if they need more, the heck with them. It doesn't matter whether you've been in the work force and given to this Nation 30, 40, 50 years of commitment, and now you come to a time when you are retired and you need the Medicare system, developed by this Nation in order to relieve the health care burden on seniors and the disabled. What the Republicans want to do is voucher you out of the system. They want to cut $270 billion out of Medicare with the false premise that we're slowing growth.

What does slowing growth mean? It means that those who are diabetic who have been able to be under maintenance, and survive, and be healthy will no longer have any care. It means people with high blood pressure will wind up in hospitals with strokes, without adequate health maintenance to keep their blood pressure down.

Save the Medicare program. What we need is to fix the fraud, but we do not need to voucher those who contributed to this Nation out of the system. Medicare is for those who have worked and the disabled. Both groups now need our help to save Medicare.

ROLE MODEL ECONOMY

(Mr. DICKEY asked and was given permission to address the House for 1 minute.)

Mr. DICKEY. Mr. Speaker, $245 million; that is what the tax cut is proposed right now. People are saying, ''What about spending cuts first? Part of this is being overlooked.'' One way that we can have spending cuts in our Government is to starve the agencies that are overspending at this time. So, we are looking at shrinking the Government by reducing the taxes. That is No. 1.

No. 2 is that we are going to give back to the taxpayers the money that they have earned. We have too long gone with the idea that this money that comes up here is the Government's. It is ours. It is the bureaucrats'. It is the politicians'.

It is not. It is the people who earn it, and those people who earn it are entitled to spend it, and, if we give it back to them, they will spend it the way they want to, or they can save it. We, as a government, are not saving anything. We have a chance to give it back to the people. We have a chance to say, ''You've earned it, and you could do what you want to with it. It will help the economy.''

One other thing:

When we sit here and say we are going to discriminate against the rich and we do not want to have a tax cut because it will help the rich, it is avoiding an opportunity to have a role model for those people who want to acquire more.

CAMPAIGN AND LOBBY REFORM

(Mr. MEEHAN asked and was given permission to address the House for 1 minute.)

Mr. MEEHAN. Mr. Speaker, last Sunday on ''Face the Nation,'' Speaker GINGRICH backed down on his promise to pass campaign finance and lobby reform. His excuse—Congress is moving too quickly on the issue.

Too quickly? Is he serious? Mr. Speaker, we have yet to have a hearing this Congress on campaign finance reform. And there has been no floor action on lobby reform since the Republican leadership stopped us on the first day of the session. Even the loyal class of freshman Republicans is starting to get fed up with Speaker GINGRICH's string of broken promises on these reform issues.

Mr. GINGRICH, I know you are enjoying the dramatic increase in PAC contributions to the Republican Party and it's clear you don't mind if industry lobbyists co-write legislation. But if you're really serious about curbing the power of special interest in Washington and making Congress more accountable to the voters, it's time to move on campaign finance reform.

You're not fooling anyone with your call for exploratory committees, Mr. Speaker. It's just another transparent delay tactic coming from a party leader benefiting from the status-quo.

□ 1020

SAVE MEDICARE

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

Mr. BALLENGER. Mr. Speaker, what do Robert Reich, Donna Shalala, and Robert Rubin have in common?

(a) They are all Democrats

(b) They are all members of President Clinton's cabinet

(c) They all predict that the Medicare Trust Fund will go bankrupt by the year 2002

(d) All of the above

If you picked (d), you're right. Republicans aren't making the Medicare crisis up. The Medicare Trustees, which are members of the President's own Cabinet, have said that the Medicare Trust Fund is going broke. So while the Democrats in the House chose to ignore the Administration, the Republicans have listened. We understand the importance of the situation, and we know what will happen if we do nothing but maintain the status quo—Medicare will go bankrupt.

Republicans will work hard to preserve, protect and improve Medicare not only for this generation, but also

for future generations. I urge my Democrat colleagues to listen to their own colleagues and join us in saving Medicare, not the status quo.

MEDICARE PROGRAM IN DISTRESS

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

Mr. FARR. Mr. Speaker, help.

I've fallen and can't get up!

This is the cry of a program—the Medicare program—in deep distress.

This is the cry of America's elderly as they tremble at the prospect of losing access to doctors, hospitals and medicines as the Medicare program is held hostage to the Republican steamroller of deficit reduction. By the year 2002, the average senior citizen will pay $1,200 a year more in Medicare premiums.

This is the cry of health care providers across the country as they struggle to meet the needs of their patients in the face of ever-restrictive government reimbursement policies. Under the proposed $270 billion cut to Medicare, hospitals will crumple—one hospital in my district will have to reduce its health care services by $5.6 million. That's just one hospital. Multiply that by the number of hospitals in your district.

And what for? So rich people can wallow poolside in their second and third homes.

What do we get?

Tax breaks for the rich.

Tough breaks for the little guy.

MEDICARE

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

Mr. FRISA. Mr. Speaker, Medicare is a trust fund. People pay their money in and trust that it will be there for them when they need it. But the Democrats broke that trust and squandered our Medicare away. And not only have Democrats left their footprints on our seniors' backs, their fingerprints are all over our seniors' wallets.

But, Mr. Speaker, seniors can finally rest assured, because responsible Republicans have the courage and common sense to protect and preserve the Medicare system for our seniors in the future, while providing affordable increases so that they receive the care they deserve.

It is a good thing the Republicans are in control to get our fiscal house back in order.

MOVE FORWARD ON CAMPAIGN FINANCE AND LOBBY REFORM

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

Mr. BENTSEN. Mr. Speaker, as a new Member, I came to this House committed to enacting reform and restoring the trust of the American people in Congress.

I am proud that on my first day in the House, we voted to make the Congress abide by the same laws other Americans do. We cut committee staff by one-third. We opened committee meetings to the public.

But the job is incomplete, and we risk undermining all that we have already done if we don't move forward with campaign finance reform and lobby reform. You cannot have one without the other. It is time to stop the money chase which perverts the electoral process.

It's been a month since the President and the Speaker shook hands over a commission to move these issues forward. The President is ready to act. Why isn't the Speaker? Let's vote on H.R. 1100, which I and others introduced before that meeting in New Hampshire, to form such a commission. The American people want an end to the talk of reform. They want action.

The American people are concerned as we act on legislation to cut Medicare, roll back environmental protection, and cut taxes. For the wealthiest they deserve to know we are doing their work and not that of special interests. Let's end the talk and bring campaign and lobby reform to the floor.

HARRY WU

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

Mr. SALMON. Mr. Speaker, Harry Wu, an American citizen, a tireless crusader for human rights, and my friend, is being unjustly detained in the People's Republic of China.

Harry Wu survived nineteen years of torture, starvation, and solitary confinement after he was imprisoned for merely criticizing the government. Since then has devoted himself to exposing the horrors of the Chinese gulag.

China, immediately release American citizen Harry Wu and allow his return to the United States. He has committed no crimes and is being detained illegally. This is a gross abuse of his rights and seriously damages U.S.-China relations. Free this innocent man.

To Chinese officials I say this in Chinese:

''Mr. Wu is an American. Mr. Wu is my friend. If you hurt him we will not forget. If you do not free him we will not forget. Be careful.''

TIME TO SEND A MESSAGE TO SERBIAN AGGRESSORS

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

Mr. HOYER. Mr. Speaker, we shoot at one another across this aisle. We do it verbally. There is a holocaust abroad in the world, and it is on the front page of the Washington Post, the Washington Times, the New York Times, and on every major network: Thirty thousand new refugees yesterday.

And what do we see on the front page of the Washington Post? a Dutch general, our general, the United Nations' general, having a drink with Ratko Mladic, an international terrorist, an international war criminal, an international thug.

Shame on the United Nations. Shame on the international Western community. Shame on America. We have imposed an arms embargo on the Bosnian people so they cannot defend themselves adequately. Shame on us.

Mr. Speaker, a holocaust goes on. Let us stand up, speak up, and vote to let the Serbian aggressors know that the West will not stand for international thuggery.

PROVIDING FOR CONSIDERATION OF H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Ms. PRYCE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 187 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 187

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 302(f), 306, or 308(a) of the Congressional Budget Act of 1974 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. The bill shall be considered by title rather than by paragraph. Each title shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. The amendments printed in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. All points of order against the amendment printed in section 3 of this resolution are waived. 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 printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. 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.

SEC. 2. The amendments considered as adopted in the House and in the Committee of the Whole are as follows:

Page 57, line 21, strike ": *Provided further*" and all that follows through "Act" on page 58, line 2.

Page 72, line 19, insert ", subject to passage by the House of Representatives of a bill authorizing such appropriation," after the dollar figure.

Page 73, line 4, insert ", subject to passage by the House of Representatives of a bill authorizing such appropriation," after the dollar figure.

Page 75, line 24, strike "equivalent to" and insert "not to exceed".

SEC. 3. The amendment against which all points of order are waived is one offered by Representative Schaefer of Colorado or Representative Tauzin of Louisiana as follows:

Page 57, line 9, strike "and" and all that follows through "Reserve" on line 21.

The SPEAKER pro tempore. The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

Ms. PRYCE. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from California, my friend, Mr. BEILENSON, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Ms. PRYCE asked and was given permission to include extraneous material.)

Ms. PRYCE. Mr. Speaker, in the immortal words of baseball great Yogi Berra, "It's deja vu all over again."

Less than 12 hours ago, the Rules Committee met to craft this second fair and responsible rule providing for the consideration of H.R. 1977, the Interior appropriations bill for fiscal year 1996.

Having been a part of the discussions which led to this new and improved rule, I can say quite honestly that House Resolution 187 more than adequately addresses concerns which have been raised about certain unauthorized provisions which have been included in the bill, namely those sections dealing with funding for the National Endowment for the Arts.

In response to these concerns, the rule provides for the automatic adoption of an amendment which makes the availability of NEA appropriations subject to passage of an authorization bill in the House.

By including this language, we can ensure that these funds will not be appropriated unless properly authorized, while also giving the full House an opportunity to debate this important and controversial issue.

Otherwise, Mr. Speaker, this rule contains essentially the same provisions as House Resolution 185, which we discussed on the floor of the House late last night.

Specifically, this is another open rule. It provides for 1 hour of general debate, equally divided and controlled by the chairman and the ranking minority member of the Committee on Appropriations, after which time the bill will be open to amendment under the 5-minute rule.

The bill shall be considered by title, rather than by paragraph, and each title shall be considered as read.

As in the previous resolution, this rule waives clause 2, related to unauthorized appropriations and legislative provisions, and clause 6 of rule XXI (21), related to reappropriation in an appropriations bill, against provisions of this bill.

Again, this is done as a precaution since the House, due to time constraints, has not yet approved authorizing legislation for all of the programs and activities contained in the bill.

The rule also waives provisions of the Budget Act against consideration of the bill relating to new entitlement authority and to matters within the jurisdiction of the Budget Committee. Language to correct these Budget Act violations is also included in the self-executing set of amendments.

In addition, the rule waives points of order against the amendment printed in the rule relating to the sale of oil from the Strategic Petroleum Reserve, if offered by Representative SCHAEFER of Colorado or Representative TAUZIN of Louisiana.

Under the rule, the Chairman of the Committee of the Whole may give priority in recognition to Members who have pre-printed their amendments in the CONGRESSIONAL RECORD prior to their consideration, and such amendments shall be considered as read.

As before, the rule waives clause 2(e) of rule XXI(21), relating to nonemergency amendments offered to a bill which contains an emergency designation. Finally, the rule provides for one motion to recommit, with or without instructions.

As I mentioned last evening, H.R. 1977 is a fiscally responsible bill which responds to the American people's clear mandate to reduce the size, scope, and cost of the Federal Government.

The bill is more than $1.5 billion below last year's level—a full 11 percent cut from the 1995 spending level—and is consistent with the balanced budget resolution already adopted by the House.

My good friend from Ohio, the distinguished chairman of the Interior Appropriations Subcommittee, has done yeoman work on this legislation, and I congratulate him on working to reach a compromise which will enable the House to debate, and then pass, this essential funding bill in a timely manner.

Those on both sides of the NEA funding issue owe Chairman REGULA a great debt of gratitude for his strong leadership.

Mr. Speaker, I encourage my colleagues, especially those who voted against the rule yesterday, to realize that this is a wide open, responsible, and reasonable rule. It will create the kind of healthy deliberation which should be the hallmark of this legislative body, and I urge its adoption without any further delay.

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

Ms. PRYCE. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I just want to commend the gentlewoman. I know that she stayed up until the wee hours this morning trying to work out this compromise on the rule. I just want to reemphasize what she said. This is still a totally open rule. Yes, we are self-executing into the base text of the legislation simply the words that say "subject to passage by the House of Representatives of a bill authorizing such appropriation."

But, having done that, and having done it right up front in the beginning of the bill, the bill is still open to amendment at any point so that every single Member, 435 Members of this House, will have the opportunity to come to this floor and work their will in any way that they see fit. We have stuck to our guns in keeping these rules open so that Members on both sides of the aisle, regardless of political or philosophical persuasion, will have their opportunity to legislate on this floor.

I commend the gentlewoman for a great job on this rule. I urge every Member, on both sides of the aisle, to unanimously pass this rule, and let's get on with the people's business.

Ms. PRYCE. Mr. Speaker, in closing, let me say the House needs to move ahead with the appropriations process. We are fast approaching the August district work period, and less than half of our 13 regular appropriations bills have cleared the Committee on Rules. This resolution will get us back on track. I believe it is an immensely fair deal for both sides of the aisle. I urge its adoption without further delay.

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

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of July 12, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open[2]	46	44	34	72
Modified Closed[3]	49	47	12	26

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS—Continued

[As of July 12, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Closed[4]	9	9	1	2
Totals:	104	100	47	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of July 12, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95)
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95)
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95)
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95)
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95)
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps.	A: 242–190 (3/15/95)
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95)
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95)
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95)
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95)
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95)
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95)
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95)
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95)
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95)
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95)
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95)
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95)
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95)
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95)
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95)
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95)
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ:223–180 A: 245–155 (6/16/95)
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95)
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95)
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95)
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95)
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps.	PQ: 236–194 A: 234–192 (6/29/95)
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95)
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. BEILENSON. Mr. Speaker, I thank the distinguished gentlewoman from Ohio [Ms. PRYCE] for yielding me the customary 30 minutes of debate, and I yield myself such time as I may consume.

Mr. Speaker, we oppose this rule, and we urge Members to vote ''no'' on the previous question and ''no'' on the rule.

As the gentlewoman from Ohio has explained, House Resolution 187 is identical to the rule for consideration of the Interior appropriations bill for fiscal year 1996 that the House defeated last night, except for one change related to the NEA, the National Endowment for the Arts.

This new rule provides that the appropriation of $99 million contained in the bill for the NEA would be contingent upon House passage of an authorization bill for the NEA.

Although those of us who strongly support the NEA believe that the organization should be given the same treatment that the bill gives other agencies whose authorizations have expired—that is, we believe that its funding should be fully protected by waiving the prohibition against unauthorized appropriations, without being contingent upon passage of another piece of legislation—we appreciate the fact that the NEA funding will not be able to be struck on a point of order when the House considers H.R. 1977.

Because we discussed the other provisions of the rule in detail last night, I shall only briefly summarize them at this time:

House Resolution 187 is an open rule, as rules for Interior appropriations bills have always been, to the best of our knowledge. Members may offer any amendment that is otherwise eligible to be offered under the standing rules of the House. The rule permits the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

The rule waives several House rules for provisions in H.R. 1977, as well as several sections of the Budget Act against consideration of the bill. The rule also contains a self-executing amendment, and it waives points of order against an amendment to be offered by Representative SHAEFER or TAUZIN relating to the sale of oil from the Strategic Petroleum Reserve.

The waivers of clause 2 and clause 6 of rule XXI, prohibiting unauthorized appropriations and legislation in an appropriations bill are necessary because the bill contains funding for numerous programs whose authorizations have

expired, and because of legislative language contained in the bill. Despite their past criticism of waiving rule XXI, it is clear that our colleagues on the other side of the aisle have found that it is necessary to provide such waivers in order to move appropriations bills through the House in a timely manner.

However, I want to point out that the senior Democratic member of the Resources Committee, Mr. MILLER of California, strongly objects to waiving the prohibition on legislation in an appropriations bill for provisions in H.R. 1977 that directly or indirectly amend laws under the jurisdiction of the Resources Committee.

□ 1040

He noted in a letter to the Committee on Rules that the Committee on Resources has not considered the impact of changes that H.R. 1977 would make on a number of major environmental laws. We hope that these changes in laws will be fully explained and debated as the House considers H.R. 1977 so that Members will be fully aware of the consequences to our environmental laws that would result from approving this bill.

The rule also waives three sections of the Budget Act against consideration of the bill. Two of the waivers are needed to cover the minor amount of spending required for salaries and expenses of the National Capital Planning Commission. The third wavier covers the change in budget scorekeeping related to the sale of oil from the Strategic Petroleum Reserve.

As a matter of principle, we are normally reluctant, all of us, to waive the Budget Act. However, because none of the provisions which require these waivers would have any real or serious or substantial impact on our efforts to control spending, we do not consider the waivers here to be significant violations of the Budget Act, and we support them.

Beyond our concerns about the rule itself, many of us do have strong objections to the bill that this rule makes in order, primarily because of its deep cuts in funding for many important and useful programs, programs that cost very little compared to the immense amount of value that they add to the quality of the lives of tens of millions of Americans.

We realize that the Subcommittee on Interior had an extremely difficult task determining how to cut 12 percent of the funding for programs under its jurisdiction, especially since many of these programs have already been squeezed for funding in recent years. But the subcommittee was in that position only because the Republican majority has imposed budget priorities that in our opinion do not serve the best interests of our Nation.

Those priorities are forcing us to cut next year's funding for the relatively modest programs in this bill by $1½ billion, $1½ billion so that hundreds of billions of dollars can be spent over the next several years on unnecessary additional increases in military spending and on tax cuts that will mainly benefit the wealthiest Americans among us.

These program cuts will cost our Nation dearly in countless ways, Mr. Speaker. The bill is a 27-percent cut in energy conservation programs and will mean a slowdown in the progress we have been making toward reducing our Nation's dependence on imported oil as well as the cost of energy. The elimination of all but a nominal amount of funding for land acquisition for national parks and for other public lands will mean that there will be far fewer opportunities in the future for Americans to enjoy the experiences our national parks and other public lands have to offer.

The 40-percent cut in funding for the National Endowments for the Arts and Humanities, the first step of the elimination of both organizations, will mean that fewer Americans will be able to enjoy the very many cultural benefits that these organizations have made possible across this wide and great country of ours. And the elimination of funding for prelisting and listing activities for endangered species will greatly impair our ability to save animal and plant species before they reach critical level. The result is likely to be the decline and the possible extinction of many additional species.

In this and many other ways, the natural and cultural resources of our national resources that help make the United States the greatest nation on Earth will be severely harmed by this bill. This misguided attempt to save a very modest amount of taxpayers' dollars will be robbing our Nation of some of its greatest strengths and assets.

Mr. Speaker, we urge Members to vote ''no'' on the previous question and ''no'' on the rule.

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

Ms. PRYCE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I want to congratulate the members of the Committee on Rules and all those who worked so late into the night last night to reach agreement on this rule. The amount of money that is going to go to the NEA, should this rule pass and the bill pass, will be the same as was originally planned and probably a little bit more.

The only difference is, instead of having it in 3-year tranches, it is going to be in 2 years. That will definitely let the people who support the NEA know that after the 2-year period, the money is going to be there, but after the 2-year period they go to private sources to get funding for NEA projects.

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

Mr. BURTON of Indiana. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, as I understand it, the gentleman's position is based on what he conceives to be the position of the authorizing committee. That is what we use as the basis for our appropriation. The Senate bill is entirely different. They may come up with another form of the bill and, as a result, the result of what the gentleman predicts may not come to pass.

Mr. BURTON of Indiana. Mr. Speaker, I understand what the gentleman is saying. I thank him for his contribution. But I have great confidence in our conferees that they are going to hold firm. When you have confidence in Members like the gentleman from Ohio, your confidence is well founded.

I think we will have an agreement that was reached last night, one that was acceptable to all factions of our party. I hope to the Democratic Party as well as those of all political persuasions.

I would just like to say to my colleagues who are members of various organizations in the Republican Conference that we worked long and hard last night to hammer out our differences. I cannot think of anybody, liberal, moderate, or conservative, that cannot support this rule. I would like to urge all of my colleagues, when they come to the floor, if they have any doubts about the rule, to look up their friends of the various philosophical persuasions and ask them what happened last night so that they will be fully informed and will vote correctly on the rule.

We should have unanimous consent on the rule, unanimous passage. I doubt if my Democrat colleagues agree with that. But at least on the Republican side, we should have 232 hard votes.

Mr. BEILENSON. Mr. Speaker, I yield 11 minutes to the distinguished gentleman from California [Mr. MILLER], the ranking minority member of the Committee on Resources.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, I would hope that the House would again reject this rule since this rule is contrary to the rules of the House in that it provides for substantial legislation on an appropriation and protects those items of legislation on an appropriation against a point of order that would ordinarily lie against those provisions under the rules of the House. So we are not quite complying with the rules of the House as the majority has suggested that we are.

But it is also because the changes that they seek to make are devastating to the programs. This legislation that historically has been about the stewardship of this Government of the public's lands, the lands that are owned by the taxpayers and the citizens of the United States of America, public lands that are used by some 300 million visitors this year, public lands that have attracted millions of tourists from other countries to the United States to visit our parks, to visit our wilderness

areas, to visit our historical sites, it has been the charge of this committee to provide the resources to take care of those lands. What we see now is for the first time in 40 years, this committee has failed to discharge its duty to the public in the kind of funding that it provides.

This committee has gone far beyond just the issue of the budgetary issues. This committee has gone off in a fit against activities that they do not like. They do not like the Endangered Species Act. So they decided what they would do is they would not let any moneys be used for prelisting activities. That is an interesting notion because that also means that you cannot use money for prelisting activities that might prevent a species from being endangered.

They also tell you that they are not going to let you use volunteers to go around and collect the data that might help us map out how we avoid the endangered species crisis that we have experienced in the past. They also tell you that they will not let you use the National Biological Survey on private lands, even if requested by private landowners.

And the fact of the matter is, we have forest products companies in this country that have requested this help so they can map out how to harvest their timber in an environmentally safe manner, how they can harvest their timber so they do not run into an endangered species problem, how they can harvest it on a sustainable basis so they can go to their shareholders and they can say: This is on your plan to operate this company in the future. We would not allow them to have the benefit of the knowledge and the scientific expertise of the biological survey even if requested by them.

These Republicans are sticking their head in the sand, and what do they hope happens? They hope that we get into an endangered species crises, one after another, one after another so there will be a growing groundswell to repeal the act. If it is in fact repealed, it will be repealed because they have denied the ability of the agencies to work to protect the endangered species.

Last night we were treated on ABC News to the success of the Endangered Species Act, to the bald eagle being returned from the endangered list to now 4,000 pairs, bald eagles also that are viewed now in many States where they were basically extinct because of DDT and because of other activities, and the delisting of the gray whale and others. So where are we on this?

They have decided they want to fight over the past, and they want to destroy the ability of this agency to do its work. Not only have they weighed in on behalf of the special interests that want to see the repeal of the Endangered Species Act, but they have also weighed in on behalf of the special interests that simply want to continue to use the public's lands without paying for them. In my town hall meetings very often people say to me when they are talking about the deficit, they say, why do not you run the Government like a business?

One of the reasons we do not run the Government like a business is because of the Republicans. No business would give away billions of dollars of gold and platinum and silver and trona and coal and gas and oil and not make those individuals pay a fair royalty. But that is what the Federal Government does.

Last year we witnessed the Federal Government giving away land for a few thousand dollars, of which it was expected to be mined a billion dollars or $10 billion in gold. And the American taxpayer got zip.

You want to know why there is a deficit? You keep pandering to the big energy companies, to the big mining companies, and you will end up with a deficit. The public is entitled to a fair return.

But what does this bill do? This bill says, we will remove the moratorium. It got so outrageous that the Congress decided last year to put a moratorium on this activity until we get a mining reform bill. They have lifted the moratorium, so once again we are back into the business of giving long-term leases, ownership in fact, of Federal lands to the mining companies without their paying their fair share for that effort.

I think that you have got to understand that this legislation is among the worst pieces of environmental legislation to come through the House so far. It falls on the heels of the lobbyists and special interests writing the clean water bill that we witnessed. It falls on the legislation to devastate the environment in terms of regulatory reform that is now being held up in the Senate.

We ought to disavow this legislation. We ought to disavow this rule because of its allowing for legislation on the appropriation. And we also ought to understand that this is a systematic effort to undermine the Endangered Species Act so that Members will hear from their districts that they have to repeal the act because the act does not work.

The reason the act does not work is because the Republicans in the House are falling into the same method that George Bush and Ronald Reagan used, and that was, they would not let the act work because they were hoping that they could build up such anger over the act that it would, in fact, be repealed. It is not going to be repealed because the overwhelming majority of American people do not want it repealed. They want it to work. They want the species saved. They want us to make smart decisions.

Finally, let me just say this, they banned the use of volunteers. They banned the use of volunteers. Four thousand Americans go out and help this Government by surveying the number of birds, breeding birds, and others in this country, and help State agencies to collect that data.

In Yosemite National Park and in Sequoia National Park, they collect biological data. We are trying to restore the Grand Sequoias of the Sierra Mountains. And yet what we find out is, if you want to do that on private land with volunteers, you are not allowed to do that.

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

Mr. MILLER of California. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Speaker, I just want to advise the gentleman that I will be offering an amendment, in conformance with the suggestion of the gentleman from Wisconsin [Mr. OBEY], to allow the volunteers to do the migratory bird counts.

Mr. MILLER of California. Are we going to allow the National Biological Survey on private property?

Mr. REGULA. Mr. Speaker, if the gentleman will continue to yield, I am just talking about the bird count.

Mr. MILLER of California. Mr. Speaker, I thought the gentleman from Ohio [Mr. REGULA] was coming my way. Here I have been speaking for 7 minutes.

Let me tell you about the National Biological Survey on private lands. This is an outrage.

The issue about the National Biological Survey on private land is this, a lot of local communities and a lot of companies, private enterprise, want to avoid the problems of the Endangered Species Act and getting into where you have a threatened endangered species.

In southern California, in northern California that I am familiar with, they are trying to go out and determine the areas that are inhabited by the kit fox, by the salamanders, so that the developers, the home builders, industry and others will know what they can do or not do with their land and how they can develop it. They want the help of the government. They want the help. Forest products companies in the Southeast have asked for help from the National Biological Survey.

What this Congress would say or what this House would say in this bill is, even if requested, they cannot help you, if it is about private land. What you have done is you have diminished the rights of those landowners to get the help of the Government that they pay taxes for that have the expertise to help them get out of a problem that can cost them millions of dollars, if not their companies.

They are asking for help and you are telling them no, we will not allow you to be of help on private land.

Last year we had a problem because people were concerned about the National Biological Survey coming onto their land without permission. And we required that they obey the laws of the State and gain permission. No problem with that. But now you are saying to people who are involved, have hundreds of millions of dollars at risk, have loans at the banks, that they cannot get the help from their Federal Government or Orange County cannot get the

help or the Irvine Co. cannot get the help, they cannot get the help to solve this problem because somebody has decided they want a train wreck. They want a national crisis around the Endangered Species Act. It is absolutely mindless.

Let us hear for an amendment on that one. Come on. Do we have one?

Mr. REGULA. Mr. Speaker, if the gentleman will continue to yield, I think it should be pointed out that what you have been addressing is the science, and if you could guarantee to me that every volunteer will be a Ph.D. scientist that is fine. Keep in mind that this does not restrict volunteers in the Fish and Wildlife Service or the Park Service, the BLM or any of the other agencies of Interior, only the natural resource science of the USGS. So I think we have to be very careful in the definition of our terms here.

Mr. MILLER of California. Why would we not allow this Government to engage volunteers to collect samples of habitat or to map out areas and give that to the scientists and let the scientists make their determination? It is mindless, again, when private companies are asking for the help. You do not say only scientists. You say no volunteers. You say nobody from NBS on private land.

Mr. REGULA. Because the ones you are talking about were used by the NBS, which is no longer funded in the bill. That is gone. And we have a natural resource science function in USGS. And if somebody is taking a blood sample of any of us, we want somebody that knows what they are doing to do it, not somebody that is just a volunteer and may lack appropriate training.

Mr. MILLER of California. You will not even let the science people. No amendment, RALPH?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. EWING). Members are reminded they should refer to each other by State.

Ms. PRYCE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. GUNDERSON].

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

Mr. GUNDERSON. Mr. Speaker, I come to the floor today as one of those Republicans who has consistently supported the arts and the National Endowment for the Arts. I happen to believe that in an increasingly intolerant and polarized society, the arts are playing an increasingly important role, not a diminished role. And what this Congress is doing has some long-term risks for American society.

Interestingly enough, when I opened my mail this morning, I had a letter from a constituent where she said, ''In spite of the openly expressed hostilities to the arts by this Congress, I still urge you to consider reauthorizing the NEA, at least to give it and the arts world a chance to reorganize their means of funding and setting of artistic priorities.''

We are here this morning for a couple of reasons. We are here because some of my friends on the Democratic side last night decided it was more important to kill the rule than to preserve a point of order against the NEA. That is your choice, and I understand that.

We are also here, unfortunately, because I think the arts community still does not get it. They are convinced that business as usual will survive. So if we get anything out of this today, I hope we get a clarion call to the arts community that business as usual will no longer survive and that we have got a few precious months in order to get an authorization bill that will allow this funding to go forward for fiscal year 1996, but, more importantly, to include a provision that would begin to create the kind of private endowment that would allow the privatization of the National Endowment for the Arts and the continued Federal commitment to the arts, albeit one without regular annual appropriations of the American taxpayer dollars.

□ 1100

Mr. Speaker, this is not going to be easy. If we want to come even close to the $167 million we presently appropriation, we would need well over a $1 billion endowment. We cannot get there from here in 2 years. I want everyone to understand that. That is why I am not all that excited by the discussions and the tentative understanding of the agreement in the House among many of our parties, including myself, last night. However, I would suggest to my colleagues that this is a start, and we ought to use the weeks and months ahead to make sure we save the mission so many of us believe in.

Mr. BEILENSON. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, before I comment on the pending rule, I do want to make a few comments that are, I think, required by conscience. I hope the House will indulge me. The gentleman from Maryland [Mr. HOYER] earlier indicated that yesterday we saw Bosnian Serb military forces in essence commit war crimes in places like Potocari and Srebrenica.

Mr. Speaker, I have one simple message for Gen. Ratko Mladic and his associates among the Bosnian Serbian leadership. It is a four-part message. You are sick pigs. You are sick pigs. You are an embarrassment to the human race. If the world has any conscience, you will one day be where you belong, in prison, rather than disgracing the military uniform that you wear.

Having said that, Mr. Speaker, I would now like to move on to the matter before us. This rule is really, in many ways, worse than the rule before us last night. It still violates normal House rules in order to allow a continued onslaught on environmental protection and reversal of environmental progress made by previous Congresses.

The bill, as has been mentioned by the gentleman from California [Mr. MILLER] permits giving away Bureau of Mine facilities. The bill repeals the Outer Banks Protection Act of 1990. The bill includes Columbia River basin ecoregion assessment restrictions and directions which should not be in this bill. The bill reverses the progress that this Congress made last year in establishing the California Desert Act. In general, it contains many legislative provisions that should not be in a spending bill.

It also establishes a distinction between the arts and other unauthorized legislation which I think is both primitive and unfair. What is going on is simply this: The extreme conservatives on the Republican side of the aisle last night used their leverage which they had on the rule to try to further disadvantage the possibility for future funding for the arts.

I would say to our Republican moderate friends who claim to be supporters of the arts that they can stop this onslaught on the arts by voting against this rule, and insisting that the arts be treated precisely the same as other unauthorized programs in this bill. That is all they have to do. That is all they have to do.

They can then bring a bill to the floor which will allow us to have the normal debates on all of these programs without creating a special disadvantage for a tiny little program which has fallen victim both to the extremists of the right and to some of the extreme artists, that very tiny, uncivilized minority, who have, because of their thoughtlessness and their stupidity, allowed the enemies of arts funding to attack the entire program the Maplethorpes of this world, if you want, being joined in their extremism by the extremists on the other side, who together want to savage a program which is meant to increase the civility of this society by just a little bit.

Therefore, Mr. Speaker, I would urge Members to vote against this rule one more time, send it back to the Committee on Rules. The Committee on Rules can do it right. It does not have to continue the onslaught on environmental legislation. It does not have to play this double standard game. We can pass a bill which is far more balanced and a product that is better than the one before us.

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

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, the rule that we have before us could very well begin the process of ending the funding for the National Endowment for the Arts. I

stand in complete opposition to the rule and to the bill.

Mr. Speaker, let us get our priorities straight and let us try to understand what this country is supposed to stand for. Art and culture are a vital part of human existence. The opportunity to enjoy the arts, to enjoy culture, must be open to all of our people, and not just those who can afford $100 for a concert ticket.

Mr. Speaker, the United States spends only 64 cents per person to support the arts endowment, 64 cents, 50 times less than our major allies. In contrast, we spend over $1,000 per person on the military, far more than our allies. Why is it that this Congress can lower taxes on the wealthiest people in America, do away with taxes for the largest corporations in America, but eliminate programs which bring art and culture into classrooms in the State of Vermont and all over this country? Why is it that this Congress can pour billions of dollars more into B–2 bombers that the Pentagon tells us that do not need, but we cut back on funding for symphony orchestras and threater groups all over America?

Mr. Speaker, I would remind our colleagues that one B–2 bomber costs $1.5 billion, 10 times the entire allocation for the National Endowment for the Arts. The entire endowment is 10 percent of one B–2 bomber, a B–2 bomber that the Pentagon tells us they do not need.

Mr. Speaker, where are our priorities? Let us speak up for the kids in this country. Let us speak up for all of the people who appreciate the arts, who appreciate culture. Let us defeat this rule.

Ms. PRYCE. Mr. Speaker, I yield such time as he may consume to the gentleman from the great State of Ohio [Mr. REGULA], my great friend, and distinguished chairman of the Subcommittee on Interior of the Committee on Appropriations.

Mr. REGULA. I thank the gentlewoman from the great State of Ohio. I want to commend the Committee on Rules for trying to bring out a balanced rule, recognizing there are a great number of differences of opinion as to how we should address this.

Mr. Speaker, I would urge all the Members to support this rule. I recognize that because we had to take over a 10 percent cut, we cannot do everything that people would like to do. Nevertheless, we have done the best we could. We have been fair. I think it is a balanced bill, and I would certainly urge Members to support the rule so we can get on with the business.

Mr. Speaker, we have to keep in mind that the budget resolution has been adopted by both houses. This bill is responsive to that. I think it represents a commonsense addressing of that.

Mr. Speaker, we mentioned volunteers earlier. We will get into this more in general debate, but I would point out that there are a couple hundred thousand volunteers, and they will continue to be there in all the agencies of Interior. We can talk about that more later.

Let me say to the Members, my colleagues, that I know all of them are anxious to get out today. If we work at this with goodwill on both sides, I think there will be plenty of opportunity to debate the fundamental policy questions.

Under the Constitution we are charged with the responsibility to make policy for the people of the United States. It is the responsibility of the President and his team to execute that policy. There will be a number of amendments here that represent policy issues. Some I may agree with, some I may not. That is why we have votes.

As I said earlier, Mr. Speaker, if we all work at it and take a goodwill approach, we can get out of here at a decent time and finish this bill. I am not going to take more time. I will not take a lot of time in general debate. I know we are all anxious to get ahead.

One last comment. That is that this is an appropriations bill. We do not do the authorizing. We communicated with the authorities as much as possible, and anything that is in here represents a consensus with authorizing committees in the House. However, basically, it is a bill to determine how much we are going to spend on the programs that have been established by the authorizing committees.

There will be an opportunity to vote on every dollar that is in the bill. People can offer amendments to cut or add to, and these will be subject to a vote. So as the chairman of the Committee on Rules said earlier, it is really an open rule. All the Members will have an opportunity through their votes to establish what they think are responsible policies for the administration of the public lands of this Nation: about one-third of the United States; it is owned by the people of this country, along with energy policies; along with policies affecting the Bureau of Indian Affairs, our responsibility to the native Americans; and a number of others. I think it is a perfect example of how our democracy should work.

We are representatives of the people. That is our title. We will have an opportunity to take care of that role today on the amendments and on the bill itself. I urge the Members to support the rule so we can get on with this and finish it in a timely hour today.

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

Mr. Speaker, since the rule itself executes a provision relating to the NEA appropriations level, I wonder if at this point I might ask the gentlewoman from Ohio, or perhaps through her, either the gentleman from Ohio or the distinguished chairman of the Committee on Rules, if it is her understanding that the self-executing provision in the rule will permit the appropriation of some amount of funding for the NEA, regardless of the level of funding provided in the authorization bill.

In other words, if the authorization bill provides less than the $99 million contained in this appropriations bill, will that lower authorized amount be appropriated, or will the funding for NEA be appropriated only if the authorization bill also provides for an appropriation of $99 million, the exact amount provided in this bill?

Ms. PRYCE. Mr. Chairman, will the gentleman yield?

Mr. BEILENSON. I yield to the gentlewoman from Ohio.

Ms. PRYCE. Mr. Speaker, I believe we have had a ruling from the Parliamentarian.

Mr. BEILENSON. I yield to my colleague, the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. I thank the gentleman for yielding.

Mr. Speaker, it is my understanding from the Parliamentarian that the authorizing bill would have to conform to the appropriation bill in the exact amount, and otherwise, it would eliminate the appropriation totally, so I think it is important that in coming with an authorizing bill, that it be consistent with what we are appropriating in this bill.

Mr. BEILENSON. I thank the gentleman for his response. I think it is different from the understanding we had last night and the arrangement you folks on that side of the aisle worked out. In other words, if the authorizing bill provides for any amount less than the $99 million, even if it is $97 million, that amount would not be appropriated under this bill.

Mr. REGULA. That is my understanding from the Parliamentarian, if the gentleman will continue to yield, that is correct.

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

Mr. BEILENSON. I yield to the gentleman from Illinois.

□ 1115

Mr. YATES. Does the arrangement respecting the appropriation to which you addressed yourself have the approval of the chairman of the authorizing committee of the House?

Mr. REGULA. If the gentleman from California who has the time will yield, members of the authorizing committee were a party to working out the rule, so I think the answer would be yes.

Mr. BEILENSON. If I may further pursue this, why are we treating this in a different manner than we usually treat appropriations? Ordinarily at least, a lower authorization would appropriate a certain amount of money if the Committee on Appropriations, as in this case, provided a higher amount.

Is there some particular reason for this that anybody can tell us about?

Ms. PRYCE. Mr. Speaker, if the gentleman will yield, I differ with the Parliamentarian's interpretation of this and I think it is just a matter of how it comes down to interpretation in the long run. I am not sure the intention

was there at the beginning. But the intention is to authorize in the amount that was provided for here.

Mr. BEILENSON. I appreciate the gentlewoman's response and also the gentleman's response. I simply want to point out to our colleagues and to the friends of the NEA, this is a little bit more complex and perhaps dicey situation, the one perhaps we are in, because it is dependent upon an authorization being exactly the same as the appropriation in this bill and any lower amount would result in no appropriation whatsoever for the NEA in the coming year; is that correct?

Mr. REGULA. If the gentleman will yield further, I want to say, the leadership on our side of the aisle has endorsed this and understands that. So I think that for those that are interested in the NEA, and that is what you are getting to, they can anticipate that we will be consistent on the authorization and the appropriation.

As the gentleman noted, it is self-enacting in that it limits the expenditure of funds in NEA to institutional grants. Of course I think that addresses the problem that the gentleman from Wisconsin [Mr. OBEY] discussed earlier in his remarks about some of the individual grants that have caused the NEA to have some problems.

Mr. BEILENSON. I appreciate the gentleman's response. It makes us feel a little bit better.

Mr. YATES. Mr. Speaker, if the gentleman will yield further, suppose the other body does not agree with what is being provided as self-operating in this rule. Suppose the other body wants to change it, and the conference wants to change it. That can be done, can it not?

Mr. REGULA. If the gentleman from California will yield, obviously we will be part of the conference, and I think, at least I have to speak for myself, as a conferee I fully intend to respect the House's position and maintain it in a conference. Because I think we have an obligation to those who vote for the rule today to do that. I want to say right up front that conferees will be instructed to stay with the House amount, and that is exactly what we plan to do.

The SPEAKER pro tempore (Mr. EWING). The time of the gentleman from California [Mr. BEILENSON] has expired.

Mr. BEILENSON. Mr. Speaker, this is an unusual request, but I wonder if our friends on the other side might yield us an additional 2½ minutes just to pursue this matter for a very short while because it is of some importance.

Ms. PRYCE. Mr. Speaker, I yield 2½ additional minutes to my friend, the gentleman from California.

Mr. BEILENSON. Mr. Speaker, if I may ask just one follow-up question for the gentleman from Ohio. I thank the gentlewoman very, very much.

With respect to the gentleman's response to the distinguished gentleman from Illinois, the only requirements of the rule before us has to do with the passage by the House of Representatives of a bill authorizing a certain amount.

I can only assume, and please tell us if I am correct in this, that once we get past the House authorization of an NEA appropriation for next year, let us assume it is the same amount as is included in this bill, that is all right. That is, whatever is determined finally in conference committee would in fact be authorized under a bill which might have a different amount?

Mr. REGULA. In response to the gentleman, let me just say that it is our every intention to respect the amount that is in the appropriation bill when we go to conference and, second, that will be in the authorizing bill.

Mr. BEILENSON. The principal point here is that if the $99 million is provided for in the bill, in the authorizing bill passed by this House, then that money, whatever eventual amount of money is decided upon can in fact be appropriated so long as it is within those parameters?

Mr. REGULA. Yes.

Mr. BEILENSON. I thank the gentleman for his response and the gentlewoman for her great kindness.

Mr. YATES. Mr. Speaker, if the gentleman will yield further, may I ask the gentleman a question: What happens if the authorizing committee of the other body does not agree and in their conference they come to a different conclusion than, as you say, the authorizing committee in the House?

Mr. REGULA. If the gentleman from California will yield further, the answer is that we made it subject only to the authorization by the House and not be the other body.

Mr. YATES. Does that mean that you have frozen the other body, you have compelled the other body to adhere to whatever you put into this rule?

Mr. REGULA. That will be the bottom line in a conference, I would say to the gentleman.

Mr. YATES. But there is another conference that is coming along and that is on the authorizing committee, as well.

Mr. REGULA. That is correct.

Mr. YATES. So they cannot deviate from this is what you are saying?

Mr. REGULA. I think that our conferees on an authorization bill will feel obligated to hold to the amount that we have agreed upon in this appropriation.

Mr. YATES. Suppose the other body does not agree with you on this. That means that the whole thing may explode?

Mr. REGULA. I will respond to the gentleman by saying that that will be an interesting conference.

Mr. YATES. We may wind up with no bill, then.

Mr. REGULA. I hesitate to predict what might happen in this body. We can only deal with the circumstances before us today.

Mr. BEILENSON. Mr. Speaker, again I thank the gentlewoman for her courteous generosity.

I urge a ''no'' vote on the previous question in which if it is defeated I will offer an amendment to the rule which would make in order the lock box amendment and also strike the unusual restriction on NEA funding that we have just been discussing.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. BEILENSON] has again expired.

Ms. PRYCE. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DREIER], my colleague on the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me the time.

I want to again congratulate her on superb management of this rule. It is a little easier today than it was last night, I will acknowledge, because we have, I believe, come to an agreement which will clearly be acceptable to a majority of this House.

Mr. Speaker, many of us have tried for a number of years to delete taxpayer funding of the National Endowment for the Arts, and that is obviously one of the major items of real controversy here. I will acknowledge there are other items that are very, very important in this measure, but the NEA on our side of the aisle especially has been a very, very contentious point.

We are going to, under this open rule, have an opportunity to in fact zero out the National Endowment for the Arts. As the gentleman from Illinois [Mr. CRANE] has offered that amendment in the past, he will have the chance to offer it again today when we proceed with the measure.

I believe that there is a very important signal that has been received. I will acknowledge that there was a little bump in the road last night when we did not quite get a majority vote for this rule, but this has been a very well thought out compromise which, as my friend from Illinois has just raised, in fact, insists that conferees on our side of the aisle adhere to the constraints that have been outlined in our proposal.

This is an open rule. It allows for the kinds of amendments that Members want to offer. I hope very much that we can now proceed and move as expeditiously as possible through this appropriations process, because we are trying desperately to maintain the kind of openness that we proposed at the beginning of this Congress. I believe this bill will be another great example of that.

Ms. PRYCE. Mr. Speaker, I urge adoption of this rule. It will get us back on track. It will give this body the healthy deliberation it needs on these issues.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notice absent Members.

The vote was taken by electronic device, and there were—yeas 230, nays 194, not voting 10, as follows:

[Roll No. 498]

YEAS—230

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—194

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hayes
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—10

Andrews
Bono
Collins (MI)
Dickey
Fields (TX)
Forbes
Hefner
Moakley
Reynolds
Tauzin

□ 1144

Mr. JACOBS changed his vote from ''yea'' to ''nay.''

Mr. COBLE changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. EWING). The question is on the resolution.

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

RECORDED VOTE

Mr. BEILENSON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 229, noes 195, not voting 10, as follows:

[Roll No 499]

AYES—229

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Zeliff
Zimmer

NOES—195

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr

Fattah	Maloney	Roemer
Fazio	Manton	Rose
Fields (LA)	Markey	Roukema
Filner	Martinez	Roybal-Allard
Flake	Mascara	Royce
Foglietta	Matsui	Rush
Ford	McCarthy	Sabo
Frank (MA)	McDermott	Sanders
Frost	McHale	Sawyer
Gejdenson	McInnis	Schroeder
Gephardt	McKinney	Schumer
Geren	McNulty	Scott
Gibbons	Meehan	Serrano
Gonzalez	Meek	Sisisky
Gordon	Menendez	Skaggs
Green	Mfume	Skelton
Gutierrez	Miller (CA)	Slaughter
Hall (OH)	Mineta	Spratt
Hamilton	Minge	Stark
Harman	Mink	Stenholm
Hastings (FL)	Mollohan	Stokes
Hayes	Montgomery	Studds
Hilliard	Moran	Stupak
Hinchey	Murtha	Tanner
Holden	Nadler	Taylor (MS)
Hoyer	Neal	Tejeda
Jackson-Lee	Neumann	Thompson
Jefferson	Oberstar	Thornton
Johnson (SD)	Obey	Thurman
Johnson, E. B.	Olver	Torres
Johnston	Ortiz	Torricelli
Kanjorski	Orton	Towns
Kaptur	Owens	Tucker
Kennedy (MA)	Pallone	Velazquez
Kennedy (RI)	Pastor	Vento
Kennelly	Payne (NJ)	Visclosky
Kildee	Payne (VA)	Volkmer
Kleczka	Pelosi	Ward
Klink	Peterson (FL)	Waters
LaFalce	Peterson (MN)	Watt (NC)
Lantos	Pickett	Waxman
Levin	Pomeroy	Williams
Lewis (GA)	Poshard	Wilson
Lincoln	Rahall	Wise
Lipinski	Rangel	Woolsey
Lofgren	Reed	Wyden
Lowey	Richardson	Wynn
Luther	Rivers	Yates

NOT VOTING—10

Andrews	Furse	Tauzin
Bono	Hefner	Young (FL)
Collins (MI)	Moakley	
Fields (TX)	Reynolds	

□ 1202

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1977, which we are about to consider, and that I may be permitted to include tables, charts, and other material.

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

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 187 and rule XXIII, 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. 1977.

□ 1203

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. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Mr. BURTON of Indiana in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Ohio [Mr. REGULA] and the gentleman from Illinois [Mr. YATES] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Ohio [Mr. REGULA].

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

Mr. Chairman, Members of the Committee, first of all I want to thank those of my colleagues that supported the rule because I think we have a good bill here given the fact that we are under the constraints of the Budget Act which reduces our amount of money over 10 percent, and also I want to say to the gentleman from Illinois [Mr. YATES] and the members of the subcommittee on both sides of the aisle that we had a very bipartisan subcommittee. We worked well together. We tried to be as totally nonpartisan as we had to make these difficult choices, and we did as much as possible to address the challenges of the Interior and related agencies' responsibility with the funds that were available, and I think on balance we did a good job of achieving that. The gentleman from Illinois [Mr. YATES] and the whole team worked well; the staff and the associate staff worked as a team. We worked very closely with the authorizers. I say to my colleagues, ''There isn't anything in this bill that's not approved by at least the chairman and the members of the authorizing committee so that what we have here is a team effort.''

Mr. Chairman, obviously we are going to have differences, and that will be reflected in the amendments, some substantial policy issue differences. I will say at the outset, ''We'll do everything we can to expedite this so Members can get home but not in any way stifle debate in the process.''

I am going to be very brief in my opening comments here. I think it boiled down to three areas, as I would see it, given the constraints of the budget reductions.

First of all, we had the must-dos. The must-dos were keeping the parks open, keeping the Smithsonian open, keeping the visitor facilities at Fish and Wildlife and Bureau of Land Management open to the American people. Two hundred sixty million Americans enjoy the public lands, and they enjoy them in many ways. They enjoy them in terms of looking into the Grand Canyon and seeing a magnificent thing created by our Creator. They likewise enjoy going out and fishing in a stream or hunting in a national forest. They enjoy going to a Fish and Wildlife facility to see how we propagate the species of fish and how we nurture the fishing industry. They enjoy going to the Bureau of Land Management facilities, the millions of acres.

So, Mr. Chairman, we made every effort to do those things that the public enjoys, and we held the operating funds at roughly a flat level given our constraints, meaning that we would in no way restrict public access to these great facilities that people care a lot about, and about a third of the United States is public land owned by all of the people of this Nation, and we make every effort to insure that their experience with that will be very enjoyable, and that led to the second category of things, and that is the need-to-dos.

As I see it, the need-to-dos were to insure that sanitary facilities at our national parks, and forests and other facilities were good. The need-to-dos included fixing a road if it is in bad shape. It included finishing buildings that were under way. I say to my colleagues, ''You can't stop a construction job in midstream, and those things had to be taken care of, and we have done so.''

The third group was the nice-to-dos, things that are nice if we had the money. There are a lot of activities that we could no longer afford to do. Many of the grant programs had to be terminated, some of the research programs in energy. We had to downscale land acquisition 78 percent. We put in, of course, some money for emergencies, but essentially we will not be doing additional land acquisition because I tell my colleagues, ''When you buy lands, you have to take care of it, and that gives you enormous downstream costs.'' We did some construction where it was necessary to finish buildings, but we do limit new construction. We limit new programs so that we had some tough cuts that we had to make in the things that are nice to do.

Mr. Chairman, we just had a lot of discussion on the NEA, and of course the NEH is similar to that. We have had change. We eliminated the National Biological Survey, and rather than that we have a natural resource science arm in the U.S. Geological Survey. But we are not getting into that now because that will come up to the debate.

I think we have addressed energy security. We want to be sure that the United States will be secure in the future, that we will have energy independence, that we will not have to depend totally on foreign sources, and so we have addressed that in our bill to the best of our ability.

The Bureau of Indian Affairs is our responsibility, and in the bill we said at the outset we are going to take care of education, the basic education, for the Bureau of Indian Affairs and the basic health. That is the responsibility

of the Federal Government, and as much as possible we have level funded that along, as I mentioned earlier, with what we were able to do in keeping parks and so on open.

There are lot of other things I could say about this legislation. I simply want to say again I think it represents common sense, I think it represents a responsible use of the funds available. I endorse the fact that we are downsizing the budget, that we are going to get on a glide path to a balanced budget in 7 years. We do not fund programs that have large outyear costs simply because we would not be able to address those in the future.

I just want to close, because I think it reflects the overall philosophy in this budget, with a statement by Chairman of the Federal Reserve, Mr. Alan Greenspan, to the Committee on the Budget, and he said, and I quote:

> I think the concern, which I find very distressing, that most Americans believe that their children will live at a standard of living less than they currently enjoy, that that probably would be eliminated and that they would look forward to their children doing better than they.

That is a significant statement because it says very clearly from one of the economic leaders of this Nation that, if we can balance the budget, we will leave a legacy for our children of a better standard of living than we have, and that to me is what this is all about. That is what we are trying to do here, and not only do we want to try and leave a legacy of a better standard of living by using our resources more wisely, but we are also leaving a legacy, in my judgment, in the way we have handled the responsibilities of public lands that will be even better for their enjoyment, and that is the challenge we face as we deal with the amendments here today. We will try to keep that in mind.

Thomas Jefferson said, ''The care of human life and happiness, and not their destruction, is the first and only legitimate object of good government.'' In this bill I think we are responsibly exercising that important role.

