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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. GILLMOR].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 10, 1997.

I hereby designate the Honorable PAUL E. GILLMOR to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

As we have received Your blessings, O God, so remind us that we have responsibilities to see that these good blessings find expression in our daily lives. We know that we have enjoyed the gifts of life and we pray that we will be faithful custodians of the resources of the land, so that those who follow us, our children and grandchildren, will enjoy the fruits of our labors and experience a noble heritage. May Your blessings, O God, be with us and all Your people, now and evermore. Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

Mr. GIBBONS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. GIBBONS. 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. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio [Mr. CHABOT] come forward and lead the House in the Pledge of Allegiance.

Mr. CHABOT 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1901. An act to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 680. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessaries to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minutes on each side.

CLINTON CLEAN AIR REGULATIONS WILL KILL JOBS AND COST BILLIONS

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

Mr. CHABOT. Mr. Speaker, while the Congress is working over the next couple of weeks to provide tax cuts for working American families, President Clinton is doing just the opposite. His endorsement recently of a radical EPA proposal, new, unproven air standards, will wreak havoc on those very taxpayers, draining their pocketbooks and threatening their livelihoods.

Rejecting sound scientific advice that the expected health benefits of new air standards would be minimal while the cost to the taxpayers would be astronomical, the President says he will go forward with the plan that will cost the taxpayers in my State of Ohio an estimated $2 to $3 billion per year and could affect as many as 1 million manufacturing jobs. What does President Clinton have to say to that? Well, he admits that the standards may be somewhat controversial.

Mr. Speaker, I want my children to grow up in a clean and healthy environment. I also want there to be jobs in Ohio for those children. In Ohio, we have been working very hard to make that possible. We do not need President Clinton's help to do it.

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FRANCE SAYS NO TO AMERICA

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

Mr. TRAFICANT. France once again says no to America. This time no money for NATO expansion. Unbelievable. President Chirac is an ingrate. Chirac should visit the cemetery at Normandy. Thousands of American soldiers died to liberate France from Nazi rule. Then the American taxpayers spent billions to rebuild France and all of Europe, and after all this France does nothing but complain.

First of all, they complain about NATO, then they refuse to allow American war planes to land on their way to Libya. Complain, complain, complain. Now they want us to pick up the tab for their cost of protecting Europe. Beam me up. I say Chirac and France should shove their complaints up their assets, and we should stop funding and paying for the liberation of France.

SALUTING GEN. CHARLES LINK ON HIS RETIREMENT FROM ACTIVE DUTY

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

Mr. CHAMBLISS. Mr. Speaker, one of the great privileges of serving on the Committee on National Security is the opportunity to meet and work with people who have dedicated their lives to their fellow Americans. Today General Fogleman, Chief of Staff of the Air Force, will preside over the retirement of one such person, Gen. Charles D. Link.

With his retirement from active duty, the military loses a true strategic, out-of-the-box thinker, a visionary, and a warrior. With his work on the Roles and Missions and the Quadrennial Defense Review, General Link has outlined the path the Air Force will follow for the next several years. This then is his legacy. But General Link is not to be one easily forgotten.

He has been an inspiration to the troops and a respected leader within the service. From his days as a 17-year-old enlisted person fixing jets to his days as the commandant of the Air War College, he has mastered and mentored the art of war from the air. In the last several years he has been rightfully acknowledged as the strongest and most articulate proponent of air power. An exemplary accomplishment and, as is his way, a magnificent example of a life well-lived.

Those who have taken up arms in the fight for and defense of this Nation are the ones that have delivered us our Constitution and the way of life that it has provided. Chuck Link is a shining example of this proud American spirit. I ask my colleagues to join me in wishing General Link a long and prosperous future as he ends his 40 years of military service to a free and prosperous United States of America.

NO RELIEF SEEN FROM REPUBLICAN TAX CUT PROPOSAL

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

Mr. DOGGETT. Mr. Speaker, thousands of young Americans across this country will get absolutely no relief from this Republican tax bill. No, all they will get is a tax increase. That is right. This bill imposes a new tax on educational opportunity, and it is wrong.

Universities across our country often provide incentives to talented graduate students as teaching or research assistants by reducing their tuition at the same time they offer services as teachers and researchers for the future of our higher education system. Currently this assistance is not taxed. But the Republicans propose to tax it, to tax educational opportunity, at the same time they provide one tax break after another for the rich and the famous.

Taxing educational opportunities penalizes the very people that we need to be helping. These are young people who are struggling to get by on $12,000 or $15,000, and suddenly they will face a very substantial tax increase. Let us reject the Republican tax hike on educational opportunity.

TIME FOR RELIEF FROM UNCLE SAM'S PERPETUAL TAX BITE

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

Mr. TIAHRT. Mr. Speaker, what is the difference between Mike Tyson and Uncle Sam? The answer is not much, but keep your ear to the ground.

The amazing thing is that Big Mike got disqualified for taking too big a bite out of something he was not supposed to, but Uncle Sam bites you year after year, only there is no referee around to stop the foul play. Well, there is the IRS, but needless to say the IRS is not much help.

Mr. Speaker, Uncle Sam has been chomping on the pocketbooks of American taxpayers for a long time. A lot of taxpayers have been taking to bobbing and weaving away from the painful jaws of Uncle Sam to protect themselves from the massive tax bite. Taxpayers have been crying out for some relief for a long time, but Uncle Sam never seems to learn any lessons. He just wants to take a bigger bite out of our hides, and he does not care how much it hurts.

It is time to tell Uncle Sam ''No mas!'' and let the IRS know that Uncle Sam's tax biting days are over. It is time for some tax relief for American taxpayers.

DEMOCRATS UNITED IN SUPPORT OF TAX BREAKS FOR WORKING FAMILIES

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

Mr. PALLONE. Mr. Speaker, Democrats are united in support of tax breaks for working families. At the end of last month, the President unveiled his alternative to the Republican tax scheme and the President's proposal provides significantly more relief for middle income families.