Mr. Chairman, at this point I ask that a table detailing the various accounts in the bill be inserted in the RECORD.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1977)

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources	597,236,000	616,547,000	570,017,000	-27,219,000	-46,530,000
Fire protection	114,748,000	114,763,000	.....	-114,748,000	-114,763,000
Emergency Department of the Interior firefighting fund	121,176,000	131,482,000	.....	-121,176,000	-131,482,000
Wildland fire management	.....	.....	235,924,000	+235,924,000	+235,924,000
Central hazmat account	13,409,000	14,024,000	10,000,000	-3,409,000	-4,024,000
Construction and access	12,068,000	3,019,000	2,515,000	-9,553,000	-504,000
Payments in lieu of taxes	101,409,000	113,911,000	111,409,000	+10,000,000	-2,502,000
Land acquisition	14,757,000	24,473,000	8,500,000	-6,257,000	-15,973,000
Oregon and California grant lands	97,364,000	112,752,000	91,387,000	-5,977,000	-21,365,000
Range improvements (indefinite)	10,350,000	9,113,000	9,113,000	-1,237,000	.....
Service charges, deposits, and forfeitures (indefinite)	8,883,000	8,993,000	8,993,000	+110,000	.....
Miscellaneous trust funds (indefinite)	7,605,000	7,605,000	7,605,000	.....	.....
Total, Bureau of Land Management	1,099,005,000	1,156,682,000	1,055,463,000	-43,542,000	-101,219,000
United States Fish and Wildlife Service					
Resource management	511,334,000	535,018,000	498,035,000	-13,299,000	-36,983,000
Construction	53,768,000	34,095,000	26,355,000	-27,413,000	-7,740,000
Natural resource damage assessment and restoration fund	6,687,000	6,700,000	6,019,000	-668,000	-681,000
Land acquisition	67,141,000	62,912,000	14,100,000	-53,041,000	-48,812,000
Cooperative endangered species conservation fund	6,963,000	38,000,000	8,085,000	-898,000	-29,915,000
National wildlife refuge fund	11,977,000	11,371,000	10,779,000	-1,198,000	-592,000
Rewards and operations	1,167,000	1,169,000	600,000	-567,000	-569,000
North American wetlands conservation fund	8,963,000	12,000,000	4,500,000	-4,463,000	-7,500,000
Lahonton Valley and Pyramid Lake fish and wildlife fund	.....	152,000	152,000	+152,000	.....
Rhinoceros and tiger conservation fund	.....	400,000	200,000	+200,000	-200,000
Wildlife conservation and appreciation fund	998,000	1,000,000	998,000	.....	-2,000
Total, United States Fish and Wildlife Service	671,038,000	702,817,000	569,823,000	-101,215,000	-132,994,000
National Biological Service					
Research, inventories, and surveys	162,041,000	172,696,000	.....	-162,041,000	-172,696,000
National Park Service					
Operation of the national park system	1,077,900,000	1,157,738,000	1,088,249,000	+10,349,000	-69,489,000
National recreation and preservation	42,941,000	39,305,000	35,725,000	-7,216,000	-3,580,000
Historic preservation fund	41,421,000	43,000,000	37,934,000	-3,487,000	-5,066,000
Construction	167,688,000	179,683,000	114,868,000	-52,820,000	-65,015,000
Urban park and recreation fund	6,000	2,300,000	.....	-6,000	-2,300,000
Land and water conservation fund (rescission of contract authority)	-30,000,000	-30,000,000	-30,000,000	.....	.....
Land acquisition and state assistance	87,373,000	82,696,000	14,300,000	-73,073,000	-68,396,000
Crime Trust Fund	.....	15,200,000	.....	.....	-15,200,000
Total, National Park Service (net)	1,387,329,000	1,490,122,000	1,261,076,000	-126,253,000	-229,046,000
United States Geological Survey					
Surveys, investigations, and research	571,462,000	586,369,000	686,944,000	+115,482,000	+100,575,000
Minerals Management Service					
Royalty and offshore minerals management	188,181,000	193,348,000	186,556,000	-1,625,000	-6,792,000
Oil spill research	6,440,000	7,892,000	6,440,000	.....	-1,452,000
Total, Minerals Management Service	194,621,000	201,240,000	192,996,000	-1,625,000	-8,244,000
Bureau of Mines					
Mines and minerals	152,427,000	132,507,000	87,000,000	-65,427,000	-45,507,000
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology	109,795,000	107,152,000	92,751,000	-17,044,000	-14,401,000
Receipts from performance bond forfeitures (indefinite)	1,189,000	501,000	500,000	-689,000	-1,000
Subtotal	110,984,000	107,653,000	93,251,000	-17,733,000	-14,402,000
Abandoned mine reclamation fund (definite, trust fund)	182,423,000	185,120,000	176,327,000	-6,096,000	-8,793,000
Total, Office of Surface Mining Reclamation and Enforcement	293,407,000	292,773,000	269,578,000	-23,829,000	-23,195,000
Bureau of Indian Affairs					
Operation of Indian programs	1,519,012,000	1,609,842,000	1,508,777,000	-10,235,000	-101,065,000
Construction	120,450,000	125,424,000	98,033,000	-22,417,000	-27,391,000
Indian land and water claim settlements and miscellaneous payments to Indians	77,096,000	151,025,000	67,145,000	-9,951,000	-83,880,000
Navajo rehabilitation trust fund	1,996,000	.....	.....	-1,996,000	.....
Technical assistance of Indian enterprises	1,966,000	1,966,000	.....	-1,966,000	-1,966,000

INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1977)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Indian direct loan program account	779,000			-779,000	
(Limitation on direct loans)	(10,890,000)			(-10,890,000)	
Indian guaranteed loan program account	9,671,000	9,684,000		-9,671,000	-9,684,000
(Limitation on guaranteed loans)	(46,900,000)	(70,100,000)		(-46,900,000)	(-70,100,000)
Total, Bureau of Indian Affairs	1,730,970,000	1,697,941,000	1,673,955,000	-57,015,000	-223,986,000
Territorial and International Affairs					
Assistance to territories	50,481,000	41,512,000	41,512,000	-8,969,000	
Northern Mariana Islands Covenant	27,720,000	27,720,000	27,720,000		
Subtotal	78,201,000	69,232,000	69,232,000	-8,969,000	
Trust Territory of the Pacific Islands	19,800,000			-19,800,000	
Compact of Free Association	13,574,000	10,038,000	10,038,000	-3,536,000	
Mandatory payments	10,000,000	14,900,000	14,900,000	+4,900,000	
Subtotal	23,574,000	24,938,000	24,938,000	+1,364,000	
Total, Territorial and International Affairs	121,575,000	94,170,000	94,170,000	-27,405,000	
Departmental Offices					
Office of the Secretary	62,479,000	64,772,000	55,982,000	-6,497,000	-8,790,000
Office of the Solicitor	34,606,000	35,361,000	34,608,000		-753,000
Office of Inspector General	23,939,000	25,485,000	23,939,000		-1,546,000
Construction Management	1,996,000	2,000,000		-1,996,000	-2,000,000
National Indian Gaming Commission	1,000,000	1,000,000	1,000,000		
Total, Departmental Offices	124,022,000	128,618,000	115,529,000	-8,493,000	-13,089,000
Total, title I, Department of the Interior:					
New budget (obligational) authority (net)	6,507,897,000	6,855,935,000	6,008,534,000	-501,363,000	-849,401,000
Appropriations	(6,537,897,000)	(6,870,735,000)	(6,038,534,000)	(-501,363,000)	(-834,201,000)
Rescission	(-30,000,000)	(-30,000,000)	(-30,000,000)		
Crime trust fund		(15,200,000)			(-15,200,000)
(Limitation on direct loans)	(10,890,000)			(-10,890,000)	
(Limitation on guaranteed loans)	(46,900,000)	(70,100,000)		(-46,900,000)	(-70,100,000)
TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest research	193,748,000	203,796,000	182,000,000	-11,748,000	-21,796,000
State and private forestry	154,268,000	187,459,000	129,551,000	-24,717,000	-57,908,000
Emergency pest suppression fund	17,000,000			-17,000,000	
International forestry	4,987,000	10,000,000		-4,987,000	-10,000,000
National forest system	1,328,893,000	1,348,755,000	1,276,688,000	-52,205,000	-72,067,000
Forest Service fire protection	159,285,000	164,285,000		-159,285,000	-164,285,000
Emergency Forest Service firefighting fund	226,200,000	239,000,000		-226,200,000	-239,000,000
Emergency appropriations	450,000,000			-450,000,000	
Fire protection and emergency suppression			385,485,000	+385,485,000	+385,485,000
Construction	199,215,000	192,338,000	120,000,000	-79,215,000	-72,338,000
Timber receipts transfer to general fund (indefinite)	(-44,769,000)	(-44,548,000)	(-44,548,000)	(+221,000)	
Timber purchaser credits	(50,000,000)	(50,000,000)	(50,000,000)		
Land acquisition	63,882,000	65,311,000	14,600,000	-49,282,000	-50,711,000
Acquisition of lands for national forests, special acts	1,250,000	1,317,000	1,069,000	-181,000	-248,000
Acquisition of lands to complete land exchanges (indefinite)	210,000	210,000	210,000		
Range betterment fund (indefinite)	4,575,000	3,976,000	3,976,000	-599,000	
Gifts, donations and bequests for forest and rangeland research	89,000	92,000	92,000	+3,000	
Total, Forest Service	2,803,602,000	2,416,539,000	2,113,671,000	-689,931,000	-302,868,000
DEPARTMENT OF ENERGY					
Clean coal technology	-337,879,000	-155,019,000		+337,879,000	+155,019,000
Fossil energy research and development	423,701,000	436,506,000	384,504,000	-39,197,000	-52,004,000
(By transfer)	(17,000,000)			(-17,000,000)	
Alternative fuels production (indefinite)	-3,900,000	-2,400,000	-2,400,000	+1,500,000	
Naval petroleum and oil shale reserves	187,048,000	101,028,000	151,028,000	-36,020,000	+50,000,000
Energy conservation	755,751,000	923,561,000	552,871,000	-202,880,000	-370,690,000
Biomass Energy Development (transfer)		-16,000,000	-16,000,000	-16,000,000	
Economic regulation	12,413,000	10,500,000	6,297,000	-6,116,000	-4,203,000
Emergency preparedness	8,233,000	8,219,000		-8,233,000	-8,219,000
Strategic Petroleum Reserve	135,954,000	25,689,000		-135,954,000	-25,689,000
(By transfer)	(90,764,000)	(187,000,000)	(187,000,000)	(+96,236,000)	
Energy Information Administration	84,566,000	84,689,000	79,766,000	-4,800,000	-4,923,000
Total, Department of Energy	1,265,887,000	1,416,775,000	1,156,066,000	-109,821,000	-260,709,000

INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1977)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services	1,709,780,000	1,816,350,000	1,725,792,000	+16,012,000	-90,558,000
Indian health facilities	253,282,000	242,672,000	236,975,000	-16,307,000	-5,697,000
Total, Indian Health Service	1,963,062,000	2,059,022,000	1,962,767,000	-295,000	-96,255,000
DEPARTMENT OF EDUCATION					
Office of Elementary and Secondary Education					
Indian education	81,341,000	84,785,000	1,000,000	-80,341,000	-83,785,000
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses	24,888,000	26,345,000	21,345,000	-3,543,000	-5,000,000
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute	11,213,000	19,846,000	5,500,000	-5,713,000	-14,346,000
Smithsonian Institution					
Salaries and expenses	313,853,000	329,800,000	309,471,000	-4,382,000	-20,329,000
Construction and improvements, National Zoological Park	3,042,000	4,950,000	3,000,000	-42,000	-1,950,000
Repair and restoration of buildings	23,954,000	34,000,000	24,954,000	+1,000,000	-9,046,000
Construction	21,857,000	38,700,000	12,950,000	-8,907,000	-25,750,000
Total, Smithsonian Institution	362,706,000	407,450,000	350,375,000	-12,331,000	-57,075,000
National Gallery of Art					
Salaries and expenses	52,902,000	54,566,000	51,315,000	-1,587,000	-3,251,000
Repair, restoration and renovation of buildings	4,016,000	9,885,000	5,500,000	+1,484,000	-4,385,000
Total, National Gallery of Art	56,918,000	64,451,000	56,815,000	-103,000	-7,636,000
John F. Kennedy Center for the Performing Arts					
Operations and maintenance	10,323,000	10,373,000	9,800,000	-523,000	-573,000
Construction	8,983,000	9,000,000	8,983,000	.....	-17,000
Total, John F. Kennedy Center for the Performing Arts	19,306,000	19,373,000	18,783,000	-523,000	-590,000
Woodrow Wilson International Center for Scholars					
Salaries and expenses	8,878,000	10,070,000	6,152,000	-2,726,000	-3,918,000
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration	133,846,000	143,675,000	82,259,000	-51,587,000	-61,416,000
Matching grants	28,512,000	28,725,000	17,235,000	-11,277,000	-11,490,000
Total, National Endowment for the Arts	162,358,000	172,400,000	99,494,000	-62,864,000	-72,906,000
National Endowment for the Humanities					
Grants and administration	146,131,000	156,087,000	82,469,000	-63,662,000	-73,618,000
Matching grants	25,913,000	25,913,000	17,025,000	-8,888,000	-8,888,000
Total, National Endowment for the Humanities	172,044,000	182,000,000	99,494,000	-72,550,000	-82,506,000
Institute of Museum Services					
Grants and administration	28,715,000	29,800,000	21,000,000	-7,715,000	-8,800,000
Total; National Foundation on the Arts and the Humanities	363,117,000	384,200,000	219,988,000	-143,129,000	-164,212,000
Commission of Fine Arts					
Salaries and expenses	834,000	879,000	834,000	.....	-45,000
National Capital Arts and Cultural Affairs					
Grants	7,500,000	6,941,000	6,000,000	-1,500,000	-941,000
Advisory Council on Historic Preservation					
Salaries and expenses	2,947,000	3,063,000	1,000,000	-1,947,000	-2,063,000
National Capital Planning Commission					
Salaries and expenses	5,655,000	6,000,000	5,090,000	-565,000	-910,000
Franklin Delano Roosevelt Memorial Commission					
Salaries and expenses	48,000	147,000	48,000	.....	-99,000

INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1977)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Pennsylvania Avenue Development Corporation					
Salaries and expenses	2,738,000	3,043,000	2,000,000	-738,000	-1,043,000
Public development	4,084,000	2,445,000		-4,084,000	-2,445,000
Land acquisition and development fund		1,388,000			-1,388,000
Total, Pennsylvania Avenue Development Corporation	6,822,000	6,876,000	2,000,000	-4,822,000	-4,876,000
United States Holocaust Memorial Council					
Holocaust Memorial Council	26,609,000	26,707,000	26,707,000	+2,098,000	
Total, title II, Related Agencies	7,011,333,000	6,961,469,000	5,956,141,000	-1,055,192,000	-1,005,328,000
(Timber receipts transfer to general fund, indefinite)	(-44,769,000)	(-44,548,000)	(-44,548,000)	(+221,000)	
(Timber purchaser credits)	(50,000,000)	(50,000,000)	(50,000,000)		
Grand total:					
New budget (obligational) authority (net)	13,519,230,000	13,817,404,000	11,962,675,000	-1,556,555,000	-1,854,729,000
Appropriations	(13,549,230,000)	(13,832,204,000)	(11,992,675,000)	(-1,556,555,000)	(-1,839,529,000)
Rescission	(-30,000,000)	(-30,000,000)	(-30,000,000)		
Crime trust fund		(15,200,000)			(-15,200,000)
(Timber receipts transfer to general fund, indefinite)	(-44,769,000)	(-44,548,000)	(-44,548,000)	(+221,000)	
(Timber purchaser credits)	(50,000,000)	(50,000,000)	(50,000,000)		
(By transfer)	(107,764,000)	(167,000,000)	(187,000,000)	(+79,236,000)	
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management	1,099,005,000	1,156,682,000	1,055,463,000	-43,542,000	-101,219,000
United States Fish and Wildlife Service	671,038,000	702,817,000	569,823,000	-101,215,000	-132,994,000
National Biological Service	162,041,000	172,698,000		-162,041,000	-172,698,000
National Park Service	1,387,329,000	1,490,122,000	1,261,076,000	-126,253,000	-229,046,000
United States Geological Survey	571,462,000	586,369,000	686,944,000	+115,482,000	+100,575,000
Minerals Management Service	194,821,000	201,240,000	192,996,000	-1,825,000	-8,244,000
Bureau of Mines	152,427,000	132,507,000	87,000,000	-65,427,000	-45,507,000
Office of Surface Mining Reclamation and Enforcement	293,407,000	292,773,000	269,578,000	-23,829,000	-23,195,000
Bureau of Indian Affairs	1,730,970,000	1,897,941,000	1,673,955,000	-57,015,000	-223,986,000
Territorial and International Affairs	121,575,000	94,170,000	94,170,000	-27,405,000	
Departmental Offices	124,022,000	128,618,000	115,529,000	-8,493,000	-13,089,000
Total, Title I - Department of the Interior	6,507,897,000	6,855,935,000	6,006,534,000	-501,363,000	-849,401,000
TITLE II - RELATED AGENCIES					
Forest Service	2,803,602,000	2,416,539,000	2,113,671,000	-689,931,000	-302,868,000
Department of Energy	1,265,887,000	1,416,775,000	1,156,066,000	-109,821,000	-260,709,000
Indian Health Service	1,963,062,000	2,059,022,000	1,962,767,000	-295,000	-96,255,000
Indian Education	81,341,000	84,785,000	1,000,000	-80,341,000	-83,785,000
Office of Navajo and Hopi Indian Relocation	24,888,000	26,345,000	21,345,000	-3,543,000	-5,000,000
Institute of American Indian and Alaska Native Culture and Arts Development	11,213,000	19,846,000	5,500,000	-5,713,000	-14,346,000
Smithsonian Institution	362,706,000	407,450,000	350,375,000	-12,331,000	-57,075,000
National Gallery of Art	56,918,000	64,451,000	56,815,000	-103,000	-7,636,000
John F. Kennedy Center for the Performing Arts	19,306,000	19,373,000	18,783,000	-523,000	-590,000
Woodrow Wilson International Center for Scholars	8,878,000	10,070,000	6,152,000	-2,726,000	-3,918,000
National Endowment for the Arts	162,358,000	172,400,000	99,494,000	-62,864,000	-72,906,000
National Endowment for the Humanities	172,044,000	182,000,000	99,494,000	-72,550,000	-82,506,000
Institute of Museum Services	28,715,000	29,800,000	21,000,000	-7,715,000	-8,800,000
Commission of Fine Arts	834,000	879,000	834,000		-45,000
National Capital Arts and Cultural Affairs	7,500,000	6,941,000	6,000,000	-1,500,000	-941,000
Advisory Council on Historic Preservation	2,947,000	3,063,000	1,000,000	-1,947,000	-2,063,000
National Capital Planning Commission	5,655,000	6,000,000	5,090,000	-565,000	-910,000
Franklin Delano Roosevelt Memorial Commission	48,000	147,000	48,000		-99,000
Pennsylvania Avenue Development Corporation	6,822,000	6,876,000	2,000,000	-4,822,000	-4,876,000
Holocaust Memorial Council	26,609,000	26,707,000	26,707,000	+2,098,000	
Total, Title II - Related Agencies	7,011,333,000	6,961,469,000	5,956,141,000	-1,055,192,000	-1,005,328,000
Grand total	13,519,230,000	13,817,404,000	11,962,675,000	-1,556,555,000	-1,854,729,000

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

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

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

Mr. YATES. Mr. Chairman, my good friend, the chairman of the subcommittee, and he is my good friend, and I have differed on an Interior appropriations bill I think for the first time in how long have you been on the committee, RALPH? Twenty years? Twenty years we have been in agreement on the bills, and the reason for that, I think more than any other, is the fact that the bill did not suffer from malnutrition. The heavy hand of the full chairman of the committee was felt immediately by the Interior Subcommittee. Our 692(b) allocation was cut by more than a billion dollars on the first go-around. On the second go-around on the 602(b), we were cutting another $17 million dollars. So, there is a lot of PR work for the chairman and for me to do with the chairman of the full committee if we want to be treated as we should be treated.

This is America's bill. This is the bill that fosters our natural resources. This is the bill that is working on providing energy savings. This is the bill that provides for cultural enrichment throughout the United States.

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Yet, as a result of the 602(b) allocation, we just do not have the funds with which to carry on the kind of activities that we ought to.

Our natural resources are going to suffer. My good friend, the chairman, indicated that we are keeping the parks open. That is not enough, The Grand Canyon, as the gentleman said, will still be there and people will still be able to see the Grand Canyon, but they ought to be able to see the Grand Canyon in comfortable facilities. They ought to be able to see the Grand Canyon driving on roads that do not have ruts and ditches. They ought to be sure that their safety is protected as they go through the national parks.

I do not know that the funds we have provided here will allow that. Construction for the parks, construction for Fish and Wildlife, construction funds for the Bureau of Land Management and the Forest Service, have all been cut back.

I do not know that I can use the phrase ''worst of all,'' but the Indian people are going to take a very big hit in this bill. The protection of our environment will be severely diminished as a result of what we do in this bill.

Of course, we have been arguing about the National Endowments for the Arts and the Humanities and the Institute for Museum Services for 2 days now. The Endowments have been cut by at least 40 percent. That is a huge cut. Our cultural resources are going to suffer.

The program to help the needy people with their problems of weatherization, during the cold of winter, and the heat of summer is being cut. We have a program in our bill that enables the needy to obtain a small amount of funding to improve their physical properties so that the rigors of the winters in cities like Chicago or in States like Minnesota or New England will not be felt as keenly as they are going to be felt now, because there will not be funds with which they could help themselves.

I talked about welfare for the needy, and in this bill, welfare for the needy will be cut. But Western welfare, welfare for the Western States; for example, the program to provide payments in lieu of taxes, PILT, is increased. In a total bill that is cut more than 13 percent below the 1995 appropriation, payments in lieu of taxes, a program heavily weighted to the West, is up 10 percent. Welfare for the needy may be on the wane, but welfare for Western miners has taken new life.

In our bill last year, we approved a moratorium on providing the sale of national lands to miners for $2.95 an acre, lands that have subsequently been sold on many occasions for huge sums of money to big mining companies. This giveaway of public lands will now start again. The patent moratorium is not in this bill. Nothing is done to stop the mining law of 1872's permissive nature. Western States and localities will also be able to build roads through existing parks, refuges, forests, and public lands unabated.

There is much pain in this fiscal year 1996 bill, and it takes various forms. Agencies are being eliminated, programs are being terminated, programs are being phased out. Hard working people are going to lose their jobs, Mr. Chairman. At least 3,000 people in the Department of the Interior will be laid off.

This bill does have some good features. I congratulate the chairman for that. I do hope that the other body, when it considers this bill, will take the steps that are necessary to maintain the vital functions that are carried out in this bill.

But other programs have not been cut.

Welfare for the needy may be cut but western welfare in the form of payments in lieu of taxes is up. In a bill that is cut more than 13 percent below the 1995 appropriation, payments in lieu of taxes, a program heavily weighted to the west is up 10 percent.

Welfare for the needy may be on the wane, but welfare for western miners has new life. The giveaway of public lands will start again because this bill, unlike the fiscal year 1995 appropriation law, does nothing to stop the mining law of 1872's permissive nature.

Under the bill western States and localities can build roads through existing parks, refuges, forest, and public lands unabated.

There is too much pain in this fiscal year 1996 Interior appropriations bill. The pain began with the 602b allocation for this bill. This bill is subject to a larger percentage reduction than any other appropriation bill. At $11.9 billion in new budget authority, this bill is $1.6 billion below 1995 and $1.9 billion below the President's request. What form does the pain take?

Agencies are being eliminated; programs are being terminated immediately; programs are being phased out; and hard working people are going to lose their jobs, with at least 3,000 people in the Department of the Interior subject to a reduction in force.

INDIAN PROGRAMS

Let me speak first to the programs that serve and honor the Indian people. I am grateful that the Indian Health Service and Bureau of Indian Affairs education programs are maintained at the 1995 level. But I know even at the fiscal year 1995 levels, these programs will not come close to meeting the needs. The Bureau of Indian Affairs education programs are $31 million below the President's request at a time when student enrollment is escalating rapidly; the Indian Health Service is $96 million below the President's request. With medical inflation and a growing Indian population, this means that health care will be reduced in a very real way.

Among the most prominent terminations in this bill is the Indian Education Program administered by the Department of Education. It would be easier to accept this $81 million cut if at least some of this money had been transferred to the Bureau of Indian Affairs education programs. But that was not done. This is a program that has enhanced the education of nonreservation Indians across the country.

But this is not the end of the insult to the Indian people.

This mark limits the ability of the Indian people to defend themselves in water rights cases. Even at the $15 million 1995 level, the Bureau of Indian Affairs is unable to meet requests from 30 tribes who need technical and legal assistance in defending their water rights. With a $5 million reduction, the 1995 level will be reduced by one-third and even more tribes will remain unsupported. I view this an abrogation of our trust responsibility to Indian nations.

This marks takes away the ability of the Indian people to help themselves through loan guarantees.

If this mark is approved, the U.S. Government will be breaking yet another promise to the American Indian people. This mark will delay, if not totally stop, the much needed Smithsonian facility at Suitland that would store and conserve the Heye collection of Indian artifacts which will be the central feature of the Smithsonian's American Indian Museum.

Self-governance for Indian tribes, with these budget reductions, will be delayed and the momentum generated in recent years for self-governance lost. I believe self-governance is working and should be encouraged instead of stifled through budget cuts.

Heaped upon all of this is the complete elimination of community economic development grants, community development technical assistance, and the Indian arts and crafts board. And this bill sets in motion termination of Federal support for the Institute of American Indian and Alaska Native Culture and Arts Development.

In total, what is before us today for Indian people is $450 million below what the President requested, an 11-percent reduction for one of the neediest groups in America.

ENERGY PROGRAMS

Moving on to the Department of Energy, I think we all can take great pride in the successes resulting from our investments in energy efficiency technologies. New lighting technology, new windows and efforts to produce more efficient automobiles are all paying off. Now, many of these efforts will be reduced, and eventually eliminated.

One of the most disappointing things in this bill is that it slashes the low income weatherization program in half, a $107 million reduction. This is done at the same time the committee ignores the President's request to delay $155 million in clean coal technology subsidies for industry. Do we really want to continue corporate welfare at the expense of elderly poor people? If this cut is not reversed, efforts to reduce overall energy usage and reduce energy costs for elderly people will be extremely limited.

CULTURAL PROGRAMS

Of course, the proposed decreases in the appropriations for cultural programs is an urgent concern. The cuts in the National Endowment for the Arts and the National Endowment for the Humanities which exceed 40 percent and the cut for the Institute of Museum Services, which exceeds 25 percent, are out of proportion to the total reduction in this bill and for the National Endowment for the Humanities and the Institute of Museum Services the reduction is out of proportion to the recommendations of the Economic and Educational Opportunities Committee.

I wonder if people understand fully the impact these cuts will have on our culture. Performances will be canceled, museums will close their doors earlier, and art education opportunities in our schools will be cut back sharply. Every segment of American society will suffer from these draconian cuts.

SCIENCE PROGRAMS

Not only is this bill unfriendly to cultural programs, it buries biological science. It buries it in the U.S. Geological Survey after cutting biological research by almost one-third and shackles researchers to Federal land. But the creatures of this great land of ours are not restricted to Federal lands. Lets think about what we are doing. The Secretary of the Interior has a trust responsibility for migratory birds as well as international treaties protecting these birds. These migratory birds do not know the boundaries of Federal land. Provisions in this bill though keep the Secretary from doing any science, any research on anything but Federal lands. If there are threats to our waterfowl on non-Federal lands, the Secretary could not study it even if private landowners ask to have their properties studied. Why at a time when duck numbers are finally increasing as a result of combined Federal, State, and private efforts, would we want to place obstacles to the progress now underway? Is that what we want? I think not. But this bill would do that.

Volunteers are even banned by this bill, if they offer their talents to help resource science and research. Let me give one example of what this will mean to one program, the breeding bird survey. The North American Breeding Bird Survey, started in 1966, is the only continental survey program specifically designed to obtain population trend data on all species of birds. At least 4,000 volunteers contribute to this survey. Without their data, it would be extremely difficult to detect declines or increases in our country's bird populations. No one has ever questioned the authenticity of this information and it come to us at no cost. I do not know what public policy purpose is served by banning the use of volunteers.

SHORT ON DOLLARS, LONG ON LEGISLATION

This is bill, as I have documented, short on dollars; yet, it is long on legislative provisions.

The bill requires committee approval for new wildlife refuges.

The bill amends fee language for refuges.

The bill mandates peer review for resources research in the Geological Survey.

The bill permits giving away Bureau of Mines facilities.

The bill amends the American Trust Fund Management Reform Act of 1994.

The bill repeals the Outer Banks Protection Act of 1990.

The bill authorizes and executes the sell of strategic petroleum reserve oil.

The bill terminates the Pennsylvania Avenue Development Corporation and transfers its responsibilities to other agencies.

The bill establishes a new fee program for the Bureau of Land Management, Fish and Wildlife Service, National Park Service and Forest Service; and

The bill includes Columbia River basin ecoregion assessment restrictions and directions.

Beyond that, the Endangered Species Act is circumvented by not providing money for listing species so they can receive the full protection of the Act.

Section 404 of the Clean Water Act is being circumvented by taking away the Fish and Wildlife Service's ability to respond to a permit application for a golf course which would disturb valuable wetlands in Lake Jackson, TX.

The California Desert Protection Act is circumvented by taking away all but $1 for the National Park Service to operate the Mojave National Preserve and returning the management to the Bureau of Land Management. With this bill, the first of the national parks will be closed. How many more will follow?

MORATORIA

And we find that moratoria are OK in some instances but not okay in others. Moratoria are not OK to stop the give away of patents under the 1872 mining law. But a moratoria is acceptable to stop promulgation of an RS 2477 rulemaking, a rulemaking that would prevent the potential despoliation of national parks, wildlife refuges, and wilderness areas.

This bill does include a continuation of the moratoria on Outer Continental Shelf leasing including Bristol Bay in Alaska, California, Oregon, and Washington on the west coast as well as certain Florida areas and east coast areas.

LAND AND WATER CONSERVATION FUND

While I am relieved there is some money for land acquisition, unlike the scorched earth policy of the House budget resolution, the lack of money can only lead to future problems. For many willing sellers, the Government is the only possible buyer. Ongoing acquisitions which have been phased over several years can not be completed. We will have broken commitments with those individuals and concerns that entered into agreements. Of the $51.5 million in the bill related to the land and water conservation fund, only $23 million is for actual acquisition of land. The balance is to administer the program.

The Secretary of the Interior asked for money to help local areas with habitat conservation plans by giving land acquisition grants to State and local governments, a request that was denied. Turning a blind eye to this problem serves only to undermine efforts to improve the Endangered Species Act.

The North American wetlands conservation fund is cut in half with the understanding that it will be terminated next year, another blow to successful efforts to strengthen the number of migratory waterfowl.

CONCLUSION

Given the disproportionately large reduction this subcommittee received from the full Appropriations Committee, large cuts are inevitable and regrettable.

One of the great strengths and appeals of this bill is the wide variety of programs it covers. The all-America bill as I used to call it. The remarkable natural resources of this country, our magnificent cultural resources, the programs that help people, the energy research programs—unfortunately, all will be diminished by the provisions in this bill.

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

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. TAYLOR], a very good member of our committee and a Member who has done great service on handling the Forest Service issues and who brings to it a lot of knowledge.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in strong support of this bill.

Mr. Chairman, before I came to Congress, I was chairman of the State Parks and Recreation Council in overseeing our State parks and facilities, and we never had enough money to do the things we wanted to do or do all the maintenance we wanted to do. And I found it the same on a national basis, but I think the gentleman from Ohio, Chairman REGULA, and the committee, working with Members and the authorizers, have done as much as they possibly can to see that the needs of our Parks and Forest Services are met.

The actual maintenance, park maintenance, even though the total committee was ordered to reduce the cost in order to meet budget reductions, and we reduced this $1.5 billion below the fiscal year 1995 bill, maintenance for the critical areas were held even. I think that is amazing, given the cuts that had to be made.

It also addresses the concerns and the desires of many of the Members' specific things that they had to do, and I again want to thank both Chairman REGULA and ranking member YATES for the work that has been done in this bill.

We have increased, and I feel very strongly about this, our timber sale program some $7.5 million above current levels. This will increase our timber sale program by 418 million board feet of green sales and 300 million feet of salvage timber. This is a modest increase, but it is moving in the right direction.

We are now in this country in a dangerous situation regarding forest health. We have not been removing salvage as we should have been. We have not been addressing the concerns of management, silviculture concerns of management by professional foresters and science that has been lost in much of our forest management, and it has cost us tens of thousands of jobs. It has cost us millions of dollars in taxes, and it means that we, today, are importing over one-third of our timber.

Mr. Chairman, I certainly urge support of this bill, and will be voting for it.

Mr. Chairman, I rise in strong support of this bill. Not only does H.R. 1977 reflect the serious will of this body to reduce spending—it is $1.5 billion below the fiscal year 1995 bill—it also addresses the concerns, desires, and suggestions of many members and the authorizing committees. Chairman REGULA and the staff have done a terrific job in putting this bill together, and I encourage all my colleagues to support the bill. One aspect that is particularly pleasing to me is the commitment by this committee to turn the management or our national forests around.

This bill moves the timber sale program forward, in a new direction from the past. The increase in the timber management and sales program and road construction funds will allow the Forest Service to increase the timber sale volume to its maximum capacity in fiscal year 1996 of 4.3 billion board feet.

We have increased the timber sale program only $7.5 million above current levels, but this will increase the sale program by at least 418 million board feet of green sales and 300 million board feet of salvage volume. This modest increase will not only maintain jobs, it will create job growth and return many times the amount in timber sale revenues and income taxes.

Although the road construction account has been cut, we have increased the timber road construction account to correspond with the increase in the timber sale program. This account has been maligned for a long time, and I would like to set the record straight.

First, roads in the national forests serve many purposes. They provide the primary access to the 191 million acres that make up the National Forest System. These roads provide access for recreation, for wildlife and fisheries projects, for fire protection, for monitoring water quality, and for many other aspects of ecosystem management and timber harvesting. Funding for road construction ensures watershed protection through better road design, improves safety for road system users, and provide access for fighting wildfires and responding to other emergencies.

The bulk of road construction funds are for reconstruction, that is, restoration and maintenance of existing roads. In fact, the number of miles of new roads has dramatically declined over the past several years. Also, the Forest Service has obliterated more roads than were constructed and the same pattern is being proposed for the next fiscal year. In fiscal 1994, the total road system actually decreased by 1,780 miles and only 519 miles of new roads were constructed.

Today, millions of acres of our forest lands are in need of attention. We are well aware of the forest health problems that pervade our Federal forests—approximately 6 billion board feet of timber dies each year. The road budget is one step toward assuring access for salvage sales and forest restoration projects.

This bill is only a first step. The Forest Service is so depleted of adequately trained personnel that it is still incapable of establishing a timber pipeline, which is desperately needed in many parts of the country. However, by providing funds for timber sale preparation above the level requested by the administration, we expect the Forest Service to make a significant contribution toward the national need for lumber and wood products. I don't know if this body is aware that we are currently importing a third of our wood needs—much of it from environmentally sensitive areas of the world with less sensitive harvest methods than those used here.

For too long, we have ignored professional foresters and silviculture science when managing our national timber assets. Instead, we have relied on the pseudo-science of the environmental community to dominate the discussion. The pendulum swung too far—encouraging the locking up of these valuable assets instead of their wise use. We have a responsibility to protect, conserve and maintain the ecosystems of our Federal forests. To do that we must provide our land management agencies with the resources and tools necessary to get the job done. H.R. 1977 does that.

We are all aware of the widespread forest health problems in our national forests across the country. Chairman REGULA and Chairman LIVINGSTON have been real troopers for including the salvage timber provision in the fiscal year 1995 supplemental-rescissions bill and continuing to fight for its passage. I know we are all looking forward to getting a final resolution on the rescission bill.

The committee understands that the Forest Service can use the timber sale program as a cost-efficient tool to thin and restructure forest stands. Timber harvests improve the forest health by clearing out the dead and dying trees and solving the overcrowded conditions found on many of our national forests. Harvests will also improve the habitat for many creatures that live In the forests and lead to less destructive forest fires.

Although we continue to receive criticisms regarding below-cost timber sales, these determinations have not been based on an evaluation of all the factors that contribute to the profitability or cost of the timber program. Those opposed to timber sales encourage greater costs by supporting more costly harvest methods but have not come forward with proposals to minimize costs incurred by the Forest Service. This, combined with specific direction to manage the timber program for a broader variety of program objectives, continues to drive costs upward.

I remain concerned that staff reductions within the agency to meet the administration's governmentwide FTE reduction targets have been to date disproportionately directed toward staff professionals with expertise in timber management and timber sales planning and preparation. In attempting to meet any future goals relative to agencywide staff reductions, I expect the agency will seek opportunities in other areas to reduce personnel, before considering reducing staff in timber management programs, particularly with regard to personnel stationed in the field.

It is my hope that the Forest Service will not only take the necessary steps at all management levels to provide the maximum amount of timber sales possible in the next year, but also continue to seek ways to more efficiently provide for a timber sales program in a manner that reduces bureaucratic requirements.

Again, I want to thank Chairman REGULA and his staff for working to accommodate the concerns and wishes of many Members, myself included, and I encourage my colleagues to support the bill.

Mr. SKAGGS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I would like to state at the outset that I think all of us serving on this committee have a deep and abiding love for the responsibilities that come with the jurisdiction of this subcommittee.

I also want to pay tribute to the gentleman from Ohio [Mr. REGULA], our subcommittee chairman. There is no more decent or thoughtful Member of this body. He has been given an incredibly difficult task to manage the responsibilities that we have within the budget constraints. And while I know he would have liked to have done more and better, he has done well with what was made available to us.

It is also an extraordinary privilege to serve under the leadership of the gentleman from Illinois [Mr. YATES], our ranking member on this subcommittee.

There are a number of good things in this bill. But there are also too many instances where I think it falls very seriously short of what should be done for the proper protection and proper management of our public lands and resources, for the education of native Americans children, and for continuing sound policies about the development and use of energy.

It provides no money for endangered species prelisting work, for instance; that is, for efforts to avoid the necessity of adding species to the list protected under the Endangered Species Act. This is a prescription for increasing, not diminishing, the conflicts about implementing that law, and is extremely unwise and shortsighted. So are funding restrictions for basic biological research, restrictions on the use of volunteers and access voluntarily to private property.

The bill does not include the moratorium that should be there for patenting mining claims until we have a revision of the mining law of 1872. In area after area, this bill puts commercial interests ahead of science, education, proper management and protection of our natural resources, our historical and cultural resources, our human resources.

There will be amendments offered to correct some of these defects. I will support those. But I am afraid that unless the bill is radically revised, and the chances of that are not great, it will be difficult to say that it deserves to be enacted.

This bill, more than any other that comes before this body, is about the profound trust and stewardship responsibilities that this Congress has for our

national treasures, for our natural treasures. I am afraid our descendants will look back on these actions and ask how in the world we could so short-change our trust and our stewardship responsibilities.

Tragedy occurs, Mr. Chairman, when we know better but we do not do better, and I fear today we are writing a tragedy.

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

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. SKEEN] who is a very valuable member of our subcommittee, who brings a wealth of knowledge as a rancher to some of the tough problems that confront us, as well as a leader in the Western matters and with the cattle association, and other things.

Mr. SKEEN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to take a little time to give my sense of appreciation for the kind of work that goes on in a committee with as diverse a responsibility as is inculcated into the authorization in the realm of what is known as the Committee on Resources.

I want to say that Chairman REGULA and Ranking Member YATES are some of the finest people I ever worked with and had the opportunity to work with and to deal with in this Congress of the United States, along with the other members of the committee itself. This is my second go-around on that committee, an enormous responsibility.

I want to say, too, to the staffs that back us up, that there are no better people on this Earth who are more learned or a more professional group in the world than the staffs that support the committee work that we do day in and day out. Without them, it would not be possible to put this together, particularly at a time like this when we are cutting back, reducing the size of Government, but yet maintaining that sense of responsibility that is paramount to this entire function.

That word ''function'' means an awful lot. Because if you do not understand what the function of some of these programs are, then you are hard put to come up with some solutions to some of the things we are trying to do. These folks have done an outstanding job. I wanted to compliment them all and say it is great serving with you.

I hope that those of you who are out there furiously writing new amendments to this bill would stop and listen just once and say do I really understand what the function of this particular element of this bill is, how does it work. If you do not, then skinny yourself over here and talk to some of these people that I just referred to on the staffs, and it will save us an awful lot of talking time, because right now we need to reduce the time and expenditure on some of these bills.

Mr. SKAGGS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I want to take this opportunity to commend the full Committee on Appropriations and, of course, the gentleman from Illinois [Mr.YATES], for their action to restore a moratorium on offshore drilling along the U.S. coastline in this bill. The committee action puts Congress back on the right track in the protection of our coastal resources.

For more than a decade, Congress has recognized the need to impose sensible safeguards against the exploitation of our offshore areas.

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While some in Congress and, of course, the oil companies want to reopen these areas to drilling, the overwhelming consensus among those of us who live and work in the coastal areas is that it is simply not worth the risk to open these areas up to drilling. Offshore drilling off New Jersey in my State and other mid-Atlantic States is not environmentally sound and also threatens the economies of coastal areas that depend on a healthy coastal environment.

In the areas off the Jersey shore and other Mid-Atlantic States, studies have indicated that the expected yield of oil and gas is rather low. Still there are strong expressions of interest in exploratory drilling which would have disastrous effects on our environment and coastal economy. We must keep the door firmly shut to any drilling or preleasing activities.

Having said that, Mr. Chairman, I want to mention that there are other parts of the bill that I do find objectionable, particularly the committee's decision to derail the Endangered Species Act by defunding the program. This is the wrong way to address individual problems with the Endangered Species Act.

I also object to the bill's drastic reductions in funding for land acquisition under the U.S. Fish and Wildlife Service. In New Jersey, the most urbanized State in the Nation, we have refuges that are under severe threat of development and the $14 million that is provided is not enough to cover even New Jersey's preservation needs, let alone the needs of the Nation as a whole.

Finally, Mr. Chairman, I would like to take this opportunity to speak out against any further cuts in funding for the National Endowment for the Arts and the National Endowment for the Humanities. These influential agencies encourage lifelong learning, promote participation within civic organizations and preserve our country's cultural and intellectual heritage. New Jersey takes advantage of these funds very effectively and I think it would be a mistake for us to make any further cuts in those programs.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I'd like to commend the chairman of the Interior Appropriations Subcommittee and my friend, Mr. REGULA, for his hard work and courageous action in putting this bill together. It has not been an easy task. But throughout the hearing process, as well as the subcommittee and full committee markup, Chairman REGULA and his staff have performed tirelessly, professionally, and with the utmost sensitivity.

Trying to put together a workable budget for the Departments of Interior and Energy, the Forest Service, and the numerous independent agencies under the Interior Subcommittee's jurisdiction is difficult. Add to this an effort to address the personal concerns of the members of this body and you have a very arduous, nearly impossible mission. But, Chairman REGULA and his staff have crafted a good bill that I think is fair, fiscally conservative, and represents an excellent starting point for our 7-year journey to a balanced budget.

Is this bill everything everyone wanted? Of course not. But then we can't—nor should we—ever go back to the fiscally irresponsible practices of the past. We must keep in mind that the fiscal integrity of this nation is our responsibility, and we must act accordingly.

As the chairman has stated, the bill appropriates $11.96 billion in new budget authority for fiscal year 1996, $1.56 billion less than fiscal year 1995, and almost $2 billion less than the President requested. We have attempted to place an emphasis on preserving natural and cultural resources, the maintenance of scientific and research functions, and on our commitment to the health and educational needs of native Americans. H.R. 1977 also ensures that adequate resources are allocated for our Nation's public lands and our crown jewels—our National Park System. In fact, in an era of decreasing budgets, the bill actually contains an increase in the operational account of the National Park Service. This will prove invaluable to those who manage America's parks. And contrary to some published reports, the subcommittee never considered or even contemplated closing any of our Nation's parks.

Overall, the National Park Service fared fairly well. The bill appropriates $1.26 billion in overall funding. The bulk of these funds, $1.08 billion, will go to the management of park areas, visitor services, park police, resources and facility maintenance. This figure represents a $10 million increase over fiscal year 1995.

An important and much needed initiative that is included in the bill is the Recreational Fee Demonstration Program. This innovative program will give the National Park Service, the Bureau of Land Management, the U.S. Fish and Wildlife Service, and the Forest Service the opportunity to establish a 1-year pilot program that allows these land managing agencies to charge, and utilize on-site, recreational use and access fees. The language in the bill directs each agency to establish 10 to 30 demonstration sites where broad fee authorities are established.

The best aspect of the program is that the bulk of fees that are collected—stay at the site which collects them. Of the fees, 80 percent that are collected are to be used in that area. The remaining 20 percent of the fees go into an agency account to be used agency-wide for priority backlogged recreational safety and health projects.

On the budgetary side, the bill is quite lean. Most agencies are at or below their 1995 funding level. Land acquisition accounts are reduced 87 percent below the 1995 level. Funds are to be used only for emergencies, hardship situations and high priority acquisitions subject to committee reprogramming guidelines. Major construction accounts are reduced 41 percent below their 1995 level with emphasis on high priority health and safety construction. Funding for the controversial National Endowment of the Arts is reduced 39 percent, and the National Endowment for the Humanities is reduced 42 percent. The bill calls for a 3-year phase-out of Federal funding for these agencies, but new agreements made last night may reduce that to 2 years.

H.R. 1977 also proposes the elimination of a number of agencies and programs. Agencies targeted for termination include the National Biological Service, the Bureau of Mines, the Pennsylvania Avenue Development Corporation, the Department of Energy's Office of Emergency Preparedness, and the Department of Education's Office of Indian Education. The Advisory Council on Historic Preservation is also slated to be terminated.

On the positive side, H.R. 1977 provides $111.4 million for the Bureau of Land Management's Payments in Lieu of Taxes [PILT] Program. As you know, the PILT Program compensates units of government for losses to their real property tax base due to Federal lands within their boundaries. In my State of Arizona, this level of funding is welcomed by several county administrators.

In general, this bill provides a sound and fiscally conservative blueprint for the continued management of our public lands. As stewards of these lands it is incumbent upon us to ensure that they are preserved for future generations to enjoy. I commend Chairman REGULA and his staff, and I hope that through the amendment process we can produce a bill that we will all be proud of.

Mr. SKAGGS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Minnesota [Mr. VENTO].

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

Mr. VENTO. Mr. Chairman, I rise in opposition to the measure that is before us. Frankly, it warrants opposition because of the priorities, because the hand that was dealt to the appropriators under the allocation system is inadequate to meet the responsibilities that we are sworn to discharge. The money is not there. Obviously, you can shift money around and do a little for operation and maintenance in the parks, but then you are denied to buy the in-holdings of lands and the land/water conservation or in other areas. The money is not there, and this bill ought to be rejected because it does not permit us to exercise our responsibilities in a way that is effective.

We are going to see we have a $7 billion backlog in parks or a $9 billion backlog in terms of responsibilities. That is going to grow under this measure. Under anyone's evaluation, we do not put a dent in the backlog. In fact, we add to it.

The other reason that this bill has to be rejected, and there are many such examples in the bill, where it is inadequate, the elimination of essential programs like the weatherization program, the energy programs, these are working programs. They work. They are not just for a time of crisis. They are the way we avoid crisis.

The other reason is that this measure is not just an appropriations bill, this is a whole policy bill. In Congress, we separate policy and authorization from the actual appropriation. The allocation of dollars actually funding programs is essential. That is an essential decision which is supposed to be kept separate. We have always had a little overlap. But in this bill we simply circumvent the policy process completely in many significant areas. We are rewriting the Endangered Species Act. We are rewriting law after law in this legislation, rewriting those laws, in fact, in a way in which we are not able to have essential debate.

My colleagues wonder why we are spending more time on the appropriations bill on the floor. I can tell you, because when you consolidate the appropriation process, one that is highly controversial because of the nature of the cuts that are coming down this year and the strong disagreement in terms of those priorities, and with an entire wholesale rewrite of many laws that affect the management of our forests, management of our park system, fee issues, issue after issue, the Endangered Species Act, the issue with regard to mining law and whether or not we are going to have a moratorium, when you combine all of this into a single legislative bill, you have bought into a significant responsibility.

I have spent some 19 years in this body working on parks and public lands issues, as an example. I think I know a little bit about it. I do not know everything. As my colleague, Congressman Udall, used to say, there are two types of Members of Congress: ''those that don't know and those that don't know they don't know.''

Obviously, we are always guided by the fact that we are trying to learn in this process, as I am sure my colleagues would agree. But the fact that you consolidate into this measure dozens of policy changes that you do and the other aspects are obviously going to result in a significant policy path changes.

This should not be done. Maybe the chairmen of the various authorizing committees approved of this, but that does not make a majority. That does not provide us with the in-depth debate and hearings and other aspects that are supposed to take place in terms of public participation to at least a limited degree.

So this bill fails in terms of process. It fails in terms of priorities, and it should be defeated.

Mr. Chairman, as we consider H.R. 1977, the fiscal year 1996 appropriations bill, I think it is appropriate to review the mission and purpose of the Department of Interior as outlined in the U.S. Government Manual (1993/94):

> As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation.

Similar analysis and reflection would apply to the Department of Agriculture Forest Service, the sister agency which shares substantial responsibilities for conservation and preservation of our natural and cultural legacy also is addressed in this measure.

I cannot support H.R. 1977 because it doesn't provide the Interior Department or the Forest Service with the resources they need to carry out their stated mission. This is an unfortunate move away from a core conservation and preservation ethic that is basic to the definition and culture of the American people.

The policies and programs in place to carry out the mission of the Interior Department are not the work of Democrats or Republicans alone, rather they were uniquely derived from years of deliberation, of listening and responding to the core conservation and preservation values and ethics of the American people.

Significant programs—the Land Water Conservation Fund [LWCF] and Historic Preservation Fund [HPF] are cut to the point of not being able to fill the backlog or immediate need. Of the one billion of funds generated, only 6–7 percent allocated for its intended purposes.

In their zeal to shun Federal conservation efforts the majority isn't even making sensible choices in funding priorities. For example, zero funding listing and prelisting programs for endangered species and eliminating the National Biological Service demonstrate the height of hypocrisy on the part of the majority. Problems in managing our Federal resources will not go away just because we decide to quit addressing them, and not addressing them is certain to cost the American people more in the long run.

I too want to decrease the Federal deficit. But the most sensible way to do that is through improving the effectiveness and efficiency of Interior Department programs or other funding of agencies with this measure. Many of the programs seriously underfunded or targeted for elimination in this bill are working. Improving programs that work goes a lot

farther in reducing the Federal deficit than cutting funding and hoping the problem goes away.

H.R. 1977 zero-funds all prelisting activities until the ESA is reauthorized. The $4.5 million cut from the FWS budget for prelisting activities is vital to the continuation of a highly successful program designed to prevent the need to list under the Endangered Species Act. There are over 4,000 species now under consideration for possible listing. Many of these species could be conserved through simple and inexpensive programs at the Federal, State, and local land management levels.

The Fish and Wildlife Service candidate conservation program serves as an impetus to establishing conservation and stabilization activities before the species reaches critical levels. It is hypocritical for this Congress to criticize the FWS for listing species without giving that agency the opportunity to conserve species before they reach critical levels. It is hypocritical for this Congress to cry for reduced spending and greater economic efficiency while gutting a program that decreases the need for future costly emergency recovery actions.

H.R. 1977 zero-funds all listing activities for endangered and threatened species, thereby extending the current moratorium. The majority is evading the legislative process by using agency appropriations to legislate national policy. By denying FWS any ability to conserve species proactively, Congress is ensuring further decline and the need for drastic and expensive actions to save species. In addition, there are no exceptions in this budget cut for emergency listings or for listing plant species which are potential sources of medicine. Plants, animals and people cannot cling to life waiting for the legislative process to run its course.

The submersion of the National Biological Service into the National Geological Survey is another glaring illustration of fear run amok. There is legitimate room for debate over the merits of what the NBS or any other government agency does or how much funding should be provided for that work. However, the allegations leveled at the NBS, largely unfounded, are being used to justify elimination of the NBS. It is hypocritical for this Congress to call for better science and then deny funding for efforts specifically set up to conduct unbiased science.

H.R. 1977 also eliminates the Advisory Council on Historic Preservation, severely crippling the efforts of the Federal Government to achieve consensus on policy actions and short changing the key efforts which backstop local nonprofit and private preservation efforts.

Historic preservation provides a twofold benefit—preserving historic properties while helping communities achieve the economic advantages that occur as a result of historic preservation. It seems Members who take deficit reduction seriously would see the significant benefit that flow from a program that efficiently achieves a national goal while generating revenue to participating communities.

Beyond these specifics the moratoria to prevent the public land giveaways under the 1872 mining laws are not included. Elimination of the essential weatherization program, appliance development commercialization program and other energy efficiency programs. Most energy conservation programs have been severely cut. Unfortunately this measure bans AmeriCorps funding initiated under the National Service law in spite of the fact that it was self funded by the 1993 law.

The majority claims that their bill strikes a balance between the dual goals of reducing the deficit and protecting and enhancing the Nation's rich natural and cultural resources. This bill does no such thing and in the process, poorly serves the needs of the American people. It's certainly not a good measure we can and should do better.

Mr. REGULA. Mr. Chairman, I yield 2½ minutes to the gentleman from Washington [Mr. NETHERCUTT], a newcomer in terms of service but an oldcomer in terms of knowledge to the subcommittee. The gentleman brings a great perspective on Western issues, particularly as they affect the State of Washington, and the areas surrounding, on forests and some of the river problems.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman for the kind remarks.

I am happy to stand before this House today in support of H.R. 1977, the fiscal year 1996 Interior Appropriations Act. I am a new member of the Subcommittee on Interior. I am a new Member of Congress. I was very pleased to work closely with the chairman, the gentleman from Ohio [Mr. REGULA], and certainly the Members of the minority party to craft this legislation in the fairest way possible.

I believe we still have further to go in reducing the size and scope of this Federal Government, but this bill represents a significant first step, I believe, in the right direction in cutting back on unnecessary waste and duplication within the Federal Government.

This bill is about a billion and a half dollars below last year's level of funding. I recognize the difficulty that the chairman had and our subcommittee and committee had in meeting the needs of the Nation with this reduction. But I certainly want to compliment him and the rest of the leadership for allowing such an open process as we go through this very important bill.

I personally had some problems supporting one aspect of the bill regarding the Bureau of Mines. I wanted to keep it open, and we decided not to in the committee. But I was encouraged to offer an amendment in both the subcommittee and the full committee by the chairman and others, and we had a full hearing. I thank the chairman for his forbearance in working with us on that amendment.

I also want to thank the committee for working with me and other Members from the West on programs that are of particular importance to our region. This bill continues funding for the operation of our national parks, our forests, our pubic lands and refuges, and it maintains our forest health programs and provides a modest increase for the timber sales program. This increase comes after a drop in sales targets by about 60 percent over the last 5 fiscal years.

This slight increase will begin to put our timber communities back to work without damaging the environment. The bill eliminates the National Biological Service, an agency that is unauthorized and is really unnecessary at this time. Critical NBS functions will be continued at the Geological Survey while private property rights will be fully preserved. This bill funds the arts and culture at a more fiscally responsible level, a level that all of us should support at this time of the fiscal responsibility that we must exercise.

I urge all Members to support this bill. It is a good bill. It is a fair bill. Let us work hard to pass it.

Mr. SKAGGS. Mr. Chairman, I yield 2½ minutes to the gentleman from New York [Mr. HINCHEY].

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

Mr. HINCHEY. Mr. Chairman, first of all let me express my profound respect and appreciation for the work of the chairman of the subcommittee. He and I share many of the same values and interests with regard to the Nation's natural and historical resources. But unfortunately, this bill does not reflect those values in the way that I think both the gentleman and I would like it to.

The gentleman has been given a very ugly package to carry here. What does this bill do? First of all, it cuts the Department of the Interior to $500 million below this current year's level, making it more difficult for the Department to protect the Nation's natural and historical resources. It eliminates the National Biological Service as a separate agency and slashes funding for that purpose by about 30 percent. It pretends that we ought not to know more about the Nation's biological resources, pretends that ignorance about these resources is a virtue.

The bill prohibits the research activities of the Department, the former National Biological Service, from using even volunteers to go out and accumulate information. It revels in this kind of ignorance and prevents people from exercising their civic duty in a voluntary sense.

It cuts the National Park Service by $230 million below the administration's request, including $70 million from park operations, making it more difficult for the people of this country to enjoy these natural resources, particularly our national parks.

But it expends money in other areas. It exceeds the House Committee on Science's authorized amounts for the Department of Energy's fossil energy research and development activities by more than $150 million. This is a giveaway to major energy corporations in the country. It provides more than $65 million for six pork barrel projects for which the Committee on Science recommended no funding. At the same time it increases funding in these areas, it slashes funding for the Department of Energy's weatherization

program by $100 million, which means there are more people who are going to be colder in the winters and we are going to be wasting more energy.

□ 1245

Mr. Chairman, Let me focus on one particular provision. The Strategic Petroleum Reserve was set aside in the advent of an incident, another incident which occurred back in the 1970's. This bill reduces the Strategic Petroleum Reserve by 7 million barrels, and it sells those 7 million barrels for now about $15 a barrel. This oil was purchased for $30 a barrel, so we are selling for $15 what we bought a few years ago for $30 a barrel. If this is any indication of the way the majority party in this House is a steward of the Nation's resources and the taxpayers' dollars, then I think it is a poor example of where we are and where we are heading. This is foolhardy to cut back on this reserve, and it is certainly wasteful of the taxpayers' money.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. GALLEGLY], a member of the Committee on Resources.

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

Mr. Chairman, I rise today as chairman of the Subcommittee on Native American and Insular Affairs to express my support for the pending efforts to amend H.R. 1977 to restore funding for either the Office of Indian Education or the education programs supported by that office.

The Office of Indian Education provides financial assistance to elementary and secondary schools, tribal schools, and related Indian education programs.

These programs are important elements in the overall effort to provide quality education for our native American children.

While I support efforts to balance the budget, cut bureaucrats and shrink the Government, H.R. 1977 goes well beyond reason. This bill not only cuts funding, it totally eliminates the office which administers the funds.

To completely abolish these programs is not prudent and asks too much of our Indian children in too short a period of time.

I know several amendments will be offered to reverse the committee's recommendations and I hope the Members of the House will give those amendments every consideration.

Mr. SKAGGS. Mr. Chairman, I am pleased to yield 3 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

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

Mr. Chairman, this is the season of sacrifice. We know that. But, why is it that we continue to pick on those least able to defend themselves—the children?

I refer, of course, to that section of this bill that would eliminate the Office of Indian Education.

First established in 1972, through the Indian Education Act, for nearly a quarter of a century the Office of Indian Education has sought to serve the unique cultural and academic needs of the original inhabitants of our land.

Without the Office of Indian Education, American Indian children and Alaska Native children would not be able to achieve the same academic standards as other children.

Most American Indian and Alaska Native children are State recognized, but are not federally recognized.

Elimination of the Office of Indian Education and the loss of funding for that purpose would mean the loss of this special Federal funding for public school districts that provide educational opportunities to the vast majority of these children.

Federal financial assistance to tribal schools, for elementary and secondary schools, and for related Indian education programs will be gone if this bill stands. Our amendment freezes funding at this fiscal year's level.

The administration had sought an increase in funding for the Office of Indian Education, however, in the spirit of deficit reduction, we believe a freeze in funding is appropriate.

But, we do not accept a freeze in progress. The primary focus of the Office of Indian Education is to encourage Indian children to achieve self-sufficiency. That is an important goal—a goal that is consistent with many of the themes embodied in the Contract With America.

As we sacrifice, let us not sacrifice the gains we have made. In addition to assistance to tribal schools and to elementary and secondary schools with significant Indian populations, the Office of Indian Education provides assistance for adult Indian education, for fellowships for those Indian students who have distinguished themselves, for special Indian education programs and for planning, pilot and demonstration projects.

For a small investment, this Office manages to do a lot for a population that deserves the help of this Nation. I urge my colleagues to raise their voices for Indian children and give your vote for the future of America. Vote for the Obey-Richardson-Clayton amendment.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. ALLARD], a member of the Committee on Resources, who was a key Member in working with the authorizers and the appropriators in a team effort to address a number of challenging issues in this bill.

Mr. ALLARD. Mr. Chairman, I rise in support of the Interior appropriations legislation. I would like to begin by first of all complimenting the gentleman from Ohio [Mr. REGULA], chairman of the House Subcommittee on the Interior of the Committee on Appropriations, for his hard work on the National Biologic Service issue. I would like to especially thank him for working closely with members of the Western Caucus, who have a very keen interest in this issue.

The Interior appropriations legislation is an important move in the right direction. The independent Biological Research Agency is eliminated. There is no longer a National Biological Survey, a National Biological Service, or a Life Science Research Service. This is a significant victory for taxpayers. Fifty-four million dollars is saved. The overhead of a separate agency is eliminated. Objective science is promoted.

The 1995 funding level for the NBS was $167 million. The Interior appropriations bill eliminates this agency and account entirely. The bill provides $113 million to the U.S. Geological Survey for resources research. The USGS already has an authorized research mission. Further, research will be confined to public land and will be conducted by trained professionals. Equally important, the legislation will provide for greater peer review throughout the research process. An option is to privatize or contract out more of the research being done by the Interior Department.

One of the most important points to make is that the Interior appropriations bill language states that when authorizing legislation is finally passed and signed by the President, it will supersede the current proposal. We all agree research must be based on sound science. Therefore, it is up to the authorizing committee to determine how to guarantee that quality science is used and to include appropriate guidelines and restrictions concerning private property and the use of volunteers in an authorization bill.

Mr. Chairman, I think this is a wise step toward balancing the budget.

Mr. SKAGGS. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. MCDERMOTT].

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

Mr. MCDERMOTT. Mr. Chairman, I rise in vehement opposition to this year's Interior appropriations bill (H.R. 1977).

By slashing the amount of money the Nation spends on protecting various species and their environment, this bill will set back many of the gains the Nation already has made in ensuring that our children and grandchildren have a healthy environment in which to live.

Make no mistake, this bill is the first step by the Republican majority to effectively gut and make useless the Endangered Species Act—an act that has successfully balanced economic development with necessary environmental concerns across the country for almost 25 years.

In fact, over the last 22 years, there have been fewer than 12 court cases concerning habitat modification while countless sustainable compromises have proven ESA's effectiveness.

I am not just talking about preserving ESA moneys so that future strip malls aren't built on wetlands or timber companies clearcut too close to salmon habitat. We need these species for the future because we know how much the vast spectrum of life has helped us in the past.

Right now, ESA protects plant life which may cure diseases such as AIDS. Fifty percent of prescription medicines sold in the United States contain at least one compound originally derived from plants, microbes, fungi, and other obscure species. These medicines play a vital role in fighting cancers, heart disease, and other infectious diseases and have produced considerable economic benefits as well.

Yet, despite the many gains made under the ESA, the Republicans are using the appropriations process as a devious back-door strategy to slightly eliminate the ESA by no longer funding its activities.

Mr. Chairman, I urge Members to vote against this bill on that basis alone.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN], a valued member of the Committee on Resources, chairman of the Subcommittee on National Parks, Forests and Lands, and a Member who contributed substantially in helping to craft this bill as we worked in a cooperative way with the authorizing committee.

Mr. HANSEN. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Ohio [Mr. REGULA], chairman of the Subcommittee on Interior of the Committee on Appropriations. I appreciate his kind words.

Mr. Chairman, I seek this colloquy to discuss the Interior appropriations subcommittee action to reduce by $5.5 million the administration's budget request for the implementation of the Ute Indian Settlement Act. As the gentleman from Ohio is aware, the Indian settlement was improved by Congress as part of Public Law 102–575, which contained the Central Utah Project Completion Act.

Title V of that act settles certain water claims of the Ute Indian Tribe of Utah relative to prior agreements with the United States, the State of Utah and the central Utah Water Conservancy District. This settlement represents more than a simple authorization for future appropriations to the Ute tribe. It represents a binding obligation by the Federal Government to compensate the Ute tribe for past promises that were never kept.

I am concerned that the members of the Ute tribe will view the subcommittee's action as breaking the Federal Government's commitment to abide by the settlement. Does the subcommittee's action to reduce funding for the settlement in any way suggest that the terms of the settlement will not be fully satisfied?

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

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

Mr. REGULA. Mr. Chairman, I would respond to the gentleman from Utah [Mr. HANSEN] by saying no. The action taken by the subcommittee to reduce funding for this settlement should not in any way be viewed as a retreat of the Federal Government to honor the terms of the agreement with the Ute Tribe of Indians. We are honor-bound to fully comply with all aspects of the Ute Indian Settlement Act.

Mr. HANSEN. Could the chairman of the subcommittee then explain why this action was taken?

Mr. REGULA. I would tell the gentleman from Utah, as he is very aware, this year the Subcommittee on the Interior of the Committee on Appropriations did not receive a section 602(b) budget allocation large enough to fully fund the administration's request for the Indian land and water claims settlements and miscellaneous payments account. The subcommittee was forced to reduce the amount appropriated for the Ute Indian Settlement Act by $5.5 million.

The bill does appropriate, however, a sizable remaining amount of approximately $20 million for the Ute settlement. We plan to make up for the reduced level funding in this fiscal year settlement funding by adding in the future year's appropriations bills the appropriate amount.

Mr. HANSEN. Mr. Chairman, if the other body is able to find additional resources under section 602(b) allocation to restore the $5.5 million and appropriates the full amount requested by the administration's budget for the Ute Indian settlement, will the subcommittee chairman defer to the other body in conference on this specific appropriation item, so that the obligation to the Ute tribe could be satisfied in this year's appropriation bill?

Mr. REGULA. Mr. Chairman, I can only assure the gentleman from Utah that I and the other members of the conference committee representing the House will carefully consider this item as we confer with the Senate, with the other body, and seek to achieve, as much as possible, full funding of the Ute Indian settlement.

Mr. HANSEN. Mr. Chairman, I appreciate the willingness of the chairman of the subcommittee to continue to try to find money for this important matter, and also for his excellent work as chairman of the subcommittee.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

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

Mr. FALEOMAVAEGA. Mr. Chairman, as the ranking member of the Subcommittee on Native American and Insular Affairs of the Committee on Resources, I rise to express great concerns about the cuts which the Interior appropriations bill makes in the funding of the Bureau of Indian Affairs.

Mr. Chairman, when viewed in the context of the massive cuts which all Federal programs are taking, the BIA cuts may not seem serious. But, when viewed in the context of the special Federal legal and moral obligations to the Indian people, these cuts only further undermine the honor and integrity of this Nation in meeting those obligations.

With that honor and integrity at stake, however, the Appropriations Committee, in its report, makes a serious error which calls into question the good faith of the United States toward all native Americans.

In particular, language on page 53 of the committee's report directs the BIA to submit a report to the committee on the gross gaming revenues of Indian tribes and the amount of Federal funding such tribes are receiving. The threat is thinly veiled.

About one third of the Indian tribes in the lower 48 States have developed tribal revenues from gaming operations. In this respect, they are not unlike nearly all of the States which have developed State lotteries as a means of generating governmental revenues.

Two small tribes, ideally situated, have for all practical purposes achieved economic self-sufficiency and complete independence from Federal funding. Only a handful of other tribes are making significant gains from their gaming operations. The overwhelming majority are deriving revenues from their operations which permit them to only partially meet critical unmet needs which the Federal Government has refused to meet over the years. But in every case, whatever the level of their gaming income, these tribes are devoting the net revenues to governmental operations and programs, as required by the Indian Gaming Regulatory Act.

Yet the committee's report levels a threat at these tribes. After years of encouraging tribes to seek self-sufficiency and after years of failing to meet this Nation's obligation to assist tribes toward that goal, the report threatens to cut off their Federal funds in proportion to governmental revenues generated by their own initiative. But we know, in Indian affairs, that no good deed goes unpunished. If this Congress is going to be consistent, Mr. Chairman, we need to require each State government to make a report to Congress on the gross income derived by that State from gaming and other commercial activities, and to take those State receipts into consideration when allocating Federal funds.

Mr. Chairman, I hope that the Secretary of the Interior, in responding to the study requirement of the committee report—should the Senate concur—will put the report into context. When reporting on the level of tribal gaming revenues and on the level of Federal funding, he must also advise the Congress of the level of unmet need of that tribe and its members. The study of the tribe's unmet need must be comprehensive, accurate, and that need must be

measured in terms of the effort necessary to put that tribe and its members into a position comparable to the average circumstances of all Americans.

Until this Nation fulfills its obligation to the Indian people to ensure them a standard of living comparable to the rest of the Nation, it is unjust to threaten the Federal funding of programs for their benefit because they have begun to exert their own efforts toward self-sufficiency.

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

Mr. Chairman, just a few things that have been brought out here. First of all, concerning eliminating funding for endangered species. I think it should be pointed out that the bill is subject to authorization, and that for those that read today's Congress Daily, one of the headlines is ''Young-Pombo Species Bill Readied.''

What I am saying is that the funds are there, they are in the refuge operations and maintenance account, but they will be available in conference, assuming we get an authorization bill on endangered species. Right now there is not any. For that reason, we have not put in money for listing and pre-listing.

Mr. Speaker, weatherization was raised as a problem. Of course we had to cut. It was talked about how people are freezing. On weatherization, to my knowledge, there is not anyone freezing in Hawaii but they are getting weatherization money.

I think it illustrates the fact that this program is just one of those that every State gets so many dollars without regard to the need. It seems to me that if you have programs, they should be predicated on the need of recipients.

Then the issue was raised of selling oil from the Strategic Petroleum Reserve and a figure was brought up here of something like $30. I would point out that the last 7 million barrels that were put in the Strategic Petroleum Reserve which this bill proposes to sell cost $17.50. That is what we are talking about.

The problem is that if we do not take care of SPRO, the 590 million barrels that are there will not be accessible. But we will get into that further discussion at the time that we have an amendment on that topic.

One last comment. A number of speakers have addressed the fact that this is below last year, that there are needs that are unmet. But I would just remind everybody that there was an election on November 8, 1994, and I think the message was loud and clear from the voters, that they want to reduce spending.

We are trying to do that. We are reducing spending. We are doing it in a responsible way. Part of our legacy to future generations will be on an economy that will be strong, that will provide them jobs, that will be free of inflation, and that will give the standard of living improvement that Chairman Alan Greenspan talked about.

Mr. Chairman, I have no further requests for time, but I reserve the balance of my time, subject to what the minority would like to do.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, there are so many bad cuts in this bill that I do not have time to talk about all of them. I am going to talk abut the ones that matter the most to me. Those are the attacks on our endangered salmon.

This bill, makes no mistake about it, is an attack on environmental protection and the Endangered Species Act. First, it slashes funding for pre-listing activities and habitat acquisition. Why is that a bad idea? Because we want to pre-list species before they reach the point where they need listing. We want to buy habitat so that we do not impact private landowners.

Second, this bill terminates all funding for listing activities. We are simply putting our heads in the sand if we think that just because we do not list a species, it is not going extinct. That is ridiculous. We have got to list these species. The reality of species decline will simply require more money and more drastic measures down the line to stop the extinction of species.

Finally, Mr. Chairman, this bill terminates 3 vital initiatives to protect fisheries habitat in the Northwest: PACFISH, INFISH and the Upper Columbia Basin Assessment. Why are those important? Because they are designed to ensure that the activities in the woods do not impact our vital fishery interests.

On the West Coast, we are trying very, very hard, we have spent millions of dollars to restore our salmon industry. In 1988, these salmon contributed about $1 billion and 60,000 jobs to our region. Since then, the salmon have declined so badly that the fishing revenue has gone down 80 percent.

For this reason, the fishery industry strongly supports the Endangered Species Act I want to quote what they say: ''There is . . . no industry more regulated under the ESA presently, nor more likely to be regulated in the future, than the commercial fishing industry. . . . we view these protections as vitally important in protecting and preserving our industry, our jobs and our way of life for the long term. . . . Without a strong ESA, there will be no salmon recovery in the northwest.''

To those who might think that gutting funding for the Endangered Species Act will help the economy, I would ask you to go to the Northwest and talk with the unemployed fishermen and fisherwomen in my district. It seems to me if we want to reduce the deficit, and we must, let's cut some Pentagon pork, not gut salmon recovery.

I urge my colleagues to oppose this bill to protect the environment and to protect our salmon jobs and salmon industry.

Ms. RIVERS. Mr. Chairman, I rise today in strong opposition to H.R. 1977, the Interior Appropriations Bill for Fiscal Year 1996. Although there are many reasons for this opposition, the greatest is the elimination of the National Biological Service [NBS]. And although the U.S. Geological Survey will now perform some of the NBS's functions, it comes with a 33 percent cut in funding.

The National Biological Service [NBS] Director, Ronald Pulliam, has stated publicly that the cut in the budget of the NBS would result in, among other things, the closure of the Great Lakes Science Center [GLSC] in my district.

The GLSC provides an invaluable service to the entire Great Lakes Region. Since 1927, the Great Lakes Research Center has been funded by the Federal Government to monitor the status and trends of the Great Lakes ecosystem. The Center's 70 employees provide cutting-edge research in the field of contaminants, wetlands, fish and wildlife habitat, global climate change, fish health, and ecosystem indicators. The Center has been one of the Nation's leaders in researching the problems caused by nonindigenous pest species, such as the zebra mussel.

The Great Lakes contain 95 percent of the fresh surface water in the United States and supply drinking water, fish and other food to millions of Americans. It is of critical importance that we continue working to maintain and improve the environment in the Great Lakes Basin. It is not so long ago that we had headlines declaring that Lake Erie was dead. The research provided by the Great Lakes Science Center has helped to revive that Lake, and this is the thanks it gets?

Mr. Chairman, upon seeing the budget document background materials that were provided as part of the Republican Contract with America, I noticed a line item that stated ''Abolish the National Biological Service,'' and today they are doing it. And with the GLSC we are losing one of the best research facilities in the Great Lakes Region. Losing the Center, which has performed research work on Great Lakes issues since 1917, will truly be a national tragedy.

Mr. McDERMOTT. Mr. Chairman, I rise in vehement opposition to this year's Interior appropriations bill (H.R. 1977).

By slashing the amount of money the nation spends on protecting various species and their environment, this bill will set back many of the gains the nation already has made in ensuring that our children and grandchildren have a healthy environment in which to live.

Make no mistake, this bill is the first step by the Republican majority to effectively gut and make useless the Endangered Species Act—an act that has successfully balanced economic development with necessary environmental concerns across the country for almost 25 years.

In fact, over the last 22 years, there have been fewer than 12 court cases concerning habitat modification while countless sustainable compromises have proven ESA's effectiveness.

I am not just talking about preserving ESA moneys so that future strip malls aren't built on wetlands or timber companies clear cut too close to salmon habitat. We need these species for the future because we know how

much the vast spectrum of life has helped us in the past.

Right now, ESA protects plant life which may cure diseases such as AIDS. Fifty percent of prescription medicines sold in the United States contain at least one compound originally derived from plants, microbes, fungi and other obscure species. These medicines play a vital role in fighting cancers, heart disease, and other infectious diseases and have produced considerable economic benefits as well.

Yet, despite the many gains made under the ESA, the Republicans are using the appropriations process as a devious back door strategy to silently eliminate the ESA by no longer funding its activities.

Just take a look at what they're doing. They are eliminating—zeroing out—the money used for prelisting and listing species. Money crucial for minimizing conflicts between economic development and specie extinction. Countless other funds for ensuring that specie habitat can be saved—including money for essential land acquisition—have been dramatically reduced as well.

Mr. Speaker, since ESA has been enacted, the country has made terrific strides in protecting the environment. Strides that have provided both economic and environmental success. Let's not make a 180 degree turn and destroy the progress we have made by allowing bills like this to become law. I urge my colleagues to oppose this effort by the Republican majority to undermine the ESA and threaten the Nation's environment. I urge you to vote ''no.''

Mr. RICHARDSON. Mr. Chairman, I strongly object to language included in the report accompanying H.R. 1977, the Interior appropriations bill for fiscal year 1996, which directs the Bureau of Indian Affairs [BIA] not to distribute self-governance tribal shares of central office and pooled overhead funding to Indian tribes despite the fact that the distribution of these tribal shares is required by law, namely the Indian Self-Determination and Education Assistance Act. Even the committee's report admits that distribution is required by law. And as the U.S. Supreme Court has stated in the Tennessee Valley Authority and Oklahoma Press Publishing Co. cases, committee reports cannot change or amend the plain intent of statutes.

But we must not also forget that Congress passed the Indian Self-Determination Act and created the self-governance program in order to enable tribes to achieve self-sufficiency, eliminate unnecessary layers of bureaucracy, and reduce governmental red tape and inefficiency by turning over the operation of Federal Indian programs to the tribes themselves. This act was passed with strong bipartisan support and represents the foundation of our policy toward Indian tribes.

The transfer of tribal shares from central office operations to the tribes is part of this effort and has successfully resulted in concrete reductions in the Federal bureaucracy that exist at the central and area office levels of the BIA. As confirmed by a recent inspector general's report, tribes receiving tribal shares further the act's goals by spending these funds on actual services rather than on administrative costs.

The language contained in the Appropriation Committee's report would resurrect the very same bureaucratic obstacles that Congress and the tribes have fought to eliminate over the past decade. If the BIA does not have to distribute central office shares, then the BIA will not have to downsize or restructure itself. The BIA has always opposed the distribution of central office shares, and the language contained in the report will only give it further opportunities to defeat the very purposes of self-governance and the Indian Self-Determination Act. It is vitally important that the policy of self-determination—and the promises we made to the tribes in the Act—be honored.

Mr. DICKS. Mr. Chairman, I rise to discuss H.R. 1977, the fiscal year 1996 appropriations bill for the Department of the Interior and Related Agencies.

I would like to thank the gentleman from Ohio, Mr. REGULA, who has done a fine job under very difficult circumstances in developing this bill in his first year of chairing the Interior Appropriations Subcommittee. I would also like to express my appreciation to the subcommittee's ranking member, Mr. YATES, who has long been a champion of many of the critical needs for the Nation that are funded through this bill.

The Interior appropriations bill had to absorb a reduction of $1.5 billion in budget authority, $750 million in outlays, and an overall cut of 10 percent to base funding. So even though I am not happy with this level of reduced funding for the Interior bill, I believe that our chairman and our subcommittee did its best under difficult circumstances to hold together support for the bill's core priorities.

This bill is important because it funds our national parks. The national park system is currently comprised of 368 areas, encompassing more than 80 million acres, in 49 States and the District of Columbia. This bill provides the operations money to protect our crown jewels in the park system, such as the Olympic National Park, Mt. Rainier, Yellowstone, and Grand Canyon, and the Everglades.

The bill supports our national wildlife refuge systems, ensures the protection of species, and encourages ecosystems management. It ensures that the U.S. Geological Survey continues its operations, and is able to investigate and issue warnings of earthquakes, volcanic eruptions, landslides, and other geologic hazards.

The bill takes away the independent status of the National Biological Service, placing it under the jurisdiction of the U.S. Geological Survey, and reduces its base funding by $49 million. Under this bill, the NBS will not be a runaway agency as some opponents have claimed. But I believe that the mission of the National Biological Service is an important one, and we should not make critical decisions on habitat use and species protection in a vacuum. We should know as much as possible, and use that knowledge to make forward-thinking decisions which benefit all concerned.

I just had a private company in my State, Murray-Pacific, produce the first multi-species habitat conservation plan [HCP] in the nation. Their experience, and the progress that others are making, demonstrates that species and humans can co-exist, and the NBS can be a positive catalyst to assist in these efforts.

This bill addresses the needs of our native American citizens, and ensures that we continue to invest in their economic well-being, health, and cultural priorities through the Bureau of Indian Affairs [BIA] and the Indian Health Service [IHS]. I would have killed to have seen the Office of Indian Education funded as well, but I understand the subcommittee's constraints, and we did manage to hold the Bureau of Indian Affairs to only a 3-percent cut, and maintained base funding for the Indian Health Service.

This bill funds the President's forest plan in the Pacific Northwest, and although greater efforts need to be made in the region to reach the timber harvest levels identified in the plan, I believe we are making progress, and the funding within this bill will keep us on a positive track.

The bill provides for the full economic assistance to hardhit timber-dependent communities in the Northwest, and also keeps us moving forward with watershed analysis and the ''Jobs in the Woods'' watershed restoration program, which is doing great things for the environment and helping dislocated timber workers in my district and the region.

The bill also ensures that we continue to make progress on the national timber sale program. We have a severely depleted national pipeline, and there are funds provided in this bill to increase efforts on advanced timber sales preparation, and prepare an additional 400 million board feet above the 4.9 billion board feet target called for in the President's fiscal year 1996 budget submission.

Finally, the bill funds our cultural institutions: the Smithsonian Institution, the Holocaust Museum, the National Endowment for the Humanities, and yes, the National Endowment for the Arts. I strongly support the Arts and Humanities agencies. They are an investment in America's culture and future. Both the NEA and NEH received 40 percent cuts in this bill and should not be reduced further.

Mrs. ROUKEMA. Mr. Chairman, I will support House passage of H.R. 1977, but I want to take this opportunity to briefly express my concern about several aspects of this very important legislation, which funds the Interior Department and various independent agencies for the coming fiscal year.

Before elaborating on my concerns with the particular details of this bill, let me reaffirm that I vigorously support a balanced Federal budget, and I continue to support efforts to slow down the rate of growth in Federal spending as a means of achieving this objective, instead of raising taxes on the hard-working American people.

I also know that Chairman REGULA, like all other Appropriations Subcommittee chairman, is trying to make the best of a very difficult situation.

H.R. 1977, as reported by the House Appropriations Committee, represents his best effort at balancing far more requests for Federal monies than his subcommittee has the ability to fund, now that the 104th Congress has begun the difficult process of balancing the Federal budget over the next 7 years.

Nevertheless, there are priorities which should be understood. Namely, that inordinate delays in taking action can frequently result in higher costs. In other words, postponement can sometimes be ''penny wise, but pound foolish.''

Such a delay would, in the case of Sterling Forest, result in enormous additional costs. That is why our New Jersey delegation is aggressively pursuing the following course of action.

In recent years, a bipartisan delegation of members from the states of New Jersey and

New York have worked diligently to pass legislation that would initially authorize, and subsequently appropriate, funds to purchase roughly 20,000 acres of undeveloped woodland straddling the New Jersey-New York border commonly know as Sterling Forest.

Protecting Sterling Forest from development is essential, because these lands provide vital watershed protection to millions of residents in the great New York City metropolitan area, including New Jersey and Connecticut.

Developing Sterling Forest, as its current owner has proposed doing, would jeopardize the water quality for hundreds of thousands, if not millions, of people who live and work in the tristate area.

Further delays in purchasing will ultimately cost our citizens much more, both in financial costs as well as public health costs.

Consequently, those of us who have been working to protect Sterling Forest were very encouraged to see the Senate pass legislation that contained authorization for $17.5 million in funding to help purchase Sterling Forest, right before the Fourth of July recess.

I, along with other concerned House Members, will be working with the leadership of the House Resources Committee to encourage the committee to promptly pass this critical authorization legislation through the House of Representatives so that it can go directly to the White House where President Clinton can sign it into law.

If we are successful in these efforts, I hope that the Senate will include funding for Sterling Forest in its version of H.R. 1977, which will be debated by the other body in September or October.

If the Senate version of the fiscal year 1996 Interior appropriations bill contains Sterling Forest funding, I look forward to working with subcommittee Chairman REGULA, and other House conferees, to ensure that the final version of H.R. 1977 contains these essential money.

In addition to having the support of Members from both New Jersey and New York, the effort to preserve and protect Sterling Forest enjoys the support of both Governor Whitman and Governor Pataki.

Clearly, this is a case of bipartisan, interstate support for doing the right thing; namely, purchasing Sterling Forest and preventing its development will help protect the water supply for millions of residents in the northern New Jersey and avoiding escalating costs to the taxpayers in the future.

Enacting this legislation is a very high priority for Governor Whitman, the State of New Jersey, and our congressional delegation. I will continue to work with Chairman REGULA to make this a reality.

In the meantime, I will support House passage of H.R. 1977 with the hope that its final version will enjoy my full and enthusiastic support.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered under the 5-minute rule by titles and each title shall be considered read.

The amendments printed in section 2 of House Resolution 187 are adopted.

During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a Member who has caused an amendment to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate title I.

The text of title I is as follows:

H.R. 1977

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, 1996, 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 $570,017,000, to remain available until expended, of which not more than $599,999 shall be available to the Needles Resources Area for the management of the East Mojave National Scenic Area, as defined by the Bureau of Land Management prior to October 1, 1994, in the California Desert District of the Bureau of Land Management, and of which $4,000,000 shall be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–6a(i)): *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; and in addition, $27,650,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $570,017,000: *Provided further,* That in addition to funds otherwise available, and to remain available until expended, not to exceed $5,000,000 from annual mining claim fees shall be credited to this account for the costs of administering the mining claim fee program, and $2,000,000 from communication site rental fees established by the Bureau.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire use and management, fire preparedness, emergency presuppression, suppression operations, emergency rehabilitation, and renovation or construction of fire facilities in the Department of the Interior, $235,924,000, to remain available until expended, of which not to exceed $5,025,000, shall be available for the renovation or construction of fire facilities: *Provided,* That notwithstanding any other provision of law, 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 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 or merged with this appropriation.

CENTRAL HAZARDOUS MATERIALS FUND

For expenses necessary for use by 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.), $10,000,000, 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 sections 107 or 113(f) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9607 or 9613(f)), shall be credited to this account and shall be available without further appropriation and shall remain available until expended: *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 of the Interior and which shall be credited to this account.

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $2,515,000, 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. 6901–07), $111,409,000, of which not to exceed $400,000 shall be available for administrative expenses.

LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94–579 including administrative expenses and acquisition of lands or waters, or interests therein, $8,500,000 to be derived from the Land and Water Conservation Fund, to remain available until expended.

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; $91,387,000, to remain available until expended: *Provided,* That 25 per centum 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 provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

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

per centum 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 $9,113,000, 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 sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93–153, to be immediately available until expended: *Provided,* That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (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 or subsequent appropriations Acts 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 forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: *Provided further,* That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, 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 of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his 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.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the United States Fish and Wildlife Service; and for maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $498,035,000, to remain available for obligation until September 30, 1997, of which $11,557,000 shall be for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976 (90 Stat. 2921), to compensate for loss of fishery resources from water development projects on the Lower Snake River: *Provided,* That unobligated and unexpended balances in the Resource Management account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 Resource Management appropriation, and shall remain available for obligation until September 30, 1997.

CONSTRUCTION

For construction and acquisition 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; $26,355,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101–380), and the Act of July 27, 1990 (Public Law 101–337); $6,019,000, to remain available until expended: *Provided,* That sums provided by any party in fiscal year 1996 and thereafter 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 such sums or properties shall be utilized for the restoration of injured resources, and to conduct new damage assessment activities.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), 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, $14,100,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended by Public Law 100–478, $8,085,000 for grants to States, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $10,779,000.

REWARDS AND OPERATIONS

For expenses necessary to carry out the provisions of the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), $600,000, to remain available until expended.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, $4,500,000, to remain available until expended.

LAHONTAN VALLEY AND PYRAMID LAKE FISH AND WILDLIFE FUND

For carrying out section 206(f) of Public Law 101–618, such sums as have previously been credited or may be credited hereafter to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund, to be available until expended without further appropriation.

RHINOCEROS AND TIGER CONSERVATION FUND

For deposit to the Rhinoceros and Tiger Conservation Fund, $200,000, to remain available until expended, to be available to carry out the provisions of the Rhinoceros and Tiger Conservation Act of 1994 (P.L. 103–391).

WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, $998,000, to remain available until expended, to be available for carrying out the Partnerships for Wildlife Act only to the extent such funds are matched as provided in section 7105 of said Act.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 113 passenger motor vehicles, of which 59 are for police-type use and 88 are for replacement only; not to exceed $400,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service, and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife 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 United States Fish and Wildlife Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided,* That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: *Provided further,* 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 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 House Report 103–551: *Provided further,* That none of the funds made available in this Act may be used by the U.S. Fish and Wildlife Service to impede or delay the issuance of a wetlands permit by the U.S. Army Corps of Engineers to the City of Lake Jackson, Texas, for the development of a public golf course west of Buffalo Camp Bayou between the Brazos River and Highway 332: *Provided further,* That section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) is amended—

(1) in subsection (a)(1)(B), by striking ''distributed'' and inserting ''used''; and

(2) in subsection (c)—

(A) by redesignating clauses (i), (ii), and (iii) of subparagraph (A) as paragraphs (1), (2), and (3), respectively;

(B) by striking ''shall be distributed as follows:'' and all that follows through ''such amount—'' and inserting ''shall be used by the Secretary—''; and

(C) by striking subparagraph (B).

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, including not to exceed $1,593,000 for the Volunteers-in-Parks program, and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $1,088,249,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed $72,000,000, to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100–203, and of which not more than $1 shall be available for activies of the National Park Service at the Mojave National Preserve.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $35,725,000: *Provided,* That $248,000 of the funds provided herein are for the William O. Douglas Outdoor Education Center, subject to authorization.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), $37,934,000, to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1997.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, $114,868,000, to remain available until expended: *Provided,* That not to exceed $6,000,000 shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1996 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, $14,300,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $4,800,000 is provided for Federal assistance to the State of Florida pursuant to Public Law 103–219, and of which $1,500,000 is to administer the State assistance program.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 518 passenger motor vehicles, of which 323 shall be for replacement only, including not to exceed 411 for police-type use, 12 buses, and 5 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.

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, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (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; $686,944,000, of which $62,130,000 shall be available for cooperation with States or municipalities for water resources investigations, and of which $112,888,000 for resource research and the operations of Cooperative Research Units shall remain available until September 30, 1997: *Provided,* That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality: *Provided further,* That funds available herein for resource research may be used for the purchase of not to exceed 61 passenger motor vehicles, of which 55 are for replacement only: *Provided further,* That none of the funds available under this head for resource research shall be used to conduct new surveys on private property: *Provided further,* That none of the funds provided herein for resource research may be used to administer a volunteer program: *Provided further,* That no later than April 1, 1996, the Director of the United States Geological Survey shall issue agency guidelines for resource research that ensure that scientific and technical peer review is utilized as fully as possible in selection of projects for funding and ensure the validity and reliability of research and data collection on Federal lands: *Provided further,* That no funds available for resource research may be used for any activity that was not authorized prior to the establishment of the National Biological Survey: *Provided further,* That once every five years the National Academy of Sciences shall review and report on the resource research activities of the Survey: *Provided further,* That if specific authorizing legislation is enacted during or before the start of fiscal year 1996, the resource research component of the Survey should comply with the provisions of that legislation: *Provided further,* That unobligated and unexpended balances in the National Biological Survey, Research, inventories and surveys account at the end of fiscal year 1995, shall be merged with and made a part of the United States Geological Survey, Surveys, investigations, and research account and shall remain available for obligation until September 30, 1996.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for purchase of not to exceed 22 passenger motor vehicles, 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 United States Geological Survey appointed, as authorized by law, 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; $186,556,000, of which not less than $70,105,000 shall be available for royalty management activities; and an amount not to exceed $12,400,000 for the Technical Information Management System of Outer Continental Shelf (OCS) Lands Activity, 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 OCS administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for OCS administrative activities established after September 30, 1993: *Provided,* That beginning in fiscal year 1996 and thereafter, fees for royalty rate relief applications shall be established (and revised as needed) in Notices to Lessees, and shall be credited to this account in the program areas performing the function, and remain available until expended for the costs of administering the royalty rate relief authorized by 43 U.S.C. 1337(a)(3): *Provided further,* That $1,500,000 for computer acquisitions shall remain available until September 30, 1997: *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 head shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments: *Provided further,* That beginning in fiscal year 1996 and thereafter, the Secretary shall take appropriate action to collect unpaid and underpaid royalties and late payment interest owed by Federal and Indian mineral lessees and other royalty payors on amounts received in settlement or other resolution of disputes under, and for partial or complete termination of, sales agreements for minerals from Federal and Indian leases.

OIL SPILL RESEARCH

For necessary expenses to carry out the purposes of title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,440,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for the orderly closure of the Bureau of Mines, $87,000,000.

ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, other contributions, and fees from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies: *Provided,* That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral products that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further,* That notwithstanding any other provision of law, the Secretary is authorized to convey, without reimbursement, title and all interest of the United States in property and facilities of the United States Bureau of Mines in Juneau, Alaska to the City and Borough of Juneau, Alaska; in Tuscaloosa, Alabama, to The University of Alabama; in Rolla, Missouri, to the University of Missouri-Rolla; and in other localities to such university or government entities as the Secretary deems appropriate.

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 15 passenger motor vehicles for replacement only; $92,751,000, and notwithstanding 31 U.S.C. 3302, an additional amount shall be credited to this account, to remain available until expended, from performance bond forfeitures in fiscal year 1996: *Provided,* That notwithstanding any other provision of law, the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1996 pursuant to the assessment of civil penalties 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 notwithstanding any other provision of law, 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 the provisions of 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 22 passenger motor vehicles for replacement only, $176,327,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended, of which $5,000,000 shall be used for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines through the Appalachian Clean Streams Initiative: *Provided,* That grants to minimum program States will be $1,500,000 per State in fiscal year 1996: *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 per centum 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 donations credited to the Abandoned Mine Reclamation Fund, pursuant to section 401(b)(3) of Public Law 95–87, are hereby appropriated and shall be available until expended to support projects under the Appalachian Clean Streams Initiative, directly, through agreements with other Federal agencies, as otherwise authorized, or through grants to States or local governments, or tax-exempt private entities: *Provided further,* That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 per centum 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 utilize up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices; maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, $1,508,777,000, of which not to exceed $106,126,000 shall be for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts or grants or compacts entered into with the Bureau of Indian Affairs prior to fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975, as amended, and $5,000,000 shall be for the Indian Self-Determination Fund, which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act; and of which not to exceed $330,711,000 for school operations costs of Bureau-funded schools and other education programs shall become available for obligation on July 1, 1996, and shall remain available for obligation until September 30, 1997; and of which not to exceed $67,138,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Johnson O'Malley Act shall remain available for obligation until September 30, 1997; and of which not to exceed $74,814,000 shall remain available until expended for trust funds management, housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, and the Navajo-Hopi Settlement Program: *Provided,* That tribes and tribal contractors may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants or compact agreements: *Provided further,* That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) 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 this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the 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 reconciliation report to be submitted pursuant to Public Law 103–412 shall be submitted by November 30, 1997: *Provided further,* That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: *Provided further,* That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated: *Provided further,* That any savings realized by such changes shall be available for use in meeting other priorities of the tribes: *Provided further,* That any net increase in costs to the Federal Government which result solely from tribally increased payment levels for general assistance shall be met exclusively from funds available to the tribe from within its tribal priority allocation: *Provided further,* That any forestry funds allocated to a tribe which remain unobligated as of September 30, 1996, may be

transferred during fiscal year 1997 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, 1997: *Provided further,* That notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs, other than the amounts provided herein for assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (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 in fiscal year 1996: *Provided further,* That funds made available in this or any other Act for expenditure through September 30, 1997 for schools funded by the Bureau of Indian Affairs shall be available only to the schools which are in the Bureau of Indian Affairs school system as of September 1, 1995: *Provided further,* That no funds available to the Bureau of Indian Affairs shall be used to support expanded grades for any school beyond the grade structure in place at each school in the Bureau of Indian Affairs school system as of October 1, 1995: *Provided further,* That notwithstanding the provisions of 25 U.S.C. 2011(h)(1)(B) and (c), upon the recommendation of a local school board for a Bureau of Indian Affairs operated school, the Secretary shall establish rates of basic compensation or annual salary rates for the positions of teachers and counselors (including dormitory and homeliving counselors) at the school at a level not less than that for comparable positions in public school districts in the same geographic area.

CONSTRUCTION

For construction, major repair, and improvement 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, $98,033,000, to remain available until expended: *Provided,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project and for other water resource development activities related to the Southern Arizona Water Rights Settlement Act may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed 6 per centum 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 of Indian Affairs: *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 non-reimbursable basis: *Provided further,* That for the fiscal year ending September 30, 1996, 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).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $67,145,000, to remain available until expended; of which $65,100,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 87–483, 97–293, 101–618, 102–374, 102–441, 102–575, and 103–116, and for implementation of other enacted water rights settlements, including not to exceed $8,000,000, which shall be for the Federal share of the Catawba Indian Tribe of South Carolina Claims Settlement, as authorized by section 5(a) of Public Law 103–116; and of which $1,045,000 shall be available pursuant to Public Laws 98–500, 99–264, and 100–580; and of which $1,000,000 shall be available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100–86 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to Individual Indian Monies trust funds, Indian Irrigation Systems, and Indian Power Systems accounts amounts invested in credit unions or defaulted savings and loan associations and which were not Federally insured, and (3) to reimburse Indian trust fund account holders for losses to their respective accounts where the claim for said loss(es) has been reduced to a judgment or settlement agreement approved by the Department of Justice.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs shall be available for expenses of exhibits, and purchase of not to exceed 275 passenger carrying motor vehicles, of which not to exceed 215 shall be for replacement only.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $69,232,000, of which (1) $65,705,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $3,527,000 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 utilized 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 99–396, or any subsequent legislation related to Commonwealth of the Northern Mariana Islands Covenant grant funding: *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 of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations and maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further,* That any appropriation for disaster assistance under this head 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 Compacts 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, $24,938,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658: *Provided,* That notwithstanding section 112 of Public Law 101–219 (103 Stat. 1873), the Secretary of the Interior may agree to technical changes in the specifications for the project described in the subsidiary agreement negotiated under section 212(a) of the Compact of Free Association, Public Law 99–658, or its annex, if the changes do not result in increased costs to the United States.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of the Interior, $55,982,000, of which not to exceed $7,500 may be for official reception and representation expenses.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $34,608,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $23,939,000.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100–497, $1,000,000.

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 ''Office of the Secretary'', ''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)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must, be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oilspills; response and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided,* That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further,* That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the ''Emergency Department of the Interior Firefighting Fund'' 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)(D) 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, U.S.C.: *Provided,* That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

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

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

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

SEC. 107. Appropriations made in this title from the Land and Water Conservation Fund for acquisition of lands and waters, or interests therein, shall be available for transfer, with the approval of the Secretary, between the following accounts: Bureau of Land Management, Land acquisition, United States Fish and Wildlife Service, Land acquisition, and National Park Service, Land acquisition and State assistance. Use of such funds are subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

SEC. 108. Amounts appropriated in this Act for the Presidio which are not obligated as of the date on which the Presidio Trust is established by an Act of Congress shall be transferred to and available only for the Presidio Trust.

SEC. 109. Section 6003 of Public Law 101–380 is hereby repealed.

SEC. 110. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of the Interior for developing, promulgating, and thereafter implementing a rule concerning rights-of-way under section 2477 of the Revised Statutes.

SEC. 111. 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 26, 1990, in the areas of Northern, Central, and Southern California; the North Atlantic; Washington and Oregon; and the Eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 112. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing, or the approval or permitting of any drilling or other exploration activity, on lands within the North Aleutian Basin planning area.

SEC. 113. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Eastern Gulf of Mexico for Outer Continental Shelf Lease Sale 151 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992–1997.

SEC. 114. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Atlantic for Outer Continental Shelf Lease Sale 164 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992–1997.

AMENDMENT OFFERED BY MR. KOLBE

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

The Clerk read as follows:

Amendment Offered by Mr. KOLBE: Page 19, line 15, after ''property'' insert the following: ''except when it is made known to the Federal official having authority to obligate or expend such funds that the survey or research has been requested and authorized in writing by the property owner or the owner's authorized representative''.

Mr. KOLBE. Mr. Chairman, this amendment has been cleared with the majority and the minority. It has been cleared also with the authorizing committee, so I will take less than 30 seconds to describe it.

Basically, when we transferred the functions of the NBS, National Biological Survey, to the U.S. Geological Survey, we put in language which prohibited the use of any funds to conduct surveys. USGS does do surveys, always with written authorization, so this simply restores that and clarifies it and makes it clear that if they are requested, and if it is authorized in writing by the private property owner, they can do the survey. Without this, USGS, for example, would be unable to go on the property of Phelps Dodge or Magnum or some other company to do a geological survey. We think it does clarify it, and it has been cleared.

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

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

Mr. REGULA. Mr. Chairman, as I understand it, it is cleared with the authorizers?

Mr. KOLBE. It has been, that is correct.

Mr. REGULA. Mr. Chairman, we have examined the amendment, we think it is a good one and we are in agreement. We accept the amendment.

Mr. YATES. If the gentleman will yield, we have no objection to the amendment, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. KOLBE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REGULA

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

The Clerk read as follows:

Amendment offered by Mr. REGULA: On page 9, line 22, strike ''498,035,000'' and insert in lieu thereof: ''499,235,000'', and

On page 18, line 25 strike ''686,944,000'' and insert in lieu thereof: ''685,744,000'', and

On page 19, line 3, strike ''112,888,000'' and insert in lieu thereof: ''111,688,000''.

Mr. REGULA. Mr. Chairman, this amendment transfers $1.2 million to support the breeding bird survey that transfers from the USGS to the Fish and Wildlife Service. The Fish and Wildlife Service prior to 1993 performed this function. We want to give it back to them. I think this is a very important function.

The gentleman from Wisconsin [Mr. OBEY], the ranking member of the full committee, filed a dissent. It is on the back page of the report. I think the information and the ideas he expressed therein are very constructive. We are trying to respond to the concerns expressed by the gentleman from Wisconsin [Mr. OBEY]. I share them.

Many groups across the country participate in the survey on the breeding birds and they find this something they like to do, so we want this to continue. Therefore, we are taking some of the funding in the resource research division we have created in USGS and have transferred it to the Fish and Wildlife for that function.

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

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

Mr. YATES. Mr. Chairman, I am impressed with the chairman's argument. Why do you not do it for all the other places where you have banned the use of volunteers?

Mr. REGULA. In response to the gentleman's question, Mr. Chairman, this is the biggest item in terms of volunteer hours. It is a selected function in terms of dealing with the migratory birds. We felt that it would be very appropriate to have the volunteers do this.

Mr. YATES. I do not think there is any doubt that this is a place where you can use volunteers. But I should like to suggest to the chairman that there are other places as well. I would hope that he would give them his close attention.

Mr. REGULA. Mr. Chairman, I would point out that with the exception of the natural resource research function, within the USGS there is no restriction on the use of volunteers, and as we all know, there are hundreds of thousands of volunteers in forests, parks, BLM, Fish and Wildlife, USGS, and they are in no way restricted by this bill.

Mr. YATES. If the gentleman will yield further, I have a factsheet from the Department of the Interior. It says that during the last 4 years, 32 veterinary medicine students and 18 others have volunteered over 3 person-years to the National Wildlife Health Center in Madison, WI, to perform postmortem examinations and other highly technical activities in collaboration with the center's diagnostic staff.

Apparently even in scientific work, volunteers have done a creditable job.

Mr. REGULA. We discussed that with the gentleman from California [Mr. MILLER], and I know it is a matter of a difference of opinion.

Let me just mention one further thing. The language in the science portion of USGS as provided in this bill says that if there is an authorized bill on this subject, and I know that the authorizing committee plans to bring one out, that the language in the appropriations bill will drop out and whatever comes in the authorizing bill, they can address the volunteer issue in that bill.

Mr. YATES. I thank the gentleman.

Mr. REGULA. Mr. Chairman, the amendment transfers $1,200,000 from the U.S. Geological Survey, surveys, investigations, and research appropriation, natural resources research activity, to the U.S. Fish and Wildlife Service, resource management appropriation, migratory bird management activity to support the Patuxent bird banding lab and the breeding bird survey, the latter of which is conducted largely by volunteers and is essential in the promulgation of Federal migratory bird hunting regulations. This transfer also includes $200,000 for the related waterfowl survey work on the Yukon Delta refuges in Alaska. These activities were formerly funded in the Fish and Wildlife Service and were transferred to the National Biological Survey when it was established. The amendment does not transfer back the computer support for this program, with the expectation that the data analysis needs of the breeding bird survey be given the highest priority within the resources research activity.

□ 1315

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

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

Mr. MILLER of California. Mr. Chairman, on the point that the gentleman from Illinois was pursuing with you, I appreciate what the gentleman is doing in terms of the migratory birds. But, again, I do not understand why we are going to draw a barrier around one provision where he will not be able to use volunteers.

We started to talk about it this morning in the debate on the rule. But can the gentleman tell me, he says, Well, not for the science functions. He wants everybody to be a Ph.D. But I do not understand.

Mr. REGULA. Mr. Chairman, I would say to the gentleman that this is to try to address the property rights issue. As you know from service on the authorizing committee, there is a divergence of opinion.

As I know the gentleman is the senior member of the minority on the authorizing committee, he is going to be addressing this problem in that committee and I would suggest that the volunteer issue should be raised by the gentleman in developing authorizing legislation.

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

Mr. Chairman, I want to commend the author of this amendment, but I think the gentleman could get greater commendation by doing rather more.

I am curious, why is it that this amendment deals only with the breeding bird situation at Fish and Wildlife and the Interior Department as opposed to dealing more broadly with the entire program for the use of volunteers by the Fish and Wildlife Service? Can the gentleman inform me why this narrow limitation on this matter?

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

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

Mr. REGULA. In responding, to a certain extent, to the dissenting views of the ranking member of the full committee, and he addressed the breeding bird issue, the migratory breeding birds and, the fact that the great bulk of the volunteer effort is expended on doing the surveys on the migratory breeding birds. And the gentleman is a sportsman and understands that very well.

Mr. DINGELL. Mr. Chairman, I support what the gentleman is doing, but he still has not answered my question. The question really is why is the gentleman just making the use of volunteers by Fish and Wildlife Service available in the case of the migratory bird survey? Volunteers are used by Fish and Wildlife Service for running refuges, for conducting a whole series of surveys, for dealing with the salmon problem in the Pacific Northwest, for addressing different problems that exist within the Service in terms of serving as guides and interpretive people at the refuges.

Indeed, in many refuges these are the only people, the volunteers are the only people that are available to make the refuge system work. I am unaware of any abuse that has been committed by the volunteers or any abuse that exists with regard to this system. And If the gentleman can inform me what that abuse is, or why is it that we are terminating the use of the volunteers in the refuge system, and why the gentleman is limiting this addition only to volunteers with regard to the breeding surveys, he will help me enormously.

Mr. REGULA. If the gentleman will continue to yield, all the activities you described are not affected in any way.

Mr. DINGELL. As a matter of fact, I think they are, because the language of the bill, if the gentleman will permit, simply bans the use of volunteers.

Mr. REGULA. For natural resource research only in USGS. That is the only place it is affected. Fish and Wildlife is in no way affected in the use of volunteers. The Park Service is not affected. The other divisions of the USGS are not affected. And all I have done in the proposed amendment is transfer additional money to the Fish and Wildlife Service to do the functions you are talking about, and specifically the breeding bird survey.

Mr. DINGELL. It may well be that that is so, but the hard fact of the matter is that the Fish and Wildlife Service uses them for fish surveys in the Pacific Northwest, something that is extremely important. The salmon are

now approaching the status of endangered species in the entire northwestern part of the United States.

Without that particular use of volunteers for surveys on streams, and things of that kind, to count breeding populations and things of that kind and to identify reproduction, you are going to find a major threat to the salmon resource in the entire Western part of the United States.

Now, why are we not including them?

Mr. REGULA. Mr. Chairman, if the gentleman will continue to yield, the only limitation is on the natural resource function in USGS as far as volunteers.

As far as the Fish and Wildlife Service, any science that they are doing, any activities that they are doing, can be done by as many volunteers as they choose. There is no limitation.

Mr. DINGELL. Mr. Chairman, reclaiming my time, I want to make it very, very clear to my friend, and I applaud what he is doing, but I want to make it very clear to my good friend that I did not favor the idea that we would create a U.S. Biological Survey. I thought it was a step backward. I thought it created great peril. I thought it set up a target where we could do great hurt to the Fish and Wildlife Service and to the conservation efforts of this United States by setting up this kind of an entity. I opposed it on this floor and I think it is a bad idea.

But that is not the problem we confront. There are a number of scientific efforts that are conducted now by this entity. I intend to try and get rid of it at the earliest possible moment. But during the time that it is there, whether you like it or not, the hard fact is this agency has to be able to perform the scientific research that has to be done in order to get the information that is necessary for us to properly manage our Fish and Wildlife resources.

I am not talking about going out and shutting down somebody who has a controversy involving the Endangered Species Act or anything of that sort. I was just saying to find out about the wildlife resources of the United States, this kind of survey has to be done. This kind of survey, under the unfortunate existence of the Biological Survey, is done by the biological Survey. It is not only the breeding bird population survey which is at stake here.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. DINGELL] has expired.

(On request of Mr. OBEY and by unanimous consent, Mr. DINGELL was allowed to proceed for 5 additional minutes.)

Mr. DINGELL. Mr. Chairman, I want to make it clear, I am trying to proceed in a friendly way. I have great respect for the gentleman, and what he is doing is good, but not good enough.

I yield to my good friend.

Mr. REGULA. Mr. Chairman, I want to reemphasize that any science done by the Fish and Wildlife Service is not affected one iota. This is only the natural resource research, and it is only after October 1.

The NBS, the National Biological Survey that you do not like, and I do not have any great affection for either, will be able to continue their programs until September 30, and by that time we hope the Fish and Wildlife Service can address their needs.

Mr. DINGELL. Mr. Chairman, reclaiming my time, but remember you have runs of spring Chinook. They will be coming in during the time in which this is forbidden. It is not Fish and Wildlife that conducts all of those research efforts. And a lot of the people that do the work are now shifted by a bookkeeping effort from Fish and Wildlife's budget over to the Biological Survey. They are doing the same work that they did when they were in the Fish and Wildlife Service, and they are doing it in concert with people in the Fish and Wildlife Service, but they are paid by the other agency.

So, whether this amendment carries or not, and it is a good amendment. I intend to support it, but I would like to support it if it were better. Whether it carries or not, still the question is going to exist as to whether or not volunteers can participate in that survey.

But I want to reiterate for the benefit not of my friend, because I know he understands what is going on. I understand the politics of this situation. He has been caught in a political situation where some know-nothing somewhere came to the conclusion that we had to do away with the use of volunteers by the Fish and Wildlife Service or the Interior Department.

I want to give my colleagues here some appreciation of the hard facts. If my colleague were to offer a similar amendment with regard to the Defense Department or the Veterans Administration and say that you could not use volunteers in a hospital run by the VA or run by the Department of Defense, people would say you are crazy.

We run the entirety of these hospitals in almost total dependence on volunteers. The volunteers there do the work. The volunteers there comfort the patients. The volunteers do actually research, and things of that kind, which is extremely important to the existence of those agencies and the services at the hospitals.

Now, a similar situation obtains with regard to the Fish and Wildlife Service and the Interior Department. I still have not heard from my dear friend why it is that we are prohibiting the use of volunteers in this. If the Biological Survey is bad, I will be happy to join the gentleman in offering legislation which will simply do away with it. I think it was extremely unwise it was ever adopted. But I do not think we ought to punish ongoing efforts which are extremely important in terms of efforts which are done using scientific methods to manage our living resources, not only in the West but in the East. Can the gentleman tell me why this thing was done in the first place?

Mr. REGULA. If the gentleman would yield, as a veteran, if I go to a veterans hospital, I do not want any of the medical procedures carried on by the volunteers. What we are trying to go on here is the science.

Mr. DINGELL. There are volunteers in the VA hospital and you are going to find out how well you are going to do there, but the gentleman still has not answered the question. And having dealt with the gentleman over the years, I know how adept and adroit my good friend is, but I want to make it clear that he has not answered the question as to what blockhead it was that did this on this particular legislation.

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

Mr. DINGELL. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me say that I share the concern of the gentleman in the well about the creation of the National Biological Service in the first place. I think it was a tactical mistake. I do not think it should have been done and I would join him in the actions that he described.

Mr. DINGELL. Absolutely.

Mr. OBEY. But I want to ask the gentleman from Ohio to reconsider what I think is really a mistake in attitude about how different functions of this Government can be carried out. You said during the debate on the rule that you would be happy to provide support for all of the volunteers that we wanted, if they were Ph.D. biologists.

I would just make this observation. At the National Institutes of Health, if we insisted that only Ph.D. scientists could review routine data and perform routine tasks in compiling observations, we would raise the cost of medical research in this country tenfold.

You do not need Ph.D. scientists to perform a lot of the functions at NIH or with respect to some of the surveys that the gentleman in the well is talking about and, with all due respect, to those who can make somewhat flippant remarks about the knowledge level of these volunteers, I suggest that their usage is perfectly appropriate in most of the instances that the gentleman in the well is talking about.

And if you want to set up a standard that you have got to have a Ph.D. every time you deal with either a medical problem or an environmental problem, you are going to raise the cost of these programs by 10 to 15 times their present cost.

Mr. DINGELL. Mr. Chairman, reclaiming my time, this is particularly true in view of the fact that the Republican Party is also talking about the need to have volunteerism. Here we have a piece of legislation which simply bans volunteerism in a very important area.

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

Mr. Chairman, I support the Gilchrest-Dingell NBS [National Biological Service] volunteers amendments. During a time when budgets are being cut and agencies are being asked to do more with less, it makes little sense to prohibit the use of properly trained volunteers working under the supervision of professionals.

Volunteers have provided a wide variety of services, from common labor to highly specialized areas of expertise. The last year for which national statistics were gathered—6,080 volunteers added at least 240 FTE's to the National Biological Service's work force. That, Mr. Speaker, was an increase to the paid staff of almost 13 percent. The Department of the Interior's 30-year-old breeding bird survey would have been impossible had they not used volunteers.

Mr. Chairman, I urge my colleague not to set up artificial roadblocks to impede the Department of the Interior from gathering information that allows us to understand the health of our living resources. Support the Gilchrest-Dingell amendments.

□ 1330

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

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

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

Mr. REGULA. Just to respond to the gentleman from Wisconsin, I would point out that there are over 200,000, probably 300,000, volunteers that serve all the agencies, and this amendment, nor does this language in the bill in any way affect them, and all I said is that if you are doing scientific work, it should be done by professionals as much as possible, and that is what we are attempting to do. If it is a high degree of science and the volunteer limitation is in the area of USGS that is devoted to natural resource research to developing ideas, then I think the researcher needs to have skills in order to make sure that is valid and quality science, and I know the gentleman from Michigan would agree with that.

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

Mr. POMBO. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, if that is so, why is this amendment necessary? This amendment is necessary to cure the mischief that is included in the appropriations bill which prohibits the use of these kinds of volunteers for this kind of work.

Mr. REGULA. If the gentleman will yield further, this amendment is necessary to enable Fish and Wildlife to have adequate funds in addition to their regular duties, to do the breeding bird survey, which the gentleman very much wants to happen.

Mr. DINGELL. I applaud what the gentleman is doing, but he still has not addressed the problem.

Mr. POMBO. Mr. Chairman, I would just like to comment that the reason that we wanted to ban volunteers in the scientific part of this bill was we feel that we need to depend upon better science than what is being used right now, and that if you have volunteers out gathering scientific data, that data can come back reflecting the agenda of the volunteers. If we are going to, as policymakers, make decisions based on science, we need to have it based on good science.

If you have a bunch of volunteers running all over the country supposedly collecting scientific data, I believe that the data can come back skewed one way or the other, which does not benefit us.

What the gentleman from Ohio [Mr. REGULA] is trying to do with this amendment is to cure one part of the bill that was overlooked when they drafted it. I believe it is a correct amendment. I support that amendment.

But I will also support the ban on volunteers in gathering scientific data that we are supposed to base our decisions on.

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

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. I hate to belabor the point, ladies and gentlemen, but the gentleman from Ohio has simply not answered the question the gentleman from Michigan [Mr. DINGELL] and others have asked, and that is: Why do you have a ban on volunteers?

And we are told that we have a ban on volunteers by the gentleman from Ohio and the gentleman from California only because we want good science. Well, if a PhD, if a Nobel Prize winner wants to volunteer, they cannot volunteer, because this says, ''No volunteers in the USGS'', so a Nobel Laureate cannot go out on the weekends and take water samples, take a little test tube, put it into the river and collect it and give it to a government scientist, because it says, ''No volunteers.'' It does not say, ''Volunteers except for Einstein.'' It says, ''No volunteers.''

So you have not answered the question.

It is not a property issue, because we just accepted the amendment offered by the gentleman from Arizona [Mr. KOLBE] that says you can go onto private property if you are, in fact, invited by the owner of that property, as we have seen with a number of timber companies that want this service provided so they can design their cuts to maximize the efficiency of their operations and environmental protection. So you are stuck here with something that does not quite smell right.

Now what else have you done? You really denigrate hundreds of thousands of people in this country. Some are bird watchers, some are reptilian fanciers, some are people who are interested in habitat, some are interested in this as a hobby, and they are very skilled people. They work in Yosemite National Park, they work in the Sequoias. They are collecting data. Yes; I say to the gentleman from Ohio [Mr. REGULA] they are interrupted because every study that Fish and Wildlife does now will have to be redesigned and refunded because it is relying on volunteer programs designed by the National Biological Survey, which has now been put into the U.S. Geological Survey. You cut that budget by $49 million. You start to see the picture? You cut the budget. We need more volunteers. You prohibit the volunteers, and the other agencies that are relying on these volunteers now will not be able to use them because they come out of USGS.

Why do you not give back the American people the right to volunteer on behalf of their Government? And why do you not give back to the Government the right to supervise those people? Because we have not had these complaints. We have not had the complaints in California where they are working in the Rosewood National Park to document changes in channel stability so we know what the farmers can do upstream in that area. They are working in Sequoia National Park, and they have over 480 hours, for a total of 1,920 hours they have given collecting data, not rocket scientists, collecting data under the direction of people there.

Over the last 15 years, 75 volunteers have contributed to the efforts of the Santa Cruz field station to help the 5 employees who are there. We see it in the National Park Service and the National Marine Fisheries, studies that are used that rely on these same people and these volunteers.

They are doing it in Maine at Acadia National Park, monitoring bald eagle reproduction which contributed to the downlisting to removing this bird from the endangered species; the Southern Science Center has over 30 volunteers. These volunteers help in laboratories and greenhouses and help with the coastal mapping activities.

These are American citizens who are out there helping their Government, helping the private sector, and what you are telling them is, ''No,'' you are telling them ''No.''

You have them in Massachusetts at Turner Falls, at the global change lab in Hadley and the Cape Cod National Seashore field station; you have the great American fish count, where every year during 2 weeks in July thousands of people go in to count the fish. So, again, we can start to map what catches will be available or not be available. You have them in Alaska, where they help out in counting the Canadian geese. It goes on and on and on.

The point is this: The point is that many of these are very talented graduate students from our finest universities, and they volunteer. Now, mind you, some only have masters degrees, a hell of a lot more educated than many Members of this Congress in a specific field, and they are volunteering. Some of them are some of the most noted people in their fields as private citizens, but they go out during certain periods of the year to help us find out more and more about species and about habitat, to help the Government make intelligent decisions, and we are going to cut these people off. We are going to cut these people off even though we have the protection that they cannot go on private land without being invited and even though they are following the direction of government employees or contractors or what have you.

We have them in the State heritage programs, very important programs to most States. They are helping the States design these programs. We cannot use them, because they are now in the USGS. Why can we not use them? Because we said that we did not want to use them because they are scientists; they are scientists in many instances. You ought to get yourself out of this situation. You ought to get yourself out of this situation. You ought to go back to what President Bush talked about, the 10,000 points of light. We have got to go with what every President of the United States has talked about, encouraging voluntarism.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 4 additional minutes.)

Mr. MILLER of California. Mr. Chairman, we have got to understand the kind of time that these people are giving the Government, and now apparently if they are not associated with the USGS, they will still be allowed to do that.They could do it for NASA, they could do it in the fields of education, they could do it at NIH, they can do it everywhere else in the Government, but we are not going to let them wade into our streams and put a beaker down and pick up some water and take it to the laboratory. We are not going to let them pick a little bit of flowers or identify a bird even though they may be the best people in the Nation identifying the bird.

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

Mr. MILLER of California. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, the gentleman, as a member of the authorizing committee, knows full well that USGS will now have four branches, including the one on natural resource research. There is no limitation in the other three divisions, geologic, water, you mentioned water, there is no restriction, and mapping.

Mr. MILLER of California. There is a restriction.

Here are all the grants; here are all the programs ongoing for 5 years, 3 years. They have to be rewritten now because you prohibit the thousands of Americans who are helping their Government because these programs are off limits. Now these programs are off limits.

You say you want the authorizing committee, fine, let us design it. You put a ban on it, so for the next fiscal year they cannot do this.

Mr. REGULA. If the gentleman will yield further, if you read the language carefully, it says in the natural resource research arm of USGS. That is just 1 out of 4.

Mr. MILLER of California. That is the people running this program.

Mr. Chairman, reclaiming my time, I appreciate what you are saying. You have taken the National Biological Survey, you have put it into the science function of USGS.

Mr. REGULA. We abolished it and created this function.

Mr. MILLER of California. In the transfer, somebody lost $50 million, and in the transfer they lost the right to all the volunteers, and in the transfer they lost the right of these thousands of citizens to participate with Fish and Wildlife or any other agency who are relying on these; yes, they were relying on the Biological Survey. The programs have now been abolished and transferred.

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

Mr. MILLER of California. I yield to the gentleman from California.

Mr. POMBO. When we started getting into this whole argument about what we did with NSB, the National Biological Survey, in maintaining the science function, I was told as we passed on the House floor last year, there was a ban on volunteers, that the National Biological Survey was not using volunteers in accordance with the ban that was passed on the House floor.

Mr. MILLER of California. You are getting bad information. Here is program after program in our State and other States.

Mr. POMBO. If the director of the National Biological Survey is giving me bad information, I apologize.

Mr. MILLER of California. They are in fact using the volunteers. Here it is. You still have not told me why you would ban this group of Americans from participating with the Government like hundreds of thousands of other Americans getting to participate on a voluntary basis.

The gentleman from Ohio [Mr. REGULA] says if he goes into the hospital, he does not want a volunteer doing the work.

Mr. REGULA. Specific work.

Mr. MILLER of California. When the doctor gets to taking your urine sample, who is going to carry it down the hall? Do you want to pay the surgeon's rates, or would you like to have somebody else help out the surgeon?

Mr. POMBO. If the gentleman would yield, the reason that we are banning them on science is that you are fully aware of the fact that there is very little effort on the part of private property owners in this country to participate with volunteers. We feel that the best way to collect scientific data is using professionals, and we feel it is extremely important that we use the best science possible.

Mr. MILLER of California. Reclaiming my time, the point is this: As already stated, you can have people who have their Ph.D.'s, who have a Nobel Prize, and they cannot volunteer in the science part of USGS under this bill. There are no exceptions.

Now, even though they cannot get onto the land that you are concerned about, and we are all concerned about, without the owners' invitation, and I suspect he would ask are you going to have 50 grade school children running around my land, or are you going to have some serious scientists conducting this study, then he would decide whether or not he or she would extend that invitation. You have all those built-in safeguards. Somehow we are not going to let highly qualified, talented people who happen to want to volunteer in one little piece of the Federal Government, and I still have not heard the reason why.

I think we ought to strike this provision.

AMENDMENT OFFERED BY MR. GILCHREST AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. REGULA

Mr. GILCHREST. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. GILCHREST as a substitute for the amendment offered by Mr. REGULA: Page 19, line 17, insert after ''program'' the following: ''when it is made known to the Federal official having authority to obligate or expend such funds that the volunteers are not properly trained or that information gathered by the volunteers is not carefully verified''.

Mr. GILCHREST. Mr. Chairman, I would like to say something quickly about volunteers. My own son right now is an unpaid volunteer to record information for the Museum of Natural History. I was a volunteer for the Forest Service in a wilderness cabin, designated wilderness area, because the Forest Service could not afford to put somebody in that particular cabin.

We are working with the USGS; that is a little bit different, but the concept is the same.

Mr. Chairman, this amendment is fairly straightforward. It would allow the U.S. Geological Survey to use volunteers for research, provided those volunteers are appropriately trained and supervised and that their data is verified. It reflects almost exactly the language adopted in the subcommittee.

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

Mr. GILCHREST. I yield to the gentleman from Illinois.

Mr. YATES. I accept the gentleman's amendment. I think it is a good amendment.

Mr. GILCHREST. I thank the gentleman.

I would like to make just a couple more points, if I may.

Last year we all learned many Members had concerns about the National Biological Survey. There was a perception that it was a band of environmental activists who would seek to find endangered species on private property, and I would be willing to say, in some instances, that probably happened. It was feared that volunteers had more agenda than training and that their data would be inaccurate. I believe, at best, these concerns very often are overstated.

Let me talk about what this amendment does not do.

□ 1345

It does not allow anyone to collect any resource data on private property. The explicit language of the bill prohibits research on private property. It does not allow untrained environmental activists to sign up to count species. All volunteers must have adequate training. For those who are concerned that volunteers will manufacture data, the amendment requires supervision of the volunteers and a verification of this data.

This amendment is not about property rights. Again let me emphasize that the language of the bill prohibits data collection on private property. Researchers could only collect data on public property.

This amendment is not about the Endangered Species Act. The purpose of this research is to take inventory of natural resources. If this study were to overlap the Endangered Species Act, it would most likely be because new counts of certain species would result in their being upgraded or delisted, which would help all of us. This is not an effort to find out which species are endangered; it is an effort to find out what species we have.

Day after day on the House floor we hear people talking about good science. The distinguished chairman of the Committee on Science just yesterday, the gentleman from Pennsylvania [Mr. WALKER], made an excellent speech about the value of research, and volunteers are critical for this effort. We simply do not have enough money to pay all the people necessary to collect this data. If this amendment is not adopted, then a retired professional with a degree in ornithology, or something of this nature, would not be allowed to help collect scientific data even though he was perfectly trained to do so.

Mr. Chairman, who benefits from this substitute amendment? How can someone argue that we are better off not knowing what plants or animals are out there? Does anyone believe, does anyone believe, that ignorance is our friend and knowledge is our enemy? I do not think so. People want to give us verified information for free. I cannot understand why we would not want that, and we are prohibiting the Federal Government from accepting it. In fact, we will only accept it if we are allowed to pay for it. I do not think that is being very wise.

Mr. Chairman, let me close by emphasizing that this amendment is not about property rights. We already have that. This amendment is not about endangered species; that fight is yet to come. It is simply about allowing the Government to accept free research, and I would ask my colleagues to accept this substitute amendment.

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

Mr. GILCHREST. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, the gentleman's explanation has confirmed the opinion that I expressed in the first place. I think it is a very good amendment, and, as far as our side is concerned, we are willing to accept it. I would urge my chairman to accept it as well.

Mr. GILCHREST. Mr. Chairman, I would like to make one other comment about volunteers and use the State of Alaska for an example.

For 10 years over 20 Yupik Eskimo student volunteers have donated over hundreds of hours assisting the Alaska Science Center band cackling Canada geese in western Alaska. They calculated the annual and seasonal mortality of the population by resighting the neck-collared geese in Oregon and California, their wintering habitat.

Without this data collection there would be basically no hunting season. This type of data collection by volunteers who are trained, whose information is verified, will save the U.S. government millions of dollars and, I am sure, do what both sides of this issue wanted to do. That is try and get information.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. GILCHREST] has expired.

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

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

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

Mr. POMBO. Mr. Chairman, I say to the gentleman, ''You in your amendment say that the volunteers are not properly trained or that information gathered by the volunteers is not carefully verified. I would like to ask the maker of this amendment who will be determining whether or not the volunteers are properly trained or that the information is carefully verified.''

Mr. GILCHREST. The Federal officials will verify the research and have the funding for that particular program which ultimately is the Secretary of the Interior.

Mr. POMBO. So the gentleman's definition of this is that the Federal officials themselves would be determining that.

Mr. GILCHREST. Yes.

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

Mr. Chairman, I reluctantly rise in opposition. I am a big fan of volunteers. As we have hearings, I ask each of the agencies, ''How many volunteers do you use?'' I am a volunteer myself. I just worked on a home for Habitat last Saturday, and I am not a skilled carpenter, to say the least. But I want to point out to the gentleman from Maryland [Mr. GILCHREST] that this would in no way inhibit his son from working with the Forest Service. It in no way inhibits the volunteers in Alaska. It is a very restrictive area that we do not allow the use of volunteers.

In addition I would say to the gentleman he is a member of the Committee on Natural Resources. The language in this bill that establishes the Natural Resources section of USGS says clearly that, as soon as an authorizing committee produces legislation, that will override, and I would urge the gentleman, as the authorizing committee works on developing legislation in this field, to bring to that, the members of his committee, his ideas on volunteerism, and perhaps it can be very narrowly restricted to ensure to the owners of private property that they will not have the problems that they have suffered to some extent in the past.

In addition let me point out again that this in no way, no way whatsoever, affects volunteers in the Forest Service, the Park Service, the Bureau of Land Management, the U.S. Fish and Wildlife Service, the USGS, except for the very narrow activities in the area of natural resource research.

I think it is great. Volunteerism is very much a part of the American way, and it's just, that in this instance, we are trying to narrow the way in which this program is used.

This is not NBS. This bill will eliminate NBS. Until September 30 they would continue to use volunteers as they choose, and, hopefully before that, the gentleman's committee will have a bill and will reflect some of the gentleman's ideas on volunteerism.