Mr. Speaker, it is clear to me who benefits with the Republican approach to cutting taxes. Their tax breaks focus on big business, special interests and wealthy families, while limiting tax cuts for education and families with children.

I just want to say I want to balance the budget and I want to give tax cuts back to the American people, but I want to do it in a manner that is fair to the middle class. The Republican plan falls extremely short of this goal, and I am going to continue to urge my Republican colleagues to abandon their sinking ship and support the Democratic tax alternative. The facts are on our side, and the American people are with us on this issue. They have woken up to what the Republicans are trying to do. The Republican leadership needs to wake up, also, and listen to their constituents on the tax issue.

IN OPPOSITION TO REPUBLICAN TAX PLAN

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute.)

Ms. VELÁZQUEZ. Mr. Speaker, the American people are sick and tired of being promised one thing and getting another. The Republican tax bill is a perfect example. The Republicans will try to tell you that they are providing tax relief to the middle class. This is only true if you think that making over $100,000 is middle class.

The fact is that most of the huge Republican tax break will go to the richest people in this country. The people who are really middle class, 60 percent of all families, will only get a third of the tax relief. The working poor will get nothing.

It gets worse. College students will be hit with new taxes as they struggle to get an education. Teachers are being told that they will face new taxes on their pensions. And Bill Gates, he will save millions. Is this fairness? Is this what American working families deserve?

WE ARE ALL EARS

(Mr. BOB SCHAFFER of Colorado asked and was given permission to address the House for 1 minute.)

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, lend me your ear. It looks as though the Democrats have been

taking lessons from Mike Tyson. I say that because Uncle Sam's tax bite is too big and the American family is suffering.

Just take a look at this chart. The tax bite has progressively evolved into the Mike Tyson tax. Back in 1950 when my parents were starting out and trying to live the American dream, the tax bite was only 6 percent of their budget. Did you hear that, Mr. Speaker? Six percent of the family budget was sent to Washington, DC.

□ 1015

Well, trying to live the American dream has gotten a little bit harder over the years. The family budget has been turned on its ear. The tax bite today, which can only be called the Mike Tyson tax bite, is now 23 percent of the family budget. The Government has only, it is 23 percent, the Government has earmarked 23 percent of the family budget for Washington bureaucrats.

Let us throw the IRS out of the ring and declare victory for the American family. Let us give the American dream a fighting chance.

A TAX BILL THAT MEETS THE NEEDS OF WORKING FAMILIES

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

Mr. MENENDEZ. Mr. Speaker, Democrats want tax cuts and tax relief for working taxpaying families. However Republicans in the Congress have passed tax bills that shortchange working families and instead shower tax breaks to the very wealthy.

A new Treasury Department analysis revealed that the Republican bill is light on relief for working families and heavy on tax breaks for the rich. According to the Treasury analysis, only a third of the tax breaks, only a third, go to the middle 60 percent of all families. Who is that? Families making between $17,000 and $93,000 a year.

By stark contrast, the Democratic alternative offers those same families 66 percent of all of the tax cut relief, and those are the working families in this country we want to help.

Republicans also skimp on the tax breaks for college students in their budget. Their bill only gives half of the $1,500 college tuition credit for the first 2 years, does virtually nothing for juniors and seniors.

Mr. Speaker, that is why Democrats continue to fight for working families. We are going to ensure a tax bill that meets the needs of working families in this country.

UNION SUMMER VIOLATES FEDERAL WAGE AND HOUR LAWS

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

Mr. BALLENGER. Last year Mr. Speaker, the AFL–CIO offered approximately 1,000 3-week summer internship jobs to college students, who received a weekly stipend of $210 for their work. They called it the union summer. From press accounts it appeared that some of the students worked an average of 76 hours per week for an hourly rate of $2.76 per hour. This arrangement, if true, is a violation of the Federal wage and hour laws.

In October 1996, I requested the Department of Labor to investigate these alleged violations. The Department of Labor said they are looking into the matter, but after numerous letters and telephone calls over the last 8 months, the Department refuses to provide me with specific information about the case.

A new union summer program is under way right now in 1997, with thousands of college students participating around the country. The Department of Labor should do everything in its power to ensure that appropriate Federal wage and hour laws are fully enforced, regardless of the identity of the employer.

I am continuing to press the Department of Labor to promptly report on its investigation because I fear that similar transgressions, if left unchecked, could occur again with this union summer program this summer.

THE GIFT OF LIFE

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

Mr. MOAKLEY. Mr. Speaker, 2 years ago, 2 years and 2 months ago today, I was told that I had 2 months to live. Fortunately on July 10, 1995, 2 years ago today, I underwent a successful liver transplant that saved my life. I was extremely lucky and fortunate that someone out there thought enough to give me the gift of life and donated their organs.

I have spoken on the floor many times, Mr. Speaker, about the importance of organ donation, but often people just do not think about organ donation until they are faced with a friend or a loved one that desperately needs a transplant, and I am no exception.

Mr. Speaker, today in the United States there are over 50,000 people waiting for an organ. Eight people a day will die because there just are not enough organs to go around, and that is why it is so critical that people are educated and made aware of the importance of organ donations and the second chance that it gives thousands of people every year.

Mr. Speaker, 2 years ago I received the gift of life, so please talk to the family, the loved ones, and give someone else the miracle, the gift of life, and become an organ donor.

AMERICAN TAXPAYERS FORCED TO PAY FOR TRANSPORTING NUCLEAR WASTE ACROSS THE COUNTRY

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

Mr. GIBBONS. Mr. Speaker, a new scheme is emerging. Under H.R. 1270, the Nuclear Waste Policy Act, American taxpayers will be forced to pay for the transportation of nuclear waste across this country. At a time when we are trying to reduce the burden on taxpayers, now they will be forced to pay huge sums for the construction of an expensive interim storage facility at Yucca Mountain, NV. And, Mr. Speaker, taxpayers will also be liable for the cost of cleanup of any accident that occurs during transportation, not the nuclear power industry.