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

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

Mr. GILCHRIST. Mr. Chairman, I thank the gentleman for his suggestion about correcting some of the problems so that we can make better use of volunteers, reduce the costs of collecting data to enhance the quality of data we collect, and I certainly will pursue that agenda. But I think we could correct the problem right now if we adopt the substitute amendment.

I also want to make two other quick points, if the gentleman will continue to yield. The bill says the following if there are any concerns about private property rights on page 19, starting on line 12:

Provided further, That none of the funds available under this head for resource research shall be used to conduct new surveys on private property.

So the key has locked the door and slammed it shut to protect private property rights.

What we are looking for, Mr. Chairman, and I understand and I appreciate the fact that National Biologic Survey has been wiped out, but sent over to the U.S. Geological Survey, which is a reputable, scientific organization, but in that area of USGS where they will be collecting data for species around this country so that we can have some sense of the health of the biological diversity of this country, the importance of biological diversity of this country, the potential value of biological diversity in this country, will be hampered and hindered unless we give that particular agency the tools to collect that data, and I think we have strapped USGS by limiting the use of trained volunteers when the information that they bring back to them will be verified.

Mr. REGULA. Reclaiming my time, two points. One is that the gentleman will have an opportunity in the authorizing committee to bring to that committee his ideas. We would hope there would be a permanent bill prior to October 1 and, therefore, this language will not go into effect.

Second, we just accepted an amendment on both sides of the aisle that says that, if it is requested and authorized in writing by the property owner, that they can under this natural resource research division in USGS go on private property lands. So it is not just restricted. I say to the gentleman, ''You see that changes the dynamics.''

Mr. GILCHREST. Mr. Chairman, will the gentleman yield.

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

Mr. GILCHREST. There have been some significant changes that I think have gone in the right direction. The Breeding Bird Survey I think takes up about half of the volunteers in this country. To allow a willing property owner to have species studied on his property, that is another move in the right direction, I think, for fiscal reasons.

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maryland [Mr. GILCHREST].

Mr. Chairman, again with great respect and great affection for my good friend, the chairman of the subcommittee, I would like to support this amendment very strongly which is offered on behalf of the gentleman from Florida [Mr. GOSS] and by our good friend, the gentleman from Maryland [Mr. GILCHREST]. It is a good amendment.

As my colleagues know, I cannot understand what it is that the Committee on Appropriations has against using volunteers to collect scientific data and information. If that is their concern, they should say so. I have asked on a number of occasions why is the language at lines 12 through 17 in the bill? There is no answer. What abuse is this language directed at? Has there been some impropriety by Fish and Wildlife or by the Biological Survey which has been committed which would trigger this kind of response? The answer is nobody knows, but all of a sudden this language shows up, and it says:

You can't use volunteers at the Biological Survey to collect data and information which would be of value in understanding what is going on with regard to our fish and wildlife resources in this country.

Now this language is not something which is thought lightly of in the conservation community. The Audubon Society, the Trails Unlimited, National Wildlife Federation, and the International Association of Fish and Wildlife agencies all are opposed to the language, and all support the amendment because they recognize that we need to have information to manage wildlife resources. Without it we cannot do an intelligent job of managing those precious resources.

We are not talking about endangered species. We are not talking about regulatory actions. All we are talking about is the collection of information and data of scientific information and of utilizing volunteers to assist the taxpayers and the Government in carrying out the mission of this Government. Why that should cause distress, pain, suffering, and heartburn on the part of my friends on the Committee on Appropriations I do not know.

Mr. Chairman, I have inquired to find out what it is that distresses so many of my friends on the Committee on Appropriations about that situation. They cannot say.

The hard fact of the matter is that volunteers are used throughout the entirety of government and they serve well and honorably. They provide informational services. They serve as associates in the administration of public lands. They serve as volunteers at hospitals to assist the sick and the ill in government-run hospitals. They serve at the National Institutes of Health, the National Science Foundation. We have a large internship program here, and yet we say no Fish and Wildlife, Biological Survey, Interior Department can use volunteers. Why? Nobody knows, but it causes great distress to the Committee on Appropriations so they put in this language.

Now the International Association of Fish and Wildlife Agencies, all of my colleagues' home-State Fish and Wildlife administrators, their game and fish commissions in their own States, say that is a bad thing, that that language should be removed, that we should use volunteers. My dear friend from Ohio, for whom I have the most enormous respect, cannot tell us why this language is here. Obviously he is under some sort of pressure, and I respect him for having responded to it with such grace and dignity, and I must say that there is no man who could have done a better job in handling a bad hand in a poker game, but the hard fact of the matter is this language is bad, it is unwise, it is unnecessary. The chairman of the subcommittee cannot explain why it is here.

So, we ought to adopt this amendment. What we really ought to do is to strike the entirety of the language from line 12 down through line 17. Then we would have a program which would continue to make the public be able to participate in their government, to enable us to derive enormous advantage from the service of ordinary citizens to save money on behalf of the taxpayers, to gather needed information in a timely fashion so that we can protect the precious and treasured Fish and Wildlife resources in the United States.

☐ 1400

Why we are trying to deny ourselves that, I cannot explain. My good friend from Ohio, the chairman of the subcommittee, cannot explain why. I have asked him on several occasions. He suffered mightily over the question, but he cannot answer it.

So my urging to my colleagues is, join the responsible people in the conservation community. Join your own home State fish and game administrator. Support the amendment offered by the gentleman from Maryland [Mr. GILCHREST], and then let us try and lay to rest this cockamamie idea that we should not use volunteers in this country because some oddball somewhere gets the idea that we really should not.

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

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

Mr. REGULA. Mr. Chairman, there is nothing here that says we cannot use volunteers in America. It is a very narrowly constricted area. We permit hundreds of thousands of volunteers, and your friends at Fish and Wildlife can continue to volunteer. I am trying to let them do the breeding bird survey, if you let me get to the amendment.

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

Mr. Chairman, I rise in strong support of the Gilchrest amendment. I am a little bit baffled by the language this bill is amending. Why is the Committee on Appropriations so fearful of volunteers? I always thought the Republican Party was the champion of volunteerism. That is what Ronald Reagan said, volunteers were to take over what had been government responsibilities. That is what George Bush said, volunteers were 1,000 points of light.

But here we have a program that uses thousands of volunteers to help carry out what would otherwise be a very expensive government function, and we want to turn them away unceremoniously.

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

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

Mr. REGULA. This is a new program. It cannot have used thousands of volunteers, because it has not been in existence.

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, for such a reversal of our party's course, quite frankly, one must assume that these volunteers were some sort of dangerous cabal or cadre. But who are most of these volunteers? Bird watchers? Not a bunch who are thought to be a very dangerous group.

Well, I for one am willing to take the risk and let the bird watchers and the fish counters and other volunteers go about their business. I am willing to trust that they will be well-trained and well-supervised, as they have been, and as the Gilchrest amendment requires, and they will provide information to help policy makers make informed decisions.

I have said it many times on this floor and I will repeat it: The American people want us to do more with less, not to do more knowing less. I urge my colleagues to support this well-reasoned, very carefully crafted amendment, and to endorse our traditional source and encouragement for volunteers.

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

Mr. BOEHLERT. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, I want to make a comment about volunteers that would come under the jurisdiction of USGS as far as collecting data on species. In Maine and Maryland, recently volunteers are the ones who collected the data that was used by the National Biological Survey that would now be incorporated into the USGS to delist bald eagles. It was the important use of those volunteers that went out into the field, very well-trained, the information was verified, and in the State of Maine now and the State of Maryland, the bald eagle is now delisted from endangered to threatened. That was the value of volunteers. It could not have been done without those valuable, trained volunteers.

Mr. BOEHLERT. Mr. Chairman, volunteers all across America, in so many aspects of our daily life, do wonderful service for the American people. We here in the people's House should be encouraging them.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maryland [Mr. GILCHREST].

Mr. Chairman, with all due respect to myself and all of my colleagues who have participated in this debate, not only today, but its predecessor a couple of years ago when we first authorized in this House the National Biological Survey, this has to be one of the silliest debates I have ever had the privilege to be participating in.

I invite Members to concentrate on what it is we have been talking about. There have been three propositions before us in the course of the day: The first is the one that is in the bill, and it is based on the premise apparently there is something inherently pernicious about volunteers, because it prohibits them outright from the research of the U.S. Geological Survey. No volunteers. No one has yet told us what is particularly pernicious and dangerous about volunteers, but it prohibits them.

The second proposition before us is offered by the distinguished chairman, the gentleman from Ohio. The essence of the gentleman's amendment is, well, on the other hand, maybe you can have them. They are OK for the migratory bird survey, but not for anything else. But that raises the obvious question, if they are not pernicious for the migratory bird survey, why are they so dangerous for the rest of he Geological Survey?

Now, believe it or not, the third proposition before us, offered by the gentleman from Maryland [Mr. GILCHREST], is, if I may roughly translate it, volunteers are OK, as long as they are competent.

What is truly staggering is that is being opposed here on this floor passionately by Members who think this is a major issue. We must not allow competent volunteers to participate in the Geological Survey.

A citizen, in the unlikely event that one is still listening, might ask himself or herself, what are they doing? Have they lost it altogether? We are actually opposing the proposition that competent volunteers ought to be allowed to help us. For God's sake, we are proposing to extinguish the Points of Light that Republican Presidents used to talk endlessly about.

Not only that, but, shockingly, the gentleman from Ohio [Mr. REGULA] has revealed that in our very midst there are volunteers, on this floor as we speak. My God, there are volunteers. The gentleman from Ohio has pled guilty, the gentleman from Maryland has pled guilty, and I have a revelation to make. I hope Members will not be shocked, because I know there are Members here who are offended, frightened, and somehow outraged by the very thought of volunteers. We do not usually do this, but the distinguished gentlewoman staff member of this committee, Karen Stoyer, was a volunteer. I hate to tell you she is not a Ph.D. She was counting whales at a research center on Cape Cod. She concluded, and I think most Members might agree, that you do not need a Ph.D. They are very big. They are not hard to count. That is part of the work that is being done here.

I submit that the propositions before us are apparently absurd. We have more important work to do. Let us adopt the extraordinary contention of the gentleman from Maryland that competent volunteers are OK, and get along with our business.

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

Mr. Chairman, I rise to speak adamantly against the proposal, the amendment that is on the floor. First of all, I want to make it very clear that none of us oppose the use of volunteers, and I think those who have any honesty on the other side really do know that. But we are opposed to using volunteers when the work product that is produced is not adequate and is not accurate.

It has been asked several times, well, just exactly what is the problem? Well, I am here to tell you what the problem is. I am from the West, and I notice that people who have spoken in favor of this amendment are from Maine and Maryland and Massachusetts and Michigan and New York. And what they do not understand about places like Wyoming and Nevada and Utah is the ownership configuration of the land. It is a checkerboard configuration. Forty acres is about 2.2 square miles. So every other 2.2 square miles is privately owned, and then publicly owned, privately owned, and then publicly owned. So when volunteers go out, they, unknowingly, possibly, go on to private land and violate private property rights. That is a problem, because this boils down to private property rights.

Many, many times, in their zeal to protect and preserve the resource, they show little respect for private property rights. They also, again, with all the best intentions, sometimes have a subjective bias to the resource that they are counting. That is why they are there, because that is their interest. So they have a subjective bias, and most have their own environmental bias, which tends to totally disregard private property rights.

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

Mrs. CUBIN. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, there is no question that if you wanted to do surveys on promoting unionism, labor unionism, the volunteers you would get would be labor. They would not come from the management side. If you wanted to get volunteerism to promote abortion rights, you would not get volunteers from the other side of the issue.

On this issue, the volunteers have a specific agenda, as the gentlewoman has mentioned, and that is natural that you will get volunteers from that side. And when the agenda requires research, and the only research you are going to get and the numbers you are going to get are from the side that promotes the environmental side, that is wrong, and that is the whole reason that you have to do this. Even Ph.D's that have an agenda are not going to solve the problem. If you could get a

balance of those that would do the research and the counts and the numbers, that would be a different story, but that is not what is happening.

I could give you horror story after horror story on my own properties as well as property owners within my district that simply say you have got to do away with the people that impose upon your property rights.

Mrs. CUBIN. Mr. Chairman, reclaiming my time, I want to explain one more thing. My district, my State, is 98,000 square miles. As I said, much of it is owned in this checkerboard fashion. So it makes it very difficult to have volunteers go out and have control over them.

If you are going to cover 98,000 square miles with volunteers that are closely supervised, why not just have the supervisors count the flora and fauna on the public lands and leave the private land alone.

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

Mrs. CUBIN. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, we want to ensure that no one is going to go on private land. We realize, and I have lived in the West, the difficulty sometimes of knowing what is private land and what is public land. That is why we wanted these volunteers to be very well trained and supervised, so they do not violate anybody's private property.

Mrs. CUBIN. Mr. Chairman, reclaiming my time, many of these places have not been surveyed. Many of these sections have not been surveyed. So it requires a professional to know what is private land and what is public land.

Again, there are thousands and thousands and thousands of square miles that are owned in this way without markers, without corner posts, so that people will know where the land is. That is why I am saying that is is necessary that professionals do the counting in the West, and that is the reason for the chairman's amendment, and I think the chairman's amendment is good, and I hope you will defeat the amendment on the floor.

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

Mr. Chairman, I just would like to ask the chairman if he could propound a unanimous consent request regarding debate time on this amendment.

Mr. REGULA. Mr. Chairman, if the gentleman will yield, we have been thinking about getting a unanimous consent agreement. Does the gentleman's side want to limit debate to another additional 20 minutes?

Mr. YATES. We would be willing to vote as soon as the gentlewoman from Colorado is through.

Mr. REGULA. If the gentleman will yield, we have a couple more speakers.

Mr. Chairman, I ask unanimous consent that all time for debate on this amendment be limited to 2:30 p.m.

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

Mr. MILLER of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

Mr. Chairman, I stand as a westerner to engage myself in this debate. Mr. Chairman, there seemed to be a protest from the other side that there was nobody talking from the West. Colorado is from the West. I was born in the West, Oregon, and I have letters here from my very own district saying that they really do believe that volunteers are very essential. I have a letter here from a women in my district talking about how important these surveys are and that as an Audubon volunteer she is willing to go out and do all of this.

You just heard about private property, private property, private property. Guess what; you cannot go on private property as a volunteer without permission of the owner. So that is kind of a bogeyman that someone is throwing out there.

The other thing you hear about volunteers are biased, what do you mean? How can you be biased in favor of birds, or biased in favor of migratory birds? I do not understand what all this bias, bias means.

I assume that these are good citizens who are wanting to go out and take a look at what the wildlife is looking like, and they are trying to monitor it. There is never enough money to get that kind of information, I cannot understand what they are talking about, whether they are going to be biased or not.

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

Mrs. SCHROEDER. I yield to the gentleman from Wisconsin.

□ 1415

Mr. OBEY. Mr. Chairman, I just heard the gentleman from California somehow talk about unionization in this effort. Is the gentlewoman aware of any effort that she knows of to unionize birds?

Mrs. SCHROEDER. Mr. Chairman, I do not think the birds have a union. I have been listening to this debate thinking it is not worth getting into because it does not make any sense. My understanding is all this debate is about is an amendment to allow volunteers to be used to monitor migratory birds and then there is an amendment to the amendment saying they have to be competent volunteers. I think that is what it is about.

All of this is modified by the fact that you cannot go on private property without the owner's permission and now we are hearing that some of them might be biased or birds may be getting a union. People are wondering what is going on with us. They are going to want volunteers to be in here carrying on this debate.

I have a letter from a woman in Colorado. Her name is Pauline Ritz. She is with the Denver Audubon society. She points out that she is considered perfectly competent to volunteer in her children's schools, as many of us do.

She was considered perfectly competent to volunteer at the Denver Arsenal, when we were busy trying to make it into a wildlife refuge, even though that arsenal had some of the most polluted land in the world. People were able to figure out how to utilize volunteers very well to move that forward and create something very exciting. And she goes on to point out many other things.

So I think this is a wonderful use of resources. America is about volunteerism.

You could go all the way back to the 1700's, Europeans visiting here could never believe the passionate volunteerism that we had trying to make this country great.

Now, migratory birds and all of these issues are terribly important, I think, for future generations, and nobody wants to go out and hire Federal employees to sit around and count them, because we do not have that kind of money. We are cutting off some essential services.

If I am missing something, let me know what it is. This just seems so simple that I understand frustration of the gentleman from Illinois. Why are we debating this? What is wrong with competent volunteers being able to deal with migratory bird issues, even though we are shutting them out of everything else and with the whole private property area saying you have to have the owner. Why is this a debate? People keep accusing this side of the aisle of stalling things, but these amendments are coming from that side of the aisle. And they are just incredible amendments that I cannot figure out why we are spending this body's time.

I would hope that this body could move propitiously to endorse the amendment to the amendment and then the amendment to the bill, and I think everybody out there will scratch their head and say, my goodness, what is going on there today. There must be something in the water.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and any amendments thereto close at 2:30 and that time be equally divided.

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

Mr. MILLER of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 2:35 and that the time be equally divided.

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

Mr. VOLKMER. Reserving the right to object, Mr. Chairman, there are

Members here who have not had an opportunity to speak. And I would appreciate it if the gentleman would at least extend this time. I am sure there are other Members who would like to speak yet.

Mr. Chairman, continuing my reservation of objection, I yield to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, we were all going to speak for 5 minutes, too. We said that we will not object to the limitation of time. We would all like to get through the thing and give the gentleman from California [Mr. MILLER] his time and us, too. I will not take the 5 minutes, and I was even going to yield to cut the time.

Mr. REGULA. Mr. Chairman, I withdraw my unanimous-consent request.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 2:40 p.m. and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The time for debate on the pending amendment and all amendments thereto shall expire at 2:40, which would be 20 minutes equally divided and controlled by the gentleman from Ohio [Mr. REGULA] and the gentleman from Illinois [Mr. YATES].

The Chair recognizes the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I thank the distinguished chairman for yielding time to me.

Mr. Chairman, the bird survey that we are talking about is put there for a specific agenda; it is to count birds. We have been asked why would we oppose the amendment of the gentleman from Maryland [Mr. GILCHREST]. Some of the Members have indicated that it is trivial, why we would oppose it. I would say, Mr. Chairman, that it is not.

Why would I say that? The previous actions of this House and of the Members and of specific agendas that have been pushed through in the past have superseded common sense. I look at the last time that this body was in the majority on the other side. They were pushing to even have these volunteers to be able to go on the land without permission, without permission of the private property owner. Now they cannot do that, so they are trying to get volunteers.

I would look at the comments of the gentleman from California [Mr. PACKARD]. If you have different agendas, you would go to those groups to have them go into those areas. And the other side of the aisle, some of the speakers, and some on our side, too, as well, believe and they will say strongly, and they have a right to their opinion, but have pushed that agenda to the extreme. And the people that are out in the field, they support that agenda. That is why those volunteers would be even further pushing that agenda. We think that that is wrong.

I look at past actions on private property rights and the inability of those same people that I discussed of yielding anything but to push right through.

The gentleman here that offers the amendment on private property rights, on the California desert bill, we had a thing in California where people were even asking to disk around their field because there is a fire season, and we were denied. We lost a whole bunch of homes because of it.

It is that reason why we question this amendment. In the future, if we can work closer together to come somewhere to the center of these things, then it would be frivolous to bring this up. But at this time we do not feel it is.

There is no definition of carefully trained. There is no definition of carefully verified. It would be those individuals with that specific agenda in mind that would be out there in the field that would also gather the data, which would be biased. And we object to that type of motivation.

So it is not just volunteers. It is the type of volunteers that would be worked in this group to push a specific agenda.

Mr. YATES. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, the supporters of banning American citizens from volunteering for the USGS are simply not being candid with the Members of this House. They say that the volunteers may be biased. Does that mean that people who they want to volunteer for the migratory bird count are not biased? Are the environmentalists who go out and count for migratory bird count, are they undercounting the birds so the shooting limit will be less? Are the gunners who go out and count for the migratory bird count, are they overcounting the birds so the limits will be higher, the seasons will be longer. You trust those people. But you do not trust the Boy Scouts who gave 1,000 hours in Wisconsin. You do not trust 32 veterinary students who volunteered the time of three full-time employees to do autopsies on animals. You do not trust them.

The gentleman from California [Mr. CUNNINGHAM] comes down here and talks about some conspiracy of bias, and he is sponsoring legislation and pushing for legislation to let us accept science from industry. Something is going on here. What is going on here is a very, very extreme agenda about taking American citizens who are interested in the environment out of the equation.

This amendment now says you must be qualified and supervised, you cannot go on to private land without the invitation of the owner. So it is not a property rights issue. It is not a competency issue. It is an extreme radical right-wing agenda about taking American citizens out of one part, one small part of the environmental movement, one small part of data gathering for the entire Federal Government.

Under the bill as written, it does not matter, as I said, if you have a Nobel laureate; you cannot gather this information. You cannot gather this information. Graduate students cannot gather this information. There is something terribly wrong here, because they are talking all around the amendment, but they will not talk to the amendment.

We look out here at the Patuxent environmental science group; 849 volunteers provide the information. They gather if for the scientists who put it to peer review. We are not going to allow them to do that under this legislation. The thousands of people that go on the Fourth of July butterfly count, the butterfly count across this Nation on the Fourth of July could not turn in their information to the USGS. The Christmas bird count, thousands and thousands of your citizens who go out every year could not turn in their information to the USGS under this amendment.

Is that really what you want to do? Do you want to single out the Boy Scouts, the Nobel laureates, the Fourth of July butterfly count, the Christmas bird count? I do not think that is what you want to do. What you really are trying to do is strangle, strangle our ability to gather information that has an impact on our ability to manage habitat, to manage species and try to help private citizens, governmental agencies, and corporate America make decisions about the use of their lands, the sustainability of their profit-making use of the land and the environmental use of that land.

And somehow this is what you have done. You have decided that you are going to take tens of thousands of Americans who are qualified, who are carrying out the best tradition of volunteerism. You do not like AmeriCorps. You do not like them if they are paid. And now you do not like them if they are volunteers. It is simply not fair to these Americans. It is simply not fair to our constituents.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

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

Mr. Chairman, I rise to support the amendment offered by Mr. GILCHREST that would return H.R. 1977 to its original language regarding the selection of personnel for resource research by the National Biological Survey. I believe that the language of the Appropriations Subcommittee had thoughtfully covered the concerns of all parties involved. Volunteers had to be properly

trained and supervised, and the information collected carefully verified.

I admit that to be supporting language that does anything less than gratefully thank volunteers for their indispensable assistance is certainly a first for me. We are talking here about citizens who care enough about an issue to give their time, energy, expertise, and dedicated effort for a task that is seldom easy. For example, to obtain information about the causes of the declining populations of canvasback ducks who winter in and around the Chesapeake Bay requires studies of their mortality, nutrition, activity, and habitat. How can we justify refusing the scientists the benefit of volunteer, unpaid assistants to help with this demanding work? In just makes no sense.

I would also like to state that I do not support an interruption in the listing and prelisting process under the Endangered Species Act, even though it is stated that it is only until the act is reauthorized. In addition, I believe that the funding level for the ESA is woefully short of being adequate. Again, I look to the reauthorization process and intend to share my concerns at that time. I do appreciate, however, that the Appropriations Committee has worked long and hard to balance conflicting interests and I accept the fact that several programs that I strongly support will have major changes. However, I think that this particular one, the use of trained and supervised volunteers, will have far-reaching negative and unintended consequences.

I urge this body to support the Gilchrest amendment.

□ 1430

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise today in favor of the Gilchrest amendment. Let me just state from the outset that we have seen the devolution of authority go back to the States with respect to a number of programs, one of the most critical of which is protecting our environment. To show the absurdity of the Republican effort to protect the environment, they say ''Let all thee States do it. Let us have a State by State approach.''

It really makes no sense, when you are trying to clean up the air, because you cannot draw State lines around our air quality. We cannot draw State lines around our water quality.

Now, with the amendment being proposed, they want to draw private property rights around migratory bird patterns. They want to draw property rights around fish species, like the fish only go to some person's property as opposed to someone else's. They want to say, ''Listen, if we want to put the power back into the locals' hands,'' that is what the big Republican mantra is, give it back to the locals; yet with the amendment being proposed, and hopefully we will support Gilchrest that would remedy it, they want to take the local initiative out of environmental protection.

I think this is the critical issue why we need to support the Gilchrest amendment, because we have seen the bumper stickers, ''Think globally, act locally.'' How can we expect people to take the initiative on the local level if we say to them, ''We are not going to allow you to participate in protecting your own backyard?'' In my State, people are passionate about conserving and protecting their environment. Yet, this proposal by the Republicans on the floor today would say volunteers cannot go out and try to protect their own environment.

Mr. Chairman, I hope that this House adopts the Gilchrest amendment and strikes the language that would bar volunteers from participating in protecting their own environments.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I would really like once again to reiterate some points. First of all, this is a Republican amendment, I would just like to make that point. I am a Republican. We are all working together here.

First of all, Mr. Chairman, no one wants to violate anybody's property rights at all. We do not want to do that. It is in the bill to protect property rights.

This agenda to have volunteers is not to make something out of nothing. We are not going to run around there and try to find some hidden way to keep people from using their property. This is about biological data. What is the potential use of collecting biological data? There are a lot of viruses out there that are becoming resistant to antibiotics now. There is endless potential for a variety of chemical agents, yet uncovered, to be able to avoid calamities and disasters with new diseases or present diseases.

This is about collecting biological data which will cure or help with heart problems, with cancer problems, with hypertension, with new viruses, with pain killers, with natural insecticides, with this plague that we call AIDS. This is biological data. We do not have enough money to pay for all of this information. We need well-trained, well-verified, good volunteers. I urge my colleagues to vote for the substitute amendment.

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

Mr. GILCHREST. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, in light of the fact that pro-choice and pro-life was brought up, perhaps we can assure our colleagues that we will see to it that the volunteers are equally divided between pro-choice and pro-life, understanding, of course, it is choice for the birds.

Mr. GILCHREST. That is a very good recommendation, and it is whether or not to eat the chicken eggs, or to hatch the chicken eggs, I guess. The question is collecting biological data, the health of the country, using well-trained volunteers. I urge my colleagues to support the Gilchrest amendment.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

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

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

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

Mr. FARR. Mr. Chairman, I would like to point out that this amendment is a compromise amendment. I cannot imagine why anybody would vote against it. It is not what a lot of people have indicated, an open door to volunteers being able to be utilized.

What the bill says, and I think that the author of the bill recognized it as a Republican amendment, but the bad side is also a Republican bill. That is that the bill says that none of the funds provided for resources research may be used to administer a volunteer program; and what the language says, ''unless that volunteer is properly trained and the information is carefully verified.'' So this is a half a loaf, it is a good amendment. I urge everybody on both sides of the aisle to support it.

Mr. VOLKMER. Mr. Chairman, the gentleman is alluding to the amendment of the gentleman from Maryland, and it is a Republican amendment. I hope everybody will support it.

Mr. Chairman, I have been here 18½ years. This is the weirdest debate that I have ever participated in. For an hour and a half, for an hour and a half, we have been talking about whether we can use volunteers or not. How much money are we saving, here? We are not saving a whole bunch of money, we are not spending a whole bunch of money, we are just asking the right, the gentleman from Maryland [Mr. GILCHREST] is, the right of people, taxpayers, the people that Members are supposed to be so proud of, and these are people that are out there working day and night, and they are taking their time off to go out and get information, information.

Are Members scared of information? That is what it sounds to me like, that the radical right is scared to death that they might find something out that they do not want to know about, so we put it away, do not find out about it. It is only volunteers. What my former President, my President, your President, Reagan pushed so hard for was voluntarism. Now we are saying no to voluntarism.

There might be something under that rock that we do not want to know about, or something in that water, ''Oh, oh, we do not want to know about it''; or something in the sky, what is it? No, it is not Superman. It might be a bird. We do not know, we do not want to know. Weird, weird. Oh, boy, scaredy folks. Be scared, the bogeyman might get you. The bogeyman might get you

right-wingers, watch out. These volunteers are bad, bad people. Watch out, folks. Be careful. Be careful. Step lightly.

The amendment of the gentleman from Maryland [Mr. GILCHREST] may pass and we may have somebody out there that finds something out that we really do not like. However, I think we can live with it. I think the country will survive. I do believe that we should, and I agree with Reagan, we should use volunteers. I do not see anything wrong with it.

I hope that this House has the sense enough to let volunteers do the work that Government agencies and Government money will not be spent for. I support the amendment offered by the gentleman from Maryland [Mr. GILCHREST] wholeheartedly.

Mr. REGULA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I started out here to allow money in Fish and Wildlife to use the volunteers to count the birds, migratory birds, breeding birds. Of course, this was something the gentleman from Wisconsin [Mr. OBEY] is interested in, and all of us are interested in. I have been involved in that, too. We use Boy Scouts, we use 4–H Club members, we use all kinds of people. I do not want to lose sight of the original objective of what I was trying to achieve here.

Mr. Chairman, I will say, in fairness to the westerners, and I have recently spent 2 days in California in the mountains, and there is absolutely no indication, no boundary markers, nothing. If you look at a map, it is a section of private land, a section of public land, a section of private land, and it is a checkerboard, because, of course, that is the way it was laid out when the land was originally given to the railroads, so people who would be out there trying to do any kind of a count, whether it is a fauna or flowers or birds or whatever, would not really know whether they were on public lands or private lands. That was the concern that is expressed.

One last thing, Mr. Chairman. It illustrates the problem, and I hope the gentleman, Mr. GILCHREST, and the gentleman, Mr. MILLER, both of whom are members of the authorizing committee, will resolve this problem in their committee and bring us a piece of legislation. When that happens, all of this drops out. This illustrates the importance of the authorizers dealing with this. This is temporary legislation to deal with an immediate concern.

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

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

Mr. OBEY. Mr. Chairman, I very much appreciate the fact that the gentleman with his amendment tried to respond to concerns that I raised in the minority views in the report. It is a constructive effort. However, I would also say that I think that we obviously would prefer to make it even more constructive by adding the amendment offered by the gentleman from Maryland [Mr. GILCHREST] to that amendment.

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

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] has 1 minute remaining.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. GILCHREST] as a substitute for the amendment offered by the gentleman from Ohio [Mr. REGULA].

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

RECORDED VOTE

Mr. POMBO. Mr. Chairman, I deemed a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2 of rule XXIII, the Chair will reduce to 5 minutes the time for a recorded vote, if ordered, on the Regula amendment without intervening business on debate.

The vote was taken by electronic device, and there were—ayes 256, noes 168, not voting 10, as follows:

[Roll No. 500]

AYES—256

Abercrombie
Ackerman
Andrews
Bachus
Baesler
Baldacci
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Cunningham
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Ehlers
Ehrlich
Engel
English
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Forbes
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefley
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Houghton
Hoyer
Inglis
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
Kolbe
LaFalce
LaHood
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roemer
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Weller
White
Whitfield
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—168

Allard
Archer
Armey
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bliley
Boehner
Bonilla
Brewster
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Danner
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Emerson
Ensign
Everett
Foley
Fowler
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Goodling
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Heineman
Herger
Hilleary
Hoke
Hostettler
Hunter
Hutchinson
Hyde
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Knollenberg
Largent
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Petri
Pickett
Pombo
Quillen
Radanovich
Regula
Riggs
Roberts
Rogers
Rohrabacher
Roth
Royce
Salmon
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Traficant
Vucanovich
Waldholtz
Walker
Wamp
Watts (OK)
Weldon (FL)
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—10

Bono
Collins (MI)
Fields (TX)
Ford
Green
Hefner
Moakley
Reynolds
Tauzin
Towns

□ 1501

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Bono against.

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

Mr. MILLER of Florida and Mr. MINGE changed their vote from ''no'' to ''aye.''

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. DAVIS). The question is on the amendment offered by the gentleman from Ohio [Mr. REGULA], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I offer an amendment marked No. 2.

The Clerk read as follows:

Amendment offered by Mr. REGULA: On page 15, line 3, strike all beginning with ''*: Provided further,*'' down to and including ''subparagraph (B)'' on page 15, line 16.

Mr. REGULA. Mr. Chairman, my colleagues, this is a bipartisan amendment. It strikes the language in the Fish and Wildlife Service administrative provisions which amends the Emergency Wetlands Act of 1986 to allow the Fish and Wildlife Service to retain the refuge entrance fee collections.

Under the current law, 70 percent of these fee collections are distributed through the Migratory Bird Conservation Act to be used for land acquisitions approved by the Migratory Bird Conservation Commission. And I might add that my amendment that was just approved, as amended by the gentleman from Maryland [Mr. GILCHREST], provides funds to do the bird count.

We looked at the language. In effect what this does is allow the refuge entrance fee collections to be used to buy additional wetlands which, of course, provide habitat for migratory birds. It is supported by a wide range of groups who are interested in the preservation of wildlife, as well as the various sportsmen groups.

I think it is a good amendment. We have worked it out with the authorizers and I know that we have had support on both sides.

The amendment strikes language in the Fish and Wildlife Service administrative provisions which amends the Emergency Wetlands Act of 1986 to allow the Fish and Wildlife Service to retain all of the refuge entrance fees. Under current law, 70 percent of these fee collections are distributed to the migratory bird conservation account to be used for land acquisitions approved by the Migratory Bird Conservation Commission. Currently the Commission receives approximately $21 million from duck stamp receipts, $18 million from import duties, and $1.7 million from refuge entrance fees, which are all available for land acquisition through a permanent appropriation.

The committee had proposed language to allow the Fish and Wildlife Service to retain the $1.7 million which goes to the migratory bird conservation account since the current amount which the Fish and Wildlife Service retains does not cover the costs involved to collect the fees, and serves as a disincentive to increase future collections. The committee also noted the 5-year moratorium on land acquisition that was included in the budget resolution, and reduced funding in the bill for land acquisition by 78 percent or $184 million. The $41 million permanent appropriation out of the migratory bird conservation account for land acquisition would have been reduced by 4 percent or $1.7 million. However, in deference to the authorizing committee which raised an objection to this language in the Rules Committee, the amendment is being offered to strike the language.

Mr. WELDON of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I applaud the leadership of the gentleman from Ohio [Mr. REGULA] and the leadership of the other side and the chairman of the authorizing committee [Mr. YOUNG of Alaska], for their work on behalf of resolving this issue which is extremely important to all of us in this country, especially the gentleman from Michigan [Mr. DINGELL] and I, who serve as representatives of this body on the Migratory Bird Commission.

This will allow us to continue to voluntarily set aside land to be used for our refuge system and for the migratory bird flyways of this country and throughout North America. In fact, if this amendment had not been ruled in order and accepted by the chairman, we could have seen 3,500 to 5,000 less acres set aside voluntarily in the next fiscal year.

I might add for my colleagues on both sides, this is a total voluntary program; no condemnation, no taking. This is done through voluntary purchases and setting aside of land to be used for the flyways of our migratory birds. Since the existence of this program, over 4 million acres of land have been set aside for this purpose.

It is supported by groups as diverse as the NRA to Ducks Unlimited to the Nature Conservancy. I applaud the leaders on both sides for this amendment, for accepting it, the gentleman from Illinois [Mr. YATES] and the gentleman from Alaska [Mr. YOUNG] and certainly the gentleman from Ohio [Mr. REGULA].

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

Mr. Chairman, I personally believe the original idea that the gentleman from Ohio [Mr. REGULA] had was much better than his amendment. It was a good idea. I think the Fish and Wildlife Service spends more money collecting fees than they now get in return.

But I am not going to oppose the amendment. I just want the Record to show that I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. REGULA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY: Page 23, line 19, strike ''$87,000,000'' and insert ''$70,220,000''.

Page 55, line 5, strike ''$384,504,000'' and insert ''$347,724,000''.

Page 55, line 22, strike ''$151,028,000'' and insert ''$124,247,000''.

Page 66, strike lines 11 through 15 and insert the following:

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title VI of the Elementary and Secondary Education Act of 1965, $81,341,000.

Mr. OBEY. Mr. Chairman, there are a lot of us on this side of the aisle who feel that many of the reductions that are being made in this bill to crucial environment programs, to crucial natural resources programs, are being made for the purpose of transferring these resources to the Ways and Means Committee to, in effect, finance a tax cut for lots of people making $200,000 a year or more. We do not happen to think that is the best use of money.

There is another program which is being savaged in this bill which is the Indian Education Act. This bill eliminates funding for Indian education. My amendment would simply restore funding for that program.

We would restore $80 million for the amendment and we would take it from sources that we think are much less damaged. For instance, we take it from the fossil fuels account, which is already very much over the authorized amount. It is $163 million over the amount provided in the authorized committee. So we think that $36 million reduction does no harm there and it takes it from other sources which we think do very much less harm.

Mr. Chairman, let me explain what it is we are doing. I had always thought that there was general recognition that the education of Indian children was significantly a Federal responsibility, because of the Federal trust status that many of our tribes have.

Now, the money in question, which I am trying to restore, will not go to tribes. The money that I am trying to restore will go to local school districts, will go to local public school districts. It will not go to tribal schools. And this money, if it is not provided, will, in fact, be lacking in those local school budgets and those local school districts will have to raise their own education budgets and their own property taxes to support education to the tune of about $80 million. I do not think they ought to have to do that.

Now, there would be arguments made that this program is duplicative. People will say, for instance, that after all, you have a lot of programs within the BIA to educate Indian children. But the fact is that BIA programs only educate 8 percent of Indian children. This program deals with the rest.

So you cannot fix this problem by relying on the BIA, because the BIA does not provide funding for this purpose.

□ 1515

People will say that impact aid will take up the slack, but, in fact, again, I would point out that impact aid payments flow only to about 700 school districts located on or near Federal reservations. The program does not serve members of State-recognized tribes or off-reservation Indians, and that would leave a substantial gap.

Now, we will also be told, well, title I funds can take care of this problem. The fact is, however, that title I stresses basic academic instruction, while Indian education programs focus heavily on students' culturally related academic needs, and there is a big, big difference.

So I want to make quite clear, and I do not think this is an especially complicated proposition, this is not a proposal which is going to make life easier for Indian tribes. This is not adding money into tribal budgets. This is simply protecting local school districts who have a right to expect that the Federal Government will live up to their responsibilities in educating Indian children.

Now, I must say I think that there is a broader issue involved here than just Indian education. I think that the Federal Government for a long time has been becoming Mr. Bugout When it comes to meeting its responsibilities for educating lots of people.

If this amendment does not pass, not only are we asking local school districts to pick up an obligation which belongs on Federal shoulders, but we are also in many other ways abandoning local school districts. Example: Immigrants who come into this country or refugees who come into this country.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. Obey] has expired.

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

Mr. OBEY. Mr. Chairman, now, I have no objection to an open and fair immigration policy, but I do have an objection when those refugees come into this country, are then dropped on the local doorstep and the Federal Government forgets its obligation to then help train and educate those children. Those local school districts should not have to carry that burden alone.

All this amendment does with respect to Indian children is to recognize that the Federal Government should not be transferring large financial burdens back to local school districts to carry out what essentially is a Federal responsibility.

And I would urge support for the amendment.

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

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

Mr. VENTO. I want to commend the gentleman in the well for his work, for his statement and for his support. I think he points out here many of the poorest of the poor, and, you know, frankly, investing in people, and I think that obviously the native American plight in terms of education, in terms of development and skills and so forth has been something which I think is a growing awareness of the shortfall and the uneven nature of what has occurred.

What the gentleman seeks to do is simply to restore the funding, basically a million dollars below this level of funding, simply to restore that by taking the money out of energy programs.

Mr. Chairman, I think we can afford to go without that. I do not think we can afford to go without the investment in these kids that need this help in these areas. I might point out, many have pointed out the profits in terms of gaming and other factors, but in reservation after reservation and area after area, there are many that receive no benefits from that. These programs are absolutely essential for the type of qualitative education programs desperately needed in these areas where we have the greatest degree of poverty in this Nation, in the Indian communities of this Nation, Mr. Chairman.

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

Mr. Chairman and members of the committee, I understand the objective of the sponsor of this amendment. As a matter of fact, we will have an amendment shortly from the gentleman from Oklahoma [Mr. COBURN] to accomplish the education part of it. But in the amendment offered by the gentleman from Oklahoma [Mr. COBURN], we will take the money out of the administrative functions in the Forest Service, the administrators, and I think that to get the necessary funds that the amendment by the gentleman from Oklahoma [Mr. COBURN] takes it from an area that is less important to the people of this Nation than are the things that are being deleted by the Obey amendment.

I would point out that under the amendment by the gentleman from Wisconsin [Mr. OBEY], he would cut coal research, which we have already reduced 14 percent. He would cut oil technology, which is already reduced by 17 percent. He would cut natural gas research, which is reduced by 1 percent. And I might point out the budget that this body adopted proposed very large increases on natural gas research. He goes into fuel cell research.

The problem we have here is that what we have tried to do in the energy portions of this bill is maintain basic research because we are a very energy-driven Nation. Jobs are a way of life because of transportation, because of distances in this country, because automobiles are very much a part of our culture. It puts great demands on our energy resources. We use a lot of electricity, which puts demand on coal, and we have to do a lot of research to ensure that we can get clean-burning coal and use this vast store of coal that we have for the decades to come.

I am really concerned about taking any additional money out of fossil energy research programs, since we have already cut them nearly $40 million in order to meet our budget targets, and I think as we try to have energy security, as we try to maintain a degree of energy independence, as we just fought a war, lost American lives and at great expense, to protect our sources of fuel in the Middle East, that we need to keep these programs going that develop research potential for oil, natural gas, fuel cells, coal research.

If any of you have seen the *Apollo 13* movie or the story of *Apollo 13*, they were using fuel cells, and they lost a fuel cell, which almost resulted in a disaster. Fuel cell research is very important to the future, not only in space but on Earth.

So, while I sympathize with the gentleman's desire to put money back in Indian education, I think the proposal of the gentleman from Oklahoma [Mr. COBURN] to take the money from the Forest Service administrative function would be a better way to do it. For that reason, I would have to oppose this amendment and will support Mr. COBURN's amendment.

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

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

Mr. OBEY. I thank the gentleman for yielding.

I would simply point out that I happen to support these fossil energy programs, but I would simply take note of the fact that the number in this bill is some $163 million over the authorization number, and I am sure that many of the good conservatives on that side of the aisle do not want to see us violate authorization ceilings. So I think we are being very responsible in taking only $36 million out.

Mr. REGULA. Reclaiming my time, as I said at the outset of the debate, we have some very important policy decisions. We both agree, both sides, we need to put the money back in Indian education. The position of our side is that the money ought to come out of the Forest Service administrative account and not out of energy research. And obviously the gentleman from Wisconsin would prefer it out of energy research and the areas I mentioned.

I think if we vote, the vote will be essentially, if you vote down the Obey amendment and then you will vote for the Coburn amendment, you would indicate with that vote that you prefer to get the money for the Indian education program from administrative

services in the Forest Service, administrators, rather than take it out of energy research.

So, for my colleagues that are listening to this debate, I just wanted to try to get the choices out here clearly.

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

Do I understand the gentleman from Ohio to be in favor of restoring the money for Indian education, and the only question is where the money is to come from for the offset?

Mr. REGULA. If the gentleman will yield, that is correct.

Mr. YATES. You do favor the restoration of the money for Indian education?

Mr. REGULA. I think that we have been persuaded by circumstances, if the gentleman will yield, that we need to put some additional funding in Indian education.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. I happen to think the gentleman from Ohio and yourself have made an agreement here that we want to restore the moneys for Indian education. Is that correct?

Mr. REGULA. That is correct.

Mr. YOUNG of Alaska. There are other ways to restore this money other than taking it from the fossil fuel research. I will have amendments later on down the line that would save in the realm of $108 million that is unnecessary to spend at this time for the purchase of new vehicles and aircraft for agencies that have no reason to purchase them other than to have their own private fleet.

What I am suggesting is that there is plenty of room in this bill to transfer moneys into. I think the gentleman from Michigan will agree, and yourself and the gentleman from Ohio, this is a much higher priority than to purchase hardware for those that want their own little playground to play on with their own little play toys. So I am glad you have reached this agreement.

But I do not support the gentleman from Wisconsin taking it out of the fossil fuel research. I think in the meantime, before we get to title II, we can work out an amendment that can get the moneys to the American Indian education fund.

Mr. YATES. Does the gentleman propose to offer a substitute to the amendment offered by the gentleman from Wisconsin?

Mr. YOUNG of Alaska. Not at this time. I am going to be addressing it probably in title II concerning aircraft, concerning vehicles, and we can direct it at that time, I believe, maybe I am wrong, to the area which the gentleman from Michigan and yourself are seeking.

Mr. YATES. I just want to say, Mr. Chairman, I rise in support of the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

I do not know about all of the offsets that have been discussed here in place of those suggested by the gentleman from Wisconsin [Mr. OBEY], but I do know that the Indian children need the funds that have been taken away from the Office of Indian Education. It would have been easier, of course, if the bill had not taken $81 million away from the education of Indian children in the first place. This should be corrected.

I want to commend the gentleman from Wisconsin for correcting it. We have done enough to the Indian people in the course of the history of this country. We have a national trusteeship to make sure that this kind of treatment of the Indian people is not continued, and certainly when it is proposed to cut funds for education of the Indian children, we are abusing our responsibility.

Mr. REGULA. if the gentleman will yield, I want to say, the gentleman from Illinois, as chairman of this committee for many, many years was always very sensitive to Indian education and health.

Mr. YATES. That is correct.

Mr. REGULA. We have tried to maintain that tradition, given the constraints that we faced, and Indian education is one of the few programs that did not receive much in the way of reductions even though we had an overall 10 percent, and we agree with what you are saying, and that is why it is not a question here of the money. It is where we get it.

The gentleman from Wisconsin would take it out of the energy program research. The gentleman from Oklahoma [Mr. COBURN] would take it out of administrative programs and forestry. And it seems to me, at least, that it would be from the standpoint of national policy, I prefer to keep the energy research and reduce the forest administrative.

But I think we are in agreement on the objective.

Mr. YATES. I thank the gentleman.

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

Mr. Chairman, I rise in support of the Obey amendment. I suggest from time to time that we go down to the National Archives, just down the street, and read the treaties that we have signed with Germany and England, China, France, and the Indian tribes of this Nation. Those treaties are available for reading, and in almost every instance, when one reads the treaties with the Indian nations, we find the taking away of, very often, millions of acres of land, and almost in every instance the promise of one thing: Education.

□ 1530

And that is a treaty obligation and, I believe, a moral obligation, and that is why in the 19 years I have been here in Congress I have tried to move toward fulfillment on our part of the treaty obligations.

In the State of Michigan they took away everything in Michigan and promised education, and I have served on the former Education and Labor Committee for years, and I focused on Indian education. We have done a little better, but we have not done fully. We do have a moral and, I believe, a treaty obligation to the Indians in the area of education.

Now I have a question, if I may address it to the gentleman. In the Obey amendment we restore about $81 million for Indian education. How much money is restored in the Coburn amendment?

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

Mr. KILDEE. I yield to the gentleman from Oklahoma.

Mr. COBURN. In our amendment we restored the $52.5 million that goes for actual education, we eliminate the bureaucracy associated with the Indian education department, but maintain the funds to the school districts where the actual Indian education takes place, and, if I may continue in answer to that, in supporting my amendment in lieu of the amendment that we are now considering of Mr. OBEY's what my colleague will find is that we will be taking that from a source that is more readily available to us with less disconcerting changes for everyone, and so we were more likely to restore the funds for Indian education.

Mr. KILDEE. Well, first of all there is not $30 million of bureaucracy. There is at least $10 million for adult education here, which the gentleman does not restore, and adult education is a very, very significant part of the Indian education money and bureaucracy.

What is a bureaucracy my colleagues? My two sons are lieutenants in the Army. They are part of the administration of the Army. I guess we could call that bureaucracy and reduce the bureaucracy of the Pentagon. When it comes to Indians, we call it bureaucracy. When it is the military, it is part of the important administration which my two sons serve in. So it is very easy to give a bad name, and call it bureaucracy, but of the $30 million, over $10 million, almost $11 million, is for adult education. It is extremely important.

So I think the main issue here is not so much where we take the money for restoration, but how much money is restored. I say to my colleagues, ''You still are $30 million short in your restoration, and a good chunk of that $30 million is for adult education.''

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

Mr. KILDEE. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Chairman, my review of the Office of Indian Education would indicate that at all of its levels, at the very maximum eliminating totally its bureaucracy might save, just might save, $3 million. So the gentleman is correct to question the 30, and I say to the gentleman:

''Bureaucracy, by the way, is the administration of the program, so you

get rid entirely of the bureaucracy, and there is nobody there to run the programs, although I do want to make this point: The office that is proposed by the committee to be closed here, and I know they are coming around on this, this is the office where the money follows the study. The BIA education money, as the gentleman from Michigan so well knows, that money follows the Indian schools. This money follows the Indian students. So for those Indian students who go to school in a town just off the reservation, you eliminate this money, you eliminate that school district's opportunity to help, specially help, those Indian children.''

Mr. KILDEE. We have some public schools, I might add, that have about 38 percent Indian students, and they depend a great deal upon these dollars. They do not have excess funds. They are not all on reservations. So we are really not only taking away from the Indian students, but taking dollars away from those schools that are educating Indian students.

So I think the point here is the restoration is not total in the Coburn amendment. It is more fulsome in the Obey amendment.

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

Mr. Chairman, I would just like to make the point in closing on the discussion on this amendment that first of all the real issue is Indian children and their education. That is what we are talking about. That is what we are talking about restoring.

There is, in fact, $10 million spent on administration associated with this program. There are no ands, ifs, or buts about that, so therefore the choice is not $52 million or $80 million. The choice is $52 million or no money, and what I want, and I come from the third most populous native American district in this Congress, I want the people in my district to receive the funds for the children who are going to need this money.

Mr. Chairman, I very well understand how important this money is, but I also understand what our priorities are, and this debate is about priorities, and it is about lessening the cost of government and still delivering the product of government, and I would urge that we would defeat the Obey amendment so that we can consider my amendment.

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

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

Mr. RICHARDSON. Mr. Chairman, I ask for support for the Obey-Richardson-Clayton amendment, and let me say that what is right now on the floor is the Obey amendment. I have heard this Coburn amendment. Nothing has been offered, and I am not sure it is in order. Let me just say what we are doing with the decimation of the Office of Indian Education:

We are affecting 32 States. Any Member here that has a native American in their district is affected.

Now I am the former chairman of the Native American Subcommittee. The gentleman from American Samoa [Mr. FALEOMAVAEGA] is now the ranking member. He dealt with this issue for years. If the initiative of the Interior appropriations passes, 92 percent of Indian children in this country will not be served because they live off reservations.

One of the myths that we have about the Indian people in this country is that they all live on reservations. They do not. They live in cities. They live in our rural areas. They live in all of our districts.

So what we are doing, what the initiative of the appropriations was doing, was zeroing out the Office of Indian Education that serves 92 percent of Indian children, and what the gentleman from Wisconsin [Mr. OBEY] is trying to do, and the gentlewoman from North Carolina [Mrs. CLAYTON], and myself, and many others; and I think the gentleman from Oklahoma [Mr. COBURN] has some very good intentions; those of us that have Indian districts, is restore the funds for this vital program.

Now what is this money used for? It is used for formula grants. Seventy percent of funding is grants to local schools with Indian populations, special programs for Indian children, dropout prevention, programs for the gifted and talented students, programs for Indian adults. Less than 5 percent of these funds go toward administration.

Now let me just give my colleagues some statistics about Indian children in this country: 12.5 percent below the national average. Thirty-seven percent of Indian children live below poverty level. Only 50 percent of schools with a majority of Indian students have college prep programs compared to 76 percent of other public schools. Only 9 percent of native Americans have bachelor's degrees compared with 20 percent of other adults, and we are taking the money from the Naval Petroleum Reserve, the fossil energy R&D. It has a big budget, it got an increase, and that is important, but we are taking out $20 million or so from it. The Bureau of Mines is being phased out this year, but after this offset the Bureau is still going to have $70 million to shut down, so what we are doing is educating Indian children.

If this amendment passes, we are creating a travesty of the special relationship the Federal Government and we all have with the Indian people that have no lobbyists around here. They do not have anybody down the halls with their Gucci loafers saying, ''Restore Indian education.'' But these are the forgotten Americans. These are the first Americans, and all of a sudden in the name of budget cutting, because we want to increase fossil fuels, they are paying 92 percent of Indian children, and we cannot have these special programs for us. Yes, we have increased money on BIA schools, BIA schools that are not run terribly efficiently on the reservation. That is 8 percent.

So what we need to do is focus clearly on what the Obey amendment does. It restores the funds for these programs, and it takes it out of programs that have been working but clearly have been very generously funded in this subcommittee.

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

Mr. RICHARDSON. I yield to the gentleman from North Carolina.

Mr. ROSE. Mr. Chairman, I certainly agree with what the gentleman has said. I support Mr. OBEY'S amendment to restore funding for the Office of Indian Education. Elimination of the funding will mean over a $2 million loss to the State of North Carolina and over $1 million in my own congressional district. There are many members of the Lumbee Indian tribe in my district, the largest tribe east of the Mississippi, and the ninth largest in the United States. They have benefited greatly by the Indian education program. They have become doctors and lawyers. They have become productive, law-abiding citizens, teachers, many professionals, and I am proud of the contribution that the Indian Education Act has made to their lives.

I think our human resources are clearly just as important as our natural resources, and to cut this out to accomplish fiscal austerity on the backs of Indian children is in my opinion mean spirited and shortsighted. Please vote for the amendment proposed by the gentleman from Wisconsin [Mr. OBEY].

The CHAIRMAN. The time of the gentleman from New Mexico [Mr. RICHARDSON] has expired.

(On request of Mr. ROSE and by unanimous consent, Mr. RICHARDSON was allowed to proceed for 3 additional minutes.)

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

Mr. RICHARDSON. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Chairman, I appreciated listening to the gentleman's facts with regard to the plight of Indians, which is very real, and his facts are accurate. I do want to point out to my colleagues, however, that Indians have made extraordinary gains over the past approximately 15 years in educational achievement in the number of native Americans going to college and in college graduation rates, and in fact probably greater achievements than any other ethnic group in the United States. In my own State of Montana we have now reached the, some think, extraordinary situation where a higher percentage of native Americans now attend college than do the majority of Montanans, and so native Americans have turned the corner with regard to educational achievements, and we ought not abandon the Federal efforts that brought that about.

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

Mr. RICHARDSON. I yield to the gentleman from Arizona.

Mr. PASTOR. I represent the urban areas of Arizona, Phoenix, Tucson, and these areas are surrounded by Indian reservations, and because the economic opportunities on many of these reservations are very poor, lack of jobs, lack of opportunities, many of my native American constituents move into the urban areas. I have to tell my colleagues that they are people who do not have the highest education, do not have the talents to get the best-paying jobs, and so they tend to live in areas, in school districts, that do not have the highest resources, and that translates into that many of these young native Americans who are in our elementary schools or secondary schools have special needs, have special problems which the public school needs to address, and these moneys which service native Americans who are living in urban areas are much needed.

If there is one thing we need to do as adults, that is to ensure that our children are well educated, and these native Americans need these programs, need these resources, and I would think that all of us would want to ensure that the native Americans of this country would have the opportunities to better themselves.

So I would ask all of my colleagues to support the Obey amendment because it brings hope, it brings opportunities, to native Americans who want to better themselves, and they live in the urban areas.

□ 1545

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to the gentleman from South Dakota.

(Mr. JOHNSON of South Dakota asked and was given permission to revise and extend his remarks.)

Mr. JOHNSON of South Dakota. Mr. Chairman, I thank the gentleman for yielding. I rise in strong support of the Obey amendment.

The CHAIRMAN. The time of the gentleman from New Mexico [Mr. RICHARDSON] has expired.

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

Mr. RICHARDSON. Mr. Chairman, I yield to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Chairman, in an entire State, the State of South Dakota, nine Indian reservations, it has become apparent to me the one successful strategy to combat poverty and break away from dependence of the Federal Government, in fact has been quality education. Eliminating the Office of Indian Education would have a profound negative impact in my State of South Dakota. We would lose over $2.6 million in formula and discretionary funds, 49 South Dakota school districts would be negatively impacted, and 17,800 native American children would lose educational opportunities. This is the one area where we should not be retreating.

Mr. Chairman, I again express my strong support for the amendment.

Mr. Chairman, I rise in support of the amendment before us proposed by the Representative from Wisconsin to restore funding for the Department of Education's Office of Indian Education, which has been targeted for elimination. Since 1972, the invaluable programs administered through the Office of Indian Education have helped over 1,200 school districts nationwide address the unique academic needs of millions of American Indian and Alaska Native children and adults. Mr. Chairman, 56 percent of the American Indian population in this country is age 24 or younger. Consequently, the need for improved educational programs and facilities, and for training the American Indian work force is pressing. I wish to use the remainder of my time to urge our continued bipartisan commitment to the Education Department's Office of Indian Education, and the hundreds of thousands of disadvantaged young people served annually by this Office.

American Indians have been, and continue to be, disproportionately affected by both poverty and low educational achievement. In 1990, over 36 percent of American Indian children ages 5–17 were living below the poverty level. The high school completion rate for Indian people aged 20 to 24 was 12.5 percent below the national average. American Indian students, on average, have scored far lower on the National Assessment for Education Progress indicators than all other students. In 1994, the combined average score for Indian students on the scholastic achievement test was 65 points lower than the average for all students. These statistics reflect the continued neglect of America's under-served Indian population and are unacceptable.

By eliminating the Office of Indian Education, there is little hope of breaking the cycle of low educational achievement, and the unemployment and poverty that result from neglected academic potential. This Office, unlike any other, provides educational services that directly address the unique learning needs and styles of Indian students, with sensitivity to Native cultures, ultimately promoting higher academic achievement. Eliminating the Office would have a particularly profound impact on Indian education in my State of South Dakota. More than $2.6 million in formula and discretionary funds assisted American Indian children and adults in South Dakota in fiscal year 1994. Grants were made directly to 49 South Dakota school districts. The education of almost 17,000 of our American Indian children in South Dakota would be significantly affected if the programs administered by the Office were eliminated. In addition, if funding were no longer available, every South Dakota school currently receiving a grant would have to release at least one staff person, resulting in almost 200 teachers and aides no longer working in Indian education in the State. This past year, almost $300,000 went to tribal schools to support innovative approaches to Indian education and more than $350,000 supported student fellows in teacher training programs in colleges throughout our State. The loss of these discretionary programs will not only adversely affect potential recipients of teacher training and professional development, but will virtually cut off those tribal communities which benefit from students returning to education professions on reservations.

In terms of local empowerment, Native Americans remain at a distinct disadvantage. While the growth rate of native populations is accelerating rapidly, the nearly 2 million American Indians living in the United States in 1990 represented an increase of 39 percent over the 1980 total, American Indians and Alaska Natives still comprise less than 1 percent of the total U.S. population. With more than 500 American Indian tribes and Alaska Native villages, the population is also highly diverse in terms of culture and need. Small in numbers, isolated and diverse, this is a population that clearly needs and deserves our special attention.

There are strong historical and moral reasons for continued support of this program. In keeping with our special trust responsibility to sovereign Indian nations, we need to promote the self-determination and self-sufficiency of Indian communities. Education is absolutely vital to this effort. The elimination of the Office of Indian Education would violate the Government's commitment and responsibility to Indian nations and only slow the progress of self-sufficiency.

This question of eliminating the Indian education programs is not just about dollars and programs for a population in need. It is also about helping communities and cultures to survive.

Mr. RICHARDSON. Mr. Chairman, in conclusion, let us invest in people and children. R&D for fossil energy can be done by the private sector, but let us not stop this investment in kids, in programs, and education. I urge support for the Obey-Richardson-Clayton amendment.

Mr. Chairman, I also want to respond to charges that our amendment restores unnecessary bureaucracy. Only $3.8 million of last years $83 million appropriated for title IX funding was spent on the Office of Indian Education and the National Advisory Council on Indian Education.

What Mr. COBURN's amendment, should it be offered, does not do is provide funding for special programs for Indian children and programs for Indian adult education. This is wrong.

The CHAIRMAN. The Committee will rise informally in order to receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. HANSEN) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

□ 1548

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The Committee resumed its sitting.

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

Mr. Chairman, as I look around this Chamber and as I think about the promises in January, the notion was to come here and to end business as usual, and that is in fact the intent of many of us in this Congress. Ofttimes it involves reaching across the aisle, listening to different arguments, and basing our support or our opposition not on previous partisan labels, but taking a look and carefully examining the problems one by one. That is why I am pleased to stand in strong support of this amendment.

Mr. Chairman, I represent a large portion of the Navajo Nation, that sovereign nation within the Sixth District of Arizona and reaching beyond the borders of Arizona to several other States. I am mindful of the fact that in our treaty obligations to the Navajo Nation, we have a variety of promises that were made well over a century ago.

Now, I stand here in support of this amendment not to criticize my friends on this side of the aisle, who believe we can look for other sources of funding, but, instead, to underline the importance of upholding these treaty obligations and looking to educate the children of the native American tribes, for it is a sacred obligation we have, and it is a proper role of the Federal Government to move in that regard.

So, for that reason, again, I stand in strong support of the amendment.

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

Mr. Chairman, I rise in support of the amendment offered by the gentlemen from New Mexico and Wisconsin and myself. I want to make the distinction that while we are asking our colleagues to reexamine and recommit to restoring the $81 million for the Indian education program, I want us to understand that this is not duplicative of the program that is already there. This really has a distinct value in and above that, and it is supplementary and not duplicative. It means these are programs going to public schools to enable 92 percent of all Indians who live in this country to get additional supplemental education. It is an opportunity to make sure that those young people, who are falling through the cracks academically, have an opportunity to be competitive and do well.

Further, Mr. Chairman, I would think our colleagues would find it unacceptable that $81 million would get in the way of doing what we should be doing for the very first inhabitants of this country. Further, I think we would want to support education as being consistent with self-sufficiency. I see all of these reasons and others as to why we should want to restore this to its full amount, and not reduce it to a lesser amount than it is presently. Really, it should be increased. In the spirit of keeping the budget constraints, we are saying restore it to the $81 million.

So it really is a thoughtful amendment that recognizes under the constraints that all programs have to adjust. I would ask that my colleagues across both sides of the aisle understand, this is an opportunity really that we can say to the native Americans, that we do care about them, and that education is important.

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

Mrs. CLAYTON. I yield to the gentlewoman from Oregon.

Ms. FURSE. Mr. Chairman, I thank the gentlewoman for yielding.

I rise in very strong support of this amendment. I think unfortunately we know very little about the whole issue of treaty keeping, and I want to congratulate my Republican colleague from Arizona, who understands that we have a sacred trust responsibility to keep treaties. These education funds are just a tiny little downpayment, shall we say, on the land that we enjoy, which we have in our trust because the Indian tribes signed treaties many years ago.

My colleague from North Carolina mentioned that 92 percent of Indian children are affected by this funding, and that is absolutely true. We are told it is duplicative, but in fact the Bureau of Indian Affairs schools do not meet more than 8 percent of the Indian children's educational needs.

We can indeed, and my colleague has spoken of that, change the poverty that has so impacted native Americans by making sure that we live up to our responsibility, our treaty responsibility, a treaty which we swore to uphold when we became Members of this body. We cannot abandon these native American children; we cannot abandon this opportunity.

Mr. Chairman, I support this amendment, and I congratulate the gentlewoman and her colleagues for having brought this amendment forward.

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

Mrs. CLAYTON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, let me associate myself with the remarks of my colleagues on both sides of the aisle in favor of this very important amendment. I think that this legislation, absent the Obey amendment, would be morally bankrupt and fatally deficient for this Congress to pass. We have an absolute commitment, and we should always remind ourselves that no matter how expensive we may perceive education to be, ignorance costs more.

I come from the city of Philadelphia in Pennsylvania, and I just know that my constituents support fully this country's continuing commitment to Indian education. I hope that we would favorably approve the Obey amendment.

Mr. MILLER of California. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I want to commend the gentlewoman for offering this amendment to keep our commitment and our trust obligations, and to thank her and her colleagues, Mr. OBEY and Mr. RICHARDSON, for this amendment. I rise in support of it and hope the House will pass this amendment.

Mrs. CLAYTON. Mr. Chairman, reclaiming my time, this is an opportunity. Education is important. More important, it is an opportunity to say the American Indian children are important and they should be included in our commitment to all Americans.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and any amendments thereto close in 10 minutes, and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] will manage 5 minutes, and the gentleman from Ohio [Mr. REGULA] will manage 5 minutes.

Mr. YATES. Mr. Chairman, I yield 5 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

Mr. FALEOMAVAEGA. Mr. Chairman, as the ranking member of the Subcommittee on Native Americans and Insular Affairs of the Committee on Resources, I want to express my strong support of the amendment offered by the gentleman from Wisconsin [Mr. OBEY], the ranking member of the House Committee on Appropriations. The amendment simply restores the badly needed funds for education of American Indians and Alaskan Native children in public schools.

Mr. Chairman, I submit this is a downright tragedy that the Congress of the United States would take away money from our American Indian children's future to fund other programs like timber sales management.

Mr. Chairman, I also want to make it clear that funding for title IX is not duplicative of BIA directed funding. Title IX funding is for children in public schools, while BIA funding is for Indian children in BIA or tribally operated schools.

Mr. Chairman, as so eloquently stated in a letter by my good friend from Alaska and chairman of the House Committee on Resources, why do we continue to pick on those who simply cannot defend themselves, the children?

Mr. Chairman, I urge my colleagues to support the Obey amendment and restore the funds needed for the education of American native and Alaskan Native children.

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

Mr. Chairman, let us make it clear what is going to happen here. We will have a vote on the Obey amendment. I urge my colleagues to vote no on the Obey amendment because it takes the money out of fossil energy research. We have already cut that 10 percent. It impacts heavily on States like Ohio, California, Indiana, Illinois, New York, places where we are doing research. It takes money out of the Bureau of Mines. We have already cut them back. We just leave them enough to close out. If we take any more money, they cannot even do that. It takes money out of the Naval Petroleum Reserves. We have already cut that 20 percent. This is a function that generates $460 million a year in revenues.

I think that we need to foster energy security. We are not arguing about giving the money for the native American education programs. This gives about $153 per child to schools to have enrichment programs for Indian children. We agree on both sides that this needs to be done. The question is where to get the money.

We are going to have a Coburn amendment that is in title II, so it cannot be done immediately, but the Coburn amendment will do essentially the same thing, except it takes the money out of Forest Service administrative expenses. Because of the spend-out rate we only need to take $10 million from forest administration to provide the $52 million in the Coburn amendment to provide for the Indian education.

I think it is important that we provide the funds for Indian education, but I think it is also very important that we use the financing mechanism provided in the Coburn amendment.

Mr. Chairman, I would urge my colleagues to vote no on the Obey amendment, recognizing that you will get an opportunity shortly to vote yes on the Coburn amendment to take care of the Indian education, but the source of funding would be far less serious in its impact on the policies of the United States.

Again, ''no'' on Obey, and very shortly when we get into title II, we will be able to vote for the Indian education with the Coburn amendment.

Mr. Chairman, I urge my colleagues to vote ''no'' on the Obey amendment that is coming up for a vote immediately, knowing that you can vote ''yes'' on the Coburn amendment to accomplish the same objective.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

RECORDED VOTE

Mr. MILLER of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 143, noes 282, not voting 9, as follows:

[Roll No. 501]

AYES—143

Abercrombie
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bishop
Bonior
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clyburn
Coburn
Coleman
Collins (IL)
Conyers
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gutierrez
Harman
Hastings (FL)
Hayworth
Hinchey
Hoyer
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Matsui
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (MN)
Pomeroy
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roth
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Tucker
Velazquez
Vento
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Yates
Young (AK)

NOES—282

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Borski
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hefley
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Petri
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (FL)
Zeliff
Zimmer

NOT VOTING—9

Ackerman
Bono
Collins (MI)
Fields (TX)
Green
Hefner
Moakley
Reynolds
Tauzin

☐ 1620

The Clerk announced the following pair: On this vote:

Mr. Moakley for, with Mr. Bono against.

Messrs. DAVIS, FRELINGHUYSEN, VOLKMER, and HILLIARD changed their vote from ''aye'' to ''no.''

Mr. YOUNG of Alaska and Mr. BERMAN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GALLEGLY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GALLEGLY: Page 34, line 24, strike ''$69,232,000'' of which (1) $65,705,000 shall be'' and insert ''$52,405,000, to remain''.

Page 34, line 25, strike ''technical assistance'' and all that follows through ''controls, and'' on line 1 of page 35.

Page 35, strike lines 11 and 12 and insert: ''272): *Provided*''.

Page 35, line 25, strike ''funding:'' and all that follows through line 23 on page 36 and insert ''funding.''.

Mr. GALLEGLY. Mr. Chairman, I am offering this amendment as the chairman of the Subcommittee on Native American and Insular Affairs.

I am also offering this amendment with the support of the ranking member, the delegate from American Samoa, Mr. FALEOMAVAEGA.

My amendment, quite simply, would cut $16.8 million for funding of the obsolete Office of Territorial and International Affairs and its associated programs. The termination of this one Office will result in a 7-year savings of $120 million.

In the previous Congress, a number of my colleagues joined me in cosponsoring legislation to abolish the office which formerly administered islands with appointed Governors and High Commissioners. This should have taken effect last October when the United Nations terminated the U.S. administered trusteeship.

Earlier this year, Secretary Babbitt formally signaled that it was time to turn the lights out at the OTIA.

As a result of this the Native American and Insular Affairs Subcommittee conducted an extensive review and held hearings to reexamine existing policies affecting these island areas and also concluded that now was the time to terminate this Office. Subsequently, the subcommittee as well as the full Resources Committee passed H.R. 1332 with overwhelming bipartisan support. We expect to bring this legislation to the House floor very soon.

Finally, during our hearings, Gov. Roy L. Schneider of the Virgin Islands testified that ''abolishing the Office will save the Federal Government money and will not harm the territories.''

The bottom line here, my colleagues, is that we have an opportunity to end a program which was begun when Alaska and Hawaii were territories and save the taxpayer $17 million.

I want to express my appreciation to the chairman of the Interior Appropriations Subcommittee, my friend Mr. REGULA, for his willingness to work with me on this effort.

I urge my colleagues to support the amendment and to join in a substantive action to streamline the Federal Government, advance self-governance, and save taxpayer funds.

I urge passage of the amendment.

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

Mr. Chairman, the committee mark already poses a 22.5-percent reduction that is already in the bill for territorial programs. In addition, we have eliminated the Assistant Secretary for Territorial and International Affairs. The bill takes the first steps. These are additional steps being proposed by the gentleman from California [Mr. GALLEGLY].

I urge that we adopt the amendment. I think that the Territorial Office is an anachronism in this period. It saves a considerable amount of money. I think it would be an excellent amendment and an excellent thing for us to accept.

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

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

Mr YATES. Mr. Chairman, there are a number of questions that require answers. For example, we are told that in eliminating the territories' administrative fund, the Secretary of the Interior continues to be responsible for nearly $2 billion; the current Treasury balance is $310 million; that the future funding mandatory is $1,603,000,000. What happens to that money? Under his amendment, what would happen to that money? Can the gentleman answer my question, or can somebody on that side answer the question? The Secretary now has $2 billion belonging to the territories, for which he is responsible. There is $310 million in the current Treasury balance.

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

Mr. Chairman, I would like to ask the proponent of this amendment, what happens to the almost $2 billion which is now with the Secretary of the Interior, which he is holding in trust for the territories?

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

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

Mr. GALLEGLY. Mr. Chairman, I am happy to try to respond. We still have 25 people in the inspector general's office that are prepared to administer those funds. We no longer need the OTIA to continue to provide that service.

Mr. YATES. Mr. Chairman, do I understand the gentleman, then, to be saying that the administration of the territories will be moved to the inspector general's office?

Mr. GALLEGLY. Only for the purpose of auditing the funds.

Mr. YATES. Who will have the responsibility of supervising the territories, Mr. Chairman, until they have their freedom?

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

Mr. YATES. I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. Mr. Chairman, if I may respond, what the Secretary of the Interior has done is terminated the Office of Assistant Secretary of Territorial and Insular Affairs. In doing so, he is placing part of the responsibility to his Assistant Secretary for Budget and Planning. Within the Office of Budget and Planning, I am told that under the Deputy Assistant Secretary and further down the line there, he is going to establish an office which is called the director that is supposed to be keeping an eye, at least on behalf of the Secretary, on whatever is left to do with the territories.

What we are trying to do here, if I might respond to the gentleman, the Secretary of Interior made an announcement based on our hearing that he was going to terminate the entire Office of Territorial Affairs. I assume that he is going to do it directly under the auspices of his office and assistants.

Mr. YATES. Mr. Chairman, I would say to the gentleman, however, I do not know how this would correct that situation. In other words, what the gentleman has been saying is the Secretary of the Interior has just practically relieved himself of administering the territories.

Mr. GALLEGLY. If the gentleman will continue to yield, the only thing I would like to say is that we no longer have trust territories. What we do have are elected Governors, democratically elected Governors of these territories. We are absolutely convinced that the territories really should have the right, and we have the confidence that they have the ability to self-govern.

Mr. FALEOMAVAEGA. If the gentleman will continue to yield, to respond further to him, Mr. Chairman, the Federated States of Micronesia, the Republic of the Marshalls, and the Republic of Palau, are basically independent. Basically whatever funding Congress provides for them as part of the compact agreement is administered directly from the Secretary's office. I assume that it now falls in the responsibility of the Assistant Secretary of Planning and Budget.

□ 1630

Mr. YATES. The gentleman from American Samoa has just said the Secretary of the Interior has moved responsibility for the Territories to the Office of Planning and Budget.

Mr. FALEOMAVAEGA. That is correct.

Mr. YATES. Do I understand that your amendment will move supervision of the Territories, such as remains, from the Office of Planning and Budget in the Secretary of the Interior to the Office of the Inspector General?

Mr. GALLEGLY. No, it does not, I say to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Where does it go, then? If it is not to remain in the Office of Planning and Budget, who will have supervision?

Mr. GALLEGLY. If the gentleman would yield further, we are in a new era, I say to the gentleman from Illinois [Mr. YATES]. We no longer are operating the way we have for the last many years.

These Territories have elected Governors and legislators. They have the ability, and the time has come, as the Secretary has said, to allow them their own ability to self-govern. With the exception of the Northern Marianas, there is a Delegate to the House of Representatives, as is the case with the gentleman from American Samoa [Mr. FALEOMAVAEGA]. Every one of the Territories, with the exception of the Northern Marianas, has a Delegate in this body, and the Northern Marianas has a democratically elected governor.

Mr. YATES. I continue to be concerned about the administration of the funding. Even though they are now self-governing, what happens in the even that there is a significant financial loss?

Mr. GALLEGLY. As I said to the gentleman, they do have representation

here in this body in the form of Delegates and representation in the committee. I do not see that as a problem. The Secretary of the Interior himself says the time has come to turn out the lights, and I am using his quote.

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

Mr. Chairman, I rise today in strong support of Congressman GALLEGLY's amendment to title I of H.R. 1977, the Interior appropriations bill.

Mr. Chairman, earlier this year, the Committee on Resources had approved by voice vote an authorization bill (H.R. 1332) which will, among other things, delete the position of Assistant Secretary for Territorial and International Affairs, terminate funding for the Commonwealth of the Northern Mariana Islands, terminate funding for four territorial assistance programs, provide multiyear funding for the territory of American Samoa, and add procedural improvements for the relocation of the people of Rongelap. H.R. 1332 will save the U.S. Government in excess of $100 million over the next 7 years. Regrettably, the Appropriations Committee has chosen not to accept the approach adopted by the Resources Committee.

Earlier this year the Secretary of the Interior announced that he was going to close the Office of Territorial and International Affairs, within the Department of the Interior. Later, as the details became available, it became apparent that the administration wanted only to downgrade the office and reduce its size to approximately 25 people.

Given that the territory of American Samoa and the Commonwealth of the Northern Mariana Islands are the only territories in which OTIA is actively involved, and given the increased level of self-autonomy already provided to the territories, I submit that 25 people is much too large a staff for this office, and believe it should be terminated or cut substantially. While the four assistance programs contained in the President's budget and the appropriations bill have been useful in the past, the time has come to terminate these programs as well, and move forward in our relations with the territories.

Mr. Chairman, the Gallegly amendment is consistent with the budget resolution for fiscal year 1996 and consistent with the actions of the authorizing committee this year. In effect, the authorizing committee, and the full House are moving in one direction on these issues, while the Appropriations Committee is moving in another.

The Gallegly amendment cuts Federal spending, reduces Government bureaucracy, and moves the administration of the U.S. insular areas toward greater self-autonomy.

Chairman ELTON GALLEGLY and I have been working on an authorizing bill for the territories all year. Our approach has been approved by the Resources Committee, and will be a significant change in insular policy for our Government. This change has been a long time in coming, but the time has come.

Mr. Chairman, Congress' move toward reduced Federal spending is causing significant pain throughout our Government. I am pleased that insular policy is one area in which the authorizing committee has achieved substantial bipartisan agreement. Insular policy is not an area followed closely by most of us, but those of us who work in the area see this as a positive change, and I urge my colleagues to support the Gallegly amendment and conform the appropriations bill to the budget resolution and the action of the authorizing committee.

The CHAIRMAN pro tempore (Mr. GOODLATTE). The question is on the amendment offered by the gentleman from California [Mr. GALLEGLY].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. VUCANOVICH

Mrs. VUCANOVICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VUCANOVICH: On page 33 line 17 strike ''67,145,000'' and in lieu thereof insert ''$75,145,000'' and on line 18 strike ''65,100,000'' and insert in lieu thereof ''$73,100,000''.

Mrs. VUCANOVICH (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 Nevada?

There was no objection.

Mrs. VUCANOVICH. Mr. Chairman, this amendment restores $8 million for the Pyramid Lake water rights settlement. Funds available from a previous amendment which reduced funding from the territorial assistance account is sufficient to offset this amendment.

This water rights settlement is very important to the constituents within my congressional district. The final payment for the Pyramid Lake settlement is due next year, at which time an agreement will be implemented to supply much-needed water to the Reno-Sparks area. It is my understanding that the committee intends to fully fund this program in time to consummate this important water rights agreement.

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

Mrs. VUCANOVICH. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, our side has no objection to this amendment.

Mrs. VUCANOVICH. I thank the gentleman.

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

Mrs. VUCANOVICH. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we have no objection. This is an obligation of the U.S. Government. We have freed up the funds to do it because we are on a very tight budget. We are pleased that we are able to accept the amendment.

Mrs. VUCANOVICH. I thank the chairman very much. I urge the acceptance of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Nevada [Mrs. VUCANOVICH].

The amendment was agreed to.

AMENDMENT, AS MODIFIED, OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer an amendment, amendment No. 32 printed in the RECORD, and I ask unanimous consent that the amendment be modified as set forth in the amendment I have at the desk.

The CHAIRMAN. The Clerk will designate the amendment and report the modification.

The text of the amendment is as follows:

Amendment offered by Mr. MILLER of California: Page 5, line 15, strike ''$8,500,000'' and insert $14,750,000''.

Page 11, line 16, strike ''$14,100,000'' and insert ''$67,300,000''.

Page 17, line 21, strike ''$14,300,000'' and insert ''$84,550,000''.

Page 17, line 26, strike ''$1,500,000'' and insert ''$3,240,000''.

Page 47, line 23, strike ''$14,600,000'' and insert ''$65,310,000''.

Page 55, line 5, strike ''$384,504,000'' and insert ''$200,854,000''.

The Clerk read as follows:

Amendment, as modified, offered by Mr. MILLER of California: Page 5, line 15, strike ''$8,500,000'' and insert ''$14,750,000''.

Page 11, line 16, strike ''14,100,000'' and insert ''$67,300,000''.

Page 17, line 21, strike ''$14,300,000'' and insert ''$84,550,000''.

Page 17, line 26, strike ''$1,500,000'' and insert ''$3,240,000''.

Page 17, after line 26, insert the following:

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501–2514), $5,000,000.

Page 47, line 23, strike ''$14,600,000'' and insert ''$65,310,000''.

Page 55, line 5, strike ''$384,504,000'' and insert ''$195,854,000''.

Mr. MILLER of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

Mr. MILLER of California. Mr. Chairman, this amendment should be supported by all Members who care about our national parks, national wildlife refuges, national forests and public lands. This is an amendment that should be supported by those who care about our parks and outdoor recreation opportunities in our urban areas. No doubt about it, this amendment directly benefits people in every congressional district in this country.

The land and water conservation fund is one of the most popular and successful programs that our government has run. Funded by a portion of

the oil and gas revenues generated from leasing Federal lands on the Outer Continental Shelf, the land and water conservation fund helps to meet the increasingly heavy demand for hunting, fishing, and recreation areas, protects outstanding resources, and preserves the Nation's natural and historical heritage.

In addition to Federal land acquisitions, the fund provides for direct grants to States for parks, open space and outdoor recreational facilities. Since 1965, over 37,000 State and local grants have been awarded, totaling $3.2 billion. The States and localities have matched this amount dollar for dollar to acquire $2.3 million acres of park land and open space and to develop more than 24,000 recreation sites.

In fiscal 1996 there will be $11 billion in this trust fund, yet unappropriated for a lot of political reasons, but unfortunately the short fund, the recreational needs of this country.

My amendment would fund the Land and Water Conservation Program at the same levels that Congress appropriated in fiscal year 1995. In addition, my amendment provides for $5 million to fund the Urban Parks and Recreation Recovery Program. The current bill provides no funding for this program.

My amendment would provide an increase of $183 million over the $51 million which is provided in the bill as reported by the Committee on Appropriations.

The increased funds for land and water conservation provided in this amendment are offset by a corresponding $183 million reduction in the Department of Energy's fossil energy research and development fund.

It is true that the budget resolution which Congress has adopted calls for a 7-year freeze on Federal land acquisitions, but I would remind my colleagues that this House also had voted to abolish the Department of Energy, and yet the bill before us today would provide Department of Energy funding for fossil fuel research to the tune of $384 million. It is my understanding that this research appropriation greatly in excess of the $220 million level which the Committee on Science has authorized in H.R. 1816. By contrast, my amendment would bring the DOE spending within the Committee on Science limits by allowing $195 million for DOE's fossil research programs.

This amendment presents a very real question of priorities. In my view, the national wildlife refuges, the national forests, the public lands and the urban park areas outweigh the need for the excessive and above the level the Committee on Science recommends for spending on DOE research for coal, oil and gas, research which can and should be done by those industries without these Federal subsidies.

Finally, Mr. Chairman, I think the amendment ought to be considered in the context of the debate on the Endangered Species Act and the private property rights. Members recently have received a July 10 ''Dear Colleague'' on the recent ''Sweet Home'' Supreme Court decision on the Endangered Species Act. In that ''Dear Colleague,'' the gentleman from Alaska, the chairman of our committee, and five other Members state that if we are to have wildlife refuges and sanctuaries, we should go back to the right way of obtaining them, buy them or pay them for the use of the land for refuges.

We will debate the merits of the Endangered Species Act at length when that legislation is reported to the floor. But what we must understand, that Members cannot continue to claim that they think the right way to provide for these lands is to pay for those private properties, which it is, and then not provide the money to do so when these lands are so important to helping our urban areas, our suburban areas and our rural areas meet the demands for recreation and for public space and to meet the needs of both endangered species and habitat.

The Land and Water Conservation Fund has a priority list of lands that include bear habitat within the Kodiak National Refuge, the Upper Mississippi River National Wildlife Refuge in Minnesota, Wisconsin, Iowa, and Illinois; preserve the natural water flow patterns for the critical Everglades National Park in Florida; to promote the outdoor recreation of the Appalachian National Scenic Trail in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, and New York; to protect the historical integrity of the Gettysburg National Military Park in Pennsylvania; to enhance the scenic and natural values of the Santa Monica Mountains National Recreation Area in Los Angeles, the important national forests of the greater Yellowstone area in Montana; to help protect the salmon streams and the national forests in Oregon and Washington; and to provide resources to those urban areas who are trying to reclaim the recreational opportunities for their youth in cities throughout the country that are trying to bring back the streets, a very successful program where again local government has sought to participate far in excess of the moneys that are available, and without these moneys they simply will not be able to take care of those urban resources and to fully fund the backlog of acquisition and problems that we have.

We have people who are inholders who want to get rid of their private lands, who want the Government to buy those lands. We have management problems created in some cases by those, but there is no money. This is the great backlog that we continue to discuss in this Congress where we continue to add to it. Hopefully we will not continue to add to it in the new Congress, but we ought to start getting rid of it out of fairness to those landholders and those people who are concerned about the integrity of our natural resource system.

□ 1645

So those are the priorities. The Congress can choose, as this bill does, to force feed energy research in oil and gas and coal far beyond the recommendation of the Committee on Science, or we can take that excess force feeding of those moneys and apply them to very high-priority items throughout the entire country to protect and preserve the environment, to protect and preserve our national parks, to protect and preserve our national forests, and to expand and protect and preserve the recreational opportunities for our citizens in our inner cities and suburban communities and small towns across the country.

That is the choice that this amendment presents. It is neutrally funded. It costs no more money than to force feed this energy research. I would hope my colleagues would choose their local community that is requesting these funds. I would hope they would choose their local counties. I would hope they would choose their local States and the gems of the natural resource system of this country, the national parks, the national wilderness, and the national refuge system of the United States.

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

Mr. Chairman, so the Members understand the issue here clearly, this has an appeal, but let me say that the House-passed budget resolution that was adopted here some weeks ago, provided a 5-year moratorium on land acquisition, because when we buy land, we have to take care of it. If we buy land, it means more people, it means more of everything.

We are talking about trying to get to a balanced budget in this Nation in 7 years. We cannot get to a balanced budget by buying more than we can take care of. That is the reason the Committee on the Budget put a moratorium on land acquisition. This would scuttle that moratorium totally and go back to business as usual.

The statement was made that we are force feeding programs in energy research. Let me tell my colleagues again, we have cut back considerably, but we have contractual obligations. We have a number of projects in fossil energy research that have contracts with the private sector. The private sector is putting up anywhere from 50 to 75 percent of the money, which means that they believe that these will be successful.

I think it is a big mistake in terms of national policy to cut back any further on fossil energy research. We are going to downsize it. We are going to get down to the numbers of the authorizing committee, maybe not as quickly as they would but we are headed that way. But we have to recognize our contractual obligations. If we suddenly pull our part of it out, we are subject to lawsuits for failure to perform on contracts that we have made.

Let me also tell my colleagues that we did put in $50 million in an emergency fund for land acquisition. We recognize that there may be parcels of land that become available that we should take advantage of. So, we do have a cushion in the bill, in spite of the fact that the Committee on the Budget and the budget we passed called for a moratorium on land acquisition. The use of that money for land acquisition is subject to the reprogramming, so it has to come back, in effect, to the appropriate committees.

The reason we reduced land acquisition was to fund operations. The money that might have otherwise been spent on land acquisition is put into the operations of the parks. We actually increased the operation money in the parks over 1995.

We want to keep the parks open. We want to keep the forests open. As I said at the outset, these are must-do's. We must keep the facilities available to the public and therefore we have flat-funded them and used that money for the operations that we normally would have put in land acquisition, because we have a responsible number on fossil energy research.

I think what we have done represents a balance. It represents the will of the House as reflected in the budget adopted here. It takes care of operations, and I do not think we ought to tamper with it. These are nice to do. It would be nice to go out and buy more land. It would be nice to fund the UPARR Program, but we cannot do it all when we have a 10-percent cut and we can look forward to more next year. We need to avoid doing things that have substantial downstream costs or otherwise we cannot leave as a legacy for future generations a strong economy that would be generated by a balanced budget.

Mrs MINK of Hawaii. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Chairman, on that point about not wanting to saddle the Federal Government with the maintenance cost for new acquisitions, I understand that motivation prompted the Committee on the Budget, of which I am a member, to put a freeze on the purchase.

But the fundamental principle of the land and water conservation fund, so far as I am acquainted with it, is that there are acquisitions made on a local level and that the maintenance and the care and the development of these lands are basically turned over to the counties and to the States for their assumption of that future responsibility. And all that the land and water conservation fund does is to provide the moneys for acquisition.

So, we are not transferring. By approving this amendment, we would not be transferring a future cost to the Federal Government; is that not true?

Mr. REGULA. Mr. Chairman, reclaiming my time, the gentlewoman from Hawaii is absolutely correct on the UPARR portion, but that is a small part of this amendment. A great bulk of what the gentleman from California [Mr. MILLER] proposes to take out of fossil energy research is going to land acquisition on the national parks and other land management agencies. A very small part of what his amendment would delete would go to the mission that the gentlewoman from Hawaii [Mrs. MINK] has described.

For that much of it, the gentlewoman is correct. But to put over $200 million in land acquisition, obviously, has to generate very substantial maintenance costs downstream for the U.S. Government and that is the reason the Committee on the Budget put a moratorium on additional land acquisition and we tried to respond to the House-passed budget.

(Mrs. MINK asked and was given permission to revise and extend her remarks.)

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

Mr. Chairman, I rise in very strong support of the amendment of the gentleman from California [Mr. MILLER], because I feel that the set aside that we so wisely did in putting aside these oil exploration funds into this land and water conservation fund was for the future use and acquisition of these lands, which are the precious acquisitions for the entire country. It is not for one particular State of locale; it is acquisitions that go to the total assets of the United States.

So I rise in very strong support of this amendment and I hope that the Members will agree and I yield to the offeror of this amendment, the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, the gentlewoman from Hawaii [Mrs. MINK] raised the question, and the gentleman from Ohio [Mr. REGULA] raised the question, about maintenance costs. in many instances, the land that is in the backlog waiting to be acquired is held by private landowners in the middle of a national forest, on the edge of a national forest, or surrounded on two sides or three sides or four sides by a national forest.

These people want out. They are encumbered by the fact that the forest is there. The Forest Service or the Park Service or the Refuge Service would reduce their operational costs and administrative costs because of these inholdings. These people in many cases have been standing in line for years after year after year. We have heard about them.

And this committee is struggling. I do not doubt what they try to do every year. This committee has struggled to try to meet that demand. The gentleman from Alaska [Mr. YOUNG] and I have sat in our committee and continued to make sure that they never whittle the backlog down. the fact is, the backlog exists. I think that with the new Congress, the backlog is about to not be added to, if I hear what is going on in our committee correctly. But we owe it to those people who are waiting to have their lands purchased.

And there is money available, but there is not if we choose to use it in the Department of Energy fossil fuel research; again, which many of these companies can do on their own and have the availability to do.

It is a question of priorities. Let us understand that in many instances, this is about reducing administrative costs in Park Service units, in National Park Services, in wildlife refuge units. So, it is not all about that.

This would give, obviously, the Forest Service and the Committee on Appropriations the ability to set priorities, but let us get rid of some of this backlog. It is not fair to these people to just leave them hanging there as we have purchased all the land around them. I would hope that we would support the amendment.

Mrs. MINK of Hawaii. Mr. Chairman, if the gentleman would yield to a question from me, is not it true that this backlog that the gentleman speaks of are already acquisitions that the Congress has already acted upon to some extent? It is not as though we are coming in with a new acquisition, a new park idea or some new enhancement of our environment. These are items that have already been set down, but for a variety of reasons, the land and water conservation fund has not been tapped to do this purchase.

Mr. MILLER of California. Mr. Chairman, the gentlewoman is correct. Many of these properties are subject to congressional designation. Many these properties have a cloud on their title in one fashion or another because of what has taken place around them. And the question is do we start to whittle down that backlog?

Let us understand something here. There is $11 billion in the land and water conservation fund and the agreement was with the American people that we would allow oil drilling off of the coast of this country and we would use those resources to add to the great resource base of this country for recreation and for public use.

That promise was never kept; not by any Congress, not by any administration. It is a little bit of the kind of fraud that we have sometimes around the highway trust fund or the airport trust fund. We put the money in there and we say this is going to go for airport safety or this is going to go for improved highways. But then somehow this Congress starts dipping their fingers into this trust fund or one administration or the other wants to make the budget deficit smaller than it does.

Who are the victims? The victims are the people who paid for the gasoline that expected better roads and safer roads. The victims are the people who bought an airline ticket and expected safer airlines. The victims are the people who agreed to have this oil explored

off their coast and said that the tradeoff will be that we will create this trust fund.

We have been robbing this trust fund for years. Now all we are suggesting is that we authorize them to spend some of the $11 billion. I do not think the Committee on Appropriations in the last few years has spent more than $100 million out of the trust fund for acquisition.

That is how you get a backlog. You lie to the American people. You lie to the American people. All of these things that are on this list for acquisition are because Members of Congress thought they were terribly important and voted to pass them. We ought to keep faith with the American people, faith with the budget process, and vote for the Miller amendment. It is a hell of a good deal.

Mrs. MINK of Hawaii. Mr. Chairman, I rise in strong support of the Miller amendment to the Interior appropriations bill which would add $184 million for land acquisitions for preservation of our natural resources.

The Miller amendment attempts to restore the land and water conservation fund [LWCF] to fiscal year 1995 levels, through decreases in fossil energy research to authorized levels set forth by the Science Committee. There is $11.2 billion surplus in the Treasury for the LWCF. The Miller amendment appropriates a mere 2 percent of this surplus.

The LWCF has been essential to the conservation in perpetuity of lands for recreational use since 1965. Under LWCF, local communities and States have the opportunity, through the fund's 50/50 matching grants, to directly invest in parks and recreation in local areas. A modest Federal role in the LWCF provides States and local officials primary responsibility and flexibility for such land acquisition and development projects made possible by the fund.

The reduction in fiscal year 1996 appropriations out of the LWCF represents a serious threat to the promotion of America's national and historical heritage. My State acquired under LWCF Hakalau National Wildlife Refuge, the very first refuge for forest birds in the country and a vital part of Hawaii's battle against an endangered species crisis. Of the 128 bird species that originally nested in the Hawaiian Islands, 58 have disappeared and 32 are on the endangered species list.

Habitat for endangered waterbirds has been protected by the LWCF at the Kealia National Wildlife Refuge on the Island of Maui, which consists of 700 acres of wetlands.

The Fish and Wildlife Service, through the LWCF, has worked with a private landowner to secure the 164-acre James Campbell National Wildlife Refuge, which contains habitat supporting 35 species of birds making up the largest population of waterbirds in Hawaii.

The LWCF funded the Oahu Forest National Wildlife Refuge in the Koolau Mountain range, which is on its way to being the first actively managed habitat for Hawaiian endangered and indigenous tree snails, birds, bats, and plants.

The National Park Service has used the LWCF to augment Hawaii's two major national parks—Hawaii Volcanoes National Park on the Big Island and Haleakala National Park on the Island of Maui.

Since 1965, the LWCF has funded more than 37,000 projects with more than half of these projects invested in urban and suburban areas. To keep the fund at the level in H.R. 1977 would be to rob countless communities across the Nation of the ability to continue developing projects for which substantial sums have been invested, good faith commitments have been put into place with willing landowners, and timetables have been congressionally authorized.

I urge my colleagues to cast their votes in favor of the Miller amendment to restore funding for land and water conservation fund acquisitions for purposes of conservation.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I reluctantly, but enthusiastically, rise in opposition to the amendment of the gentleman from California [Mr. MILLER]. Much of what the gentleman said is true, but let us keep in mind that these properties that we were supposed to be purchasing were set off limits by another Congress.

In fact, if we look at the GAO report, which I requested with the gentleman from California [Mr. POMBO], that was reported in 1995, we purchased in 1993, through the agencies, a little over 203,000 acres of land. The Forest Service purchased 72,000; the LM 27,000; the Fish and Wildlife, 82,000; the National Park Service, 22,000.

What we have done in the past, and I will respectfully say, we have now hopefully addressed that issue with a commission that will look at our parks. We hope to come forth with another recommendation that we do not constantly create these units without proper scientific research and input.

Mr. Chairman, I happen to agree that there is $11 billion in the fund to buy these properties. We have not. We have used them. All administrations, including this one, have used these moneys to balance the budget, or other purposes than what they were collected for.

But more than that, we have stopped drilling off shore too. There is no drilling taking place in the United States, other than in the Mexican gulf. There is a little off of Alaska. There is none around the United States and I do not think anybody here is advocating that. None in Florida. I am not saying that.

What I am saying is that the gentleman from Ohio said that we did on this side, I am saying this for our Members, agreed to a budget target to balance it by a certain time.

So, Mr. Chairman, I am going to request, respectfully, we vote no on the gentleman's amendment, although much of his argument is correct as to how this has been misused. But I do believe if we want to reach that target, we should reject the amendment, support the chairman of the committee, and go forth with our business.

□ 1700

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

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

You know, over and over again we have heard Members of the 104th Congress speaking very vocally, obviously very enthusiastically, in favor of protecting private property rights, and I do the same myself.

But we have heard them say if you want to protect endangered species living on private lands, then buy the land. In fact, I got this interesting dear colleague letter from people on both sides of the aisle really saying the same thing. Well, this House has passed legislation requiring that the Federal Government purchases property at a landowners' request if the Government impacts its value more than 50 percent. But here we are, we have this bill which is just gutting the very account that would allow us to acquire land.

So I would say to Members who are concerned about private property rights, I would say let us put our money where our mouths are. There are numerous examples of property owners ready, willing to sell their land to the Federal Government so that we can protect fish and wildlife.

In Oregon, we have landowners along the Siletz and Nestucca Rivers who want to sell some of this region's most productive wetlands in order to provide habitat for bald eagles, snowy white plovers, and at-risk of salmon. That is great. We have a willing seller, a willing buyer, we have a good idea.

Farther north on the Columbia River, the endangered Columbia white-tailed deer is a shining example where you have a good management plan, you can take the animal off the endangered species list. We need a little more land to make sure that that habitat is there.

We have willing sellers. We need the money in this account to do that. Now, land acquisition, it seems to me, is a most cooperative, nonintrusive way to protect both the endangered species and private property rights.

At a time when divisiveness has paralyzed many resources issues, land acquisition provides us with that win-win solution that we are all looking for.

It is hypocritical to claim that you want to preserve the rights of private landowners or that you want to prevent species train wrecks, and then turn around and cut the funding for the land acquisition. If you colleagues support private property rights, and if you support the prevention of extinction of species, you have a great opportunity here.

Vote ''yes'' on the Miller amendment. It is a win-win situation.

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

Mr. Chairman and my colleagues, I rise in very strong support of the amendment by my colleague, the gentleman from California [Mr. MILLER].

I think it would be a very sad mistake for this new majority to miss an opportunity, and that opportunity is really to provide the preservation of some of our natural lands in this country.

You know, these bills that we are looking at provide, and this particular

legislation provides, opportunity to spend money on surveys and studies and administration. But, really, what do we leave the next generation?

I tell you that we cannot do anything that would be more lasting for the next generation than to invest this small amount of money on preservation of lands, many of them endangered, throughout the United States.

Let me speak from a personal standpoint. I and my family lived, and I grew up, in Miami, and I saw what happened to the Everglades there, how they became neglected and how we did not take the time to preserve that area.

I now have the opportunity to represent central Florida, a beautiful area that has natural bodies of water and hundreds of lakes, and that area is endangered. You know, we have the Ocala National Forest to the north. The State has preserved some land around the urban areas. This area is impacted by tremendous growth, and we have the opportunity to acquire some land in a Federal-State partnership, and that money is not available, and that is sad and that is tragic because the same thing I saw happen as I grew up as a young man now is taking hundreds of millions, billions, of dollars to restore the Everglades. And because we did not make the investment that we needed, we may never get another chance.

I have a photo of the area that I am talking about, the St. John's River, in my district, $15 million from the State, $15 million from the Federal. But we do not have a penny in this bill for land acquisition, and that is wrong, and it is wrong for this side of the aisle to reject this amendment. Because this should be a priority, and we will not get another chance to save these lands.

So I urge my colleagues to look at this. A lot of the things we say here will not make any difference, but something we do here will make a big difference, and that big difference is preserving this land and these natural preserves for the future.

We should be investing in that. I am one of the most fiscally conservative Members in the entire House of Representatives, according to voting records, so I come here speaking not to spend money idly, not to spend money on pork projects, but to spend and make an investment in the future so we can leave a legacy for our children.

So I strongly—I strongly advocate passage of this amendment.

I had an amendment in here just to add a few more dollars to this, and I commend the gentleman for adding the many more dollars that can be well spent and well expended in the national interest, in the public interest and in the interest of our children.

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

Mr. MICA. I yield to the gentleman from Massachusetts.

Mr. STUDDS. Mr. Chairman, I want to commend the gentleman's statement, and I say to him, he need not worry, as I am sure he knows, about putting his conservative credentials at risk. The proposition on behalf of which he speaks is the most profoundly conservative proposition that could possibly come before us. It is literally conservative. It is conservative; it is conserving those things of greatest value to us and future generations.

The gentleman speaks for the best heritage of his party. I hear Teddy Roosevelt and Gifford Pinchot in his voice, and I commend him.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

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

Mr. MILLER of California. I want to thank the gentleman for yielding.

His State is exactly the kind of State that needs this acquisition because they are going through an incredible transition to try to hold onto one of the world's great resources, and to do so, they need the cooperation of farmers and cities and private landowners and homebuilders and others, and they have worked out a State plan. They have tried to patch this together so that they can protect the Florida Keys, they can protect the Everglades, and they can protect the economy in the northern end of that ecosystem.

But they need help in land acquisition because people are willing to help but, as so many have said on both sides of the aisle, they want to be paid. They cannot just give away their families' assets. But those assets, in some cases, in central Florida and elsewhere, are farm lands that are productive but they are key if we are going to save Florida Bay, the Keys, and this great ecosystem.

I really want to commend the gentleman and thank him.

Mr. MICA. I thank the gentleman for his leadership. I regret that I take this position. I know the committee and the chairman have done a great job.

The CHAIRMAN. The time of the gentleman from Florida [Mr. MICA] has expired.

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

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

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

Mr. REGULA. Mr. Chairman, is the gentleman aware that we have funded the 1995 level on the south Florida ecosystem? We are very aware of the problems.

Mr. MICA. Yes. I do not speak, sir, to the south Florida ecosystem. I am talking about the ecosystem of the United States and the investment that we are making. These are so few dollars compared to the whole budget and to the money that is spent on studies and surveys and administration.

We will never get another chance, and what I would like to avoid is the mistakes that were made in south Florida that I saw as I grew up in south Florida. So again, I strongly urge my colleagues who talked about property rights, about preservation, about environment and being strong supporters, to come forward and to support this amendment.

And I regret that I take a position in opposition to you and the committee.

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

Mr. Chairman, for years this body has tried to purchase land when they had no money to buy it, and not only no money, they were in arrears of billions of dollars paying for land that they have already taken, and then they go ahead and try to buy more.

The last Congress, the same gentlemen that are arguing took 3½ million brand-new acres in the California desert plan. They took in Mojave about 1.4 million acres, in Death Valley, they took 1.5 million acres in Joshua Tree, totaling over 3.5 million acres. They did not have the money then to manage it, and then what happens is people go on this list. They say, ''Do not leave these people in this position.''

Well, when you try to buy land and you do not have the money in the first place, not only in our Congress but for the last 20 years, and you go billions of dollars in the hole and then you take people on that list and you do not let them improve their property, you do not let them do certain things to it and the value goes down and then you come in and say, ''Now, we want to give you fair market value, which is probably 10 percent on your buck,'' that is wrong.

Even in the California desert plan, they are coming up with odd ways to keep people out of it by not even letting them use the current roads that access the California desert.

You say it is wrong to leave these people in there. Well, look who put them in there in the first place. You need to be able to pay for the land that we have. Over 50 percent of California is owned already by the Federal Government, and we are billions of dollars in just the operations.

The chairman is trying to put the money in the operations to manage the systems that we have that are also in arrears.

We need to take a look at what is fairness and access. Yes, there are needs for the environment, and there are certain areas, we have got an area in Carmel Valley I would love to be able to purchase. As a matter of fact, the builders will sell it to us. We do not have the money to do it. I would love to. But we are so many billions of dollars behind, I am going to have hard trouble finding it. It would be a good area because it connects all the things that you want to in endangered species. It gives corridors, it gives areas where we can protect those things.

I would love to help work with you to get the dollars for it, but we do not have it, and if we keep doing this and we keep taking governmental land and

making new land and not being able to pay for it, that is wrong, too, by putting private property rights at risk, and that is why most of us are against this.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

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

Mr. MILLER of California. I say to the gentleman, you know, you brought up the California desert. That was already Federal land. We changed the management structure from BLM to the National Park Service.

Mr. CUNNINGHAM. There are 3.5 million acres of brand-new land in that. The total was about 7 million acres.

Mr. MILLER of California. No, no. Those are public lands already owned by the United States.

Let me say this is not unique.

Mr. CUNNINGHAM. What about Catellus?

Mr. MILLER of California. This backlog, Catellus, is not in it. This backlog is not unique to the Democrats, because the majority on our Committee on Resources just reported out a $5 million new national park. I mean if we are really serious about no backlog and whittling down the backlog, let us whittle down the backlog. Let us not add to this. This is money the taxpayers have deposited in a trust fund that they believe that was going to be utilized to take care of whatever that valuable piece of property you described or some other ecosystem of the United States.

Mr. CUNNINGHAM. There are lands, I would say to the gentleman from California, that I would love to work with the gentleman on, especially in our jewel State of California, that I think we can still say that cannot be used, that we would not be violating those private property rights.

I think the chairman has done a good job in acquiescing to the point that we need to support the current systems that we have and maintain the operations.

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

Mr. CUNNINGHAM. I yield to the gentleman from Florida.

Mr. MICA. One of the things that concerns me is that we do not have funds available for land acquisition for Florida, for example, or for the situation that you have described. How would you propose that we get those funds? I share all of your concerns.

Mr. CUNNINGHAM. The first thing, I would not give $5 billion to the former Soviet Union when they are building submarines. I would not give money to Haiti that can sit there for the next years, and we are spending billions of dollars there. We are looking into Somalia. We are going to spend billions of dollars there. There are a lot of areas this Congress could do it. We are not doing it. I think the chairman, with the limited resources he has, has done a good job.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. MILLER].

As I was listening to the debate on this, obviously I think a lot of people are talking by one another with records to what the gentleman from California [Mr. MILLER] is proposing.

What he is proposing is to try to keep the commitments that we have made with regards to purchasing lands that are already mostly and already have been designated by this Congress, and these are lands obviously within parks, within the forests, within other areas which are very sensitive, which generally, in fact, of course, when the land management agencies, whether it is Fish and Wildlife Service or any of the others that are to be extended some extra dollars under this or given such authority, it is a willing-seller, willing-buyer basis.

□ 1715

And I just wanted to point out that these are already decisions that have been made, so, the gentleman from California, when these lands are available in Carmel, or wherever we are talking about that are sensitive lands, this is the opportunity to do it. We have set aside this fund. We set aside over $1 billion a year from land water conservation moneys and historic preservation, and it comes out of the resources that were pumping the oil out, that we are using up our natural resources, and the commitment that has been made is that we would take those dollars and put them back into building a legacy for the future, for the next generation, in terms of these special lands that have been designated by Congress.

And the fact of the matter is that we are not, we are not, keeping that commitment. Those dollars are being taken out of the offshore oil and gas reserves and expended in other ways. We tried to do that to insulate it from the type of decisions that we are dealing with when we are dealing with human investment programs and foreign aid programs so that we could have that particular program be inviolate. Today we are $11 billion behind in terms of that fund that is available until expended, so that is where we are at, and we are not going to catch up with it, we are not going to deal with this important legacy, with these commitments.

I can think of parks in my own State that have been designated some 25 years ago which still have inholdings. We have willing sellers, willing buyers, and they are waiting. They are waiting for the Federal Congress, for us, to appropriate the money so that they can begin to negotiate and to purchase these particular inholdings. We have people literally from Alaska to Florida, from California to New York, that basically these commitments have been made, and these parks exist, and it is very complicated.

I say to the gentleman, You talk about administrative costs. You try to administer something when you have lands within that are not public lands within these parks, willing sellers. You are gravely complicating the costs of administering those particular lands under those circumstances.

So the Miller amendment would take this money out of other accounts and provide it so that the States would be able. Here is a very good program where the States have cooperated in partnership, where urban areas would receive a small amount of money and where the Federal Government, our forests, our parks, our Fish and Wildlife Service areas, and the BLM which is buying sensitive riparian lands in their areas so that they have the water to go with the lands, are on a willing seller, willing buyer basis purchasing these particular sites so that we could, in fact, have a meaningful program and protect the legacy of the next generation.

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

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

Mr. REGULA. Mr. Chairman, the gentleman mentioned that we had commitments. Commitments in what way? Do we have contracts with landowners, or is the gentleman just simply saying these are within the boundaries of the parks or forests as the case might be?

Mr. VENTO. Reclaiming my time, of course they are within the boundaries of places like the Voyageurs where people have lands, of course, because they are within parks. We do not want them to develop it. They are in abeyance. They are holding it. We are building in controversy here. We are, as the gentleman knows, obviously causing greater problems.

As the gentleman from Florida [Mr. MICA] has mentioned, he has seen in Florida the type of problems that have envolved where we made special commitments to the purchase, and nothing is more important than the all right purchases in an honest way.

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

Mr. VENTO. I yield to the gentleman from Florida.

Mr. MICA. In fact, would not the gentleman view this as a pro-property-rights amendment because we have told so many people out there that we are going to pay for their land, and, if we deprive them of the right to use that land, that is fact that this is a pro-property-rights amendment, that the questions of access, the questions of takings and other issues that have been raised here—would not the gentleman say that they are in fact false issues because we are talking about whether or not we have any funds to acquire these lands?

Mr. VENTO. I think the gentleman makes a very, very good point. I think the reason we have the issue of takings, the limitation on land is aggravated greatly by the fact the Federal Government——

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

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

Mr. VETO. Mr. Chairman, just to conclude, I think that the reason we have the problems in terms of the Federal Government and its contact with landowners, whether it is in Alaska or other places, is because we are not keeping our commitments with regards to these sensitive lands and these programs. It has led to the types of problems that we have seen in the sort of solutions that are very—are not workable but nevertheless are being advanced simply on an off-and-on emotional basis, so I hope today—I think we should be able to come together, and put the dollars up there where the commitments have been made to honor basically the contracts we made when we designated these lands, and to help in the efficiency and proper administration, whether it is parks or other public lands. Giving these dollars to the Federal Government under the conditions and strictures that have been in place, the Committee on Appropriations has to approve each one of these particular purposes. I say to my colleagues, ''You have got absolute control over this in terms of the reporting requirements which many of us would object to, but that is the case, so I think you can rest assured that these dollars will be spent well. I think we should trust our States and work in a cooperative and a collaborative manner with them on these programs which we have made commitments to rather than pulling the rug out from under them which this bill does today without the Miller amendment.''

Vote for the Miller amendment.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] will be recognized for 5 minutes, and the gentleman from California [Mr. MILLER] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Chairman, I thank the gentleman for yielding this time to me, and it is quite entertaining to listen to this debate and the poor-mouthing that is going on about the poor people, the poor Federal Government, that has not been able to purchase land. I think that the facts may surprise a few people.

Out of 650 million acres that the Federal Government currently owns, 35 million acres have been bought in the last 20 years, 35 million acres.

Now the gentleman from Florida [Mr. MICA] talks about Florida and areas that he would like to protect in Florida, and granted they may be areas that need to be protected and maybe should be bought and set aside as a preserve, or a wildlife habitat, or a wilderness area for that matter, but in looking through the GAO report, the Federal Government owns 4 million acres in the State of Florida already.

Now is all this 4 million acres land that the Federal Government should own, or maybe should some of it be sold so some money could be gathered up to purchase the land?

I think that it is extremely important that we realize that the Federal Government is adding land every year, not just purchasing land every year, but we are authorizing them to purchase more.

It was brought up by the gentleman from California [Mr. MILLER] that we approved a new park recently which I did not happen to agree and think was that great an idea. I think that maybe we ought to look at all the parks we have right now and decide whether or not they are all that we have.

But we have 650 million acres of Federal land. There is absolutely no reason why we cannot sell off some of that Federal land to purchase some of these sensitive environmental areas, some of these areas that would be ideal endangered-species habitat or wilderness areas.

As the gentleman knows, in my State, 50 percent of which the Federal Government owns, we have enough Federal land. We would be willing to sell some of our land to purchase some sensitive areas.

I think that we have to really look at what we are talking about doing here instead of continuing to add more and more Federal lands.

Mr. REGULA. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, just to get this all totally in focus I say to my colleagues, ''If you voted for the budget resolution, it had a moratorium on land acquisition so you should be against this amendment.''

We have already cut fossil energy research. This really decimates it. I say to my colleagues, ''If you don't care about our energy future, or our energy independence, or our national security, then you're not going to worry, but I think it is important. We have to balance out the needs.''

The reason we are not buying a lot more land is that we do not have enough money to take care of what we have, and, therefore, I think it does not make a lot of sense to buy additional land. We could generate revenues with offshore drilling in California and Florida, but I suspect that the proponents here that would like to buy more land and have more money are opposed to offshore drilling.

I would also point out when we did the rescission we found millions of dollars that have been appropriated that have not yet been spent.

One last thing:

We provide in the bill that the agencies can do land exchanges with private for public to adjust the boundaries, and that offers them an opportunity to get lands that are needed without spending more money or without taking on additional responsibilities.

I believe we have a very responsible approach in this bill. I would strongly urge my colleagues to vote against this amendment. We do not want to decimate fossil energy research. We do not want to buy more land. Already more than 38 percent of America is owned by the Federal Government, and we should use these lands for productive purposes. We have great lands that we need to enhance and operate effectively, and to take on more responsibility makes it impossible to get to the kind of deficit lowering that we want to see in the future.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Well, Mr. Chairman, the fact is that we already take in the money from the offshore oil and gas. Opening up more would not get us the money because it is being diverted to some other place. I know we talk about what was in the budget resolution. The budget resolution abolishes the Department of Energy, abolished it. That is where this money is being taken from, is from the Department of Energy. The question is we have had a lot of these paper promises in terms of delivering the money. As far as the Federal Government is concerned, we have given away 200 million acres of land in the last 30 years. We have given it away, and that is fine. That is appropriate in terms of many of the laws we have, so there is nothing wrong with that in terms of what we purchase. We are buying the sensitive riparian areas, the areas that have the endangered species, trying to round out the ownership for the parks, the BLM, so that we, in fact, can avoid the types of conflicts and reduce the administrative costs, and we need to have a funding account here with these dollars for reasonable land purchases which are approved by the chairman of the appropriations subcommittee, and I know they have done good work in the past and they will do it in the future. We can count on them to properly screen and filter these purchases. Vote for the Miller amendment.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I want my colleagues to understand we have a several-hundred-million-acre backlog here, and this money is greatly needed. We are not doing the job now.

Now by the way, these are private landholders who are trying to strike agreements, and some of them have waited a very long time, and they will expect that their Government is going to follow through on its commitments. The money that the gentleman proposes to put back in will only bring us

up to a level where we still have a several-hundred-billion-acre backlog, but at least it will not get worse.

For the good of habitat in this country, for the good of wild lands in this country, for the good of wild rivers in this country, and for the good of private land holders who want to help and expect the Federal Government to keep the agreements that have been made with them please support this amendment.

Mr. MILLER of California. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from California [Mr. MILLER] is recognized for 3 minutes.

Mr. MILLER of California. Mr. Chairman and members of the Committee, this is about priorities. This budget resolution froze land acquisition. It also abolished the Department of Energy. One of the reasons it abolished the Department of Energy, I suspect, was we have already put $8 billion into this fossil fuel research, and we have gotten bupkiss out of it. We have gotten a huge debt out of it. Here is one of the wealthiest industries in the world who makes huge financial decisions about research, about exploration, about development and the hundreds of billions of dollars, and we are telling ourselves we believe in the marketplace, so to speak, but they are only $200 million of taxpayers' moneys away from a breakthrough. They could not do it on the first 8 billion, and actually it is far more than that. That is just the last 5 or 6 years, $200 million.

So, I say to my colleagues, ''Choose the priority. You can choose land acquisition and protection for the national parks and the wildlife refuges, or you can choose to force-feed $200 million more than the Committee on Science tells you that they are prepared to see this organization spend, and this adds to the $8 billion you have tried to force-feed in terms of energy development.''

Now, you said abolish the Department of Energy. But apparently when it is gone, the subsidy to these corporate clients will continue to be left.

☐ 1730

So this is about priorities, this is about stark choices, and this is about decisions. When your constituents ask you why don't you run the government like a business, it is because you are feeding business $200 million they do not need, do not want, and do not find in their priorities. If this was a priority, they would be spending money on it. They are out in deep waters in the Gulf, they are in Russia, they are in the Middle East, they are in Kazakhstan, they are in China, and they are in Vietnam. And we are, like fools, sitting here saying, ''Oh, will you do some energy research in the United States of America?''

Let's choose the ecosystem of America. Let's choose the national parks. Let's choose the refuges, let's choose our urban park land, the families and recreation and the 300 million visitor days that will take place this summer, as we sit here and debate, by people who have chosen our national parks, chosen our seashores, chosen our refuges, chosen our national forests. Give them a hand. Give them a hand. Exxon, Chevron, Shell, Phillips, these boys, they will figure it out themselves. They always have. Vote for the Miller amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MILLER], as modified.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 253, not voting 11, as follows:

[Roll No 502]

AYES—170

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bass
Becerra
Beilenson
Bereuter
Berman
Bishop
Boehlert
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Collins (IL)
Conyers
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Fox
Frank (MA)
Franks (NJ)
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Gutierrez
Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jacobs
Jefferson
Johnson (SD)
Johnston
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klug
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Miller (CA)
Mineta
Minge
Mink
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Ramstad
Rangel
Reed
Richardson
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Slaughter
Smith (NJ)
Spratt
Stark
Studds
Stupak
Tanner
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Williams
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOES—253

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Ford
Fowler
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Lucas
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Miller (FL)
Molinari
Mollohan
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stokes
Stump
Talent
Tate
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Bono
Coleman
Collins (MI)
Fields (TX)
Green
Greenwood
Hefner
Moakley
Montgomery
Reynolds
Tauzin

☐ 1755

The clerk announced the following pairs:

On this vote:

Mr. Moakley for, with Mr. Bono against.

Messrs. HORN, TAYLOR of Mississippi, BENTSEN, and Ms. JACKSON-

LEE changed their vote from ''aye'' to ''no.''

Messrs. GILMAN, DE LA GARZA, and PETERSON of Florida, Mrs. KELLY, and Messrs. FOX of Pennsylvania, SAWYER, ZELIFF, BRYANT of Texas, and LONGLEY changed their vote from ''no'' to ''aye.''

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NEUMANN

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

The CHAIRMAN. pro tempore (Mr. BARRETT of Nebraska). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NEUMANN: Page 12, strike lines 4 through 8.

Page 12, strike lines 21 through 25.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

Mr. DICKS. Mr. Chairman, reserving the right to object, the gentleman from California feels very strongly about this. He is willing to agree to 30 minutes, 15 minutes on each side, if that is agreeable.

Mr. REGULA. Mr. Chairman, I withdraw my unanimous consent request.

Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 30 minutes and that the time be equally divided.

The CHAIRMAN. The Chair will state his understanding of this request. The time for debate on the pending amendment and all amendments thereto shall be limited to 30 minutes, equally divided and controlled by the gentleman from Wisconsin [Mr. NEUMANN] and the gentleman from Washington [Mr. DICKS].

Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin [Mr. NEUMANN] will be recognized for 15 minutes, and the gentleman from Washington [Mr. DICKS] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. NEUMANN].

□ 1800

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

Mr. Chairman, I want to thank the gentleman from Texas [Mr. STENHOLM] for joining me as a cosponsor in this bill. We have bipartisan support for this bill.

Mr. Chairman, our Nation stands $4.8 trillion in debt. We will overdraw our national checkbook this year alone by over $200 billion. Our children and our grandchildren are counting on us to stop spending money that we do not have. We must start prioritizing ourspending habits. This amendment would cancel the expenditure of $800,000 of taxpayer money to be spent on elephants, tigers, and rhinoceroses. I care about wildlife and I sure do not want to see elephants, tigers, or the rhinos become extinct.

The Neumann-Stenholm amendment would not mean that elephants, tigers, or rhinos would become extinct. In fact, the African elephant fund has collected over $4.5 million since 1991 in private contributions. The taxpayers of the United States have added $3.7 million since that time. This amendment simply turns off the use of Federal tax dollars for this purpose. These programs and activities are properly left for private foundations, not to be paid for by the U.S. taxpayers.

Some people here in Washington would have us believe that $800,000 is not worth worrying about. Let me respond. I understand it take $1 per day to keep a starving child alive in some of these same foreign countries. That means we could use these same tax dollars to keep 2,100 starving children alive, rather than spend the money to preserve tigers, elephants, and rhinos.

We have told our senior citizens that Medicare is broke, and it is. The fact of the matter is that by the year 2002 the Medicare system does not have enough money to pay its bills. We have told them there is no extra money to put into the system. I would like to know how we are going to explain this sort of an expenditure to those same senior citizens.

Our Nation is counting on this new Congress to solve the financial problems facing our country today. This is just one small step in restoring fiscal responsibility so as to preserve this great Nation of ours. I urge the passage of this amendment.

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

Mr. DICKS. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from California [Mr. BEILENSON] who has been one of the most knowledgeable Members of this institution on these very important programs. I strongly support these programs, as he does.

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

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

Mr. Chairman, I rise in strong opposition to the Stenholm-Neumann amendment, which would eliminate all funding for the African Elephant Conservation Fund and for the rhinoceros and tiger Conservation Fund.

Mr. Chairman, I also want to say at the outset that I hope we have not reached the point around here where every good and useful thing that we have ever done, or every program, no matter how successful and useful, is automatically suspect, and automatically subject to being eliminated just because it costs some money, even if it is a very, very small amount of money, such as in the case we are discussing here today.