A DOE contractor report concluded that if an accident were to occur in a rural area during transportation cleanup, costs to the taxpayers could range between $176 million to $19.4 billion. A cleanup in an urban area would cost considerably more, perhaps $9.5 billion just to raise and rebuild the most contaminated square mile.

This is a pivotal time in Congress when we are trying to balance the budget and give tax breaks to hardworking Americans. Why then would we want than to shoulder the burdens of H.R. 1270?

SUPPORT EDUCATION AND MIDDLE-CLASS TAX RELIEF

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

Mr. ETHERIDGE. Mr. Speaker, I rise to call on my colleagues in this House and the negotiators on the tax bill to put support for educational opportunities and tax relief for middle-class families at the top of their priority list. As a former two-term State school chief, I know firsthand how important education is to our children's futures.

In this modern economy, high school diplomas are no longer enough to ensure workers can achieve economic success. We must support opportunities for lifelong learning. Education is a journey, not a destination.

Unfortunately, according to the Education Department, the Republicans' tax bill would shortchange 186,000 North Carolina students out of relief from educational expenses. In addition, the tax bill the House passed would actually raise taxes on some college students and penalize retired teachers, and that is absolutely wrong.

Today, college students from across this country are rallying here at the Capitol to protest tax policies that shortchange them. We must heed their call and pass meaningful tax relief for education.

Mr. Speaker, I call on this Congress to support educational opportunity for all of our children and meaningful tax relief to middle-class families.

A BRIGHT FUTURE FOR A FAMILY OF FIVE

(Mr. NEUMANN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. NEUMANN. Mr. Speaker, I rise this morning to talk about legislation that is about to be completed out in Washington this month, and for a change it is good news. The legislation will balance the budget, restore Medicare, and lower taxes on American families. And as my colleagues know, when we get to this idea of lowering taxes I sometimes think the folks on the other side of the aisle have forgotten 1993. The discussion was not about lowering taxes. The discussion was about which taxes to raise and how high to raise them. Now we are to a point where we realize that curtailing the growth of Washington spending, how much money Washington takes out of the pockets of our American families, by curtailing that growth of Washington spending we can both balance the budget and lower taxes.

And what do we hear? We hear we want to give tax cuts to people who do not even pay income tax, and we are into this big argument about these tax cuts and who they are going to.

Mr. Speaker, I want to cut through all the Washington rhetoric and talk about a family of five that I see in church on Sunday morning. They have got two kids at home and one headed off to college. They do not understand all this Washington rhetoric and the Democrats beating up Republicans and vice versa, but they know for the two kids that are staying home they get $500 for each one of those children, and they know for the one that is headed off to college they are going to get $1,500.

They are not rich. They are the folks who get up every morning and go to work, and they are the backbone of this great Nation. A balanced budget, restored Medicare and lower taxes, that is a bright future for this country.

LOW-INCOME FAMILIES WANT THEIR KIDS TO HAVE A BRIGHTER FUTURE TOO

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

Mr. OLVER. Mr. Speaker, the Republicans say that they are for tax relief to help working Americans, but which Americans are they willing to help? The Republicans' tax plan gives two-thirds of their tax breaks to the top 20 percent of earners and absolutely nothing to the lowest 20 percent of American earners. The Republicans would help the rich get richer and leave crumbs to the working families who are struggling the hardest. The Republicans say that low-income working families do not deserve a tax break because they do not pay much in taxes. But in fact low-income working families pay more of their income in taxes than any other group. These working families pay payroll taxes, Social Security and Medicare taxes, and gas taxes. They pay property taxes on their homes, and in some States, sales tax even on the food for their tables. They want their kids to have a brighter future too. So let us give them a tax break too.

REPUBLICAN TAX BILL MOSTLY HANDOUTS TO THE WEALTHY

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

Mr. GREEN. Mr. Speaker, this morning we have heard a lot of 1-minutes on what the tax bill may do. Well, let me tell my colleagues what the American people believe. Recent public opinion surveys indicate that Americans have figured out that the Republican bill is mostly handouts for the wealthy. The Wall Street Journal/NBC poll released on June 26 revealed that Americans prefer the Democratic tax alternative to the GOP by a 2 to 1 margin, 60 to 31 percent. USA Today/CNN/Gallup poll released on July 1: 52 percent of Americans think the Republican tax plan favors the rich. Even the GOP pollsters are finding the same result.

According to Monday's Washington Times, a poll conducted by three Republican pollsters financed by the Republican Party found nearly half of those surveys, 48 percent, said they believe the proposed Republican tax plans are biased toward the wealthy. In yesterday's Houston Chronicle there was a great editorial cartoon that was also in the Atlanta Constitution. It had a multiple choice. Own a yacht? Own a private jet with eight seats or more? Have a wine cellar bigger than a football field? If the answer is yes, congratulations; that person qualifies for a middle-class tax cut under the Republican plan.

CAPITAL GAINS TAX RELIEF

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

Mr. JONES. Mr. Speaker, I rise today to talk about the importance of capital gains tax relief for Americans of all ages.

When I was home in eastern North Carolina for July 4, people, both young and old, expressed their appreciation that Congress has finally voted to give them a capital gains tax reduction. These people are not wealthy. They are just good hard-working Americans who are doing their best that they can to pay their bills and save for the future. Capital gains tax relief will help them buy a family home and save for their children's education. A break in this excessive tax will also help senior citizens who rely on their savings for their livelihood.

□ 1030

I thank my colleagues on both sides of the aisle who supported a reduction in the capital gains tax. I hope we can work together to continue to provide Americans with the tax relief they so rightly deserve.

TAX CUTS SHOULD BENEFIT THE WORKING MIDDLE CLASS

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

Mr. BLAGOJEVICH. Mr. Speaker, when it comes to tax cuts the question is not whether Congress should pass a tax cut. Most Democrats and Republicans agree that we should. The question is, Where do we target the tax cuts?

Mr. Speaker, we ought to pass a tax cut that will primarily benefit working middle-class Americans struggling to pay their bills, send their kids to school, and save for their retirement. Let us put more money in the pockets of working families. They need it the most.

Under the Democrat tax bill, a working family would be entitled to a full $1,500 HOPE scholarship for college, a tax exclusion for employer-provided educational assistance, a $500 per child tax credit to help them raise their children, and a capital gains tax cut for the sale of a home.

Mr. Speaker, the median income in the United States is $32,264. The Democratic tax cut plan, which is aimed directly at this group, would give the greatest benefit to the most people.

TAX CUTS AND WORKING PEOPLE

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

Mr. ROGAN. Mr. Speaker, the Republican philosophy with respect to working families is very simple. We believe that those people who work for a living, trying to support their families, ought to be able to keep more of the money that they earn. We do not believe they should be obligated to send a bigger and bigger piece of their paycheck back to Washington so politicians and bureaucrats can decide the best way to spend it. That is our legacy to the American people.

The legacy of our friends who continue to stand up day after day deriding tax cuts for the rich is entirely different. If they come to a town hall meeting in your neighborhood and talk about tax cuts for the rich, ask them who they mean by the rich. They are talking about working families earning $40,000 and $50,000 a year. There are a lot of rich people in this country that they want to take money from to send back here to Washington.

We Republicans are going to put that money back in the pockets of the families who earned it. That is our legacy. Their legacy, the last time they controlled this Chamber, was the largest tax increase in the history of the United States. We are content to let the people decide which is the better course.

REPUBLICAN TAX PLAN TO BENEFIT WALL STREET

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

Mr. LEWIS of Georgia. Mr. Speaker, the Washington Post reported that the deficit will be $45 billion this year, and maybe balance next year. How did it happen? In the 1993 Democratic budget agreement the Democrats were right and Republicans were wrong. The Democrats' 1993 budget set us on the road to a balanced budget without one Republican vote.

Thanks to Democrats, we can give the American people a tax cut and a balanced budget. The only question is, who will benefit. Republicans want to help Wall Street and the richest among us. Democrats want to help Main Street and working families.

Even U.S. News & World Report says Republicans want to help their wealthy friends. Let me quote: ''The reality is closer to the Democrats' view. The best independent estimates of the bill are that about half the benefits of the Republicans' tax relief plan would go to the richest 10 percent.''

Mr. Speaker, we must reject the Republican irresponsible tax break for Wall Street. Join Democrats and cut taxes for working Americans.

THE TAX PLAN AND RESPONSIBILITY

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

Mr. THUNE. Mr. Speaker, all this week we have heard a lot about the phony baloney Treasury analysis that manipulates and skews the numbers on this tax bill. All this week we have been hearing about how we need to give bigger government checks to people who do not pay income taxes because we need to wipe out all Social Security and Medicare taxes.

The people in South Dakota know one thing; that is, you cannot have something for nothing. There is no free lunch. If we want retirement and health care benefits, then we pay for them in Social Security and Medicare taxes. If Members want a culture that is free from responsibility, then the Democrat proposal makes sense. They tell people who pay no income taxes, we will give you a Government check. If you want a culture that takes responsibility for their own actions, then you want our plan. It is a plan that is pro-working American, it is pro-family, it is pro-middle class, it is pro-jobs, pro-investment. It is a plan that improves the quality of life for all Americans.

DEMOCRATS REPRESENT WORKING PEOPLE AND WORKING FAMILIES IN AMERICA

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

Mr. STRICKLAND. Mr. Speaker, sometimes I feel sorry for the American people who have to sit and watch and listen to the rhetoric that comes from this Chamber. I believe the American people are troubled and sometimes ask themselves, who can we believe? Who can we believe, when people stand and give such contradictory conclusions?

The fact is, in 1993 this country was facing nearly $300 billion in annual deficits. This year, the deficit is likely to be less than $50 billion. That is because a Democratic President and a Democratic Congress did what needed to be done. That is why we can talk about a balanced budget today. That is why we can talk about giving the American people a tax cut.

We now know that there will be a tax cut. The argument that we have in this Chamber is what part of the American family community will benefit. My district has a median income of $22,000. My responsibility is to represent the working people and the working families in this country.

THE TREASURY DEPARTMENT MIGHT BE A GOOD PLACE FOR THE PRESIDENT TO CUT SOME SPENDING

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

Mr. GUTKNECHT. Mr. Speaker, I would like to quote from a famous news anchor: ''Finally, a few words about Federal taxes and what some of the great minds in the U.S. Treasury are thinking about.

''The Treasury likes to calculate American people's income on the ability to pay taxes, based not on how much money we have but on how much we might have, or could have had. For example, a family that owns a house and lives in it, the Treasury figures that if the family did not own the house and rented it from somebody else, the rent would be $500 a month, so it would add that amount—$6,000 a year—to the family's so-called imputed income. Imputed income is income you might have had but don't. They don't tax you on that amount. The IRS does not play this silly game. Instead, the Treasury calculates how much they could take away from us if they decided to.

''If that were the system, consider the possibility. How about being taxed on Ed McMahon's $10 million magazine lottery? You didn't win it, you say. But you could have.

''The Treasury must have something better to do. If not, there is a good place for Clinton to cut some spending.'' David Brinkley, ABC news, February 28, 1993.

THE REPUBLICAN PROPOSAL CONTAINS A GOOD MIDDLE-CLASS TAX CUT

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

Mr. WELDON of Florida. Mr. Speaker, we need to talk about exactly who is paying for the cost of Government in Washington, DC, and what effect that will have after we pass our tax cut. We have heard a lot of talk about this being so-called tax cuts for the rich.