These two programs, tiny as they are, hold the best hope, perhaps our only hope, of saving from extinction three of the world's most venerated creatures. The decision by Congress to eliminate these programs could have terrible consequences that we would never have the chance to reverse.

The amendments being offered, despite the fact that the bill already cuts the elephant fund to $600,000, half the money of this year's appropriation, only half the amount requested by the administration, it also cuts the rhino and tiger fund by $200,000, half the amount required by the administration, so along with virtually everything else in this bill, because of budget constraints, these programs are already being cut by 50 percent with the committee bill.

For the very minor amount of savings that would be gained by this amendment, a total of $800,000, its enactment would deal a potentially catastrophic blow to our efforts to save three species of animals that are on the brink of extinction, and would harm as well many other species which benefit from these programs.

There are fewer than 11,000 rhinoceroses left in the wild today. There are fewer than 6,000 tigers left in the wild today. The numbers of these two creatures have declined rapidly in recent years because of the demand for their parts and the poachers who supply that demand. There may well be no rhinoceroses at all, no tigers at all, left on the face of the earth in the next few years' time, except perhaps for a few in the zoos, and they will not last very much beyond a few additional years.

Mr. Chairman, I personally, and I hope the Members also, find that inexpressibly sad and potentially tragic. I believe that our modest efforts to save these species are well worth the mere $800,000 that we are arguing over here tonight. Although all tiger subspecies and all rhinoceros species have been listed as endangered for many years, the prohibition on trade of these animals has not been well enforced in some countries where their parts are believed by man to have medicinal value. Because of the strong cultural belief in the rhinoceros' and tiger's curative powers, it has been an extremely difficult and complex task to eliminate trade in these species.

However, as the plight of the tiger and rhino has grown increasingly serious, so too has our response. Last year the President imposed trade sanctions on wildlife products from Taiwan, which was the first time the United States has ever opposed such sanctions for trade in the Endangered Species Act. Those sanctions were lifted recently in recognition of the progress Taiwan has made in combatting trade in endangered species, but the situation still requires close monitoring

In tandem with that effort, toward the end of last year Congress authorized the rhinoceros and tiger Conservation Fund. We knew from our successful experience in slowing the decline of the African elephant that we could stop the decline of rhinos and tigers by providing assistance to other countries that they need to conserve these animals. The fund would provide grants to foreign governments and nonprofit groups that develop rhino and tiger conservation projects. In addition, private donations could be accepted and used for approved projects.

This is an example, Mr. Chairman, with the rhinoceros there has been some success in efforts to form new herds from scattered individual rhinos and remaining members of herds that have been decimated. If they are brought together in suitable habitat with greatly increased security, in time, group bonds form and a new herd can be established. Unfortunately, rhinos all live in developing nations, which simply do not have the resources to undertake this kind of preservation effort on a sufficiently large scale to ensure the recovery of the species.

Mr. Chairman, we have had a decent amount of experience with such programs. Mr. Chairman, we have had a decent amount of experience with these programs, because the rhinoceros and tiger fund is modeled on the successful African Elephant Conservation Fund that has been in existence since 1989, and is the other program which would be eliminated entirely by this amendment.

The gentleman from Texas [Mr. FIELDS], who unfortunately cannot be here today because of a death in the family, the gentleman from Massachusetts [Mr. STUDDS], and I, concerned by the catastrophic decline of the African elephant whose numbers plummeted from 1.5 million to about 400,000 just in the decade of the 1980's, were the co-authors of that bill, which President Reagan signed into law about 6 years ago.

Under that program, with a relatively modest amount of funding, less than $1.2 million a year, the United States has supported 55 projects in 15 African countries, many of which are extremely poor and desperately need the scientific and antipoaching assistance that we and other nations have to offer to help them manage their elephant populations. In fact, the elephant program has been perhaps the most successful effort ever undertaken anywhere in the world to ensure the preservation of a species in its native habitat.

Because of our leadership and contributions to the international coordinating group, every range country in Africa now has a short-term and a long-term conservation plan and we are all actively engaged together in efforts to implement that plan. Elephant populations now have been stabilized for the first time in recent memory, in the last 6 years, at about 400,000, the level they were at the end of the 1980's.

In addition, the elephant fund helps protect other species as well, because elephants play an enormous role in the ecosystems they inhabit, take up an enormous amount of space and area. Anything we could do to conserve them conserves other species who live in those same spaces.

Most importantly and finally, Mr. Chairman, our efforts have served as a catalyst in generating major contributions and technical assistance from nongovernmental organizations, from other donor nations such as Japan and several western European nations.

Mr. Chairman, in conclusion, I believe, and I hope Members do too, it would be unspeakably tragic if three of the most wondrous and beloved creatures on earth, creatures we have always thought of as part of our world, were no longer in existence. The tragedy would be greatly compounded if in the years to come our children and grandchildren, looking back at this time, saw that one major reason these creatures were no longer part of their world was because back in 1995, the Congress of the greatest, most powerful, and wealthiest Nation of the world refused to spend a mere $800,000 to help to try to save them.

I know it is not a lot of money, I know it is easy to make fun of such a program, I think it is terribly important what we are embarked on here. We are not asking a lot of help. It is being cut by one-half anyway. I urge my colleagues to defeat this amendment and do what the people of this country, if you were to ask them, would want us to do: help preserve these magnificent creatures.

Mr. NEUMANN. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. GINGRICH], the Speaker of the House of Representatives, and perhaps one of the finest people in the United States of America.

Mr. DICKS. Mr. Chairman, I would be delighted to yield an additional 2 minutes to the gentleman from Georgia, the Speaker, if he would so choose.

The CHAIRMAN. The gentleman from Georgia [Mr. GINGRICH] is recognized for 4 minutes.

Mr. GINGRICH. Mr. Chairman, let me just say that I very much appreciate the graciousness with which my colleague, the gentleman from Wisconsin, yielded time to me.

Mr. Chairman, this is an amendment which means well, but I think does wrong. This is a very small amount of money, but it is symbolically very important, and symbolically important in part for the signal it sends to people, particularly in Africa and Asia, about whether or not the United States is prepared to reach out and be helpful.

I want to confess up front, from a Republican standpoint I have some concern for elephants, but as a person, and maybe this is because of my own physique, I have a particular affection for rhinoceroses. I happened to have helped the Atlanta zoo get two rhinos. I do not want anyone on this side of the aisle to start making all the obvious comparisons.

However, I will say that when we think about the gesture we are making, and this has already been modified by the subcommittee in a way which I thought was very helpful in moving toward raising private sector funds and in making sure that we had to get involvement from the private sector, but I think that for this tiny amount of money, we are helping maintain an effort on behalf of some large mammals, all of which are severely threatened and all of which could disappear, literally be gone, unable to ever again find them in the wild. Frankly, we are learning more and more about just how difficult it is to reintroduce large animals, because they do not learn the habits in zoos of being capable of survival.

Therefore, I would simply say to all my friends, we have done a lot to cut spending this year. I am eager to get to a balanced budget. Most of us have actually voted for a massive cut in overall spending. We have proven we are committed to fiscal conservatism. This is a very tiny, very good series of programs which are not only important for ourselves, but which I believe send a signal; and I will tell all of the Members, when we look at some of these countries that are very poor, and they have suppressed poaching, and they have suppressed that, if you look at the value of a rhinoceros horn and you are a poor villager in southern Africa, look at the value of an elephant tusk, look at the value of a tiger skin, and look at countries which have voluntarily imposed on their own local people economic deprivation in order to sustain these species so that our children and our grandchildren can have a chance to see some of the most magnificent animals in the modern era; and then to say that we are going to allow them to disappear, and join that dinosaur skull I have in my office and be extinct, for $800,000 total, it just seems to me that there are lots of places to find savings.

We have found vastly more savings, I would say, with the help of the gentleman from Wisconsin, we have found more savings from the legislative branch, we are finding savings every week in the executive branch, and we will continue to work to find places to cut, but I would urge all of the Members, if this comes to a recorded vote, to join together in sending a signal to these poor countries in Africa and Asia, that this is a project they ought to have courage to stay with, that we want to stay with them in making it possible, and then some day, 20 or 30 years from now, if the rhinoceros still survives in the wild and the tiger still survives in the wild and the elephant still survives in the wild, you can feel like, hey, this was a nice thing to do for the human race.

Frankly, I think it is the kind of thing that, occasionally we ought to

just stop; we do not have to cut mindlessly just because we want to get to a balanced budget.

Mr. NEUMANN. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I would just like to add two things to what the Speaker says. First, I have the greatest respect for the Speaker of the House of Representatives. I would like to agree with him that this is clearly a symbolic vote, and that it clearly does send a message to the people of the United States of America as well as to foreign countries.

This is a question about whether we are going to cut back on programs or zero programs out. We have made the efforts to cut back on this program, I concur. The question now is whether we are going to go ahead and zero out programs, as opposed to just cut them back.

□ 1815

The Republican Party has talked a lot about zeroing out programs, and I would concur that this is a symbolic vote. I would also add that passing this amendment is not designed to terminate the programs to preserve elephants, rhinoceroses or tigers. It is simply an effort to say that the United States tax dollar should not be used for that purpose. We in this Nation need to reach the point where Government does not keep doing for others what others ought to be doing for themselves.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. STENHOLM].

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

Mr. STENHOLM. Mr. Chairman, I rise in support of the Neumann-Stenholm amendment to H.R. 1977, the Interior appropriations bill for fiscal year 1996. First, I would be remiss if I did not commend the gentleman from Wisconsin for taking the lead on this issue. He is serious about deficit reduction and I am pleased to be a part of this small effort with him.

Our amendment is simple; it is about budget priorities. Our Nation currently has a $4.8 trillion debt. Medicare, Medicaid, education, agriculture, and many other important programs are being forced to make painful cuts due to a significant reduction in their funding. Yet this bill proposes sending nearly $1 million to Africa and other countries for preservation of elephants, tigers, and rhinoceroses.

The folks in my district tell me it is time that the Federal Government set reasonable budget priorities for their hard-earned tax dollars. While the preservation of exotic animals is a worthy goal, which I support wholeheartedly, I do not believe that sending $800,000 to Africa for this purpose meets the test of a reasonable budget priority.

I certainly do not oppose the common sense protection of endangered species. Many species have been saved and some are even flourishing now due to protection of their habitats. Our amendment will not mark the end of financial support for the African elephant, rhinoceroses or tigers. Over the past 5 years, outside groups have donated money for preservation of these species and their habitats totaling over $4.5 million.

Due to our current budgetary crisis, we are being forced to cut many, many good programs. The issue is not whether it is a good idea to preserve the habitats of elephants, rhinoceroses, and tigers in Africa and other countries. The issue is whether this is a current budget priority on which to spend American tax dollars. In this case, there is obviously significant interest and willingness to help from outside groups—they have done and are doing a great job of raising money for this purpose. To the extent possible, I believe we should encourage the private sector to provide funding for these types of projects. As a matter of fact, if those who are busy lobbying against this amendment spent the same amount of time, energy and money on fundraising—everyone would win.

Interestingly, the Federal Government does not currently compensate U.S. landowners whose use of their property is restricted due to the inhabitation of an endangered species. By law, these landowners cannot disturb an endangered species habitat even if it is on their private property. Therefore, the financial cost of protecting a domestic endangered species often falls on everyday U.S. citizens. Yet, at the same time, we send American tax dollars to foreign countries for the purpose of protecting an endangered species and its habitat. This simply does not make sense.

The Neumann-Stenholm amendment makes good sense. I urge my colleagues to support this fiscally responsible amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, just very quickly, I have a great deal of respect for the gentleman from Texas [Mr. STENHOLM] and the gentleman from Wisconsin [Mr. NEUMANN], but I have to disagree with them strongly on this issue and certainly agree with what the Speaker said.

The gentleman from Wisconsin mentioned children and the gentleman from Texas mentioned education. I cannot think of anything that is more important in a sense, in an overall sense for children and education, than trying to preserve the species. If anybody, and I am sure many of you have, have ever taken your children to a zoo to see elephants or rhinoceroses, the type of pleasure children get out of seeing those species, so many of the programs that children watch on TV, whether it be cartoons or educational programs, have elephants, rhinoceros and tigers. There is really a great thrill that children get in seeing the species, the animals themselves, as well as seeing the representations on TV.

I think the bottom line here is that these species are seriously threatened. A small amount of tax dollars will only help these nonprofit associations raise money. For the small amount of money we are talking about here, I think it is wisely intended, and we should oppose this amendment.

Mr. NEUMANN. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. REGULA].

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

Mr. Chairman, the Speaker was very eloquent in opposing this amendment, and I would only add an ''amen'' to what he had to say. The request we received from the President was for $1.6 million and it was well-justified. However, in putting our bill together, we recognized we had to cut back as much as possible. So we cut the President's request in half, and that is what is in the bill today.

There has been an enormous decline in the rhino population, the tiger population, the elephant population. Many of us can remember as children first learning about these species in reading the National Geographic, and we want our children and our grandchildren and great-grandchildren to likewise have the experience of knowing about these kind of animals.

We spent last year $69 million here in the United States on endangered species. The rhinos and the tigers and the elephants are more than just the Africans' possessions; they belong to all of us. They are part of our heritage and part of our natural cultural experience. We go to the zoos, we take our children to the zoos, our grandchildren, to see these animals. If they were to become extinct, it would be a tragedy for all of the people of the world.

These countries are poor. They do not have the resources. Of course, as was mentioned, the sale of the rhino horns and other things are an attractive thing for poachers. The way we have structure this, it requires a 2-to-1 match from the private sector. We provide $1, we get $2 from the private sector. Generous people, all over the United States, who care, are contributing.

I would urge my colleagues to vote against this. This is a wonderful investment. When you think we spend $69 million on endangered species, and here we are talking about a mere $800,000 which will be multiplied many times over by the countries where these animals are indigenous by the private sector contributors. I cannot say as eloquently as the Speaker how important this is for the preservation of these species.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland [Mr. GILCHREST].

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

Mr. Chairman, I think everyone in this room knows what HIV is, and that

it leads to AIDS. HIV is human immunodeficiency virus.

It has just been discovered by a gentleman from Maryland that cats, cats in the wild, have FIV, that is feline immunodeficiency virus. They got it about 200 million years ago and through the course of time they have developed a resistance to FIV. Cats some time ago gave it to monkeys, SIV, simian immunodeficiency virus, and they gave it to humans. If we lose the wild cats in the wild, we will not have any sense of understanding about how they were able to balance HIV with not getting AIDS.

It is important, I think, for us to have some sense of preservation for these wild animals. I urge a ''no'' vote on this particular amendment. If we want to understand the nature of nature and preserve the quality of life for people, let's contribute just a few dollars which will add up to big bucks later.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Oklahoma [Mr. BREWSTER].

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

Mr. BREWSTER. Mr. Chairman, I rise in opposition today to the Stenholm-Neumann amendment eliminating funding for the Rhino and Tiger Protection Act.

This funding was secured last year as a result of efforts by Congressman JACK FIELDS and several members of the Congressional Sportsmen's Caucus. This funding is vitally important to the international efforts to rehabilitate the populations of these two species of animals.

I believe the question we are facing today goes much deeper than whether or not the U.S. should fund efforts to protect a foreign species. The question we are facing today is whether or not the United States should force unfunded mandates on other governments.

Until last year, the United States had mandated Rhino and Tiger management principles to countries in Africa without providing funding for those mandates. While we are at it, I might as well mention what those mandates are.

As a result of domestic laws such as the Endangered Species Act, the United States has unilaterally dictated to African countries what management principle they can or cannot use. Controlled sport hunting in many countries is the best and/or only way of producing revenues for the management of their domestic wildlife. We have told these countries that they cannot use hunting, which is a scientifically proven and successful wildlife management tool. Because of our unilateral threats, these countries have no way to fund their wildlife management without our support.

We have no more right to send an unfunded mandate to a foreign country than we do in sending an unfunded mandate to the State of Oklahoma or the city of Chicago.

Vote no against the Neumann-Stenholm amendment.

Mr. NEUMANN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. ANDREWS].

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

Mr. ANDREWS. Mr. Chairman, I thank my friend the gentleman from Wisconsin for yielding me the time.

Mr. Chairman, I rise in support of the amendment proposed by my friends the gentlemen from Wisconsin and Texas. I do not doubt for one moment the importance of wildlife management and preservation. I do not doubt for one moment the sincerity of the commitment of the Members who oppose this amendment. But I do not doubt for one moment that a huge majority of our constituents if asked to review our priorities in this case would want us to vote for the Neumann-Stenholm amendment.

The test that I think Members ought to use here, Mr. Chairman, is what I call the supermarket checkout line test. If this Saturday, Mr. Chairman, a Member were home in his or her own district and had to stand in the supermarket checkout line on Saturday morning and look one of their neighbors in the eye and explain to them why they had voted to spend their tax money on this program at a time when we are considering ways to spend less on reading teachers in the public schools, on the acquisition of public lands, on public health research in this country, I do not think there are many of us, Mr. Chairman, who could do that.

There is sincerity in this program, but there is not priority. It is a relatively small number, but it is a relatively big principle.

I urge my colleagues to support the Neumann-Stenholm amendment.

Mrs. ROUKEMA. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentlewoman from New Jersey.

Mrs. ROUKEMA. Mr. Chairman, I want to take this opportunity to associate myself with the gentleman's remarks. I think he has hit the nail right on the head, if not the rhino, that this is not a priority, particularly when we have cut back so dramatically on open land in our own State and our own Nation. I thank the gentleman for his comments.

Mr. ANDREWS. I thank my friend the gentlewoman from New Jersey, and I urge a ''yes'' vote on the amendment.

Mr. NEUMANN. Mr. Chairman, I reserve the right to close. Do I have the right to close?

The CHAIRMAN. The gentleman from Washington [Mr. DICKS] as a representative of the committee has the right to close.

Mr. NEUMANN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin [Mr. NEUMANN] is recognized for 2 minutes.

Mr. NEUMANN. Mr. Chairman, I would just like to reiterate that this is somewhat of a symbolic vote, a message to the people of the United States that we are serious about changing the spending practices here. No one that I have talked to in this questions the importance of maintaining and preserving endangered species, preserving rhinos, elephants and tigers. No one is questioning that whatsoever. What is being questioned here is whether U.S. tax dollars should be used for that purpose or whether private funding should be doing that. Our children and our grandchildren are counting on this Congress to change the practices of the past, to zero out programs that we can no longer spend money on. If we had the money to spend on this program, it might be a fine program. We do not. Our checkbook is overdrawn. It is time we stopped spending money in this country that we do not have.

I would just close with a statement to reiterate, that it is time that the people in this Congress start sending a loud and clear message to the people of this country that the U.S. Government cannot keep doing for others what others ought to be doing for themselves.

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

□ 1830

Mr. DICKS. Mr. Chairman, I would just say, again, I think the Speaker hit the right tone this evening. This is a very modest amount of money to help preserve the African elephant, the rhinoceros and the tiger. The gentleman from California [Mr. BEILENSON] I think, made a very impassioned plea.

I would urge the gentleman from Wisconsin [Mr. NEUMANN], I would hope in deference to the speaker, that he would withdraw his amendment. But if not, I would hope we could have a voice vote, vote this amendment down and follow the wise counsel of both the gentleman from California [Mr. BEILENSON] and the Speaker.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. NEUMANN].

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

Mr. STENHOLM. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

Mr. STENHOLN. Mr. Chairman, I withdraw my point of no quorum.

The CHAIRMAN. The Chair announced that pursuant to clause 2, rule XXIII, he will reduce to a minimum of five minutes the period of time within which a vote by electronic device if ordered, will be taken on the pending question following the quorum call.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that we not have a quorum call and we go immediately to a recorded vote.

The CHAIRMAN. The Chair has already announced the absence of a quorum.

The Chairman announced that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Texas [Mr. STENHOLM] for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 132, noes 289, not voting 13, as follows:

[Roll No. 503]

AYES—132

Allard
Andrews
Armey
Baker (CA)
Barton
Browder
Brownback
Bryant (TN)
Bunning
Burr
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Coble
Coburn
Collins (GA)
Condit
Cooley
Costello
Cramer
Crane
Crapo
Cubin
Danner
Dickey
Doyle
Duncan
Dunn
Emerson
Ewing
Fields (LA)
Ford
Franks (NJ)
Funderburk
Ganske
Graham
Hall (TX)
Hancock
Hansen
Hastings (WA)
Hayes
Hayworth
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Hostettler
Johnson, Sam
Jones
Kasich
Kennedy (MA)
Kennedy (RI)
King
Klink
Klug
Kolbe
LaHood
Largent
Latham
Lewis (KY)
Lincoln
Lipinski
LoBiondo
Lucas
Manzullo
Martini
Mascara
McHale
McHugh
McInnis
McIntosh
McNulty
Metcalf
Mfume
Minge
Montgomery
Myrick
Nethercutt
Neumann
Norwood
Parker
Payne (NJ)
Payne (VA)
Petri
Pickett
Poshard
Quinn
Radanovich
Ramstad
Riggs
Roemer
Rogers
Rohrabacher
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Seastrand
Sensenbrenner
Shadegg
Shuster
Sisisky
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Souder
Stearns
Stenholm
Stockman
Stump
Tanner
Tate
Taylor (MS)
Thornberry
Thurman
Tiahrt
Traficant
Watt (NC)
Weldon (FL)
White
Young (FL)
Zimmer

NOES—289

Abercrombie
Ackerman
Archer
Bachus
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Burton
Buyer
Callahan
Calvert
Cardin
Castle
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Combest
Conyers
Cox
Coyne
Cremeans
Cunningham
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Dreier
Durbin
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Everett
Farr
Fattah
Fawell
Fazio
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fox
Frank (MA)
Franks (CT)
Frelinghuysen
Frisa
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Harman
Hastert
Hastings (FL)
Hefley
Hinchey
Hoke
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kelly
Kennelly
Kildee
Kim
Kingston
Kleczka
Knollenberg
LaFalce
Lantos
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lightfoot
Linder
Livingston
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McKeon
McKinney
Meehan
Meek
Menendez
Meyers
Mica
Miller (CA)
Miller (FL)
Mineta
Mink
Molinari
Mollohan
Moorhead
Moran
Morella
Murtha
Myers
Nadler
Neal
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Pastor
Paxon
Pelosi
Peterson (FL)
Peterson (MN)
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Rahall
Rangel
Reed
Regula
Richardson
Rivers
Roberts
Ros-Lehtinen
Rose
Roth
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schaefer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Skaggs
Skeen
Slaughter
Smith (TX)
Spence
Spratt
Stark
Stokes
Studds
Stupak
Talent
Taylor (NC)
Tejeda
Thomas
Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Tucker
Upton
Velazquez
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Waxman
Weldon (PA)
Weller
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zeliff

NOT VOTING—13

Bono
Collins (MI)
Fields (TX)
Fowler
Green
Greenwood
Hefner
Martinez
Moakley
Reynolds
Solomon
Tauzin
Volkmer

□ 1856

Ms. HARMAN, Ms. PELOSI, and Mr. HOKE changed their vote from ''aye'' to ''no.''

Messrs. ZIMMER, STUMP, EWING, CRAMER, HERGER, SALMON, SANFORD, STEARNS, and Ms. DUNN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. FOWLER. Mr. Chairman, on rollcall No. 503, I was absent due to the death of a friend.

Had I been present, I would have voted ''no.''

AMENDMENT OFFERED BY MR. UNDERWOOD

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

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. UNDERWOOD: Page 37, insert before the colon at the end of line 7 the following: '', and $4,580,000 for impact aid for Guam under section 104(e)(6) of Public Law 99–239''.

Mr. KOLBE. Mr. Chairman, if the gentleman will yield, may I inquire, if I might, about the possibility of a unanimous consent agreement? Would the gentleman be willing to limit the time on this to 10 minutes on a side?

Mr. YATES. If the gentleman will yield, until we hear from the leadership, we are not going to agree.

Mr. OBEY. Mr. Chairman, will the gentleman yield to me to explain to the membership what the situation is?

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

The CHAIRMAN. The gentleman from Guam [Mr. UNDERWOOD] controls the time. He has an amendment pending before the body. The gentleman from Guam has 5 minutes.

Mr. OBEY. Mr. Chairman, could I ask the gentleman from Guam [Mr. UNDERWOOD], with the understanding that he would be given 1 additional minute of time, if he would yield to me so I could respond to the gentleman from Arizona [Mr. KOLBE] in a constructive way?

Mr. UNDERWOOD. I yield to the gentleman from Wisconsin.

The CHAIRMAN. Without objection, the gentleman from Guam [Mr. UNDERWOOD] has 1 additional minute.

There was no objection.

Mr. OBEY. Mr. Chairman, I think Members should simply understand there are discussions going on right now between the leadership on both sides of the aisle to try to find some way to get out of here at a reasonable time tonight. We have been asked, until those discussions are over, if we could just continue going in the regular order to keep things as calm as possible, and I would hope that shortly we could get an agreement on time for the remainder of the title.

Mr. KOLBE. If the gentleman from Guam would yield to me to respond,

and I would certainly ask unanimous consent for time if he needs more time, would the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I understand those discussions are going on. I was just trying to expedite what I thought was an amendment we did not need to spend an awful lot of time on, so we could continue moving on.

Mr. OBEY. So as not to inflame people's tempers on arguments over time limits at this point.

The CHAIRMAN. The gentleman from Guam [Mr. UNDERWOOD] is recognized for the remainder of his time.

Mr. UNDERWOOD. Mr. Chairman, I present this amendment. It is designed to reprogram funds to reimburse the government of Guam for expenditures on behalf of immigrants from three newly created independent nations in 1986.

By way of background, three countries were created out of the former trust territory of the Pacific Islands, and the United States negotiated a treaty with each government, allowing unrestricted immigration to the United States.

In 1986, three new nations were created out of the trust territory of the Pacific Islands, and unrestricted in-migration was allowed into the United States. These are the only countries of the world that have that right, and by virtue of Guam's proximity, most of the immigration has been to the island of Guam, so that today approximately 6 percent of our population is composed of these immigrants.

At the same time that these nations were created out of congressional action in recolonizing the trust territory, Mr. Chairman, an obligation was made to the people of Guam that any educational and social costs attendant to this in-migration would be paid for. In the course of over 8 years some $70 million has been expended by the government of Guam on behalf of these immigrants, and to date only $2½ million has been spent. My amendment requests $4½ million, and this is in accordance with an administration request earlier this year. It is bipartisan in nature, and it is supported by the chairman of the Subcommittee on Insular Affairs and Native Americans.

□ 1900

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

Mr. UNDERWOOD. I yield to the gentleman from California [Mr. GALLEGLY].

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

Mr. GALLEGLY. Mr. Chairman, the gentleman from Guam [Mr. UNDERWOOD] is correct. As the chairman of the subcommittee, I stand in strong support of the gentleman's amendment. It is fair.

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

Mr. UNDERWOOD. I yield to the gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Chairman, I rise to support Mr. Underwood's amendment to provide Guam with immigration impact assistance.

This amendment would provide $4.58 million to assist Guam in meeting the demands of new immigrants to have settled in Guam. I understand the amendment is within the budgetary caps, and seeks to carry out a program authorized by Public Law 99–239 the act which set forth the Compact of Free Association between the United States and the Federated States of Micronesia and the Republic of the Marshall Islands.

Given our recognition of these States formally in 1986, it makes sense for them to take part in determining the priorities for federally funded programs. Accordingly, I urge support for Mr. UNDERWOOD's amendment.

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

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

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

Mr. MINETA. Mr. Chairman, I rise in strong support of the Underwood amendment and urge my colleagues to join me in voting to uphold the commitment of the Federal Government to the citizens of Guam.

In adopting the 1986 Compact of Free Association with the Federated States of Micronesia, the Republic of the Marshall islands, and the Republic of Palau, the Federal Government made a promise that Guam would be reimbursed for the costs associated with unrestricted immigration from the Freely Associated States.

Unfortunately, that promise was not kept until last year when the Congress appropriated $2.5 million for fiscal year 1995. Having just begun to live up to our promises, we should not back out now.

Mr. Chairman, we have all too often overlooked our responsibilities and our promises to the peoples of our Pacific Islands Territories.

By adopting the amendment offered by the gentleman from Guam, we can take a small step toward reversing that record.

It is a step well worth taking.

I urge my colleagues to join me in voting ''aye'' on the Underwood amendment.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from California [Mr. MILLER], the ranking member of the Committee on Resources.

Mr. MILLER of California. Mr. Chairman, I want to strongly support this amendment offered by the gentleman from Guam [Mr. UNDERWOOD] and again tell the House that this is neutral. He has taken the money that we have saved by closing—a portion of the money from OTIA, and it is a very important amendment, badly needed, and I hope the House will support it.

Mr. UNDERWOOD. Mr. Chairman, I would like to clarify this amendment takes advantage of savings made earlier by the amendment offered by the gentleman from California [Mr. GALLEGLY] in which the Office of Territorial and International Affairs was closed and in which technical assistance money is reprogrammed from other territories. I have the full support of all the Territorial Delegates. I have the full support of all the Territorial Governments on this issue.

Mr. Chairman, it is important to understand that this is really the quintessential unfunded mandate. What we have here is a series of unrestricted immigration. It is important to understand that there are only three countries in the world where its citizens can come into the country without a passport, without a visa, and they can come into any area and work without any restrictions whatsoever, and this happens in the case of Guam.

In order to make the comparison, in the past 8 years we have had 8,000 immigrants come into Guam. This represents approximately 6 percent of our total population. In comparison to the United States this would approximate 15 million people.

I urge support of this. I say to my colleagues, If you are interested in sending a message about unfunded mandates, if you're interested in sending a message about meeting failed Federal commitments on local communities, this is a good way to make that statement.

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

Mr. Chairman, I will not take the entire 5 minutes, but I will rise in support of this amendment. We have previously with the Gallegly amendment made a reduction in some of the funding so that the dollars are available for this purpose, and as has been pointed out, there has been a commitment that has been made to fund in this compact this aid. This has been an informal agreement that has been made through the years between the Territory, and the administration, and this Congress, and for that reason I do support the funding.

I would, however, note that in doing this we do use all the remaining dollars from the amendment that was struck and that this puts us right at our total allocation.

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

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

Mr. DICKS. Mr. Chairman, I am perfectly willing on the part of our side to accept this amendment if the gentleman is willing to accept it, and I would urge the committee to accept this amendment.

Mr. KOLBE. Mr. Chairman, I would urge support of the amendment.

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

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

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in strong support of Congressman UNDERWOOD's amendment to reallocate funding to the Government of Guam to compensate the financial burden placed on the local government by actions of the Federal Government.

In 1986, by public law the Congress adopted the Compact of Free Association between the United States and the Governments of Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. This compact exempts citizens of the freely associated states from meeting certain U.S. passport, visa, and work permit requirements, and allows them to reside, work, and attend school in the United States and its territories. Guam and the other territories were not involved in these discussions.

Because Guam is the closest United States soil to the Freely Associated States, many indigent citizens of these states have migrated to Guam, and the Government of Guam has been required to expend in excess of $70 million to provide for the educational and social services of these people. While the United States Government has agreed in principle to assist the Government of Guam with these expenses, to date, only $2.5 million has ever been appropriated.

In fiscal year 1996, the administration proposed $4.5 million for this purpose, but the Appropriations Committee did not include that amount in its bill. As the gentleman from Guam has been saying since he came to Washington, this is a $70 million unfunded mandate. An unfunded mandate we can easily correct with the savings approved in the Gallegly amendment. In effect this is simply a reallocation of a portion of these funds, and the bill will remain below the subcommittee's 602(b) allocation.

I urge my colleagues to provide the funding for this prior U.S. commitment and vote in favor of the Underwood amendment.

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

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

Mr. ABERCROMBIE. Mr. Chairman, I speak in favor of the amendment, and the remarks of the Delegates from Guam and American Samoa would be as my own.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Guam [Mr. UNDERWOOD].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUTCHINSON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUTCHINSON: Amendment No. 54: On page 16, line 25, delete $37,934,000 and insert $34,434,000.

Mr. HUTCHINSON. Mr. Chairman, I commend the work that the committee has done. I think it is an excellent Interior appropriation bill. I think this amendment is important.

Mr. Chairman, the amendment that I am offering today is based on the principle that the Government, especially in this time of severe budget constraints, should not and cannot financially support every interest group, particularly those which have demonstrated the clear ability to be self-sufficient.

My amendment would eliminate the Federal subsidy for the National Trust for Historic Preservation and save the taxpayers $3.5 million.

Now let me emphasize that my intention is not to abolish the Trust or the many good programs that they carry out—but to remove a totally unnecessary Federal subsidy.

The Trust is a congressionally chartered organization established by an act of Congress in 1949. Its original primary mission was to preserve buildings, sites, and objects of historical significance, but since this time, the Trust has acquired 18 such historic properties. But today, the Trust only allocates about 20 percent of their annual $33 million budget to this primary mission. In fact, Mr. Chairman, the Trust has adopted significant administrative barriers which substantially preclude them from carrying out their primary mission. The Trust does not accept new properties unless they are fully endowed to cover all future operating expenses.

The other 80 percent of their budget, according to their 1949 charter, goes to ''facilitate public participation in the preservation of historic sites, buildings and objects.''

Now apparently, my colleagues, under this category lobbying expenses of over three-quarters of a million dollars is included, lobbying expenses on things like this publication put out by the National Historic Trust lobbying against the free enterprise system, what most of us believe in. They have claimed that they do not engage in lobbying, at least that they do not use Federal expenditures for that, but it is used at least to utilize their private funds in order to lobby State legislatures, local and Federal level. In one case they sent bulletins to all their Virginia members urging them to write their State senators, write their delegates, to oppose pending legislation. They even provided sample letters as to what should be said. They have lobbied repeatedly against the free enterprise system and have waged a virtual war on the mass retailing industry.

Also under this category falls litigation expenses for the Trust. In recent years, the Trust litigation department has had a budget of $700,000. In the last 5 years, the Trust has entered over 30 lawsuits against the Federal Government. They have entered suits against the FAA, State Department, Army Corps—and even the Justice Department and Interior Department, which by law sit on their board of trustees.

The Trust has also managed to come up with $233,000 annually to pay the salary of the organization president.

I ask my colleagues, ''Does an organization that pays almost a quarter of a million dollars for their president need a Federal subsidy?''

Six positions at the Trust paid salaries in excess of $100,000 in fiscal year 1994 for a total of $773,482—50 percent of this was charged to the Federal appropriation. In fiscal year 1995, there are five positions paid in excess of $100,000 and $333,362 is being charged to the Federal appropriation.

How do we justify a Federal subsidy for an organization that can afford this?

The bottom line here is that the Government cannot afford to subsidize groups with a proven track record of being able to support themselves. Over the last 5 years, revenues have exceeded Trust expenses every year and have contributed to the Trust developing a lucrative portfolio of assets which now exceeds $50 million. The private funding base, which already constitutes over 80 percent of the funding for the Trust, would only need to be slightly expanded to cover any shortfall.

In November, the elections demonstrated that the American people are clearly disillusioned with the direction the country is taking. We need to restore faith in our Government by honoring our commitment to the American people to reduce unnecessary spending.

Now, Mr. Chairman, I say to my colleagues, You're going to hear that the issue is the mainstream program. It is not. It is not. How can cutting $3½ million out of the budget of over $33 million possibly endanger or jeopardize that program? It jeopardizes litigation, lobbying, entertainment, and high salaries.

My colleagues will hear that the issue is historic preservation. It is not. It is not historic preservation, it is not mainstream, it is whether we can afford to subsidize well-endowed organizations.

Mr. Chairman, let us return the Trust to the same status that it enjoyed for nearly 20 years when it existed without the benefit of an annual Federal subsidy in realization that we must restrict Federal expenditures to our country's most essential needs. I urge support for the Hutchinson amendment.

Ms. MCCARTHY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. Chairman, the National Trust is an American success story. In over 1,000 communities across this great Nation it has worked to help revitalize our downtowns, our Main Streets, and throughout the land since 1980, Mr. Chairman, it has been a very real positive effort in 39 of our States, creating

over 23,000 new businesses, over 85,000 new jobs, over 33,000 building rehabilitation projects, and $3.6 billion in new investment and actual physical improvements. Every dollar spent by a local Main Street organization leverages over $25 from other sources.

Mr. Chairman, the committee chose to reduce the appropriation by one-half and to phase out Federal involvement. This amendment would abruptly end one of America's success stories.

□ 1915

It is untimely to do so in such a success story. I, who do support efforts for fiscal responsibility and balancing our budget, do not want to encourage that membership to abandon our downtowns, to abandon our local communities. I urge my colleagues to oppose this amendment.

Mr. MILLER of California. Mr. Chairman, will the gentlewoman yield?

Ms. McCARTHY. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I just want to associate myself with the gentlewoman's remarks, and to thank her, because I think that we are picking up on a single issue over here which may have been in fact nothing more than a mistake, and trying to jeopardize the entire program for the Historic Trust. In fact, as the gentlewoman has pointed out, this has been a program that has been used and leveraged in our communities to save in many cases decaying parts of our community, which has brought new investments to our community, and has also preserved the Historic Trust of this Nation, the assets of this Nation, which we want to bring into the future for our children and grandchildren. I want to thank the gentlewoman for her support in opposition to this amendment.

Ms. McCARTHY. Mr. Chairman, reclaiming my time, it is another good example of a local and Federal partnership, and again where those dollars leveraged have been a great boon to the communities. So I do urge defeat of the amendment.

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

Mr. Chairman, with some reluctance I rise to oppose the Hutchison amendment. This was thoroughly debated in the committee, as well as a lot of discussion in the subcommittee. As has already been pointed out, we have made a very substantial reduction in the amount of funding for the National Trust for Historic Preservation. We have essentially reduced it 50 percent, from the $7 million that was there, to $3.5 million, and we have indicated our intention to reduce that funding to zero in the year after this. We have suggested there would be no funding in fiscal year 1997.

But, as with several of the agencies and programs that I think that the Republican majority has been talking about eliminating, we do recognize that there are many valuable things that are done here, and that we need to give some time for the changes to get made and for them to find alternatives to continue to do the work, which I think most of us would support, or at least many of the things that the National Trust for Historic Preservation does.

Let me just mention a couple. There are very few Members of this body that have not been touched one way or another by the Main Street program. I have had it operate in several of my communities. It has done a lot, I think, to restore and revitalize some historic downtowns in some smaller communities in my district. The Trust makes grants and loans in case after case that help for this kind of program for the Main Street program.

The Federal funds help to leverage the private local dollars, and the grant funds also enable the National Trust to support the historic preservation work of local communities, helping preservation groups to obtain needed technical assistance.

Mr. Chairman, the point of all of this is I believe this is a function which we can turn over to the private sector, but I do think we need to give it another year to do that. I think the reduction of 50 percent, with the clear understanding that we are not going to fund it in the years beyond that, is appropriate. This was the decision of the committee, the full committee, and that is the reason that I would oppose this and urge my colleagues to oppose this.

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

Mr. KOLBE. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. Mr. Chairman, I have a couple of questions. One is, does the gentleman approve of the fact that the Trust has filed over 30 lawsuits against various agencies of the Federal Government in the last 5 years, and, if that is the case, and it is, that in fact the cost to the Federal Government and the American taxpayer is not just the $3.5 million Federal subsidy, but all of the litigation costs that we have to pay in order to defend the Federal agencies they are suing?

Mr. KOLBE. Reclaiming my time, without commenting on the specifics of the litigation because I am not familiar with each of them, my answer to that would be no. What we seek to do by this reduction of 50 percent and terminating it in the second year is to give it an orderly time to phase out what I just mentioned are, I think, the worthwhile parts of this program, to retain that.

Mr. HUTCHINSON. If the gentleman will yield further, would it not follow that if the $3.5 million which we are subsidizing the Trust could be achieved by reducing a few executive salaries that exceed $233,000, if by reducing the expenditures on lobbying and entertainment and catering, which exceed three-quarters of a million dollars, and this lobby sheet has been passed out all afternoon out front, would it not make a lot more sense for the reductions in those kind of expenditures to pick up the $3.5 million subsidy, and in fact there would be no loss at all in the programs or worthwhile efforts of the Trust?

Mr. KOLBE. Mr. Chairman, reclaiming my time, I would certainly trust that in a 50 percent reduction, that the National Trust for Historic Preservation would indeed be looking for those kinds of reductions, to reduce those things first. We have had considerable discussion in our subcommittee about this. We have also had considerable discussion with the leadership of the National Trust, and expressed our deep concern about the salaries that have been paid.

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

Mr. KOLBE. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, in response to Mr. HUTCHINSON's question, is it not true that the Historic Trust is working to reform itself from within already, and they have offered a plan to somewhat go private and change the way they are doing business, and in that regard they are moving towards what Mr. HUTCHINSON wants, but probably not at the speed he wants, but they are not sitting there trying to preserve status quo?

Mr. KOLBE. Mr. Chairman, reclaiming my time, I appreciate the comment that the gentleman has made. The National Trust has, indeed, even before our subcommittee's action, had started work on a 5-year plan for eliminating Federal funding, and what we are doing is insisting we are going to speed it up slightly, and that it will be done in the course of 2 years. I think that is a rather considerable change, and I think it is an orderly way to eliminate the Federal funding for the National Trust.

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

Mr. Chairman, I oppose the amendment. The proposal by the gentleman from Arkansas is unwise, and it is unwarranted. I rise in opposition to the Hutchinson amendment and offer my support for the National Trust for Historic Preservation.

Since the Trust was chartered by this Congress in 1949, the Federal money allocated to the Trust has been effectively used as seed money and has nearly quadrupled through private donations. These funds help to finance a series of programs aimed at teaching communities revitalization and economic growth through preservation. These programs have proven to be tremendously successful, creating thousands of new jobs and businesses, and financing restoration and renovation projects in distressed communities throughout the country.

An excellent example of this work that the Trust has done would be found in the city of Northampton, Massachusetts, where the First Church of Northampton have duly received assistance. It has helped not only to support efforts to support the church, but also to

repair the stonework, to repair the roof, and to make the 117-year-old building fully accessible to the public.

In addition to being a place of worship, the church also houses several community groups and serves meals to the homeless and the needy. Now, thanks to the assistance offered by the Trust, the First Church can continue its contributions to the community in a sturdier and more accessible building.

The National Trust for Preservation is an example of a Federal program that works, and eliminating or curtailing its funding would be a terrible mistake. This program should not be eliminated; it should be imitated. Our country needs more cost effective programs like the National Trust for Historic Preservation.

Mr. Chairman, I urge my colleagues to oppose this proposal.

Anthony Lewis of the New York Times has said that we are rapidly becoming a nation without a memory. The Trust does not allow that to happen. Just as importantly, let me say this, if I can: I served as mayor of a good sized city, the 95th largest city in America, Springfield, MA. I fought with the preservationists time and again. You know what? They took me to court time and again, but at the end of the day their achievements far outweighed their shortcomings.

It is working. The Main Street program has restored thousands of homes across this country. It has renewed neighborhoods that were lifeless. It has brought Main Street, America back to viability.

Just as importantly, a great Republican initiative at the time, the historic tax credit, allowed people to use the Tax Code to rebuild Main Streets across this country. New England today has a complex that has changed in large measure due to the work of the National Trust for Historic Preservation.

It would be shortsighted tonight to go beyond what the committee has recommended. Let the Trust alone. It has succeeded. There are times when I have disagreed with it, but overwhelmingly, its work has been effective and successful.

Mr. Chairman, I hope that we will oppose the gentleman's amendment.

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

Mr. Chairman, I would like to support the amendment of the gentleman from Arkansas [Mr. HUTCHINSON]. I think it is long overdue. I think why should we be paying taxpayer funds to support lawsuits being filed against the Federal Government, or any government, for that matter. It just does not make sense.

This Trust is a successful organization, obviously, by the size of its budget, by the fact that 80 percent of its funds come from non-Federal sources. We are in an era where we are trying to bring down our deficit. This is a small but symbolic cut, but I think it is important to send this kind of a message.

This organization can stand on its own. I do not know why we would want to support or subsidize, if you will, an organization adding to the congestion of the courts, adding to the costs imposed upon individuals and businesses and families by bringing lawsuits against them.

I do not know why we would want to support an organization that has an extensive lobbying component. Obviously, if they are capable of funding that kind of a thing with 80 percent of non-Federal funds, they ought to just get off the Federal dole, get out of the trough. That time has ended. We have got some serious priorities to fund, and this ought to be one of the things that we certainly could cut.

By the way, I would just observe that when the president of this organization makes more than the President of the United States that would suggest to me that this organization can stand on its own.

Mr. Chairman, I think the gentleman from Arkansas [Mr. HUTCHINSON] has a great amendment, and I strongly urge its adoption.

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

Mr. Chairman, I rarely am on the opposite side of issues with my friend the gentleman from Arkansas [Mr. TIM HUTCHINSON]. He is a great budget watchdog, a super friend of the taxpayers, but this time I find myself going against him. And yet I can say this, that you can vote against the Hutchinson amendment and still be a friend of the taxpayers, because as the committee has reported this bill, it still is in the 602(b) allocation which will move us to a balanced budget. This bill is a bill that is a cut and a reduction bill. Indeed, this program alone has been reduced by 50 percent.

I heard the gentleman from California speaking up on the peanuts. Let me tell you about farm programs and why people from the agriculture communities should listen to this. What we are doing on the Committee on Agriculture is we are saying to our farmer friends, change status quo. Your farm subsidy may be a good investment, there may be a reason for it, but we need to change status quo. The Committee on Agriculture is responding that way.

Well, these folks are doing the same way with historic preservation. They have taken a 50 percent cut, and they have come up with their own plan to reform themselves. In addition to that, keep in mind this is not a frivolous program. They have a statutory obligation under the National Historic Preservation Act. They are doing things which the Federal Government has mandated by law. If we do not like that law, we should change it. We cannot do that on an appropriations bill.

Keep in mind this: the previous speaker said we are forgetting our national heritage. One thing we are not doing though is forgetting our tourism. Tourism in 30 states is the top first, second, or third highest industry, the big top three economic industries there are.

In my district, Savannah, Georgia, one of the leading tourism centers of Georgia, people come because it is the largest historic preservation community or landmark community in the country. Brunswick, Georgia, has come a long way in the last five years because of the Main Street program

These are economic investments. They are not things that are just preserving a building just because it is nice or aesthetically pleasing. This group works closely when a new building is proposed in an historic area. When there is a renovation that is going to take place in an historic area, where there is economic changes or growth in an historic area, they work with the community, with the local officials, with the planning boards, and so forth. This group is important to your community.

I would say this: I reluctantly hate to oppose the gentleman from Arkansas [Mr. HUTCHINSON], but you can oppose the Hutchinson amendment and still support a balanced budget, because the bill, as reported, does that.

□ 1930

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

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

Mr. VENTO. Mr. Chairman, I commend the gentleman and agree with his statement.

I, furthermore, think that the litigation that has brought is often sometimes necessary. It is the cutting edge of trying to define what the property rights are, what the covenants are, how we are going to proceed with this. And that differs in all 50 states. Frankly, we get by with very little dollars in the Historic Preservation Act.

The state historic preservation offices have little money coming from the Federal Government. We try to set national standards with regards to that so that fabric is consistent nationally.

They have done a very good job in this particular program. If you want to change it, fine. But give them a chance to do it. They have leveraged. They have completed their statutory mission. They are doing it today. Obviously, the fundraising and other activities they do, even the lobbying is set out there separately.

I worked very hard with them on, for instance, the establishment of a coin so that they could issue the Civil War coin. They stated their dollars and accurately, and part of these fundraising and other efforts obviously spill over into that. They are allocating it properly. I think they have done a good job. You have cut them deeply. I do not think we ought to eliminate it. This would be a real mistake.

Mr. KINGSTON. Mr. Chairman, the gentleman is correct. Let me ask the

gentleman one more question: Are there any other programs that you know of offhand in this Interior bill that are cut 50 percent?

Mr. VENTO. Well, there are some that are eliminated. I think that is a mistake. In cutting this, you are really forcing change at a rapid pace. We ought to give them an opportunity to survive so that we can fulfill the essential mission that we envision and that we all share in terms of cultural resource preservation.

Mr. KINGSTON. Mr. Chairman, 50 percent is a very significant cut.

Mr. HOUGHTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, it is too bad that we really have to spend all this time on this particular amendment. I just do not know why we are even discussing this. This has such tremendous leverage. It had such impact. We have so many things to do in this Congress. To eat up time this way discussing something like this, I think it is too bad. But the reason I do stand up here, because I think it is important and it has got leverage.

Let me make sort of an autobiographical comment. I come from a small town. That town was dying. That town was resuscitated principally because of a grant from the National Trust for Historic Preservation.

That grant alone contributed at a minimum of $100 in private funds to that $1 that was given here. That is far in excess of many of the small-time programs. But that is what it was.

Main Street USA is struggling. The soul of a community is in downtown, small town America. This helps. There is no other fund like it.

I strongly oppose this particular amendment.

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

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

Mr. DICKS. Mr. Chairman, I want to rise in strong support of what the gentleman has just said. I come from a community, Tacoma, in the State of Washington. And we did about the same thing. We restored a theater, the Pantages Theater, also our main train station in the community, Union Station, into a Federal courthouse. And I must tell you, it has done more to restore the spirit of that community and that downtown area. It has created jobs and it has made the city look a lot better.

This idea that somehow these partnerships between the Federal Government where we put in a very small amount of money and the private sector puts in a lot of money and a lot of good things happen because of it, that somehow that is wrong, I think that is ridiculous.

I applaud the gentleman for his statement, and I hope the House will remember, we have cut this program by 50 percent. We have listened to the people and said, we are going to move this budget down. We had to do it. We had to cut more in this bill than I wanted to cut. But to say in one year we are going to take it from 7 million to zero, I think is just ridiculous. I hope that we will all vote down this not-well-thought out amendment.

Mr. HOUGHTON. Mr. Chairman, I would just like to say this, you take the coldest, hardest financial analyst or investment analyst and you say, you give me $1 and I will create $100 for you, it is not a bad return on your money.

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

Mr. Chairman, I understand the concerns of the gentleman from New York and the gentleman from Washington. But this agency, this organization, let us put it that way, it is a public/private organization because it receives public funds, got and raised its own fund for years, for years. They did not need Federal funds. They operated very well, like we have come to this Congress to try to make happen. They do not need this money.

Frankly, most of the people that belong to the National Trust for Historic Preservation are rich enough to write checks for the amount of money we are quibbling over here and take care of it and leverage it all they want to.

The point is, if we cannot do this, what are we going to do?

Mr. Chairman, I rise in very strong support of the amendment to eliminate the Federal subsidy for the National Trust for Historic Preservation. I offered the very same amendment during consideration of the fiscal year 1994 Interior Appropriations bill several years ago.

I'd like to commend the chairman of the Interior subcommittee for recognizing the questionable nature of the Federal subsidy for the Trust by cutting the appropriation in half and directing the Trust to figure out how to make up these funds in the private sector, as they won't be receiving any Federal funds next year. The question is, do we want to sink another $3.5 million into this program—I submit that the American taxpayers do not.

The Trust was chartered by the Congress in 1949 to protect buildings, sites and objects significant in American history, but not suitable for inclusion in Federal trusteeship. However, only 20 percent of the Trust's budget goes toward administration of their 18 historic properties and the Trust does not accept any new properties unless they come fully endowed to cover all future operating costs.

The other 80 percent of their budget is allocated to activities which facilitate public participation in the preservation of historic sites, buildings and objects. These activities include extensive lobbying, regularly suing the Federal Government, organizing opposition to private property rights and what they call the greatest opponent to historic preservation, superstore sprawl.

These efforts are not activities taxpayers expect to be underwriting. Moreover, the Trust could do this work without tax dollars. The Trust has an extensive fundraising ability as well as dues paying members. Its budget has increased in the last 6 years and its portfolios of assets exceeds $67 million. If this Congress can't find the intestinal fortitude to save tax dollars from being spent on a program which doesn't need it, I have serious doubts about our ability to ever balance the Federal budget.

I'm sure we're going to hear loud wails from opponents of this amendment about how the loss of Federal funds will threaten the Mainstreet program or other true preservation activities of the Trust. Such cries—no doubt prompted by lobbying from employees of the Trust—are simply an effort to allow the Trust to continue its elitist activities and to avoid prioritizing spending.

Let's look at how the Trust allocates its spending:

It pays its president a salary of over $233,000;

Six positions at the Trust paid salaries in excess of $100,000 in fiscal year 1994 charging $385,000 of it to the Federal appropriation—in fiscal year 1995, five positions paid in excess of $100,000 and $333,000 is being charged to the American taxpayers;

In 1993, the Trust spent $884,000 for lobbying, entertainment and catering;

In 1991, the Trust spent over $700,000 on its legal department, which has entered over 30 cases against the Federal Government in the last 5 years.

The Trust also organizes numerous workshops and seminars. Perhaps the workshop that included the Eco Tour of the Boston Park Plaza hotel enabling participants to see an environmentally sound hotel that integrates environmental action into all daily decision making it an activity that could be cut out.

Likewise, perhaps organizing international trips such as the Red Sea Passage tour to Egypt and Jordan, described in the Trust materials as travel with fewer than 95 passengers aboard the splendid Regina Renaissance could be minimized.

Trust efforts like the Mainstreet program should be a top priority for the Trust. It is widely supported and good work is done through the program. To suggest that this would be the first to go if the Trust's budget is a couple million dollars less than this year is absurd. It's a matter of setting priorities and surely I've described many actives in which the Trust is involved that could be cut back or eliminated.

Day after day, we hear cries over the future of our children, of people who rely on Federal welfare and others in need and everyone asks the question, ''where can we cut funding so these people don't get hurt.'' Well, this is a great place to start.

The Trust serves as a slush fund for the most wealthy and elite members in

every community to oppose development that offends their aesthetic tastes. A recent article critical of the Trust's efforts to prevent what they call public enemy number one—superstore sprawl—stated, WalMarts and similar stores may not be as quaint as Georgetown shops but they usually offer consumers more for less.

If in these days of fiscal crisis we can't face a program like the Trust and recognize that it's a luxury for a few, not a necessity for many, and discipline ourselves to put the money elsewhere, I fear for our ability to make the far tougher choices we have ahead of us.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words, and I rise in very strong opposition to this amendment. The gentleman points out that the Trust has gone out and raised at least 80 percent of the money itself. I think the American people would be very pleased if they knew that every dollar that we have invested in the Main Street organization has been leveraged by $24.46 of from other sources.

Now, what does the National Trust do? One of the major programs and one of the reasons I have always supported it is because of the Main Street program. What does it do? It works with communities to demonstrate how historic preservation can stipulate community revitalization and economic development. The National Trust, national Main Street program helps revive neglected and abandoned downtown commercial districts by providing local groups with organization, design, economic restructuring and marketing assistance.

Since 1980, Main Street has been active in over 1,000 communities in 39 States, creating over 23,000 new businesses, over 85,000 new jobs, over 33,000 building rehabilitation projects, and $3.6 billion in new investment and actual physical improvements.

Now, I think, again, what is wrong with the Federal Government saying that as a nation we care about historic preservation and that we have certain historic buildings that we would like to see preserved? I think the American taxpayers would be pleased that they are making a small contribution to this very important effort.

I hope that we will remember now that the committee, run by the gentleman from Ohio [Mr. REGULA], our distinguished chairman, made a significant reduction in this program and that we are going to end it in a year. This is one group that came in and said we can be phased out over a period of time. But to come here now and breach the committee's action I think would be unwise.

So I urge that all of us on both sides of the aisle resoundingly defeat an amendment aimed at, I think, undermining historic preservation in this country, which the Trust has been at the forefront of and this Congress has supported ever since the creation of the Trust.

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

Mr. Chairman, I will be brief. I was not going to speak, but I rise in strong but reluctant opposition to the amendment by the gentleman from Arkansas [Mr. HUTCHINSON] and also the gentleman from Texas [Mr. DELAY]. Let me tell you why.

One, the committee has cut them by 50 percent already. Secondly, they have a plan to go private. Third is the good that the Trust has done on Main Street programs throughout the country. In the town of Winchester in my congressional district, the city of Winchester changed hands 72 times in the Civil War, 72 times. The Trust has been involved, and they have saved Civil War battlefields. The battle of Cedar Creek, which is the only battle in the Civil War that the North and South won the battle the same day, in the morning of the battle, the South won. After they finished winning, they stopped. Then Sheridan came down and then came back and attacked the South and they lost. There at Belle Grove at the Battle of Cedar Creek they have saved. They have done so many other things.

The Civil War battlefields, Montpelier, you go on and on. I think the committee has a reasonable thing. They cut them 50 percent. They are out of business federally next year. But to pull the rug out now I think would be a mistake. I strongly urge Members to vote ''no'' on the Hutchinson amendment.

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

Mr. Chairman, I will be brief. I would like to engage in a question with the author of this amendment. First, let it be said, I am a strong supporter of historical preservation. I think it is a good activity at the local level. I think as long as we protect private property rights, it is an appropriate level for local governments to be engaged in.

With regard to the Main Street program, Mr. Chairman, I would ask the author, is it his intention that this $3 million cut in any way reduces funds available for that program?

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

Mr. MCINTOSH. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. I appreciate the question, Mr. Chairman. I would say to the gentleman that I also am a strong, strong supporter of the Main Street program. It affects 17 cities in the State of Arkansas, and it does a wonderful job and I fully support that. I would hope that the Trust would prioritize their funds so that program is not touched. We are talking about less than 10 percent of their operating budget.

Mr. Chairman, I would hope that what we would jeopardize would be things like $700,000 for the legal department of $700,000 for lobbying, entertainment, and catering, that those would be the things that would be cut instead of good quality programs that are helping our cities like the Main Street program.

Mr. MCINTOSH. My vote on this, Mr. Chairman, and I think the issue here is whether we should have government-funded, taxpayer-funded lobbying. As I walked into the Chamber earlier today, I was handed a sheet of paper that urged me to vote against this amendment, because one of the valuable things that the National Trust did was lobby with taxpayer dollars.

I disagree with that in principal, Mr. Chairman. I think it is wrong. I plan at a future date to have legislative activity to make it illegal for government grantees to be able to lobby government.

However, at this point, Mr. Chairman, I think the appropriate thing to do would be to support the amendment, to send a message that we do not want taxpayer-funded lobbying.

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

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

Mr. DICKS. Mr. Chairman, the gentleman should know, I think he does know, that it is illegal to use government-provided funds for any lobbying. It has been in this bill for years. Maybe they used some private sector money, but the money they get from the Federal Government cannot be used for lobbying. Therefore, if the gentleman is going to vote no on that basis, he is making a big mistake.

Mr. MCINTOSH. Let me say, Mr. Chairman, I am aware that there are restrictions on the use of government funds to lobby. They are inadequate. They do not work. They clearly do not work when the supporters of this institution tell me that I should vote for $3 million to them so they can continue to engage in lobbying. I think it is wrong. We do not need taxpayer lobbying.

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

Mr. MCINTOSH. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I would ask the gentleman, is it not true that money is fungible; that the money coming into this organization from the Federal Government can be allocated based upon their needs as they take in other money from private sources? If they need additional funds for lobbying, they can take that from the private sector and use this money for legitimate purposes, so therefore the result of our funding them is to effectuate their ability to lobby the government?

Mr. MCINTOSH. Yes, that is correct, especially on the overhead costs, it is very easy to have government funds be fungible.

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

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

Mr. VENTO. Mr. Chairman, that would hold true for anyone that got any Federal dollars, even tax expenditures, that they may use those dollars actually for lobbying. Therefore, we probably should not have any type of funds going to any private person that exercises First Amendment rights. Is that the position of the gentleman from Indiana?

Mr. MCINTOSH. Reclaiming my time, Mr. Chairman, I do not believe when you fail to tax somebody that you are giving them money. What you are doing is letting them keep their own money, so there is a fundamental difference there.

Mr. VENTO. I am talking about with regard to grants.

Mr. MCINTOSH. Let me say in closing, Mr. Chairman, I support this amendment.

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

Mr. Chairman, I will be brief. I reluctantly rise in support of this amendment. I for many years was a Member of the National Trust for Historic Preservation. I joined it at Montpelier in Virginia. I strongly support their efforts to acquire historic properties like Montpelier and Belle Grove, and their efforts to support battlefields and other historic treasures in this country.

However, the role and the scope of the National Trust for Historic Preservation, unfortunately, in recent years, has taken a new direction that we can no longer as a Congress publicly fund, because the effect is to have money spent by the Federal Government to support litigation all over this country, to support lobbying efforts in this Congress, to affect rights of local governments and State governments, to affect private property owners' rights.

We have seen an example of it right in my State of Virginia in the past few years. The effort on the part of the National Trust for Historic Preservation to control land use planning in the entire northern Piedmont area of Virginia, 8,000 square miles, because they were opposed to the Disney project, is a tragic broadening of the scope of that organization. They should not be involved in that type of thing. If they choose to be involved, they should do so without the support of the Congress.

Mr. Chairman, when they go around the country filing lawsuits, as they intended to do in that case, and supporting lobbying efforts and other efforts, contrary to the interests of the people of the State of Virginia, certainly of the government of the State of Virginia, that is entirely wrong.