Mr. Speaker, this chart I have next to me is based on data from the Joint Economic Committee, and the data that they obtained from the Treasury Department. They break the American public into five categories. The lowest 20 percent of earners are now paying, in the yellow, 1 percent of the cost of big Government. After the tax package is passed they will continue to pay 1 percent of the cost of Government in Washington, DC.

The next 20 percent are currently paying 4 percent, and they will be paying, after this tax cut package, 4 percent.

I would like to draw the attention of my colleagues on the other side of the aisle to the upper 20 percent. They are now, today, in America, picking up 63 percent of the cost of Government in Washington. Guess what? After the Republican tax cut, they will continue to pay 63 percent of the cost of Government in Washington.

I appeal to my colleagues, this is a good middle class tax cut.

DEMOCRATS MUST COME TOGETHER TO DO THE RIGHT THING: PROVIDE TAX RELIEF FOR ALL WORKING AMERICANS

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

Mr. FORD. Mr. Speaker, there seems to be an unsettling frustration and even a palpable consternation on the other side of the House. My Republican colleagues do not seem to be able to accept the fact that we Democrats support tax relief, and tax relief for all working Americans. I think it is a historic moment here in this House when people on both sides of the aisle can come to that consensus.

The problem or the issue or the dilemma, Mr. Speaker, is that Democrats seek to provide tax relief to all working Americans. I would agree that wealthy Americans deserve a tax cut. But do they deserve the bulk of the tax cut and the tax relief? The American people resoundingly reject that, I say to my Republican colleagues.

We are living in a time where 80 percent of all jobs in the next century will require some form of computer literacy. Seventy-five percent of all jobs will require some form of postsecondary education. I would appeal to my

Republican colleagues that at this historic moment, as a new Member of Congress, let us forge a new beginning as we move into this next century. Let us find common ground for all working Americans.

One would think that they would have learned from the disaster aid relief bill that they were wrong. One would think they would learn from the Committee on Government Reform and Oversight with the gentleman from Indiana [Mr. BURTON] that they were wrong.

Do the right thing for the American people, provide tax relief for working Americans. Let Democrats come together and work on behalf of American families.

THE REPUBLICAN TAX PLAN PROVIDES NO BREAKS FOR THE RICH, JUST EQUAL TREATMENT

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

Mr. SAXTON. Mr. Speaker, this is really a pretty simple debate we are in. Let me just refer to this chart once again. I want particularly the gentleman from Tennessee [Mr. FORD] who just spoke to understand this.

Mr. Speaker, this is a chart which shows who pays taxes in America and what the Republican plan will do to various categories of people who pay taxes. It is important to point out that in the top 40 percent of the taxpayers in America, those people pay 84 percent of all the money we have here to spend, I would say to the gentleman from Tennessee [Mr. FORD], the top 40 percent of the taxpayers in America pay 84 percent of all the money that comes to Washington to spend.

So when the Republican tax plan gets ready to change things, do we change things for that group? This chart shows we definitely do not. As a matter of fact, the top 20 percent today under the Clinton tax hike plan pay 63 percent of all the money that is paid to Washington, and under the Republican plan we do not change that at all. They still pay 63 percent.

The next 20 percent today under the Clinton tax hike plan pay 21 percent, and under the plan that we propose, they continue to pay 21 percent; no breaks for the rich, just equal treatment.

WHO WILL BENEFIT FROM THE PROPOSED TAX CUTS?

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

Ms. DELAURO. Mr. Speaker, the issue is who benefits from the tax cut. Quite frankly, the Republicans' data distorts the effects of their bill. They only analyze the first 5 years of what is a 10-year plan.

That said, Democrats in fact have designed a tax proposal to give every working man and woman a shot at the American dream, and the right to quality education has always been an essential part of that dream.

Republicans decide to skimp on education tax breaks to pay for their tax breaks for the wealthy. The Republican plan provides only half of the $1,500 tuition credit for the first 2 years of college, does virtually nothing for college juniors and seniors, and actually raises taxes on some graduate students.

The Democratic proposal has offered an alternative that includes the full $500 HOPE credit for the first 2 years of college, plus a 20-percent tuition credit for subsequent years.

The American people are watching this budget debate and wondering, who is on my side? Sixty-one percent of them have concluded that the Republicans are out of touch with the people in this country. It is differences like the education issue that makes it clear. Republicans are on the side of the wealthiest Americans, Democrats are fighting for the middle class.

□ 1045

THE JOURNAL

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal of the last day's proceedings.

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

Mr. ROGAN. 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 notify absent Members.

The vote was taken by electronic device, and there were—yeas 364, nays 49, answered ''present'' 1, not voting 20, as follows:

[Roll No. 256]

YEAS—364

Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crapo
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Dickey
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Flake
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Walsh
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NAYS—49

Abercrombie	Gutknecht	Pascrell
Bonior	Hastings (FL)	Pickett
Borski	Hefley	Poshard
Brown (CA)	Hilleary	Ramstad
Clay	Hilliard	Rush
Costello	Hinchey	Sabo
Cunningham	Hutchinson	Schaffer, Bob
DeFazio	Kucinich	Stupak
English	LaFalce	Taylor (MS)
Ensign	Lewis (GA)	Thompson
Fawell	LoBiondo	Tiahrt
Fazio	McDermott	Visclosky
Filner	Moran (KS)	Wamp
Fox	Oberstar	Waters
Gephardt	Obey	Weller
Gibbons	Olver	
Gutierrez	Pallone	

ANSWERED ''PRESENT''—1

Gilchrest

NOT VOTING—20

Armey	Foglietta	Riggs
Becerra	Jefferson	Sanders
Crane	Manton	Schiff
Diaz-Balart	Markey	Slaughter
Dixon	Moran (VA)	Souder
Edwards	Peterson (MN)	Young (AK)
Fattah	Pombo	

□ 1107

Mr. FOX of Pennsylvania changed his vote from ''yea'' to ''nay.''

So the Journal was approved.

The result of the vote was announced as above recorded.