While I will continue to support their efforts to acquire historic properties, Mr. Chairman, and I think that is a very worthwhile goal, they, I think, have stepped over the line when they attempt to use their organization and the funds of the organization to inject themselves in massive land use planning issues that should be left to the discretion of State and local governments. I strongly support this amendment.

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

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

Mr. DICKS. Does the gentleman think we should do away with the Historic Trust, Mr. Chairman?

Mr. GOODLATTE. I think the National Trust for Historic Preservation should make a choice. They should either make the decision that they are going to simply be involved in preserving individual historic properties, in which case there may be an argument to be made for Federal funds, or they should do what they are doing now, but do it only with private support, and not with the support of direct taxpayer subsidies.

Mr. DICKS. If the gentleman will continue to yield, I would suggest that we created the National Historic Trust, we told them to go out and preserve these important properties around the country which have historic heritage. Now we are saying ''We are not going to give you any money.'' Is that not an unfunded mandate?

Mr. GOODLATTE. I would say to the gentleman, it is not an unfunded mandate. It is because they have changed the scope and mission of the organization when they have in recent years expanded beyond their original purpose, which was to acquire and protect individual properties, which I think is a fine idea, and have instead gone into the effort of trying to control development.

In this case, their efforts in Virginia were to say that we should not allow a development like Disney in the entire northern Virginia Piedmont, 8,000 square miles. There may be reasons not to support that, but those reasons should be left to the people of Virginia, and not to an organization funded with taxpayer dollars.

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

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

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding.

I would ask, is it not essentially one of the ways of protecting these resources that we have charged them to in fact go into the courts, to implement the laws, to educate about the laws that are passed by the Commonwealth of Virginia, or by the State of Minnesota, or by the national government?

Mr. GOODLATTE. The people of the State of Virginia, through their elected representatives, have the right to decide this issue. We in the Federal Government should not be funding a rogue organization that is going to go in and offer a contrary view to the rights of the people of Virginia, or any other State that faces this type of effort on the part of the Federal Government to fund land use planning contrary to the interests of people at the local or the State level. That is my position.

Mr. VENTO. If the gentleman will yield, was it not consistent with the laws of Virginia, the zoning codes and so forth, that they were trying to implement, educate, and to facilitate the process in terms of the goal of preserving this precious resource?

Mr. GOODLATTE. Reclaiming my time, Mr. Chairman, the Federal Government does not need to get involved in promoting and supporting the laws of the State of Virginia. The people of Virginia are perfectly capable of doing that on their own. When it is correct to historically preserve property, they should do so, and when it is not, they should not.

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

Mr. Chairman, very briefly, we have group after group come up to us and say, ''Do not cut my program.'' The National Trust has said they can live with the cut if it is phased in. We finally have a group that is saying ''We will raise the money privately. Just do not take it all away from us at once. Do it on a phase-in basis.'' The bill before us is a phase-in. The gentleman's amendment seeks to eliminate funding all at once.

I rise in opposition to the amendment. I support historic preservation. I ask all my colleagues to support historic preservation and vote ''no'' on the amendment.

Mr. Chairman, I rise in opposition to the Hutchinson amendment to eliminate the National Trust for Historic Preservation.

The National Trust was chartered by Congress in 1940, and its mission was significantly expanded by the National Historic Preservation Act in 1966. Last year the National Trust received approximately $7 million in federal funding. The National Trust has initiated many successful programs that leverage private sector investment in preservation projects at a very impressive rate.

Since 1980, the National Trust's Main Street program, which helps revive neglected and abandoned downtown commercial districts by providing local groups with organization, design, economic restructuring and marketing assistance, has been active in over 1,000 communities in 39 states, helping create over 26,000 new businesses, over 100,000 new jobs, and over $5 billion in new investment. Every federal dollar spent through a Main Street program leverages over $25.00 from other sources.

In Massachusetts, the Main Street program has been very successful. Forty-four communities in Massachusetts, including Beverly, Haverhill and Peabody, have participated, resulting in over $66 million in cumulative reinvestment.

There are few federal programs as successful in leveraging private sector investment than the National Trust and its Main Street program. In light of this, $3.5 million—a fifty-percent reduction from last year—is a modest amount of funding.

The National Trust for Historic Preservation is expanding its outreach to enable it to rely solely on private dollars. Elimination of the National Trust's appropriation today would jeopardize these privatization plans and will destroy its ability to carry out its congressionally mandated functions. In addition, eliminating these funds will cripple the National Trust's efforts to replace the current federal appropriation with private dollars.

Mr. Chairman, I urge my colleagues to vote ''no'' on the Hutchinson amendment and preserve our Historic Trust.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. HUTCHINSON].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 129, noes 281, not voting 24, as follows:

[Roll No. 504]

AYES—129

Allard
Archer
Armey
Baker (CA)
Ballenger
Bartlett
Barton
Bilbray
Bilirakis
Boehner
Bonilla
Brownback
Bryant (TN)
Bunning
Burr
Burton
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Everett
Ewing
Fawell
Flanagan
Franks (CT)
Funderburk
Gekas
Goodlatte
Goodling
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Herger
Hilleary
Hoekstra
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kim
Klug
Largent
Latham
Lewis (KY)
Linder
Lipinski
Manzullo
McCollum
McInnis
McIntosh
McKeon
McNulty
Metcalf
Moorhead
Myrick
Neumann
Ney
Nussle
Oxley
Petri
Pombo
Porter
Portman
Ramstad
Roberts
Rohrabacher
Roth
Royce
Salmon
Saxton
Seastrand
Sensenbrenner
Shadegg
Shays
Shuster
Smith (MI)
Smith (WA)
Solomon
Souder
Stearns
Stockman
Stump
Talent
Tate
Taylor (MS)
Thomas
Thornberry
Tiahrt
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Wamp
Weldon (FL)
Weller
White
Young (FL)
Zeliff

NOES—281

Abercrombie
Ackerman
Andrews
Bachus
Baesler
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bishop
Bliley
Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Buyer
Callahan
Calvert
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Conyers
Costello
Coyne
Cramer
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hayes
Hefley
Heineman
Hilliard
Hinchey
Hobson
Hoke
Holden
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kingston
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lightfoot
Lincoln
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Markey
Martini
Mascara
Matsui
McCarthy
McDade
McDermott
McHale
McHugh
McKinney
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Myers
Nadler
Neal
Nethercutt
Norwood
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Packard
Pallone
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Rangel
Reed
Regula
Riggs
Rivers
Roemer
Rogers
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Schaefer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Spence
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (NC)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torricelli
Towns
Traficant
Tucker
Vento
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zimmer

NOT VOTING—24

Baker (LA)
Baldacci
Becerra
Bono
Collins (MI)
Fields (TX)
Green
Greenwood
Hefner
Martinez
McCrery
Moakley
Parker
Pastor
Reynolds
Richardson
Scarborough
Smith (TX)
Tauzin
Torres
Velazquez
Volkmer
Ward
Watts (OK)

□ 2103

The Clerk announced the following pair:

On this vote:

Mr. Bono for, with Mr. Richardson against.

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

Messrs. METCALF, PORTMAN, and PORTER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I struck the last word so that I could try to make the Members of the House aware of what at least some of us have been trying to do to get people out of here at a reasonable time and to set reasonable time limits on this bill.

About 6:30, I was informed by representatives of the majority side that they would like to reach a time agreement on this bill and what was suggested to me is that we try to reach agreement to limit title I and all remaining amendments, finish that by roughly 9 o'clock this evening, go home, work over the weekend to set reasonable time limits for the remainder of the bill, and stick to those time limits when we come back.

So, after some negotiation, I agreed to that suggestion.

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I was informed that at a higher level on that side of the aisle that offer was not acceptable and that, in fact, the intention was to keep us here regardless of what we did until about midnight tonight. I do not think honestly that most Members on either side of the aisle think that that is the rational thing to do. Everybody is tired, and it is well if we are making decisions when we are reasonably fresh, and I think we are also much kinder to each other when we are.

So we then went into negotiations to try to find some way to limit time. I then suggested to the majority leader that because I had been told that we had major amendments such as NEA, National Endowment for the Arts, the Humanities, the weatherization amendment, two major amendments on energy program funding, the Strategic Petroleum Reserve, another one on Indian education to replace the one that I offered, the best estimate was probably about 4½ to 5 hours of debate left if we got lucky. There were 20 amendments pending to that title. That is what I was told, that people expected to be offered. So they thought if we limited that to 4½ hours and then took the votes, that would be reasonable length of time.

There were then about 12 or 13 still alive possible amendments to the remainder of the bill. We thought we could compress that to maybe 2 hours in total.

So what I offered was a suggestion that we finish title I, get out of here by 9:30, by that time, and then set a time limit under which we would finish all remaining debate on Monday to title II, stack the votes so that they would occur immediately on Tuesday morning, finish the 2 hours of debate on Tuesday morning on the remainder of

the bill and get through at a reasonable hour.

I respect the desire of the majority leader to try to do it somewhat faster, but I do not know how, and so we offered that motion. It was considered for roughly an hour. Then an offer was made, which I think was represented as coming from the majority leader, to finish title I and they go to the NEA tonight. That would still mean we would be here until midnight tonight. I do not think that is reasonable.

I do think I am willing to do almost anything to get reasonable time limits on this bill, and if the majority would like, I would even be willing to take up immediately the Stearns amendment on NEA, and have a vote on that, if you want, 10 minutes' debate on each side, vote on that baby, and go home for this evening with the same kind of time limits that we have been talking about for the remainder of the bill. I do not know if they are perfect. But at least they end this bill and get us on to the next one.

So that is what I have tried to offer in good faith. I do not want to see Members stuck here until midnight tonight for no reasonable purpose when, without time agreements, we are going to continue to be debating title I all night.

So at the end of these remarks. I am going make a unanimous-consent request to see if we can reach that agreement, and I would hope that we can get this done so that we can get this finished in a reasonably bipartisan fashion, and that is all I am trying to do.

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

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

Mr. LEWIS of California. Mr. Chairman, I appreciate very much my colleague yielding.

When he was talking about this, and I did not get up earlier, the next amendment is an amendment that affects my district nonetheless, and I am very concerned about that.

But I have no problem whatsoever with some kind of a limitation on time. But I would hope that that would come in the context of our working reasonably together, and I would also hope that it would, beyond this amendment, take us to the point where maybe we could close down reasonably early.

Mr. OBEY. I would like to do the same thing. I have been advised that probably on that amendment it would probably take about 15 minutes a side. I do not know if that is true or not. I am willing to settle on any time limit on that amendment that we could agree on.

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

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

Mr. REGULA. At this moment I guess I am the higher level. I have been looking around.

But anyway, I would like to make a suggestion to the gentleman. We have four amendments left in title I. People have missed their airplanes.

If we could take these one at a time and get time limits, the gentleman from California [Mr. FAZIO], the gentleman from New Mexico [Mr. RICHARDSON], the gentleman from Vermont [Mr. SANDERS], and the gentlewoman from Idaho [Mrs. CHENOWETH], are what we show as being left in title I. If we could get time limits as we go like, for example, perhaps a half hour, whatever, I would like to reserve for our side on time limits, and I think, with a little bit of effort, we can get through these four. We will be finished with title I so when we come back we start on a new title.

Otherwise, if we do not finish title I, we are going to have another 20 amendments on Monday.

Mr. OBEY. That is what I had offered, but I was told by the majority leader he would prefer to see to it that we dealt with NEA tonight. I am trying to accommodate that request.

The unanimous consent request that I would make would be, unless you suggest just to title I, I would suggest we do NEA tonight, if that is what the majority leader wants, do the Stearns amendment, and come back to title I first thing Monday. I am trying to be reasonably responsive to what I thought the majority leader wanted.

Mr. REGULA. If the gentleman will yield, I think if it is agreeable, I would like to go ahead and try to finish these four amendments in title I, get a time limit on each one as we go along. We will get them as short as possible, and hopefully then we can finish up title I.

Mr. OBEY. Then let me simply stop my remarks and let me make the unanimous-consent request if I could.

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

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

Mr. YATES. Mr. Chairman, I want to find out from the gentleman from Ohio [Mr. REGULA] as to whether if we do finish title I, that he would be agreeable to considering title II, not tonight, but on another day.

Mr. OBEY. If I could reclaim my time, I think I will be able to answer that question by the nature of the unanimous consent request that I make.

Mr. Chairman, I ask unanimous consent that debate on all remaining amendments to title II be finished, including votes, by 9:30.

Mr. REGULA. Reserving the right to object, Mr. Chairman, I do not think this is fair to the Members who have an interest in these amendments and, therefore, I have to object to that request.

The CHAIRMAN. Objection is heard.

Mr. OBEY. Mr. Chairman, I ask unanimous consent, trying to respond to the majority leader's interests, and I do not want to imply that he has agreed to it, he has not, but I think it is a reasonable proposal, I ask unanimous consent that we proceed to the Stearns amendment, debate on NEA, debate that for 10 minutes on each side, have a vote, adjourn for the evening, and when we return, agree to a time limit for title II on Monday of 5 hours of debate, with the votes to be taken the next day followed by the discussion on the remainder of the bill to be limited to 2 hours with whatever time is required for rollcall.

The CHAIRMAN. The request for adjournment and votes to be postponed to the next day has to be made in the House.

Would the gentleman care to restate his unanimous consent request?

Mr. OBEY. Mr. Chairman, let me simply state that I would, or my intention would be to deal with the Stearns amendment tonight for 10 minutes apiece, take the vote, and then adjourn for the evening, and when we go into the full House, I would make the motion with respect to the remaining consideration of the bill.

The CHAIRMAN. The gentleman should confine his request to the Stearns amendment.

Mr. OBEY. Then I ask unanimous consent that the gentleman from Florida be permitted to offer the amendment, notwithstanding title II of the bill is not yet considered as read and without prejudice to further amendments to title I of the bill.

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

Mr. REGULA. I object.

The CHAIRMAN. Objection is heard.

Mr. OBEY. Mr. Chairman, I move the committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 233, not voting 33, as follows:

[Roll No. 505]

AYES—168

Abercrombie	Collins (IL)	Flake
Ackerman	Condit	Foglietta
Andrews	Conyers	Frank (MA)
Baesler	Coyne	Frost
Barcia	Danner	Furse
Barrett (WI)	de la Garza	Gejdenson
Beilenson	DeLauro	Gephardt
Bentsen	Dellums	Gibbons
Berman	Deutsch	Gonzalez
Bevill	Dicks	Gutierrez
Bishop	Dingell	Hall (OH)
Bonior	Dixon	Hamilton
Borski	Doggett	Harman
Boucher	Dooley	Hastings (FL)
Browder	Doyle	Hayes
Brown (CA)	Durbin	Hefley
Brown (FL)	Edwards	Hilliard
Brown (OH)	Engel	Hinchey
Bryant (TX)	Eshoo	Holden
Cardin	Evans	Hoyer
Clay	Farr	Jackson-Lee
Clayton	Fattah	Jefferson
Clement	Fazio	Johnson (SD)
Clyburn	Fields (LA)	Johnson, E. B.
Coleman	Filner	Johnston

Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Montgomery
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Poshard
Rangel
Reed
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torricelli
Towns
Tucker
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—233

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—33

Baker (LA)
Baldacci
Becerra
Bono
Clinger
Collins (MI)
Costello
Fields (TX)
Gallegly
Green
Greenwood
Hefner
Johnson, Sam
LaFalce
Lipinski
McCrery
Moakley
Moran
Neumann
Parker
Pastor
Reynolds
Richardson
Roukema
Scarborough
Smith (TX)
Tauzin
Torres
Velazquez
Volkmer
Ward
Watts (OK)
Williams

□ 2044

So the motion was rejected.

The result of the vote was announced as above recorded.

Mr. REGULA. Mr. Chairman, if it is in order, I ask unanimous consent that we have 30 minutes, 15 minutes for each side, to debate the amendment to be offered by the gentleman from California [Mr. FAZIO] and any amendments thereto.

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

Mr. OBEY. Reserving the right to object, Mr. Chairman, can we reach an understanding that this will be the last amendment of the evening?

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

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

Mr. REGULA. No, Mr. Chairman, I am not in a position to make that agreement.

Mr. OBEY. Then I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

□ 2045

Mr. REGULA. Mr. Chairman, at this point, we will just go ahead with the bill and take whatever the next amendment is.

Mr. OBEY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 161, noes 233, not voting 40, as follows:

[Roll No. 506]

AYES—161

Abercrombie
Ackerman
Andrews
Baesler
Barcia
Barrett (WI)
Bentsen
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Coyne
Cramer
Danner
de la Garza
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hayes
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Lantos
Levin
Lewis (GA)
Lowey
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Montgomery
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Poshard
Rangel
Reed
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thurman
Torricelli
Towns
Tucker
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—233

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Beilenson
Bereuter
Bilbray
Bilirakis
Blute
Boehlert
Boehner
Bonilla
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Christensen
Chrysler
Clement
Clinger
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flake
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Manzullo
Martini
McCarthy
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon

Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Moorhead
Morella
Myrick
Nethercutt
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—40

Baker (LA)
Baldacci
Barr
Bateman
Becerra
Berman
Bliley
Bono
Chapman
Chenoweth
Coble
Collins (MI)
Costello
Fields (TX)
Gallegly
Geren
Green
Greenwood
Hefner
Johnson, Sam
LaFalce
Lipinski
McCrery
Moakley
Moran
Myers
Neumann
Parker
Pryce
Reynolds
Richardson
Scarborough
Smith (TX)
Tauzin
Torres
Velazquez
Volkmer
Ward
Watts (OK)
Williams

□ 2104

So the motion was rejected.

The result of the vote was announced as above recorded.

MOTION OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I move to limit debate on title I and all amendments thereto to 90 minutes not including vote time.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a privileged motion. I move that the Committee rise and report the bill back to the House with a recommendation that the enacting clause be stricken.

Mr. Chairman, what is at issue here, in my view, is whether or not this House is going to be able to conduct its business at reasonable times in public view or whether we are going to be reduced to making virtually every major decision in subcommittees and on the floor at near midnight, with minimal public attention and minimal public understanding and minimum attention.

Mr. Chairman, the motion that was just offered by the distinguished gentleman from Ohio is virtually identical to the proposition which I first made to the majority leader 2½ hours ago. The only thing that has prevented us from being out of here and all of title I finished by now, because our request was to be finished with title I by 9:00, the only thing that has prevented that has been willfulness, in my view. And I am simply suggesting that it makes no sense whatsoever to be doing at midnight what we could have done at 7:00 or 8:00 in the evening.

I would simply make the additional point that the motion that I made then was made after a request to provide limitations was offered by those on the majority side of the aisle. So what I am been trying to do for the last 2½ hours is to get done what majority Members of this House have asked me to help get done. I do not think that is unreasonable.

Mr. REGULA. Mr. Chairman, I oppose the motion.

I was not a party to the earlier negotiations. The gentleman from Illinois [Mr. YATES] and I discussed a possible agreement here that we would finish title I with time limits on the amendments that remain.

The gentleman from Wisconsin [Mr. OBEY] did not agree with that. Frankly, at this point, let us do the people's business. That is what we are elected to be here for.

Mr. Chairman, I move the previous question on the motion.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Wisconsin [Mr. OBEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 236, not voting 36, as follows:

[Roll No. 507]

AYES—162

Abercrombie
Ackerman
Andrews
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
Cramer
de la Garza
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Montgomery
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Poshard
Rangel
Reed
Rivers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Smith (WA)
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wilson
Wise
Woolsey
Wyden
Wynn

NOES—236

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Beilenson
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Moorhead
Morella
Myrick
Nethercutt
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Skeen
Smith (MI)
Smith (NJ)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zimmer

NOT VOTING—36

Baker (LA)
Baldacci
Barr
Bateman
Bono
Collins (MI)
Costello
Fields (TX)
Gallegly
Green
Greenwood
Hayes
Hefner
LaFalce
Lipinski
McCrery
Moakley
Moran
Myers
Neumann
Parker
Payne (VA)
Pryce
Reynolds
Richardson
Scarborough
Shuster
Smith (TX)
Tauzin
Taylor (MS)

Volkmer
Ward
Watts (OK)
Williams
Yates
Zeliff

□ 2127

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

So the preferential motion was rejected.

The result of the vote was announced as above recorded.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The gentleman will state the motion.

Mr. OBEY. Mr. Chairman, I move that the committee do now rise.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 249, not voting 35, as follows:

[Roll No. 508]

AYES—150

Abercrombie
Andrews
Barcia
Barrett (WI)
Becerra
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
de la Garza
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gutierrez
Harman
Hastings (FL)
Hayes
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Lantos
Levin
Lewis (GA)
Lowey
Maloney
Manton
Markey
Mascara
Matsui
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Miller (CA)
Mineta
Mink
Mollohan
Montgomery
Murtha
Nadler
Neal
Oberstar
Obey
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Poshard
Rangel
Reed
Roybal-Allard
Rush
Sabo
Sawyer
Schroeder
Schumer
Serrano
Sisisky
Skaggs
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thurman
Torres
Torricelli
Tucker
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wilson
Wise
Woolsey
Wyden
Wynn

NOES—249

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Beilenson
Bentsen
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Manzullo
Martini
McCarthy
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mfume
Mica
Miller (FL)
Minge
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanders
Sanford
Saxton
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Towns
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—35

Ackerman
Baker (LA)
Baldacci
Bateman
Bono
Collins (MI)
Costello
Fields (TX)
Gallegly
Goodling
Green
Greenwood
Hefner
LaFalce
Lipinski
Martinez
McCrery
Moakley
Moran
Neumann
Olver
Parker
Pryce
Reynolds
Richardson
Scarborough
Shuster
Smith (TX)
Tauzin
Volkmer
Ward
Watts (OK)
Weller
Williams
Yates

□ 2146

So the motion was rejected.

The result of the vote was announced as above recorded.

MOTION OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I withdraw my pending motion.

Mr. Chairman, I move to limit debate on title I and all amendments thereto to 60 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Ohio [Mr. REGULA].

The motion was agreed to.

AMENDMENT OFFERED BY MR. FAZIO OF CALIFORNIA

Mr. FAZIO of California. Mr. Chairman, I offer an amendment, amendment No. 12, printed in the RECORD on July 11.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FAZIO of California: Page 2, line 11, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 2, line 12, strike ''of which'' and all that follows through '', and'' on line 17.

Page 3, line 4, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 16, line 5, strike ''$1,088,249,000'' and insert ''$1,088,849,000''.

Page 16, line 9, strike '', and'' and all that follows through ''serve'' on line 12.

Mr. FAZIO of California. Mr. Chairman, this does not need to be a lengthy debate, because I think it is a rather simple question that the Members need to decide here today.

This amendment, which is budget neutral, would reverse what I believe is a back-door effort to gut the provisions of the California Desert Protection Act. As all the Members who served in the last Congress know, that act took us at least 3 weeks to pass this House of Representatives. It was the culmination of some 8 years of hearings and consideration in every Congress, during the last 4. It was finally signed into law by the President during the last Congress after a tremendous outpouring of political support in California, in the desert and nationally.

Major changes were made in the bill on the House floor to address a number of concerns of landowners and outdoor enthusiasts. We dealt with problems and needs of the gunners and off-road vehicle people, we dealt with the needs of grazers and miners who had long used the area. And when the House acted, it did so with an overwhelming vote of 298 to 128, including the support of 45, as a matter of fact, with two conversions, 47 Republicans who served in the last Congress. The Senate passed it by an over 2-to-1 majority.

Now we have an attempt here, probably in a 10- or 15-minute debate, in a very brief debate after a tremendous struggle that took place in the last Congress. We are being asked, I believe inappropriately, to use a process which does not provide for due deliberation in committee to, frankly, make a mockery of the intense efforts this Congress made to accommodate this wide variety of views with many, many amendments. An amendment was offered by my good friend and colleague, who represents much of the area that is at

issue here. It was offered at his suggestion in the Committee on Natural Resources. The subcommittee acted contrary to, I think, its chairman's position to move from the National Park Service to the Bureau of Land Management all the funding that had been provided to implement the national park reserve as a result of this legislation just enacted.

The kicker is only $1 remains to implement the multiple-use plan that was agreed to by all of us. My good colleague and friend, the gentleman from California [Mr. LEWIS], is making us, including many of those who supported it in the past, to flipflop and to take a new tack after not even a year has passed since the enactment of the legislation.

So my amendment would simply restore the bill to its original form. I know that the gentleman from Ohio [Mr. REGULA] has proposed a very strong bill for the National Park Service generally. I want to support his mark, the mark that he would really like to provide for those across the country.

I think if my friend, the gentleman from California [Mr. LEWIS], wants to act to change the law we just enacted, we really ought to move legislation through the Committee on Natural Resources. I am sure the gentleman from Alaska [Mr. YOUNG] would be quick to accommodate him with hearings and a markup because I know he agrees with my friend's view of the Mojave preserve.

But by interfering with the Park Service operation of the Mojave national reserve, we are causing problems, adding to problems that I know the gentleman from California [Mr. LEWIS] wants to avoid. The National Park Service has done an effect statement discussing the impact of these changes. Let me quote from it. It says, ''While the funding has been transferred, the national preserve is still, in fact, a unit of the national park system. Implementation of the act requires new activities such as survey and installation of boundary signs, preparation of wilderness maps for 69 new areas, law enforcement patrols and surveillance and resource protection of these areas.''

So by limiting the funds to just a dollar, the Park Service cannot adequately carry out these roles. They have two people at any one time, at most, on duty. They have already closed down two meth labs. This is an area that deserves attention.

I think the owners of the 4,500 mining claims located in the preserve would be particularly alarmed. The Park Service says to them without funding, mining plans of operations will not be processed, validity determinations will not be made and environmental reviews will not occur.

The CHAIRMAN. The time of the gentleman from California [Mr. FAZIO] has expired.

(At the request of Mr. DICKS and by unanimous consent, Mr. FAZIO of California was allowed to proceed for 2 additional minutes.)

Mr. FAZIO of California. Mr. Chairman, the Mining in the Parks Act, which requires plans of operation to be prepared prior to mining activity, will still be in effect for the national preserve. We simply will be doing nothing to put any of this into effect.

Now, let me say I think there has been a mood change in the area as well. The San Bernardino board of supervisors, which originally opposed the preserve, is now enthusiastic about winning full funding for it, having noted that tourist visits in the area have increased dramatically since the preserve was established. The Chambers of Commerce of nearby Barstow, Baker and Newberry Springs have recently expressed their support for the Mojave national preserve. Local officials want to give this law a chance to work. We in Congress need to do the same.

In short, we should support Chairman Regula's mark. We should support the 8 years of careful crafting that went into establishing the preserve. We should not be using appropriations, I think, as an improper tool to reverse this law we only so recently have enacted.

In light of all the changes we made to accommodate all the critics, legitimate critics of all types who had an input on this bill, in light of the tremendous investment people on all sides of this issue have made, I urge support for this amendment, and I urge restoration of the law, and I urge all of my colleagues, particularly those who stood for this before in the prior Congress, to reiterate their support and not create any question about their dedication to desert protection in California.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

I certainly hope it is the last word, Mr. Chairman.

Mr. Chairman and my colleagues, I do not intend to take a lot of time, and I certainly want to join my friend, the gentleman from California [Mr. FAZIO], in expressing our sensitivity about keeping you here this late regarding this matter. It is an item that happens to affect the districts of five Members from California. As this amendment applies, however, it is almost entirely in my own district, a district in which you can put five eastern States in just the desert that we are talking about.

The gentleman from California [Mr. FAZIO] is correct in saying that last year we had a very, very extended debate and, as a result of that debate, some very unusual things occurred. The chairman of the Natural Resources Committee last year brought a bill to the floor, did a very fine job representing the Senate sponsor of that bill, but there were many aspects of the bill that were not supported by those people who represented the territory affected, and as a result of that, on 10 different occasions the House, in a bipartisan way, chose to change that legislation, overrode the committee and, indeed, reflected the will of the people who live in and work in the territory involved.

There was one element of the bill that was a very significant controversy, and that swirls around this amendment and problem this evening. That element involves the East Mojave, which originally was to be designated as a park, and as the gentleman from California [Mr. FAZIO] suggested, we changed it so it could be more like a multiple-use area. The Park Service was given responsibility to deal with the East Mojave National Preserve, and that is when the problem began. We were very interested to see what they would do with that preserve because it is an area, some of which is very beautiful and very parklike, but most of which has no parklike quality.

The Park Service immediately asked the agency to transfer $600,000 from the Bureau of Land Management, the multiple-use agency, so they could have $600,000 to run this preserve. Almost overnight, they were putting up no-trespassing signs, ''Do not drive your vehicle past this point.'' Roadways that had been used for decades by people, by families, by people who live there, suddenly were no longer roadways. They were called ways, and they were not open to vehicular traffic.

The public that lives in the area is reacting very intently. So an amendment was made that essentially said, ''Hey, wait a minute, Park Service, before you go forward, maybe the real multiple-use agency, the BLM, ought to have that money, most of it, until we can see what your plan really is.'' So an amendment came forth in the subcommittee that took almost all of the $600,000 and gave it to the Bureau of Land Management, a public agency for multiple use of public lands, and left a dollar in the Park Service so that what we could have some basis for negotiations.

As a result of that, all of those people who the gentleman from California [Mr. FAZIO] suggested from the area thought perhaps they should work with them on the preserve have changed any position they might have considered regarding supporting the Park Service's work. The bipartisan Congressional Sportsmen's Caucus opposes the change the gentleman from California [Mr. FAZIO] is suggesting. All of the Members who represent the area, the people who actually were elected from the district, oppose the amendment offered by the gentleman from California [Mr. FAZIO]. State Assemblyman Keith Olberg, from the territory, opposes the change. The chairman of the San Bernardino County Board of Supervisors, Marsha Turoci, the person the gentleman from California [Mr. FAZIO] suggested in the past was supporting the Park Service, now says they should not go forward from here. We need to insist that we see their plan first. Let the Bureau of Land Management in the meantime go forward. The Needles

Chamber of Commerce, the East Mojave Properties Owners Association, the National Cattlemen's Association, hunter and wildlife conservation groups are opposed to allowing the Park Service to go forward without a plan, at least for the people who live there, who understand it, and who love it the most.

Now, ladies and gentlemen, I would not do this to your district. There is not any question that there is a very small group of elitists who would like to tell the people in the desert in California how best this land should be managed.

Indeed, there are portions of it that are park quality. We have recommended in the past that be put into a park, not a preserve, and let the Park Service run it, but in this case, absolutely, there is to question that the extremists are having their way in terms of the ways this place is being run. There is no need for this. The battle will go on forever unless we insist that the Park Service have a plan first.

I urge you to help me with my district and vote ''no'' on the Fazio amendment.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

□ 2200

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

Mr. FAZIO of California. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, we do not need to prolong this too much. I think we all appreciate and understand the difficulty of getting a new national park off the ground, and there is no question there is some problems that would need to be addressed——

Mr. LEWIS of California. This is not in a national park.

Mr. FAZIO of California. I understand, but it is a preserve, and it is under the park system, and I do not think there is any question that the Park Service needs to reach out to the gentleman and to deal with the gentleman on the issues of concern to his constituents. I think it is fair to say that people really want to put this behind them, though, and I know what the gentleman is attempting to do, and that is to get the attention of the Department of Interior and people who need to accommodate the local concerns. I think the gentleman has done that, I think he has accomplished it, and I would only hope that he would sit down with Roger Kennedy and others, and sort out the differences, and see whether we can move to in the first 6 months of operation—some solutions at this site.

Mr. LEWIS of California. In the spirit of that I say to the gentleman, Mr. FAZIO, I appreciate what you've said. I've attempted to communicate with the Park Service. They have been nonresponsive. Let me say that indeed if we make this change, if it goes forward from here, a dollar for the Park Service, $599,000 for the multiple-use agency, the Bureau of Land management, I know they'll be talking to me between now and the time we go to conference, and that's exactly what the House ought to do. If this House last year had believed—could imagine the Park Service would do this to my district, they would have thrown this idea out. I mean it is almost ridiculous, but we shouldn't prolong the evening, Mr. FAZIO. We have really said all there is to say, and I appreciate your cooperation. I just wish you lived down there in San Bernardino County with me.

Mr. FAZIO of California. Well, some day maybe we will have that great privilege, but at the moment I just want to tell the gentleman that Roger Kennedy has written to the gentleman, and he has indicated his desire to meet with the gentleman, and I really think it is appropriate for that meeting to take place. I am sure it will regardless of what happens this evening, but I do hope that Members will stay the course and follow through with their commitment made last year, and I am certain the gentleman has gotten their attention.

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

Mr. Chairman, I would urge that we support the Fazio amendment, and I would like to, in discussing the Fazio amendment, make a suggestion that might get us out of here a lot earlier.

Mr. Chairman, the agreement we are now operating under is virtually the same agreement that I offered to the majority leader at 6:30 this evening. At the time, since it was first suggested to me by representatives of the majority party that we ought to try to get a time limit on title I, we constructed a time limit that was agreed to by Members of both parties on the committee. But, when I then walked over to the majority side of the aisle, I was informed by the majority leader that it was not acceptable. Basically the time limit that had been worked out on both sides at the committee level was that we should finish all amendments to title I, including the votes, by 9 or 9:30 this evening. The majority leader then informed me that regardless of how much progress we made on title I, Mr. Chairman, he wanted the House to stay in session until midnight and expressed great frustration that Members were offering so many amendments.

Mr. Chairman, I share that frustration. But I did not ask for a totally open rule. The majority leader happens to believe in it, and it is his privilege.

I then suggested, Mr. Chairman, to the majority leader that I would be willing not only to agree to a time limit on title I, but on time limits for the entire bill. I was asked what my estimate was of the time that would be required to do that.

Mr. Chairman, I told the majority leader that after consulting staff on both sides of the aisle that I was told that their best estimate of the time needed to complete the 20 expected amendments of title II was somewhere between 4½ and 5½ hours depending on what happened in the forestry issue and the arts issue. I suggested we ought to get a time agreement of that amount or any other number that could be agreed to and that, if that kept us into an hour which would be too late on Monday night, that we then stack the votes and have them occur immediately Tuesday morning, and then we try to compress the 12 expected remaining amendments in title III to 2 hours. That is a lot of compression. And that way we could get out of here in what I thought would be the fastest possible way.

The gentleman from Texas [Mr. ARMEY] suggested that he would like to think about that. About an hour later I was told that he did not find that acceptable but that he wanted to finish title I and then go on to consider the arts issue. I suggested that we either finish title I or go, if that was the preference of the majority party, go immediately to the arts issue, and in fact I offered a motion to—I offered a unanimous-consent request to complete title I and then go home. That was objected to. I then offered a unanimous-consent request to proceed to the Stearns amendment, which it was my understanding the majority party wanted to deal with tonight, and then go home and consider the title I items on Monday. That was again objected to.

Mr. Chairman, we are now going to get to about where I was asking that we get to at 9 or 9:30 by about 11 or midnight. I regret that we were not able to reach a bipartisan agreement because I honestly believe, if we have any chance of completing our appropriations bills, we need to have cooperation of Members on both sides of the aisle, not just that at leadership level, but the rank-and-file level, because there are lots of people who want to offer lots of amendments to lots of coming appropriation bills, and I do not think we want to be here until 1 or 2 o'clock every night. I do not think we do our best work then.

So it seems to me that we have to establish some kind of trust and some kind of willingness to work with each other to help facilitate the majority leader's own schedule. That is all I am trying to do, and I say to my colleagues, If you don't believe it, I invite you to ask any Member of the majority side on the Appropriations Committee, Ask them what I've tried to do on all the bills before us up to this time.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin have 30 additional seconds.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

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

Mr. DICKS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, all I am trying to do, if you would have the good grace to let me do it, is to suggest that I do not see any constructive purpose to be served by further delay, and so what I am trying to inform the House, unless I am forced to change my mind, is that I have the right every 5 minutes, if I want, to offer another motion to rise.

Mr. Chairman, this is why I do not think it is good to meet this late, because Members do not often act in their own interests.

All I am trying to say is that I do not intend to offer any other motions to rise this evening. I would ask only two things: that we complete action on the pending amendments as quickly as possible and that the majority leader take into consideration the right of this House to consider every important issue we deal with under the most optimum conditions possible, and that means, I believe, not considering important legislation at 12, 1, and 2 o'clock in the morning, be it in subcommittee or on the floor.

I offer my colleagues my intention to try to cooperate in that, but the majority leader must have some realistic understanding of the time realities which neither the minority on the Committee on Appropriations nor the majority have any power to overcome. If the majority leader wants to insist that every single appropriation bill have totally open rules, then we must accept the logical consequences of that when some 70 amendments are filed. Most are filed on the majority side of the aisle, and it just seems to me it makes no sense to want time requirements that leave Members no time to debate the amendments which the majority leader himself has insisted be made in order.

So with that statement I will simply indicate I am not going to offer any more motions tonight, and I would hope over the weekend we can reach a reasonable understanding on this so that we can deal with these issues in a rational way. That is all I have been trying to do all evening long.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FAZIO].

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

RECORDED VOTE

Mr. FAZIO of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 227, not voting 33, as follows:

[Roll No. 509]

AYES—174

Abercrombie
Andrews
Baesler
Barrett (WI)
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bishop
Boehlert
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
Cramer
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Frank (MA)
Franks (CT)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Holden
Horn
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Lantos
Lazio
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Mink
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pomeroy
Porter
Portman
Poshard
Rahall
Ramstad
Rangel
Reed
Regula
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Skelton
Slaughter
Spratt
Stark
Stokes
Studds
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wyden
Wynn
Zimmer

NOES—227

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Boucher
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Geren
Gillmor
Goodlatte
Goodling
Goss
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
Longley
Lucas
Manzullo
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Quillen
Quinn
Radanovich
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Traficant
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—33

Ackerman
Baker (LA)
Baldacci
Bono
Collins (MI)
Costello
Fields (TX)
Ford
Gallegly
Green
Greenwood
Hefner
LaFalce
Lipinski
Martinez
McCrery
Moakley
Moran
Neumann
Parker
Pryce
Reynolds
Richardson
Rose
Scarborough
Shuster
Smith (TX)
Tauzin
Volkmer
Ward
Watts (OK)
Williams
Yates

□ 2228

The Clerk announced the following pair:

On this vote:

Mr. Richardson for, with Mr. Neumann against.

Mr. Moakley for, with Mr. Bono against.

Messrs. BROWN of California, LAZIO of New York, GILCHREST, GONZALEZ, HOYER, and MARTINI changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Chair will announce that under the agreement, there are 38 minutes remaining for debate on the amendments.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Alaska:

On page 13, beginning on line 10, strike ''113 passenger motor vehicles, of which 59 are for police-type use and 88 are for replacement only'' and insert instead ''54 passenger motor vehicles, none of which are for police-type use''.

On page 14, beginning on line 3, strike ''*Provided*, That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: *Provided further*'' and insert instead ''*Provided*''.

On page 9, line 22, insert ''(less $885,000)'' before '', to remain''.

On page 27, line 23, insert ''(plus $851,000)'' before '', to which''.

Mr. YOUNG of Alaska (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 Alaska?

There was no objection.

□ 2230

Mr. YOUNG of Alaska. Mr. Chairman, I will not take a great deal of time. This is a very simple amendment.

What my amendment does, very frankly, is to strike the funding for 59 new vehicles for the United States Fish and Wildlife Service for police activities and two airplanes for the Fish and Wildlife Service. It is my strong feeling that these are not needed at this time, and, in fact, these monies should be transferred, and that is what my amendment does, to the BIA.

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

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

Mr. REGULA. Mr. Chairman, we are prepared to accept this amendment on this side, and concur in it.

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

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

Mr. DICKS. Mr. Chairman, I am prepared to accept this amendment, but the gentleman from Massachusetts [Mr. STUDDS] has a question.

Mr. STUDDS. Mr. Chairman, if the gentleman will yield, would the gentleman explain why he strikes the proviso that the Fish and Wildlife Service may accept donated aircraft?

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, there are two things: The Fish and Wildlife Service now has an exorbitant amount of aircraft that they provide, and I would not like to get into the subject totally tonight.

In my State alone we have over 110 aircraft. There are plenty of aircraft to be chartered out, and my argument all along has been every time they acquired aircraft, if it is from the military or any other place, it takes tax dollars to maintain and operate those aircraft, in direct competition with aircraft that are available for contract. I can go to Alaska, and I hope you have a chance, the gentleman has been to Alaska, and we can go on the turbogoose, we can go into everything but a big jet.

I am saying it is time we get out of this business. I am not striking the aircraft that they have now, but the two aircraft they have requested, I am saying no more. Until they can come to me and justify that aircraft, they can show what the need is, I do not think we ought to be having any more aircraft for them.

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

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

Mr. OBEY. Mr. Chairman, let me make certain that I understand this amendment. The gentleman is striking the ability for the agency to receive aircraft, two of them.

Mr. YOUNG of Alaska. Two new ones. And I am also striking the 113 passenger vehicles, the 54 remaining for them, the 59 for police work I am striking, because they never justified the use of those vehicles, and I am transferring that money to the BIA.

Mr. OBEY. These are enforcement vehicles that have been requested by the agency?

Mr. YOUNG of Alaska. Apparently they were requested by the agency, but I do not believe they have been justified, and I really will tell you sincerely, kind sir, that one of our biggest problems, they request these vehicles, they have not shown where they are going to be used; I am letting them purchase the 54, but not the 113.

Mr. OBEY. Could I ask what testimony the committee has taken that indicates that these are not needed?

Mr. YOUNG of Alaska. Well, I am not on the committee, and, very frankly, I just know I am on the authorizing committee, and we are going to review the Fish and Wildlife Service and all of the other agencies that come before my committee. I have not had time to do that, that is all. We will do it. If they can justify it, we will go forth at a later date.

By the way, we will have time as it goes to the Senate and goes to conference, the gentleman from Washington and the gentleman from Ohio, if they are in fact needed and can be justified, that can be handled at a later date. But, frankly, I am concerned that the money is being spent by these agencies when they could be spent in other areas. Now, that is what I am saying here.

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

Mr. Chairman, I am very dubious about accepting this amendment at this point. And the reason I say that is because, as you know, in many regions of the country, I know the West is one, I know certainly in my own State, there are a number of organizations, malicious and otherwise, who simply do not like the idea that Federal agencies are purchasing or receiving additional equipment which can be used in law enforcement. I really do not believe that their judgments ought to supersede the judgments of agencies who we charge with the responsibility to enforce the law.

I respect people's rights to join any organization they want, but frankly, I am suspicious of many of the forces in this society who are so suspicious of law enforcement officials, whether they be Federal or State officials, that I do not believe that we should be making a decision like this, especially at this late hour. So I do not like to do it.

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

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

Mr. REGULA. Mr. Chairman, I have been assured by the gentleman from Alaska that he will hold a hearing on this issue prior to the conference on this bill, and if the evidence would indicate that these aircraft are important to law enforcement, I think we can deal with it in the conference committee.

Mr. OBEY. Mr. Chairman, reclaiming my time, I thank the gentleman for that assurance, but let me be very blunt. I know there are a lot of militia organizations around this country that do not like to see these agencies get additional equipment that can be used in law enforcement. I must confess that I am extremely concerned that this may be another one of those cases.

So under those circumstances, I do not believe we ought to accept the amendment, and I am going to feel required to push this to a rollcall vote.

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

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

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding, and I think we really ought to understand whether any of these land management agencies have vast responsibilities. We represent and have had in the past a tremendous amount of testimony on illegal drugs entering the country. And very often we have found that the various land management agencies are absolutely key to in fact working with the law enforcement agencies, whether it is the DEA or whether it is the local law enforcement agencies.

Some agencies, as a matter of fact, these land management agencies, have exclusive jurisdiction in some of the remote areas in terms of law enforcement, in terms of enforcement of activities in those lands. The gentleman from Alaska represents a state that has a number of areas that maintains exclusive jurisdiction. I know this just deals with the Fish and Wildlife Service, but the fact of the matter is it is an issue that has brought implications.

We have repeatedly asked for hearings on topics in fact dealing with the problems and the threats to such law enforcement agencies in this instance. And if we are going to take away from them the very tools that they need to do that job, I would have significant concerns about such an amendment.

I just think that the fact is that on an arbitrary basis, coming up here with no testimony from the agency, obviously this was put forth, was looked at by the committee. I have heard no testimony that suggests that they do not need this. I mean without aircraft in Alaska, you do not really get around. You really cannot do your job in that particular instance. We know that there is a greater and greater problem, and many of the problems, frankly, many of the problems, frankly, relate to the fact that in terms of not having and having inadequate personnel on

the ground for any of these land management agencies, including the Fish and Wildlife Service. So often they delegate and collaborate and work with other agencies or State agencies. But if they do not have the tools and the resources, we are simply lining them up for failure in terms of these particular issues, and I understand the good faith the gentleman brings this amendment forward with, but I think it has rather significant ramifications, and I think the gentleman from Wisconsin has picked up on it, and I thank the gentleman for yielding.

Mr. OBEY. Mr. Chairman, I thank the gentleman, and I say that I will feel required to push this to a rollcall vote.

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

I think we have had the assurance of the chairman of the Natural Resources Committee that there will be a hearing on this. This bill does not take effect until October 1. We will have a conference committee in September. If the hearing indicates that there is a need, I have been assured by the gentleman that we can deal with that in conference and ensure that there is adequate equipment.

I think the point is accurate; it is not just getting a donation of an airplane. Again, it is the operating costs that factor in. So it does not stop with the airplane.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Alaska. May I suggest, I see my good friend from California and I listened to my good friend from Wisconsin, and it has nothing to do with the militia or any other thing. What I am suggesting respectfully, have not seen the justification for this amount of new vehicles. Remember, this is what we call roaded areas. They may be needed. But we have not so far found out if that need is true.

Second, the aircraft, may I stress, is nothing new. Right now they have a humongous fleet of aircraft operating all across the United States at the taxpayers' cost, and very frankly cannot justify them. I have been fighting this issue for the last 15 years, as I was in the minority. And I will tell you right up front that they cannot come to this House or this committee or any other committee and say that they can truly justify the cost to the taxpayer for this fleet of aircraft. That is all I am saying.

They want two new airplanes. That is wrong. This has nothing to do with the militia or anything else. I am saying if you look at the moneys being spent, this is incorrect. You can say what you want to say.

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

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

Mr. DICKS. Mr. Chairman, I would ask the gentleman from Ohio, though I have the greatest respect and admiration for our friend from Alaska, but I would feel a lot better if it was the Appropriations Committee or Interior that had the oversight hearing and we brought up the Fish and Wildlife Service and spent a morning and took a look at this so we could assure our colleagues that we are doing the right thing here. As I said, I am willing to go along, it is late at night, but I think if we could have, say a one-morning hearing, we could get to the bottom of this.

Mr. REGULA. Reclaiming my time, I do plan to have oversight hearings and we will certainly include one on this prior to conference.

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

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

Mr. OBEY. Mr. Chairman, what mystifies me is I thought that appropriation hearings on budgets were in essence oversight hearings. I had the impression that what we had just been told is that no testimony had been collected which indicated that the agency did not need this equipment.

Mr. REGULA. Mr. Chairman, reclaiming my time, I do not know that we had testimony that indicated a need. I think we just accepted the budget justifications that were offered by the department. It is kind of a routine thing, but I think the issue has been raised, and therefore, prior to conference we should have an oversight hearing in our Appropriations subcommittee. We have had a huge workload, and I think this indicates a need for that type of a hearing.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, what we are being asked to do here is to reduce the law enforcement capability of the Fish and Wildlife Service by limiting their ability to purchase vehicles that they have deemed and the committee has already passed on as being important to their law enforcement capabilities so we can take that money away and give half of it to pay attorney's fees.

This is a law enforcement agency, or an agency that has law enforcement responsibilities to deal with poachers, to deal with people who traffic in illegal game and illegal protected mammals under the Marine Mammal Act and other such acts, airborne hunting acts, where people go out and illegally slaughter animals, and this is how they enforce the law.

□ 2245

Now what we are going to do is decide to reduce that, so we can pay a bunch of attorneys half of that money to pay the people in Alaska, with no showing that that is necessary, and no showing that this need does not exist. However, here it is at quarter to 11 at night and we are going to make this decision.

The Members would not do this to any other law enforcement agency in the country at quarter to 11 at night, but somehow they decide they can just dismiss the claims of these individuals, actually sworn officers, people out there enforcing the laws of the land, and decide they are just going to willy-nilly take away from them the necessary resources, and even deny them the ability to receive donated planes that they use in carrying out these activities on their behalf.

Mr. Chairman, I think this is a poorly thought out amendment. As has already been determined, we do not have the information to make this decision, but they are giving the benefit of the doubt to the attorneys' fees over law enforcement agents for the Fish and Wildlife Service. I would hope Members would reject the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska [Mr. YOUNG].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 281, noes 117, not voting 36, as follows:

[Roll No. 510]

AYES—281

Allard	Crapo	Hall (TX)
Archer	Cremeans	Hancock
Armey	Cubin	Hansen
Bachus	Cunningham	Harman
Baesler	Danner	Hastert
Baker (CA)	Davis	Hastings (WA)
Ballenger	de la Garza	Hayes
Barcia	Deal	Hayworth
Barr	DeFazio	Hefley
Barrett (NE)	DeLay	Heineman
Bartlett	Diaz-Balart	Herger
Barton	Dicks	Hilleary
Bass	Dooley	Hilliard
Bateman	Doolittle	Hobson
Bereuter	Dornan	Hoekstra
Bilbray	Doyle	Hoke
Bilirakis	Dreier	Holden
Bliley	Duncan	Horn
Blute	Dunn	Hostettler
Boehlert	Edwards	Houghton
Boehner	Ehlers	Hunter
Bonilla	Ehrlich	Hutchinson
Brewster	Emerson	Hyde
Browder	English	Inglis
Brownback	Ensign	Istook
Bryant (TN)	Eshoo	Jacobs
Bunn	Everett	Johnson (CT)
Bunning	Ewing	Johnson, Sam
Burr	Farr	Jones
Burton	Fawell	Kanjorski
Buyer	Fazio	Kaptur
Callahan	Flanagan	Kasich
Calvert	Foley	Kelly
Camp	Forbes	Kim
Canady	Fowler	King
Cardin	Fox	Kingston
Castle	Franks (CT)	Klink
Chabot	Franks (NJ)	Klug
Chambliss	Frelinghuysen	Knollenberg
Chapman	Frisa	Kolbe
Chenoweth	Funderburk	LaHood
Christensen	Ganske	Largent
Chrysler	Gekas	Latham
Clement	Geren	LaTourette
Clinger	Gilchrest	Laughlin
Coble	Gillmor	Lazio
Coburn	Gilman	Leach
Collins (GA)	Goodlatte	Lewis (CA)
Combest	Goodling	Lewis (KY)
Condit	Gordon	Lightfoot
Cooley	Goss	Lincoln
Cox	Graham	Linder
Coyne	Gunderson	Livingston
Cramer	Gutknecht	LoBiondo
Crane	Hall (OH)	Longley

Lucas
Manzullo
Martini
Mascara
McCarthy
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Traficant
Tucker
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Wilson
Wise
Wolf
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—117

Abercrombie
Andrews
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
DeLauro
Dellums
Deutsch
Dingell
Dixon
Doggett
Durbin
Engel
Evans
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gutierrez
Hamilton
Hastings (FL)
Hinchey
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E.B.
Johnston
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Matsui
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Nadler
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Rangel
Reed
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Tejeda
Thompson
Torricelli
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Whitfield
Woolsey
Wynn

NOT VOTING—36

Ackerman
Baker (LA)
Baldacci
Bono
Clay
Collins (MI)
Costello
Dickey
Fields (TX)
Gallegly
Gibbons
Green
Greenwood
Hefner
LaFalce
Lipinski
Martinez
McCrery
Moakley
Moran
Neumann
Parker
Pryce
Reynolds
Richardson
Rose
Scarborough
Shuster
Smith (TX)
Tauzin
Torres
Volkmer
Ward
Watts (OK)
Williams
Yates

□ 2304

The Clerk announced the following pairs:

On this vote:

Mr. Watts of Oklahoma for, with Mr. Richardson against.

Mr. Greenwood for, with Mr. Moakley against.

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

Messrs. BASS, ZELIFF, and DEFAZIO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENTS OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer amendments, and I ask unanimous consent that they be considered en bloc.

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

There was no objection.

The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments is as follows:

Amendments offered by Mr. SANDERS: Page 37, line 19, strike ''$55,982,000'' and insert ''$53,919,000''.

Page 75, strike line 14 through 17, and insert ''For expenses necessary for the Advisory Council on Historic Preservation, $3,063.000''.

Mr. SANDERS. Mr. Chairman, this amendment is very simple, and I want to move it quickly. It transfers $2 million from the salary and expenses of the Department of the Interior into the Council for Historic Preservation. This is a relatively small sum of money, but it is extremely important for historic preservation.

Without this amendment, the bill provides for the elimination of the Advisory Council for Historic Preservation. This amendment saves the Council and funds it at the level requested by the Clinton administration. The Council plays an essential role in historic preservation when the Federal Government's actions, like plans to build a highway, threaten historic preservation.

When the Federal Government's actions, like plans to build a highway, threaten historic properties, there is a consultation procedure that promotes input from the local community preservation interests and private property interests. Without the Advisory Council, special interests would have too great a voice in the process.

The Council is extremely important, because many federally funded projects have a potentially devastating impact on our historical and cultural resources. Thanks to the Advisory Council, historical landmarks throughout the Nation have been rehabilitated rather than replaced. But today, Federal projects threaten many sensitive historic buildings and districts. Those communities have a right to be heard, and that is what this amendment is all about.

This is an issue of balance. Special interests with goals that are inconsistent with historic preservation already have a significant advantage. They have the political clout to lobby the Federal Government and trample on local community interests. We need to continue allowing the communities to have a voice, and that is what this amendment is about.

Mr. Chairman, everyone benefits from historic preservation. In a rapidly changing world, it is imperative for our children to understand their roots, how their communities evolved, and where they came from. What this amendment does is transfer $2 million from the bureaucracy into a council that has historically done an excellent job, and I would urge the support of my colleagues for this.

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

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

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, it is late in the night. The gentleman is bringing a very important amendment to the House. I think most Members are not probably aware of what the Advisory Council on Historic Preservation does, but, as the gentleman has pointed out, they work as an interagency function.

As an example, when we were having difficulties with NASA in some structures that had historic importance with regards to our entire culture in development of the space age, they intervened and worked out and negotiated an agreement between the agencies. They had a high-profile organization with various appointments, individuals very often that are distinguished, that many times are professionals and an excellent staff. They have just done a tremendous amount of work in terms of the national government and the agencies that we have and, of course, in terms of training.

Now, as I said earlier, if the gentleman would continue to yield, our State Historic Preservation Officers are really carrying out national policy with regards to historic standards. What this agency has done is, of course, set up training programs, which keeps them abreast of many of the issues and negotiates settlements. For the amount of dollars, obviously, it is a difficult amendment, because it removes money from our beloved Secretary of Interior, Bruce Babbitt's shop. But, nevertheless, I think that he does not necessarily have always the support. The Park Service does not have the high-profile position, but this organization, these appointments have served us many times over.

So I know that my colleagues face difficult decisions here. I think this is one that we would do well to keep, considering the scarce dollars we have and how we can best stretch that to meet these needs. They are fulfilling a good function. I would hope my colleagues, in spite of the late hour, would listen to the amendment.

Mr. Chairman, I think this underlines and provides a very important Federal function between our agencies

and between our States with the Federal statement.

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

□ 2310

I am somewhat surprised at my colleagues from the other side of the aisle wanting to give this vote of no confidence in their Secretary of the Interior. But apparently that is what the thrust of this would be.

Mr. DICKS. If the gentleman would yield, he might help pass this amendment if he keeps putting that out.

Mr. REGULA. I would point out our subcommittee reduced the office of the Secretary more than 13 percent below the enacted level of $62.5 million, and this is one of the highest cuts proportionally that we took, and I do not think it is fair to the Secretary to take any more.

Now, that is on the side of where the money is coming from. Where is it going? It is going, as proposed in the gentleman's amendment, to the Advisory Council on Historic Preservation, nice to have, nice to do, but not needed, because the law very clearly says that every agency has to take into account the impact of its activities on the historic resources.

They already have to do it by law. Sure, they can get an advisory council to do some paper and send it over. They do not have to pay any attention to it. The law does not require that they do anything with the advice they are given by the advisory council, and people enjoy serving on the advisory council, and it is nice to have, but it is $3 million.

As we went through the list of priorities, we felt that this is something we can live without. If we had lots more money, that would be one thing, but I do not want to penalize the Secretary of the Interior any further than we have already. He has a lot of responsibilities, and I would think that the gentleman from Minnesota certainly would not want to do that to his Secretary.

Mr. VENTO. If the gentleman would yield, I appreciate the gentleman's defense of my beloved Secretary Bruce Babbitt. I must say, though, that, and I hope that we can rectify some of the cuts and make adjustments in terms of providing for the opportunity for the advisory council, I think we have to look at the record in terms of the work that this council has done. This has been a working council. This has not been an honorific. These are important works; in other words in the absence of their work, many agreements that we have had between the agencies simply would not have taken place.

So I do not think we want to underestimate the work that they have done and that agencies will do this on their own. Yet they will not.

Mr. REGULA. Reclaiming my time, I think, as the gentleman has pointed out, it is nice to have, but there are a lot of things that are nice to have. Here is an opportunity to save, in this round, $2 million. We leave them a million to close out. In the future we will be saving $3 million year after year after year, and that is what we are trying to do in this bill is to get on a glide path to savings that will benefit the taxpayers.

They have no statutory responsibilities. It is nice to have, but we do not think it is nearly as important as having the money in the Secretary's office to administer the huge agency that is known as the Department of the Interior, and we strongly oppose this amendment.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Sanders amendment, and let me say I am going to keep my remarks very brief.

But I think this is a very significant amendment. By protecting and continuing the Advisory Council on Historic Preservation, we will be supporting local historic preservation. In my view, this is extremely important because this is the sort of activity that protects our cultural treasures. We are voting tonight, if we vote for this amendment, for our historical buildings and properties, for our archaeological sites, for our cultural districts, and for a council which has demonstrated that it can be a catalyst for local preservation efforts.

May I note that this amendment provides no additional cost to the taxpayers. What we are doing is transferring resources for the bureaucrats to historic preservation, and I think that is very important.

I urge my colleagues to support this amendment.

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

Mr. Chairman, I think everything has been said except for one thing. This is not a huge advisory council, and maybe that is one reason why many Members have never heard of it. They do not think what it does is very significant.

If you live in an area where there is a big historic preservation movement or even a small one, this advisory council is there. Their work is very important, and I do support the amendment and appreciate the gentleman for offering it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and this were—ayes 267, noes 130, not voting 37, as follows:

[Roll No. 511]

AYES—267

Abercrombie
Andrews
Bachus
Baesler
Barcia
Barr
Barrett (WI)
Bartlett
Bateman
Becerra
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blute
Boehlert
Boehner
Bonior
Borski
Boucher
Brewster
Browder
Brown (OH)
Bryant (TX)
Bunning
Callahan
Calvert
Castle
Chambliss
Chapman
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Combest
Condit
Conyers
Coyne
Cramer
Cremeans
Cunningham
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Farr
Fattah
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Geren
Gilchrest
Gilman
Gonzalez
Gordon
Goss
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastings (FL)
Hayes
Hefley
Heineman
Hilliard
Hobson
Holden
Horn
Houghton
Hyde
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnston
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kingston
Kleczka
Klink
Klug
Knollenberg
LaHood
Lantos
LaTourette
Laughlin
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martini
Mascara
McCarthy
McCollum
McDermott
McHale
McHugh
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Morella
Nadler
Neal
Ney
Oberstar
Ortiz
Orton
Owens
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Quillen
Quinn
Rahall
Ramstad
Reed
Riggs
Rivers
Roberts
Roemer
Rogers
Ros-Lehtinen
Roybal-Allard
Rush
Sanders
Sanford
Sawyer
Schaefer
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stupak
Talent
Tanner
Taylor (MS)
Tejeda
Thomas
Thompson
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Waldholtz
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weldon (PA)
Weller
Whitfield
Wilson
Wise
Woolsey
Wyden
Wynn
Young (AK)
Young (FL)
Zimmer

NOES—130

Allard
Archer
Armey
Baker (CA)
Ballenger
Barrett (NE)
Barton
Bass
Beilenson
Bevill
Bliley
Bonilla
Brown (CA)
Brown (FL)
Brownback

Bryant (TN)
Bunn
Burr
Burton
Buyer
Camp
Canady
Cardin
Chabot
Chenoweth
Christensen
Chrysler
Coburn
Cooley
Cox
Crane
Crapo
Cubin
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Ensign
Ewing
Fawell
Fazio
Frank (MA)
Frisa
Funderburk
Ganske
Gekas
Gephardt
Gillmor
Goodlatte
Goodling
Graham
Gunderson
Hancock
Hastert
Hastings (WA)
Hayworth
Herger
Hilleary
Hinchey
Hoekstra
Hoke
Hostettler
Hoyer
Hunter
Hutchinson
Inglis
Johnson, Sam
Kasich
King
Kolbe
Largent
Latham
Lazio
Livingston
Lucas
Manzullo
Matsui
McDade
McInnis
Miller (CA)
Moorhead
Moran
Myers
Myrick
Nethercutt
Norwood
Nussle
Obey
Olver
Oxley
Packard
Pallone
Paxon
Petri
Pombo
Porter
Portman
Poshard
Radanovich
Rangel
Regula
Rohrabacher
Roth
Roukema
Royce
Sabo
Salmon
Saxton
Seastrand
Shadegg
Skeen
Smith (MI)
Smith (WA)
Stockman
Stokes
Studds
Stump
Tate
Taylor (NC)
Thornberry
Vucanovich
Walker
Weldon (FL)
White
Wicker
Wolf
Zeliff

NOT VOTING—37

Ackerman
Baker (LA)
Baldacci
Bono
Clay
Collins (MI)
Costello
Fields (TX)
Gallegly
Gibbons
Green
Greenwood
Harman
Hefner
Istook
LaFalce
Lipinski
Martinez
McCrery
Moakley
Murtha
Neumann
Parker
Pryce
Reynolds
Richardson
Rose
Scarborough
Shuster
Smith (TX)
Stark
Tauzin
Volkmer
Ward
Watts (OK)
Williams
Yates

□ 2333

The Clerk announced the following pair:

On this vote:

Mr. Watts of Oklahoma for, with Mr. Bono against.

Messrs. LONGLEY, CHAMBLISS, and CREMEANS changed their vote from ''no'' to ''aye.''

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

So the amendments were agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MICA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MICA: Page 17, line 21, strike ''$14,300,000'' and insert ''$29,300,000''.

Page 18, line 25, strike ''$686,944,000'' and insert ''$671,944,000''.

Mr. MICA. Mr. Chairman, it is really a great honor and privilege to serve in Congress, but it is also an important responsibility. And tonight as we conclude our work on the Department of the Interior appropriations bill, we make a bunch of choices. We decide whether we are really going to do things because we are dealing with the people's moneys and expenditures of public funds.

Tonight we decide whether we are going to spend money on administration. Tonight we decide whether we are going to spend money on studies. Tonight we decide whether we are going to spend money on various new programs.

My amendment simply takes $15 million from the USGS, U.S. Geological Survey, which has an increase of $112 million in this budget over the previous years expenditures and says, we will put this into the State/Federal land acquisition fund.

Earlier tonight we had 177 votes for people who believed in a State and Federal acquisition land program.

This is not a Federal land acquisition. This is the money when you come to the Department of the Interior and they say there are no funds. But let me tell you what you will have if we do not pass my amendment. You will have studies—and I have nothing against the U.S. Geological Survey and their responsibilities since 1879 to conduct studies, and if we expand it another $100 million. I am only taking a small amount of that money for a purpose that I think is reasonable.

Let me ask you, what will we do, 10, 20 years from now? Will we take our children and grandchildren to Florida or to Nevada or to your State, California or wherever and say, my son, my daughter, my grandson, my granddaughter, look at this beautiful study. We set the priorities for this Congress. They have increased the studies and funding for studies by $112 million, whether it is biological survey, whether it is studies for the USGS.

We could line up our children and say, look at the beautiful trucks. We made a decision on vehicles and airplanes tonight. We are making a decision on whether there will be resources.

On the Republican side, the majority side, we have said, let us give responsibilities to State and local government, and let me tell you what this bill says. There are no funds provided for State grant programs. Read it. Get the bill. If all else fails, read the bill, page 39.

I tell you, when your State and your local governments come to you or when you have a project and come to the Department of the Interior and they say there are no funds, this $15 million transfer, we are not cutting anything, it is a transfer, set some priorities. So we have an opportunity tonight and a responsibility to set those priorities.

So my State does not have another five years. My state and my districts do not have another five years. Maybe you come from some of those areas. Out of the millions and billions of dollars that we are, if we cannot put $15 million in the priority of state funding for these projects, there is something wrong.

This amendment will not deny access to anyone. This will not spend a penny on any lands that the people do not want or the State or localities do not want purchased.

I am telling my colleagues that this provides a very limited resource and a very limited amount for a very noble purpose of which every one of you have an important interest.

It will protect land for the future. I cannot change the priorities of the Congress in this bill and redirect money for foreign aid or agricultural subsidies. But tonight you and I can decide whether there are State funds and $15 million out of billions and billions of appropriations. Would it not be a sad commentary on this House of Representatives if we walked away from here and said that there is not one cent, according to this bill, and again read it, this is the language for state acquisition of public lands.

So my colleagues, I urge the adoption of this amendment. I thank you for your consideration and the late hour.

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

Mr. Chairman, first of all, for the Members' information, I believe this will be the last amendment and the last vote. There is one additional amendment, and we are going to accept that amendment.

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

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

Mr. DICKS. That is correct. This will be the last one that we will be asking for a vote on.

Mr. REGULA. Secondly, I want to thank all the Members for their patience today. It has been difficult, but we have dealt with a lot of very challenging policy issues. I think we have tried to deal with them in a fair way; you win some and you lose some, but that is the way democracy should work.

Now, let us address this amendment.

We had over 400 letters from Members requesting something, almost every Member in this body, we had 150 Members request land acquisition projects, 150. We denied them all. But now we are being asked to give just one out of 150. If we yield to this one, we will have 149 requests later on that we are supposed to meet.

Let me tell you where the money is coming from. USGS, United States Geologic Survey. What do they do, earthquake research, geology research. They provide enormous amounts of scientific advice to many different agencies, and we are being asked to take $15 million out of this agency for one land acquisition, even though we have had requests from 150 Members.

The Committee on the Budget clearly said a moratorium on land acquisition. We have tried to respond to that because that became the policy by a vote of this body. I would point out that this money goes essentially to the State of Florida.

The State of Florida should be responsible for their own projects. I am

not questioning the merits of the land acquisition. I am simply saying that, under the circumstances, this is not a good policy and would not be fair to the other 149 Members that we have had to deny land acquisition projects.

Mr. DICKS. Mr. Chairman, if the gentleman will continue to yield, I would urge all of my colleagues on this side of the aisle to support the gentleman from Ohio, Chairman REGULA, in opposition to this amendment. He is absolutely right. We turned down every single individual. We had at least 150, maybe more Members who requested land acquisition funds. We said no to everyone because we just did not have the money. We had to cut this thing back that far.

To make it out of the U.S. Geological Survey, which does earthquake research, deals with volcanoes, deals with some of the most seismic disturbances all over this country. In my judgment that is, and we have already cut it back.

□ 2340

I would say please, on this one, stay with the chairman, let us vote ''no'' and go home.

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

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

Mr. MICA. Mr. Chairman, I would ask the gentleman, is it not true that this bill provides $6.8 million for land acquisition management, and so we have money for management and administration, and yet we do not have funds for this? Is it not also true that this does not provide any money or guarantee for my State, it provides an opportunity for every one of the 149 Members or whoever came and asked for this? Is it not true in fact that this set a priority and an obligation of this Congress to commit some of these funds for this purpose for the entire country?

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

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

Mr. DICKS. Mr. Chairman, let me just make another point here. We asked the Park Service, can we do it? What the gentleman is asking us to do is give money to the Park Service and then make a grant to the State of Florida. The Park Service says it has no legal authority to do that, so we are going to take money away from the U.S. Geological Survey, and legally we cannot even do what the gentleman is asking us to do, so let us please, please, defeat this amendment.

Mr. REGULA. Reclaiming my time, just one point, one additional fact, Mr. Chairman. That is that the USGS does the mapping for this Nation, they did the mapping for the Department of Defense during Desert Storm, it is a vital agency, and I think it is a great mistake to take money from them. We have already cut them, and to cut more would be irresponsible.

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

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

Mr. ALLARD. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I am speaking on behalf of myself and as a member of the Committee on the Budget. Regretfully, I stand in opposition to the amendment by my friend, the gentleman from Florida, because we worked hard in the Committee on the Budget trying to get to a balanced budget amendment by 2002.

The task force which I chaired dealt with natural resources and agriculture and research. We said one thing you do not do when you are going broke is you do not build new buildings, you do not acquire new land. We put some restrictions on this. I would just ask for a ''no'' vote on this amendment that basically earmarks an acquisition of land.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MICA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FALEOMAVAEGA

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

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FALEOMAVAEGA: Page 29, line 15, strike ''*Provided further,*'' and all that follows through ''November 30, 1997:'' on line 18.

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

Mr. FALEOMAVAEGA. Mr. Chairman, this is a noncontroversial amendment. It has the support of the majority, and of the distinguished gentleman from Ohio [Mr. REGULA] from the Subcommittee on Interior of the Committee on Appropriations.

Mr. Chairman, as the ranking member of the House Resources Subcommittee on Native American and Insular Affairs, I rise to offer this amendment on behalf of myself, Mr. RICHARDSON, and Mr. WILLIAMS, to hold the Bureau of Indian Affairs to a May 31, 1996, deadline to report to Congress on the status of Indian Trust Fund Accounts.

Mr. Chairman, the Indian Trust Fund Accounts, the trustee of which is the U.S. Government, have been a disaster. In good faith, the American Indian tribes agreed to permit the U.S. Government to invest the profits from certain oil and gas leases on Indian lands in trusts. These funds were to be used for the benefits of the tribes. In what I consider to be probably the biggest disgrace of this country's history, the Bureau of Indian Affairs managed to lose records or misallocate profits to such an extent that one of the major professional accounting firms has not yet been able to determine the status of these accounts after 4 years, and 20 million dollars' worth of investigations and review.

Mr. Chairman, enough is enough. The Indian tribes and Congress have already been patient for too long. If the BIA cannot find the records after 4 years of looking, they are probably not going to find them in an additional 18 months. Congress, and the Resources Committee in particular, need this report to make a policy decision on how best to proceed, given the current status of the trust accounts, whatever the status might be.

Many of us on both sides of the aisle have been working on the problems of Indian trust funds for several years. Just last November we passed the American Indian Trust Fund Reform Act of 1994. This act requires that a special trustee for trust funds be named to overhaul the manner in which these funds are managed.

Further, this act calls for the BIA to submit a report to Congress by May 31, 1996, on the reconciliation activities being conducted.

The date of May 31, 1996, was added to the legislation at the request of the Department of the Interior and is more than adequate. By May 1996 we will know if these accounts can be reconciled or not. It is a waste of time and money to continue to extend this process and it is unfair to the Indian tribes who have shown an abundance of restraint throughout.

Mr. Chairman, let's not extend this embarrassing situation any longer. Let's ensure that the various Indian tribes which have been waiting for an accounting of these trusts do not feel compelled to sue the U.S. Government for the financial information to which they are entitled.

Mr. Chairman, I commend my colleagues on the Appropriations Committee, both Mr. YATES and Mr. REGULA, who have been trying to come to grips with this problem for the past several years. I want to earnestly thank the gentlemen for their support on this proposed amendment because I believe this amendment will give the Bureau of Indian Affairs the time it needs to wrap up the reconciliation process and provide Indian tribes and the Congress with the information needed to determine what we need to do thereafter.

I urge my colleagues to support this amendment.

Mr. RICHARDSON. Mr. Chairman. By October 1 of this year we will have spent almost $20 million in 4 years on an attempt by the Bureau of Indian Affairs to reconcile tribal trust fund accounts. These accounts are comprised mostly of earnings from tribal leases of oil and gas, agriculture, and grazing leases. The BIA is responsible for investing these funds and managing the accounts.

For years these accounts have been mismanaged and the BIA can not even tell the account holders the balance of their accounts. As the legal trustee to these accounts, which total over $1 billion, this leaves the U.S. extremely vulnerable to liability charges.

The BIA entered into a contract with the accounting firm of Arthur Anderson to conduct a reconciliation of tribal accounts and this Congress has supported that process. The preliminary reports are that they will be unable to reconcile most accounts as they have encountered numerous instances of lost documentation.

Many of us on both sides of the aisle have been working on the problems of Indian trust funds for several years. Just last November we passed the American Indian Trust Fund Reform Act of 1994. This act requires that a special trust for trust funds be named to overall the manner in which these funds are managed. Further, this act calls for the BIA to submit a report to Congress by May 31, 1996 on the reconciliation activities being conducted.

This report will tell us which accounts have been reconciled and which could not be. With this knowledge Congress can determine the best and most cost effective process to resolve unreconcilable accounts.

The date of May 31, 1996 was added to the legislation at the request of the Department of the Interior and is more than adequate. By May of 1996 we will know if these accounts can be reconciled or not. It is a waste of time and money to continue to extend this process and it is unfair to the Indian Tribes who have shown an abundance of restraint throughout.

I commend my colleagues on the Appropriations Committee, both Mr. YATES and Mr. REGULA, who have bee with me side by side trying to come to grips with this problem for the past several years. I hope you can support me on this one because I believe this amendment will give the Bureau of Indian Affairs the time it needs to wrap up the reconciliation process and provide Indian Tribes and Congress with the information needed to determine the next step.

I urge my colleagues to support The Richardson/Faleomavaega amendment.

Mr. WILLIAMS. Mr. Chairman, I rise today in strong support of the amendment of my colleague striking the date November 30, 1997 as the deadline for the reconciliation report to be submitted by the Bureau of Indian Affairs.

This extension flies in the face of the Trust Funds Management Legislation that became law in 1994. This legislation represented another step in a long journey to restore the covenant between the Federal Government and Native Americans. While the Bureau of Indian Affairs has been authorized to invest Indian trust funds since 1918, it was not until 48 years had passed—in 1966—that the agency began exercising its full investment authority in terms of Indian monies.

Like so much of the relationship between Indian Tribes and the Federal Government, the management of Indian trust funds is replete with mismanagement, lack of accountability, malfeasance and broken promises. As a result of this management hundreds of million dollars in tribal trust funds and individual Indian monies remain unaccounted for, the trust funds legislation recognized that problem and provided a remedy for the hemorrhaging of Indian monies.

But now the Interior Appropriations Committee has decided that the loss of Indian monies really is not that important and that the BIA should be given an additional year and a half beyond the date required by the trust funds legislation to complete the reconciliation report relating to the amount of Indian monies that remain unaccounted for.

This extension seems particularly incongruous in light of the tenor of this Congess—every penny counts—yet the message out of the Interior Appropriations Committee is that every penny counts unless its Indian money.

Please join me in supporting this amendment deleting the extension of the trust funds reconciliation report.

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

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

Mr. REGULA. Mr. Chairman, I accept the amendment.

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

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

Mr. DICKS. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from American Samoa [Mr. FALEOMAVAEGA].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST RESEARCH

For necessary expenses of forest research as authorized by law, $182,000,000, to remain available until September 30, 1997.

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 pest management activities, cooperative forestry and education and land conservation activities, $129,551,000, to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, for ecosystem planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads ''Forest Research'', ''State and Private Forestry'', ''National Forest System'', ''Construction'', ''Fire Protection and Emergency Suppression'', and ''Land Acquisition'', $1,276,688,000, to remain available for obligation until September 30, 1997, and including 65 per centum of all monies received during the prior fiscal year 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 and unexpended balances in the National Forest System account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 National Forest System appropriation, and shall remain available for obligation until September 30, 1997: *Provided further,* That up to $5,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed.

FIRE PROTECTION AND EMERGENCY SUPPRESSION

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to National Forest System lands or other lands under fire protection agreement, and for emergency rehabilitation of burned over National Forest System lands, $385,485,000, to remain available until expended: *Provided,* That unexpended balances of amounts previously appropriated under any other headings for Forest Service fire activities may be transferred to and merged with this appropriation: *Provided further,* That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes.

CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, $120,000,000, to remain available until expended, for construction and acquisition of buildings and other facilities, and for construction and repair of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided,* That funds becoming available in fiscal year 1996 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury of the United States: *Provided further,* That not to exceed $50,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $14,600,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

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

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

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

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 183 passenger motor vehicles of which 32 will be used primarily for law enforcement purposes and of which 151 shall be for replacement; acquisition of 22 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 20 aircraft from excess sources; 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; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant

to the Act of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry in the United States Senate and the Committee on Agriculture in the United States House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the Fire and Emergency Suppression appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over lands under its jurisdiction: *Provided*, That no funds shall be made available under this authority until funds appropriated to the ''Emergency Forest Service Firefighting Fund'' shall have been exhausted.

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 103–551.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to disseminate program information to private and public individuals and organizations through the use of nonmonetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private individuals and organizations that make contributions to Forest Service programs.

Notwithstanding any other provision of law, money collected, in advance or otherwise, by the Forest Service under authority of section 101 of Public Law 93–153 (30 U.S.C. 185(1)) as reimbursement of administrative and other costs incurred in processing pipeline right-of-way or permit applications and for costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities, may be used to reimburse the applicable appropriation to which such costs were originally charged.

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

None of the funds available in this Act shall be used for timber sale preparation using clearcutting in hardwood stands in excess of 25 percent of the fiscal year 1989 harvested volume in the Wayne National Forest, Ohio: *Provided*, That this limitation shall not apply to hardwood stands damaged by natural disaster: *Provided further*, That landscape architects shall be used to maintain a visually pleasing forest.

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 (note), 2101–2110, 1606, and 2111.

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

Notwithstanding any other provision of law, the Forest Service is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even aged management in hardwood stands in the Shawnee National Forest, Illinois.

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

None of the funds available in this Act shall be used for any activity that directly or indirectly causes harm to songbirds within the boundaries of the Shawnee 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, $384,504,000, to remain available until expended: *Provided*, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER OF FUNDS)

Monies received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1995, shall be deposited in this account and immediately transferred to the General Fund of the Treasury. Monies received as revenue sharing from the operation of the Great Plains Gasification Plant shall be immediately transferred to the General Fund of the Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserve activities, $151,028,000, to remain available until expended: Provided, That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 1996.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $552,871,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1996 determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502), and of which $16,000,000 shall be derived from available unobligated balances in the Biomass Energy Development account: *Provided*, That $133,946,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99–509 such sums shall be allocated to the eligible programs as follows: $107,446,000 for the weatherization assistance program and $26,500,000 for the State energy conservation program.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, $6,297,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

(INCLUDING TRANSFER OF FUNDS)

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.), $287,000,000, to remain available until expended, of which $187,000,000 shall be derived by transfer of unobligated balances from the ''SPR petroleum account'' and $100,000,000 shall be derived by transfer from the ''SPR Decommissioning Fund'': *Provided*, That notwithstanding section 161 of the Energy Policy and Conservation Act, the Secretary shall draw down and sell up to seven million barrels of oil from the Strategic Petroleum Reserve:

SPR PETROLEUM ACCOUNT

Notwithstanding 42 U.S.C. 6240(d) the United States share of crude oil in Naval Petroleum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of to other than the Strategic Petroleum Reserve: *Provided*, That outlays in fiscal year 1996 resulting from the use of funds in this account shall not exceed $5,000,000.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $79,766,000, to remain available until expended: *Provided*, That notwithstanding Section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)) or any other provision of law, funds appropriated under this heading hereafter may be used to enter into a contract for end use consumption surveys for a term not to exceed eight years: *Provided*

further, That notwithstanding any other provision of law, hereafter the Manufacturing Energy Consumption Survey shall be conducted on a triennial basis.

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.

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, $1,725,792,000 together with payments received during the fiscal year pursuant to 42 U.S.C. 300aaa–2 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 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That $12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further,* That $351,258,000 for contract medical care shall remain available for obligation until September 30, 1997: *Provided further,* That of the funds provided, not less than $11,306,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act, as amended: *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 be available for two fiscal years after the fiscal year in which they were collected, 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 of the funds provided, $7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: *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, 1997: *Provided further,* That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act, as amended, shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

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 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 environmental health and facilities support activities of the Indian Health Service, $236,975,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902); and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided,* That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–53) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further,* That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended: *Provided further,* That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further,* That the Indian Health Service shall neither bill nor charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy: *Provided further,* That, notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by Title I of the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under Title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further,* That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further,* That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses for the orderly closure of the Office of Indian Education, $1,000,000.

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, $21,345,000, 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 (20 U.S.C. 4401 et seq.), $5,500,000.

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 thirty years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; $309,471,000, of which not to exceed $32,000,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended and, including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: *Provided,* That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, $3,000,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings 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, $24,954,000, to remain available until expended: *Provided,* That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings 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, $12,950,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, a single procurement for the construction of the National Museum of the American Indian Cultural Resources Center may be issued which includes the full scope of the project: *Provided further,* That the solicitation and the contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232.18.

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, $51,315,000, 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 $5,500,000, 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, $9,800,000.

CONSTRUCTION

For necessary expenses of capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $8,983,000, 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, $6,152,000.

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 Humanities Act of 1965, as amended, $82,259,000 subject to passage by the House of Representatives of a bill authorizing such appropriation shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.

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, $17,235,000 subject to passage by the House of Representatives of a bill authorizing such appropriation, to remain available until September 30, 1997, to the National Endowment for the Arts, of which $7,500,000 shall be available for purposes of section 5(p)(1): *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $82,469,000 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 September 30, 1997.

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, $17,025,000, to remain available until September 30, 1997, of which $9,180,000 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 SERVICES

GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, $21,000,000, to remain available until September 30, 1997.

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.

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), $834,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended, $6,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses necessary for the orderly closure of the Advisory Council on Historic Preservation, $1,000,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V 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, $5,090,000: *Provided*, That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92–332 (86 Stat. 401), $48,000, to remain available until September 30, 1997.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

For necessary expenses for the orderly closure of the Pennsylvania Avenue Development Corporation, $2,000,000.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388, as amended, $28,707,000; of which $1,575,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's exhibition program shall remain available until expended.

Mr. REGULA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FOX of Pennsylvania) having assumed the chair, Mr. BURTON of Indiana, 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. 1977), making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

RECOMMENDATIONS OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. Doc. 104–96)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on National Security and ordered to be printed.

To the Congress of the United States:

I transmit herewith the report containing the recommendations of the Defense Base Closure and Realignment Commission (BRAC) pursuant to section 2903 of Public Law 101–510, 104 Stat. 1810, as amended.

I hereby certify that I approve all the recommendations contained in the Commission's report.

In a July 8, 1995, letter to Deputy Secretary of Defense White (attached), Chairman Dixon confirmed that the Commission's recommendations permit the Department of Defense to privatize the work loads of the McClellan and Kelly facilities in place or elsewhere in their respective communities. The ability of the Defense Department to do this mitigates the economic impact on those communities, while helping the Air Force avoid the disruption in readiness that would result from relocation, as well as preserve the important defense work forces there.

As I transmit this report to the Congress, I want to emphasize that the Commission's agreement that the Secretary enjoys full authority and discretion to transfer work load from these two installations to the private sector, in place, locally or otherwise, is an integral part of the report. Should the Congress approve this package but then subsequently take action in other legislation to restrict privatization options at McClellan or Kelly, I would regard that action as a breach of Public Law 101–510 in the same manner as if the Congress were to attempt to reverse by legislation any other material direction of this or any other BRAC.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 13, 1995.*

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–186) on the resolution (H. Res. 189) providing for the further consideration of the bill (H.R. 1977), making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT TO MONDAY, JULY 17, 1995

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next for morning hour debates.

The SPEAKER pro tempore. It there objection to the request of the gentleman from New York?

There was no objection.

□ 2350

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. SOLOMON. 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 (Mr. FOX of Pennsylvania). Is there objection to the request of the gentleman from New York?

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, JULY 26, 1995, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HIS EXCELLENCY KIM YONG-SAM, PRESIDENT OF THE REPUBLIC OF KOREA

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, July 26, 1995, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting his excellency Kim Yong-Sam, President of the Republic of Korea.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

[Mr. DIAZ-BALART addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

IN OPPOSITION TO FRENCH NUCLEAR TESTING IN THE SOUTH PACIFIC.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise again to protest France's intent

to resume nuclear testing on French Polynesia's Moruroa and Fangataufa coral atolls this September. French President Chirac's decision to detonate eight thermonuclear bombs in the South Pacific—one a month, with each up to 10 times more powerfull than the bomb that devastated Hiroshima—is a crime against nature and a violation of the basic human rights of 28 million men, women, and children of the Pacific to live in a clean, uncontaminated environment.

I cannot comprehend how President Chirac can say with a straight face that the equivalent of 800 Hiroshima bombs exploding in a short time on two tiny coral islands will have no ecological consequences. It doesn't take a rocket scientist to know that is pure baloney. I don't buy it, and neither does the world.

After detonating at least 187 nuclear bombs in the fragile marine environment of the South Pacific, France's desire to again resume the spread of nuclear poison has ignited a firestorm of international outrage and protest by the countries of the world.

Governments around the globe have strongly condemned France's decision. Our Nation in addition to Russia, Japan, Germany, Austria, Holland, Norway, Sweden, Finland, Belgium, Denmark, Italy, Switzerland, The Phillipines, Indonesia, Malaysia, Canada, Chile, Ecuador, Peru, Mexico, Australia, New Zealand, Fiji, and the 12 island nations of the South Pacific forum, have joined ranks in opposition to France's resumption of testing.

Just yesterday, French President Chirac was jeered by Members of Parliament while speaking before the European Union's Assembly. In a 331–74 vote, the European Parliament condemned France's plans to resume nuclear testing, noting that the tests threatened the ecology of the South Pacific around Moruroa Atoll, while undermining progress toward a global test ban treaty.

Mr. Speaker, public opinion polls in France have shown that the overwhelming majority of the French people—over 70 percent—oppose resumption of nuclear testing. There is simply no need to detonate nuclear bombs in the South Pacific, as top advisors to former French President Mitterand have attested recently that France could obtain needed information using computer simulation technology offered by the United States. Chirac, however, has cavalierly discarded this option in favor of developing an independent French simulation technology. Mr. Speaker, this same misplaced arrogance lead to the deaths of 300 French hemophiliacs from AIDS because the French Government refused to use proven American technology in order to develop their own blood test technology.

Mr. Speaker, in light of how controversial the matter is domestically in France, I would issue again an appeal to the world's most revered protector of the environment, Jacques Cousteau, to provide leadership for the good people of France to force their government to reconsider this senseless decision resuming nuclear testing in the Pacific.

Mr. Speaker, I would also challenge President Chirac on his statement that France's nuclear testing program in French Polynesia is harmless to the environment and would take him to his offer inviting scientists to inspect their testing facilities. If President Chirac is truly acting in good faith, then he should have no reservations in authorizing full and unrestricted access—before the resumption of tests in September—for an international scientific mission to conduct a serious independent and comprehensive sampling and geological study of Moruroa and Fangataufa Atolls. In conjunction with the monitoring, there should be a fully independent epidemiological health survey and full disclosure of the French data bases on environmental and health effects from nuclear testing.

Mr. Speaker, if French President Chirac is to be believed, then this should be an easy request to meet. Until he responds, however, I would urge our colleagues to support House Concurrent Resolution 80, legislation I have introduced calling upon the Government of France not to resume nuclear testing in the South Pacific.

Mr. Speaker, in case some of my colleagues may not have seen the photo as an example of a nuclear bomb explosion in the South Pacific. I want to share with my colleagues—once again—a nuclear explosion that took place on the Moruroa Atoll in French Polynesia.

Mr. Speaker, again a very colorful picture of a nuclear bomb explosion—but a very deadly sight on what will happen to the millions of fish, whales, dolphins, turtles—and every form of marine life that comes in contact with nuclear contamination as a result of the nuclear explosion.

Mr. Speaker, I also want to share with my colleagues a photograph showing the President of France—Mr. Chirac—not a popular man among his fellow European parliamentarians. Mr. Speaker, President Khol of Germany is against French nuclear testing in the Pacific, and so are most of the European nations.

Mr. Speaker, I submit what France is doing she's opening up a whole can of worms by encouraging, Mr. Speaker, encouraging nations like Iran, Iraq, Pakistan, North Korea and India to reexamine seriously their nuclear testing programs since France—as a member of the current nuclear family and UN Security Council—simply is telling these countries and all others, were going to explode eight more nuclear bombs—and if it means subjecting the indigenous tahitians to further nuclear contamination—to hell with them. Such arrogance Mr. Speaker!

Mr. Speaker, I have a deep and abiding respect for all the good citizens of France but I am appalled, disappointed, desmayed disgusted and simply outraged that the President of France has the mitigated gall to order his military people to explode eight more nuclear bombs in French Polynesia.

If there is ever a time—Mr. Speaker—that my Polynesian Tahitians cousins have at times described to me—out of utter frustration their dealings the men of France who head lead their government, the Tahitians would say. ''Farani taioro—Farani taioro!

[From the Wall Street Journal, July 13, 1995]

FRENCH NUCLEAR TESTS SPARK INTERNATIONAL PROTEST

(By Thomas Kamm)

PARIS.—Protests over France's decision to resume nuclear tests in the South Pacific are spreading, and the repercussions are hitting French companies, too.

And while the chorus of international protests is rising and calls for a boycott of French products are increasing, President Jacques Chirac is standing firm, denouncing environmental concerns as ''totally irrational with no scientific backing.''

Political analysts think Mr. Chirac is in a bind. He apparently misperceived the international impact of his decision to resume underground nuclear testing at the French Pacific atoll of Mururoa in September. Now, however, he knows that decision is widely unpopular—though far more so abroad than at home.

At the same time, with his government under fire at home for its cautious economic approach and with Prime Minister Alain Juppe enmeshed in a scandal over the allotment of public housing, a climb-down on the nuclear issue could badly damage Mr. Chirac's credibility only two months after he took office.

''He can't change his mind, because he would look ridiculous,'' says Dominique Moisi, associate director of the French Institute for International Relations. ''But France will be blocked for months on the international scene. Every time the president speaks, there will be protest banners and catcalls.''

Italian President Oscar Luigi Scalfaro is the latest to join the outcry against the nuclear testing, yesterday urging Mr. Chirac to reconsider his decision. ''Nothing is more intelligent than to listen to other people's beliefs when they are expressed so unanimously,'' he said.

His comments can one day after Mr. Chirac was loudly booed by left-wing and Green members of the European Parliament during a speech in Strasbourg, France. The Parliament building was bedecked with banners bearing statements such as ''Less arrogance in the Pacific, more courage in Bosnia,'' a reference to the French navy's seizure Sunday of a Greenpeace ship in French waters in the Pacific. Later Mr. Chirac was told by German Chancellor Helmut Kohl that the decision to carry out eight underground nuclear tests had ''provoked violent public reaction in Germany and elsewhere.''

Meanwhile, calls for a boycott of French products are spreading from Australia and New Zealand to Europe. Yesterday, German, Norwegian and other northern European environmental and political groups called for a boycott of French products.

Estee Lauder Inc., the U.S. cosmetics company, was concerned enough about a boycott in Australia that it issued a statement there stressing that it is not French. ''It has come to our attention that a number of people are under the assumption that the Estee Lauder companies are French in origin. That is certainly not true,'' the cosmetics group said.

At least one French company has already been dealt a setback. Lemaitre Securite, a maker of industrial safety shoes, says a licensing deal it signed in March with Austrialia's Dunlop Footwear is on the verge of falling through because its Australian partner says the climate isn't conducive to marketing French products. ''French companies shouldn't pay the price of Tarzan's games,'' says Lemaitre's chairman, Jean-Michel Heckel. Tarzan, he says, is Mr. Chirac.

His comment reflects a widespread feeling in France that Mr. Chirac's decision was based more on political concerns than military ones. Mr. Chirac says the nuclear tests are necessary to ensure the efficiency and safety of France's weapons stockpiles, but he vows that France will join the U.S., Britain, China and Russia in signing a permanent test ban treaty by Sept. 30, 1996.

Many analysts believe the Gaullist Mr. Chirac resumed the tests to differentiate himself from his predecessor, Socialist Francois Mitterrand. In the process, he appears to have underestimated the backlash, and his decision, coupled with his tough talk on Bosnia, gives the appearance of grandstanding.

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The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under a previous order of the House, the gentleman from Alabama [Mr. HILLIARD] is recognized for 5 minutes until midnight.

[Mr. HILLIARD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes until midnight.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes until midnight.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TAUZIN (at the request of Mr. GEPHARDT), for today, on account of illness.

Miss COLLINS of Michigan (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of medical reasons.

Mr. VOLKMER (at the request of Mr. GEPHARDT), for today after 6 p.m., on account of illness of spouse.

Mr. HEFNER (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of illness.

Mr. WILSON (at the request of Mr. GEPHARDT), for today after 8:15 p.m., on account of family emergency.

Mr. FIELDS of Texas (at the request of Mr. ARMY), for today, on account of attending a funeral.

Mr. BONO (at the request of Mr. ARMEY), for today, on account of illness.

Mr. GREENWOOD (at the request of Mr. ARMEY), for today after 5 p.m., on account of official business.

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:)

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. HILLIARD, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

(The following Members (at the request of Mr. GILCHREST) to revise and extend their remarks and include extraneous material:)

Ms. ROS-LEHTINEN, for 5 minutes, July 18.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MCNULTY) and to include extraneous matter:)

Mr. STOKES.
Mr. UNDERWOOD.
Mrs. SCHROEDER.
Mr. BROWDER.
Mr. GEJDENSON.
Ms. HARMAN.
Mr. RICHARDSON.
Mr. POSHARD.
Mr. BARCIA.
Ms. WOOLSEY.
Mr. MENENDEZ.
Mr. MARKEY.
Mr. FOGLIETTA.
Mr. JACOBS.
Mr. FARR.

(The following Members (at the request of Mr. GILCHREST) and to include extraneous matter:)

Mr. POMBO.
Mr. FUNDERBURK.
Mrs. CUBIN.
Mr. SHAW.
Mr. ISTOOK.
Mrs. ROUKEMA.
Mr. ALLARD.
Mr. PACKARD.
Mr. ENGLISH of Pennsylvania.
Mr. RADANOVICH.
Mr. KIM.
Ms. ROS-LEHTINEN.
Mr. GILMAN.

ADJOURNMENT

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 midnight), under its previous order, the House adjourned until Monday, July 17, 1995, at 10:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1191. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the Secretary of Agriculture to expand and streamline a distance learning and telemedicine program by providing for loans and grants and to authorize appropriations for business telecommunications partnerships, pursuant to 31 U.S.C. 1110; to the Committee on Agriculture.

1192. A letter from the Under Secretary for Acquisition and Technology, Department of Defense, transmitting a copy of a report entitled, ''New Attack Submarine: Live Fire Test and Evaluation Management Plan for Milestone II,'' pursuant to 10 U.S.C. 2366(c)(1); to the Committee on National Security.

1193. A letter from the Secretary, Department of Health and Human Services, transmitting draft of proposed legislation entitled, ''Older Americans Act Amendments of 1995''; to the Committee on Economic and Educational Opportunities.

1194. A letter from the Secretary of Energy, transmitting the Department's report entitled, ''Encouraging the Purchase and Use of Electricmotor Vehicles,'' pursuant to Public Law 102–486, section 615(b) (106 Stat. 2903); to the Committee on Commerce.

1195. A letter from the Secretary of Energy, transmitting the Department's 30th quarterly report to Congress on the status of Exxon and stripper well oil overcharge funds as of March 31, 1995; to the Committee on Commerce.

1196. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 95–23), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1197. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Australia for defense articles and services (Transmittal No. 95–30), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1198. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 95–32), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1199. A letter from the Chairman and President, National Railroad Passenger Corporation [Amtrak], transmitting the corporation's annual management report for the year ended September 30, 1994, pursuant to Public Law 101–576, section 306(a) (104 Stat. 2854); to the Committee on Government Reform and Oversight.

1200. A letter from the Acting Assistant Attorney General of the United States, transmitting draft of proposed legislation to amend the criminal copyright provisions with regards to copyrighted computer software; to the Committee on the Judiciary.

1201. A letter from the Assistant Attorney General of the United States, transmitting a draft of proposed legislation to enable the United States to meet its obligations to surrender offenders and provide evidence to the international tribunal for the prosecution of persons responsible for serious violations of

international humanitarian law in the territory of the former Yugoslavia and to the international criminal tribunal for the prosecution of persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for genocide and other such violations Committed in the territory of neighboring states; to the Committee on the Judiciary.

1202. A letter from the Secretary of Energy, transmitting the Department's report entitled, ''Summary of Expenditures of Rebates from the Low-Level Radioactive Waste Surcharge Escrow Account for Calendar Year 1994'', pursuant to 42 U.S.C. 2120e(d)(2)(E)(ii)(II); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PRYCE: Committee on Rules. House Resolution 189. Resolution providing for the further consideration of the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–186). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1122. A bill to authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and for other purposes; with an amendment (Rept. 104–187 Pt. 1) Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

Referral to Commerce of H.R. 1122 extended July 13, 1995, for a period ending not later than October 16, 1995.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

(Omitted from the Record of July 12, 1995)

By Mr. FAZIO of California:

H. Res. 186. Resolution designating minority membership on certain standing committees of the House; considered and agreed to.

[Submitted July 13, 1995]

By Mr. DAVIS (for himself, Mr. MORAN, Mr. BLILEY, Mr. BOUCHER, Mr. GOODLATTE, Mr. PAYNE of Virginia, Mr. PICKETT, Mr. SCOTT, Mr. SISISKY, Mr. WOLF, Mr. LIVINGSTON, Mr. PORTER, Mr. LEWIS of California, Mr. BAKER of California, Mr. WELDON of Florida, Mrs. KENNELLY, and Mr. HORN):

H.R. 2026. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 200th anniversary of the death of George Washington; to the Committee on Banking and Financial Services.

By Mrs. MEYERS of Kansas (for herself, Mr. GALLEGLY, Mr. FLANAGAN, Mr. GILMAN, Mr. ROBERTS, Mr. GILLMOR, Mr. FAWELL, Mrs. ROUKEMA, Mr. FRANKS of New Jersey, Mr. MCCRERY, Mr. FROST, Mr. WAXMAN, Mr. OLVER, Mr. WYDEN, Ms. JACKSON-LEE, Mr. HILLIARD, Ms. NORTON, Mr. MCDERMOTT, and Mr. ENGEL):

H.R. 2027. A bill to establish an office for rare disease research in the National Institutes of Health, and for other purposes; to the Committee on Commerce.

By Mr. HANSEN (for himself and Mr. DUNCAN):

H.R. 2028. A bill to provide for a uniform concessions policy for the Federal land management agencies, and for other purposes; to the Committee on Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, 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. ALLARD (for himself, Mr. JOHNSON of South Dakota, and Mr. RAHALL):

H.R. 2029. A bill to amend the Farm Credit Act of 1971 to provide regulatory relief; to the Committee on Agriculture.

By Mr. MARKEY (for himself, Mr. MORAN, Mr. SPRATT, Mr. BEREUTER, Mr. BURTON of Indiana, Mr. BRYANT of Texas, Mr. DICKEY, Mr. HUNTER, Mr. WOLF, Mr. BEILENSON, Mr. BONIOR, Mr. CLEMENT, Mr. COLEMAN, Mr. FRAZER, Mr. GEJDENSON, Mr. GORDON, Mr. HILLIARD, Ms. JACKSON-LEE, Mr. JACOBS, Mr. LAFALCE, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mr. MARTINEZ, Mr. MCHALE, Mr. MENENDEZ, Mr. MILLER of California, Mr. PAYNE of Virginia, Mr. POMEROY, and Mr. UNDERWOOD):

H.R. 2030. A bill to provide technology for parents to control the viewing of programming they believe is inappropriate for their children, and for other purposes; to the Committee on Commerce.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. TRAFICANT, Mr. UPTON, Mr. LIPINSKI, Mr. POSHARD, Mr. KLUG, Mr. GENE GREEN of Texas, Mr. TAYLOR of Mississippi, and Mr. ENSIGN):

H.R. 2031. A bill to amend title 18, United States Code, to prohibit certain former high level Government officials from representing foreign interests for 10 years, and for other purposes; to the Committee on the Judiciary.

By Mr. HANSEN (for himself, Mrs. VUCANOVICH, Mrs. CUBIN, Mr. COOLEY, Mr. POMBO, Mr. DOOLITTLE, Mr. HERGER, Mr. SKEEN, Mr. STUMP, and Mr. ALLARD):

H.R. 2032. A bill to transfer the lands administered by the Bureau of Land Management to the State in which the lands are located; to the Committee on Resources.

By Mr. MORAN:

H.R. 2033. A bill to allow enrollees of the Farm Credit Administration Health Plan to enroll in the Federal Employees Health Benefits Program with a break in coverage; to the Committee on Government Reform and Oversight.

By Mr. NADLER:

H.R. 2034. A bill to protect the free exercise of religion by prohibiting religious coercion in our schools; to the Committee on Economic and Educational Opportunities.

By Mr. ORTON:

H.R. 2035. A bill to expand the boundary of the Manti-La Sal National Forest, and for other purposes; to the Committee on Resources.

By Mr. OXLEY:

H.R. 2036. A bill to amend the Solid Waste Disposal Act to make certain adjustments in the land disposal program to provide needed flexibility, and for other purposes; to the Committee on Commerce.

By Mr. PORTMAN (for himself and Mr. CARDIN):

H.R. 2037. A bill to amend the Internal Revenue Code of 1986 to simplify the pension laws, and for other purposes; to the Committee on Ways and Means.

By Mrs. ROUKEMA (For herself and Mr. GORDON):

H.R. 2038. A bill to amend the Higher Education Act of 1965 to prevent an institution from participating in the Pell Grant Program if the institution is ineligible for participation in the Federal Stafford Loan Program because of high default rates; to the Committee on Economic and Educational Opportunities.

By Mr. SHAW (for himself, Mr. MATSUI, Mr. PORTMAN, Mr. CHRISTENSEN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. LEVIN, Mr. HERGER, Mr. HANCOCK, Mr. THOMAS, Mr. BUNNING of Kentucky, Mr. ENGLISH of Pennsylvania, Mrs. MEYERS of Kansas, Mr. HOUGHTON, Mr. CAMP, Mr. SPRATT, Ms. DUNN of Washington, Mr. FUNDERBURK, Mr. CRANE, Mr. GORDON, Mr. PAYNE of Virginia, Mr. LONGLEY, Mr. NEAL of Massachusetts, Mrs. JOHNSON of Connecticut, Mr. MCCRERY, Mr. KLECZKA, and Mr. ZIMMER):

H.R. 2039. A bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. MCDERMOTT, Mr. KLECZKA, and Mr. HASTINGS of Florida):

H.R. 2040. A bill to provide for the treatment of Indian tribal governments under section 403(b) of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. UNDERWOOD:

H.R. 2041. A bill to amend the Organic Act of Guam to provide restitution to the people of Guam who suffered atrocities such as personal injury, forced labor, forced marches, internment, and death during the occupation of Guam in World War II, and for other purposes; to the Committee on Resources, and in addition to the Committees on the Judiciary, and International Relations, 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. MCINTOSH:

H.R. 2042. A bill to authorize the Secretaries of State, Treasury, and Commerce to jointly conduct a comprehensive investigation of business practices by the State of Kuwait relating to the financial and commercial treatment of United States persons and of the Kuwait system for the resolution of commercial disputes; to the Committee on International Relations.

By Mr. FAZIO of California (for himself, Mr. DOOLITTLE, Mr. HERGER, Mr. MATSUI, and Mr. POMBO):

H.J. Res. 101. Joint resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission; to the Committee on National Security.

By Mr. SERRANO (for himself, Mr. PASTOR, Ms. ROS-LEHTINEN, Ms. VELAZQUEZ, Mr. UNDERWOOD, Mr. ROMERO-BARCELO, Mr. GUTIERREZ, Mr. RICHARDSON, Mr. TORRES, Mr. BECERRA, Ms. ROYBAL-ALLARD, Mr. GONZALEZ, Mr. ORTIZ, Mr. TEJEDA, Mr. MENENDEZ, Mr. TOWNS, Mr. OWENS, Mr. FARR, Mr. MCDERMOTT, Mr. MORAN, Mrs. MEEK of Florida, Ms. JACKSON-LEE, Mr. FATTAH, Mr. SCOTT, Mr. DELLUMS, Ms. PELOSI, Mr. MILLER of California, Mr. LEWIS of

Georgia, Mr. NADLER, Mr. RANGEL, Mr. MINETA, Mrs. MINK of Hawaii, and Mr. ABERCROMBIE):

H. Con. Res. 83. Concurrent resolution entitled, the ''English Plus Resolution''; to the Committee on Economic and Educational Opportunities.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

129. By the SPEAKER: Memorial of the House of Representatives of the State of Indiana, relative to urging the Congress of the United States to amend the United States Code, to permit full concurrent receipt of military longevity retirement pay and service-connected disability compensation benefits; to the Committee on National Security.

130. Also, memorial of the Senate of the State of Maine, relative to memorializing the President and the Congress of the United States to provide support for continued critical access along Maine's Route 1 corridor through replacement of the Carlton Bridge in Bath, ME; to the Committee on Transportation and Infrastructure.

131. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to memorializing the Congress of the United States to study certain matters relating to the European Common Market; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mrs. MYRICK.

H.R. 38: Mr. SANFORD, Mr. FATTAH, Mr. STUDDS, Mr. DELLUMS, and Mr. DURBIN.

H.R. 65: Mr. BROWDER, Mr. SHAW, Ms. WOOLSEY, and Mr. MCKEON.

H.R. 109: Mr. SHAW.

H.R. 165: Mr. HEINEMAN.

H.R. 222: Mr. KNOLLENBERG, Mr. BUNNING of Kentucky, Mr. BACHUS, and Mr. ISTOOK.

H.R. 303: Mr. BROWDER and Mr. SHAW.

H.R. 367: Mr. DEFAZIO.

H.R. 436: Mr. CANADY and Mr. TATE.

H.R. 468: Mrs. LOWEY.

H.R. 470: Mr. MEEHAN, Mr. EVANS, Mr. LAZIO of New York, Mr. COYNE, Mr. LIPINSKI, Mr. BORSKI, Mr. TRAFICANT, and Mr. FORBES.

H.R. 559: Mr. ANDREWS.

H.R. 588: Mr. DAVIS and Mr. STOCKMAN.

H.R. 635: Mr. SKEEN, Mrs. JOHNSON of Connecticut, Mr. ENGLISH of Pennsylvania, Mr. MATSUI, Mr. MYERS of Indiana, Mr. ROBERTS, Mr. JACOBS, Mrs. KENNELLY, Mr. BUNNING of Kentucky, Mr. ENSIGN, Mr. CRANE, Mr. CHRISTENSEN, Mr. COLLINS of Georgia, Mr. RAMSTAD, Mr. SHAW, Mr. SAM JOHNSON, Mr. CAMP, Mr. CARDIN, Mr. ZIMMER, Mr. MCCRERY, Mr. HOUGHTON, Mr. PAYNE of Virginia, Mr. COYNE, Mr. KLECZKA, Mr. YOUNG of Florida, Mr. PASTOR, Mr. LEWIS of Georgia, Mr. CALLAHAN, Mr. FUNDERBURK, Mr. BEVILL, Mr. WISE, Mr. BROWN of California, Mr. MCDERMOTT, Mr. CRAPO, Mrs. MYRICK, and Mr. HILLIARD.

H.R. 699: Mr. CALVERT and Mr. RADANOVICH.

H.R. 739: Mr. HOSTETTLER.

H.R. 743: Mr. ALLARD, Mrs. FOWLER, Mr. THORNBERRY, Mr. BAKER of Louisiana, and Mr. GOSS.

H.R. 752: Mr. KILDEE, Mr. ACKERMAN, Mr. CRAMER, Mr. DELAY, Mr. PICKETT, Mr. DICKEY, Mr. COBURN, Mr. BALLENGER, Mr. HEINEMAN, and Mr. WATT of North Carolina.

H.R. 863: Mr. WATTS of Oklahoma, Mr. RANGEL, and Mr. TORRES.

H.R. 922: Mr. KLECZKA and Mr. EHLERS.

H.R. 945: Mr. CAMP, Mr. TALENT, and Mr. ENGLISH of Pennsylvania.

H.R. 957: Mrs. VUCANOVICH, Mr. GREENWOOD, Mr. FOLEY, Mr. ZIMMER, and Mrs. LOWEY.

H.R. 972: Mr. TORRICELLI, Mr. OLVER, and Mrs. LOWEY.

H.R. 983: Mr. VENTO.

H.R. 994: Mr. HERGER, Mr. ROYCE, Mr. SOUDER, Mr. SALMON, Mr. LARGENT, Mr. BREWSTER, Mr. MCINTOSH, Mr. PETERSON of Minnesota, Mr. MCHUGH, Mr. FOX, Mr. GUTKNECHT, and Mr. TATE.

H.R. 1010: Mr. COLEMAN, Mr. GOODLING, and Ms. DUNN of Washington.

H.R. 1021: Mr. HINCHEY.

H.R. 1061: Mr. KNOLLENBERG.

H.R. 1090: Mr. PETERSON of Florida.

H.R. 1099: Mr. POMEROY.

H.R. 1114: Mr. FUNDERBURK., Mr. NORWOOD, Mr. TALENT, and Mr. HUTCHINSON.

H.R. 1136: Mr. MORAN and Ms. ROYBAL-ALLARD.

H.R. 1161: Mr. CLYBURN.

H.R. 1162: Mr. FOX, , Mr. UPTON, Mr. COOLEY, Mr. ZIMMER, and Mr. HOEKSTRA.

H.R. 1172: Mr. SALMON and Mr. FORBES.

H.R. 1229: Mr. DELLUMS.

H.R. 1242: Mr. BUNNING of Kentucky, Mr. HERGER, and Mr. LIGHTFOOT.

H.R. 1314: Mr. CHRISTENSEN.

H.R. 1317: Mr. ANDREWS.

H.R. 1370: Mr. TIAHRT and Mr. HOEKSTRA.

H.R. 1384: Mr. HALL of Ohio.

H.R. 1493: Mr. ZIMMER, Mr. BAKER of Louisiana, Mr. LIPINSKI, Mr. BURTON of Indiana. Mr. MOORHEAD and Mr. MINGE.

H.R. 1496: Mr. BENTSEN.

H.R. 1499: Mr. STOCKMAN and Mr. DEUTSCH.

H.R. 1552: Mr. WILSON, Mr. WELDON of Pennsylvania, Mr. SCOTT, Mr. MEEHAN, Mr. ALLARD, Mr. ENGEL, Mr. LEWIS of Georgia, Mr. FAZIO of California, Mr. FLAKE, Mr. BISHOP, and Mr. FATTAH.

H.R. 1566: Mr. SERRANO, Mr. FRANK of Massachusetts, and Mr. EHLERS.

H.R. 1580: Mr. HASTINGS of Washington and Mr. SALMON.

H.R. 1604: Mr. EHLERS.

H.R. 1619: Mr. SHAYS, Mr. FRANKS of New Jersey, Mr. JOHNSON of South Dakota, Mr. BENTSEN, Mr. SCHAEFER, Mr. LANTOS, Mr. GORDON, Mr. BROWN of Ohio, Mr. ENSIGN, and Mr. GOODLING.

H.R. 1627: Mr. CLYBURN.

H.R. 1702: Mr. MCDERMOTT, Mr. FROST, Mr. MEEHAN, Mr. DELLUMS, Mr. TORRES, Mr. FATTAH, Mr. DEFAZIO, and Mr. LAFALCE.

H.R. 1703: Mr. MCDERMOTT, Mr. MEEHAN, Mr. DELLUMS, Mr. TORRES, Mr. FATTAH, and Mr. LAFALCE.

H.R. 1704: Mr. MCDERMOTT, Mr. MEEHAN, Mr. DELLUMS, Mr. TORRES, Mr. FATTAH, and Mr. LAFALCE.

H.R. 1709: Mr. ENGEL, Mr. FOLEY, and Mr. SABO.

H.R. 1713: Mr. POMBO.

H.R. 1733: Mr. HYDE.

H.R. 1741: Mr. SPENCE, Mr. GRAHAM, Mr. INGLIS of South Carolina, Mr. SPRATT, and Mr. CLYBURN.

H.R. 1744: Mr. BROWN of Ohio and Mr. JACOBS.

H.R. 1753: Mr. MORAN, Mr. POSHARD, Mr. SCHUMER, Mr. WATT of North Carolina, Mr. BLUTE, Mr. WYNN, Mr. MARTINEZ, Mr. COYNE, Mr. HASTINGS of Florida, Mr. FRAZER, Mr. EHLERS, Mr. HAYES, Mr. OWENS, Mrs. LOWEY, Mrs. VUCANOVICH, Mr. MCNULTY, Mr. PETERSON of Florida, and Mr. LEWIS of Georgia.

H.R. 1754: Mr. EHLERS.

H.R. 1776: Mr. ENGEL.

H.R. 1787: Mr. WELDON of Florida, Mr. JOHNSON of South Dakota, Mr. BARTON of Texas, and Mr. CRAPO.

H.R. 1806: Mr. EMERSON, Mr. MARTINEZ, and Mr. WATTS of Oklahoma.

H.R. 1834: Mr. BASS, Mr. BRYANT of Tennessee, Mr. COBURN, Mr. FIELDS of Texas, Mr. MCCOLLUM, Mr. TATE, Mr. THORNBERRY, and Mr. UPTON.

H.R. 1884: Ms. NORTON, Mr. ENGEL, and Ms. VELAZQUEZ.

H.R. 1889: Mr. KLECZKA, Mr. JACOBS, Mr. SERRANO, Mr. HILLIARD, Mr. KLINK, Mr. BISHOP, Mr. GEJDENSON, Ms. LOFGREN, Ms. NORTON, and Mrs. THURMAN.

H.R. 1891: Mr. WARD.

H.R. 1898: Mr. MARTINEZ, Mrs. KENNELLY, Mr. VENTO, Mr. LEWIS of Georgia, Ms. FURSE, and Mr. HINCHEY.

H.R. 1915: Mr. BARRETT of Nebraska.

H.R. 1973: Mr. BROWN of Ohio, Mr. EVANS, Mr. FLAKE, Mr. GENE GREEN of Texas, Mr. HINCHEY, Mr. KLUG, Mr. LIPINSKI, Mr. MENENDEZ, Mr. MINGE, Mr. PALLONE, Ms. PELOSI, Ms. RIVERS, and Mr. ZIMMER.

H.R. 1974: Mr. DELAY, Mr. WELDON of Pennsylvania, Mr. MCCOLLUM, and Mr. RADANOVICH.

H.R. 1975: Mr. CREMEANS, Mr. THORNBERRY, Mr. ORTIZ, and Mr. RANDANOVICH.

H.R. 1987: Mr. FALEOMAVAEGA.

H.J. Res. 89: Mr. LINDER.

H.J. Res. 96: Mr. ROGERS, Mr. DORNAN, and Mr. TAYLOR of Mississippi.

H. Con. Res. 42: Mr. WYNN, Mr. MARTINEZ, Mr. PAYNE of New Jersey, Mr. MANZULLO, Mr. GEJDENSON, Mr. CHABOT, and Mr. BERMAN.

H. Con. Res. 79: Ms. LOFGREN, Mr. BROWN of Ohio, and Mr. KENNEDY of Rhode Island.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1976

OFFERED BY: MR. BUNNING

AMENDMENT NO. 15: Page 60, strike line 4 and all that follows through page 61, line 22.

H.R. 1976

OFFERED BY: MR. DURBIN

AMENDMENT NO. 16: Page 24, line 13, strike the colon and all that follows through ''agency'' on page 25, line 5.

H.R. 1976

OFFERED BY: MR. GILMAN

AMENDMENT NO. 17: Page 57, line 20, strike ''$821,000,000'' and insert ''$846,000,000''.

Page 57, line 23, strike ''$50,000,000'' and insert ''$25,000,000''.

H.R. 1976

OFFERED BY: MR. HALL OF OHIO

AMENDMENT NO. 18: Page 53, line 24, strike the colon and all that follows through ''7.3 million'' on line 26.

H.R. 1976

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 19: Page 13, line 24, strike ''$31,485,000'' and insert in lieu thereof ''$15,050,000''.

Page 14, line 20, strike ''$389,372,000'' and insert ''$372,937,000''.

Page 53, line 17, strike ''3,729,807,000'' and insert in lieu thereof ''$3,743,642,000''.

H.R. 1976

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 20: Page 13, line 24, strike ''$31,485,000'' and insert in lieu thereof ''$15,050,000''.

Page 14, line 20, strike ''$389,372,000'' and insert ''$372,937,000''.

Page 52, line 24, strike $7,952,424,000'' and insert in lieu thereof ''$7,955,024,000''.

Page 52, line 25, strike ''$2,354,566,000'' and insert in lieu thereof ''$2,357,166,000''.

Page 53, line 6, strike the period and insert the following:

''; Provided further, That $2,600,000 shall be available to provide assistance for homeless pre-school children.''

H.R. 1976

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 21. Page 13, line 24, strike ''$31,485,000'' and insert in lieu thereof ''$15,050,000''.

Page 14, line 20, strike ''$389,372,000'' and insert ''$372,937,000''.

Page 52, line 24, strike ''$7,952,424,000'' and insert in lieu thereof ''$7,955,024,000''.

Page 52, line 25, strike ''$2,354,566,000'' and insert in lieu thereof ''$2,357,166,000''.

Page 53, line 6, strike the period and insert the following:

''; Provided further, That $2,600,000 shall be available to provide assistance for homeless per-school children.''

Page 53, line 17, strike ''3,729,807,000'' and insert in lieu thereof ''$3,743,642,000''.

H.R. 1976

OFFERED BY: MR. OWENS

AMENDMENT NO. 22: Page 49, line 20, strike ''RURAL TELEPHONE BANK PROGRAM ACCOUNT'' and all that follows through line 12 on page 50.

Page 70, strike lines 12 through 14.

H.R. 1976

OFFERED BY: MR. OWENS

AMENDMENT NO. 23: Page 69, line 18, strike ''$800,000,000'' and insert in lieu thereof ''$500,000,000''.

Page 70, line 15, strike lines 15 through 19.

H.R. 1976

OFFERED BY: MR. OWENS

AMENDMENT NO. 24: Page 70, line 15, strike lines 15 through 19 and insert in lieu thereof the following:

''SEC. 724. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out an export enhancement program (estimated to be $1,000,000,000 in the President's fiscal year 1996 Budget Request (H. Doc. 104–4)) if the aggregate amount of funds and/or commodities under such program exceeds $500,000,000.''

H.R. 1976

OFFERED BY: MR. SCARBOROUGH

AMENDMENT NO. 25: Page 10, line 3, strike ''$81,107,000'' and insert ''$69,000,000''.

H.R. 1976

OFFERED BY: MR. SCARBOROUGH

AMENDMENT NO. 26: Page 26, line 16, strike ''$123,520,000'' and insert ''$96,000,000''.

H.R. 1976

OFFERED BY: MR. ZIMMER

AMENDMENT NO. 27: Page 29, line 24, strike ''$10,400,000,000'' and insert ''$10,290,000,000''.

H.R. 1976

OFFERED BY: MR. ZIMMER

AMENDMENT NO. 28: Page 71, after line 2, insert the following new section:

SEC. 726. None of the funds made available in this Act may be used to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

H.R. 1976

OFFERED BY: MR. ZIMMER

AMENDMENT NO. 29: Page 71, after line 2, insert the following new section:

SEC. 726. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided in this Act for ''Commodity Credit Corporation Fund—Reimbursement for New Realized Losses'' is hereby reduced by $110,000,000.

H.R. 1977

OFFERED BY: MR. COBURN

AMENDMENT NO. 69: Page 45, line 24, strike ''$1,276,688,000'' and insert ''$1,266,688,000''.

Page 66, strike lines 11 through 15 and insert the following:

Department of Education

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title IX of the Elementary and Secondary Education Act of 1965, $52,500,000, to be allocated to local educational agencies.

H.R. 1977

OFFERED BY: MR. OLVER

AMENDMENT NO. 70: At the end of the bill add the following new section:

''SEC. . None of the funds made available in this Act may be used by the Department of Energy in implementing the Codes and Standards Program to plan, propose, issue, or prescribe any new or amended standard—

''(1) when it is made known to the Federal official having authority to obligate or expend such funds that the Attorney General, in accordance with section 325(o)(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(o)(2)(B)), determined that the standard is likely to cause significant anticompetitive effects;

''(2) that the Secretary of Energy, in accordance with such section 325(o)(2)(B), has determined that the benefits of the standard do not exceed its burdens; or

''(3) that is for fluorescent lamps ballasts.''.

H.R. 1977

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 71: At the end of the bill, add a new section, as follows:

SEC. . None of the funds appropriated to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–07) shall be used for payments with respect to entitlement lands (as defined in such Act) regarding which it has been made known to the officer or official responsible for such payments that a state or political subdivision of a state has by formal action asserted a claim of ownership.

H.R. 1977

OFFERED BY: MR. STEARNS

AMENDMENT NO. 72: Page 72, line 19, strike ''$82,259,000'' and insert ''$74,033,100''.

Page 73, line 4, strike ''$17,235,000'' and insert ''$15,511,500''.

Page 73, line 6, strike ''$7,500,000'' and insert ''$6,750,000''.