APPOINTMENT OF CONFEREES ON H.R. 2015, BALANCED BUDGET ACT OF 1997

Mr. KASICH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2015) to provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. SPRATT moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2015 be instructed as follows:

(1) On the matters pertaining to increasing the age of eligibility for medicare, reject the provisions contained in section 5611 of the Senate amendment.

(2) On the matters pertaining to the minimum wage, worker protections, and civil rights—

(A) insist on paragraphs (2) and (3), and reject the remainder, of section 417(f) of the Social Security Act, as amended by sections 5006 and 9006 of the bill, as passed the House, and

(B) reject the provisions contained in sections 5004 and 9004 of the bill, as passed the House.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. SPRATT] is recognized for 30 minutes in support of his motion and the gentleman from Ohio [Mr. KASICH] is recognized for 30 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPRATT].

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

Briefly, as a matter of introduction to what this motion to instruct pertains, it is a double-barrel motion. On the one hand we say the Senate provisions that would raise the age of eligibility for Medicare from 65 to 67 were not part of our bipartisan budget agreement, were not essential to achieving the objectives we set for ourselves. Indeed we were able to do the $115 billion in Medicare cost reduction over a 5-year period of time with substantial consensus.

This particular portion of the bill was reported by the Committee on Ways and Means with a near unanimity, with as close to consensus as we can get in this House. It was unnecessary to do it and, furthermore, it raises more questions than it answers: What will this coverage cost for people from 65 to 67; will it be available; how much lead time should we give people to get ready for this unexpected adjustment?

So we would instruct the conferees to reject those Senate provisions.

Second, the House and the Senate both added other provisions outside the budget agreement unnecessary to it that would deny the basic protections of one of the fundamental laws of the land, the Federal Fair Labor Standards Act, to individuals coming off TANF, coming out of welfare into workfare, or participating in the welfare to work program. We think that is unwarranted and unnecessary, and we would say to the conferees excise, take out, those provisions as well and reject them as part of this bipartisan agreement so it can truly be called a bipartisan agreement.

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

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

First of all, these motions to instruct are kind of gimmicky, to be truthful. They are just designed for somebody to come to the House floor, lay out difficult positions that are hard to win in a debate and, basically, they do not have the force of law.

Now, let me just speak to the three of them. First of all, the first one is we should not raise the age of eligibility for Medicare recipients from 65 to 67.

□ 1115

In the House bill we did not do that. We said it ought to be 65. But let me make it clear to everybody who is in this Chamber, that if they think that when their children must be put into the workplace to work day and night to pay for our benefits, and they think that there is not a fundamental restructuring of the system in need, then are we doing injustice to the young people of this country.

The fact is, in Medicare and Social Security and in Medicaid, we are going to find ourselves in a position where the number of young people will be few in number and the number of people getting benefits, which will be us, are going to be great in number.

Mr. Speaker, our young children in this country deserve a chance, the same kind of chance our parents gave to us, and we know that there must be fundamental structural changes in the major entitlement programs because these programs are not sustainable. We put our children in a position that is untenable and unconscionable if we are not willing to meet the challenge of the baby boomer retirement and what it does to our children.

Now, I am not so sure that this House is capable, along with the Senate, of designing the real solutions that are going to be necessary, the structural changes that are going to be necessary in the area of Social Security, in the area of Medicare and in the area of Medicaid.

I will say this: I think this House has taken a large step forward in terms of designing changes in Medicare that are structural in nature, that are positive, that move us in the right direction. But I would hope that this House will reject in the future the rhetoric of 1995, where some of my colleagues on the other side of the aisle said that we were trying to damage the senior citizens in this country by our Medicare reforms, and they are the Medicare reforms that they are today accepting.

So for those people who want to stand and demagogue and scare the elderly, scare the children, we are going to stand against you, just like we did in 1995 and just like we did in 1996, and finally had you support our program on a bipartisan basis.

Now in the area of worker protection, the gentleman from Florida [Mr. SHAW] had a comment on that. In the area of worker protection, let me just make one other statement here to my colleagues on the other side. And I have some friends on the other side who understand my heart, and there are friends I have on the other side who risked a lot for things they believed in.

The bottom line on this is, the House is not prepared to move to changing the retirement date on Medicare this week, but we sure as heck better open our mind and open our heart to what we are going to need to do long-term for the future of the next generation. And we will not be stopped by demagoguery because the young people in this country will not permit the politicians in this House, who are going to be the beneficiaries of all the benefits, the young people are not going to stand for it; and there are going to be many of us who get the benefits who are not going to permit you to demagogue this on your own and be able to win the day.

In the area of worker protections, the third recommendation that my friend from South Carolina [Mr. SPRATT] recommends, which is that we do not prohibit or we do not discriminate in the area of sex or health or safety for our people who go to work, who are on welfare, the House intends to stand behind

that position. We do not support discrimination in any form. We sign up to that.

In the other area regarding these workfare nonemployees, we obviously do not want to deny them their rights under antidiscrimination. But let me just suggest to all of my colleagues that we do not believe that all of the provisions like unemployment compensation ought to apply to workers who are on welfare, who are out there working to pay for the benefits they get from people who go to work every day.

Now we have had a struggle trying to define exactly how all these welfare workers should be treated, and I think we have made substantial progress in this House by guaranteeing that there would not be discrimination, that these workers would be in a safe environment, and the House intends to pursue that position in conference. At the end of the day I believe that we will guarantee the civil and human rights of every American. We are going to stand behind that.

So I am recommending to my side that we will accept the motion to instruct, but what I am troubled about is this idea that we should reject even the discussions about structural changes as they apply to the next generation.

Mr. STARK. Mr. Speaker, would the gentleman yield?

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

Mr. STARK. Mr. Speaker, I thank the distinguished chairman for yielding, and I want to agree with him, particularly as to the Medicare part. We are supporting the House position, and we have, and it has been a bipartisan exercise and has not been demagogued. I will talk more about it later.

And I agree that the long range program is what has not been addressed by either side, to our shame. We are getting to that. But for now, we have the high ground in the House and I am happy it hear that he is going to, because basically all we are asking is that we stick to the House position.

Mr. KASICH. Reclaiming my time, furthermore I want to compliment my friend from California for his work in the health subcommittee with the gentleman from California [Mr. THOMAS], the chairman, to try to fashion a bipartisan first step in Medicare. Maybe I should explain to the gentleman that he is very well aware of the beating that we took for our Medicare reforms which are now working their way into law.

Mr. STARK. If the gentleman would continue to yield, I think it was 25 short. But other than that, I am aware of it.

Mr. KASICH. But let me just suggest, though, that I am very pleased to hear the gentleman say that he recognizes that there is a next step. Because if we walk away from this problem of the baby boomers retiring, as the gentleman knows, we are not going to survive in America as we have known it.

I would like to say to the gentleman, and to the gentleman from South Carolina [Mr. SPRATT] and my friend from the State of Washington, that the Committee on the Budget intends to pursue a very aggressive examination of this big wave, the tidal wave that is coming. I expect to have Democrats participate in the settings that we create, the witnesses that we call in. Because the only way we are going to be able to deal with all this is to deal together, without having people standing in the well yelling and screaming and trying to scare the elderly in our country.

So we are going to vote for this motion to instruct, but I am very sensitive about the idea that we want to let people know everything is done, taken care of.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

The chairman of the Committee on the Budget is absolutely correct, this is frankly a theater. I am a little disappointed that the minority did not go after some really important stuff to try to protect in terms of a motion to instruct. Actually we do not need all the verbiage that is on the page.

The motion to instruct can be put in basically four words, that is, support the House positions. Now let us look at the irony. We are wasting time on the floor of the House of Representatives in talking about a motion to instruct which says ''support the House positions.''

I am here to tell my colleagues as chairman of the Subcommittee on Health, I did not work all those long hours to produce a 13 to zero vote, a unanimous support position in the Subcommittee on Health of the Committee on Ways and Means, to run over to the Senate and fold. I did not work hard to maintain the subcommittee's position on a 36 to 3 vote in the full Committee on Ways and Means to simply collapse in the face of the Senate. I do think it would be appropriate, since the Senate apparently feels fairly strongly on this issue, having voted on the floor of the Senate by better than two to one to include this, that we probably ought to listen to their arguments.

The gentleman from Ohio [Mr. KASICH], the chairman of the Committee on the Budget, I think makes the cogent point, we are going to have to engage. Is this the appropriate time? Is this the appropriate arena? Probably not.

But my colleagues should watch because this motion to instruct should be a voice vote. There is no reason whatsoever to have a recorded vote on a position ''support the House positions.'' So if the Democrats call for a recorded vote, it is a feeble opportunity on their part to try to catch someone who believes that we should not engage in these kinds of tactics so that a campaign position, if there is a recorded vote and they do not support this position, for them to put out a statement that the person who did not vote for this is in favor of increasing eligibility for Medicare from 65 to 67, shame on them.

Can they not come up with a real issue so that we can have a real discussion on substance, instead of putting together a package which is ''support the House positions.'' The answer is, you bet we are going to support the House position. My challenge to them is to let it go on a voice vote and do not record the vote.

Mr. FAZIO of California. Mr. Speaker, would the gentleman yield?

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

Mr. FAZIO of California. Mr. Speaker, I wonder why the gentleman is concerned about a recorded vote on something everyone has just agreed to.

Mr. THOMAS. Reclaiming my time, all I am saying is if the gentleman did not understand the point, let us see whether or not there is a recorded vote.

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

Let me simply say there is nothing unreal, nothing gimmicky about the age eligibility for Medicare. It is a vital issue for millions of Americans. And there is nothing gimmicky, either, about whether or not those coming off welfare into the work force will have the protection of the Federal Fair Labor Standards Act which has been the fundamental law of the land for the better part of this century.

Mr. Speaker I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I just wanted to agree with the gentleman from South Carolina [Mr. SPRATT]. I do not understand how the other side can say that we are wasting time or this is gimmickry. If they really believe that the age eligibility should not be raised from 65 to 67, let us vote on it.

We know that the other body has specifically said in their bill that they want to raise the age. American people, our seniors, are very concerned about that. We need to take a position on this. I have to say that I find it abhorrent that the Congress would even consider raising age eligibility for Medicare. At a time when we are trying to find solutions concerning our uninsured populations, raising the age eligibility to age 67 will only exacerbate the problem.

There are 4.5 million people between age 50 and 64 that are among the uninsured, for various reasons, and these numbers are growing every day. Some of these seniors lack access to employer-sponsored health benefits, while others are unable to afford expensive premiums and cost-sharing requirements.

Now we are telling them that they have to wait even longer before they become eligible for Medicare. We would be breaking our commitment to America's seniors by raising the age eligibility. It is not needed to balance the

budget, nor is it necessary to maintain Medicare short-term solvency.

Some may argue that Social Security is already raising its age eligibility and that raising Medicare's would be consistent. But I would remind my colleagues that in Social Security seniors have the option to retire early and receive some of their benefits, while no similar option exists for Medicare.

Raising the age eligibility has had little discussion, no congressional hearings. I personally see the increase in age eligibility as a back-door approach to letting Medicare wither on the vine. That is a phrase that the Speaker, the gentleman from Georgia [Mr. GINGRICH] has often used; and I strongly oppose that its inclusion be a part of any final budget package. I strongly urge my colleagues to support this motion to instruct.

□ 1130

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Speaker, far from wasting our time on the floor today, we have accomplished seemingly two major improvements in a bill that is seriously flawed in many ways.

I hear the gentleman from Ohio [Mr. KASICH] and the gentleman from California [Mr. THOMAS] saying that they are going to support this motion. I hope that means that when we go to conference on this package of spending cuts, we will not entertain the increase in the age to be eligible for Medicare to the age of 67. It is very clear that in this country we have a major problem with many people in their fifties who have been downsized, let out of their job, where their health benefits were real and decent, and suffer because there is no bridge to retirement. We only make the gap broader for those people if they are not given at least the age of 65 to look forward to.

In addition, Mr. Speaker, it is unconscionable to say that people who are transitioning from welfare to work will not be covered by the same statutes that protect workers. To have a sexual harassment claim not to be viable, not to be of legal standing simply because someone is transitioning from welfare is unbelievable. I am very pleased the Republicans have agreed.

Mr. KASICH. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. THOMAS].

Mr. THOMAS. The gentleman has argued the points. None of the points that the gentleman has argued are in the House package, so I guess the concern of the gentleman is that this conferee and other House conferees, having gone through the legislative process on this side, not putting any of that material in the bill would now somehow think that it makes sense. Is that the concern of the gentleman from California?

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

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

Mr. FAZIO of California. I am particularly concerned about the version of this bill that will work a hardship on people coming off welfare into work.

Mr. THOMAS. Mr. Speaker, reclaiming my time, is he concerned about the conferees not holding the House position? Is that his concern?

Mr. FAZIO of California. I am concerned that this conference is going to engage in some fundamental changes not only in the Medicare law——

Mr. THOMAS. The question is, and I'll reclaim my time. If the gentleman wants to answer it, I'll give him another chance. If he chooses not to, that is fine. The question is, does the gentleman have confidence in the House conferees upholding the House position? Yes or no.

Mr. FAZIO of California. I am certainly hopeful that if we all vote to make sure that these onerous provisions are not included in the conference, that we will follow the position when we get to conference.

POINT OF ORDER

Mr. WAXMAN. Point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman will state his point.

Mr. WAXMAN. Mr. Speaker, I cannot understand how a gentleman can ask another gentleman a question and not give him a moment to answer it.

The SPEAKER pro tempore. The gentleman has not stated a point of order.

Mr. KASICH. Mr. Speaker, how much time is left on both sides?

The SPEAKER pro tempore. The gentleman from Ohio [Mr. KASICH] has 17½ minutes remaining. The gentleman from South Carolina [Mr. SPRATT] has 25 minutes remaining.

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, the fact is that we are not wasting time at all. There is a serious threat to seniors' health care in this country. There is a health care crisis in our country. Too many Americans do not have access to quality health care that they need.

Quite honestly, Democrats have fought to expand coverage for 10 million American children who do not have health care coverage. Yet Republicans backed away from their promise to insure just half of these children.

Now with the specter of moving the age limit from 65 to 67 for seniors with regard to Medicare, we are looking at no coverage of people zero to 67 in this country. We are moving backward in terms of providing health care for people in this country. Instead of trying to find ways to make sure that seniors have security of health care coverage in their retirement, it would appear that the Government is backing away from that promise that they would be there for them at age 65.

Seniors have worked hard all of their lives, they paid their dues, they planned their retirement with the knowledge that they would be able to depend on Medicare when they turned 65 years of age to help to pay their medical bills.

Let us vote on the motion to instruct. Let us work to help expand health care coverage for seniors.

Mr. SPRATT. Mr. Speaker, I yield 11 minutes to the gentleman from California [Mr. STARK] and ask unanimous consent that he be allowed to yield portions of that time to other Members.

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

There was no objection.

Mr. STARK. Mr. Speaker, I thank the distinguished ranking member for yielding me this time, and I yield myself 2½ minutes.

Mr. Speaker, insofar as the Medicare provisions in this bill are concerned, it is a matter of record that we have had strong bipartisan cooperation and agreement in the House. My remarks today are designed to amplify the problems in the Senate bill and for whatever other effect we may have is to give us a stronger hand in dealing with the Senate in conference, which indeed has been a tradition of motions to instruct for many years.

A vote by this House representing the strong feelings that we have in support of our bill is an aid in negotiating and to show that we have the support of the American people. The Senate has basically taken a silk purse and turned it into a sow's ear. We find this morning a poll of the Washington Post that says 64 percent of the people oppose extending the wait for Medicare to age 67.

The AARP bulletin, which I now get, Mr. Speaker, says that the Medicare measure takes the wrong turn. That is in relationship to the Senate bill. The Senate also allows doctors to bill patients more, or extra. It allows doctors to force patients to give up Medicare if they want certain specialty care from these doctors. It cuts payments to the Nation's safety net hospitals by 20 percent. It increases home health care cost in the Nation's frailest and sickest by $760 a year.

I hope that the conference committee will stand firm and fix these provisions, and I pledge to work with the gentleman from California [Mr. THOMAS] and the gentleman from Ohio [Mr. KASICH] to see that we do prevail over the Senate, for these provisions will do harm to the Medicare system. There are ways in which we can change Medicare and make it more solvent. I would like to work with them. I believe that raising the age limit without a plan to protect the people from 65 to 67 is the wrong way to go, and I think we can work to fix that in the years ahead.

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

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

Mr. THOMAS. I thank the gentleman for yielding. First of all, I want to thank him for the cooperative effort in

producing this House product and we will continue to make sure that the House product survives in conference. I will commit to the gentleman that we will do everything we can to deliver the product.

It is just a shame that we wind up with a political charade. If it is a voice vote, I understand the gentleman's and the others' concern. If it is a recorded vote, it is clear that these are political shenanigans.

Mr. STARK. Mr. Speaker, I yield 2½ minutes to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the House has passed a bill, the Senate has passed a different bill. There will be a conference. The Republican leaders today have said to us that when they go into conference, they are going to try to hold the House position, but they are going to have to move toward the Senate to get an agreement. The chairman of the Committee on the Budget said we have got to be aware that structural changes are going to come down the line at some point, and he is not for this change this week.

The point is that we know what the House Republicans were for in Medicare in the last Congress. They wanted structural changes that would have ended the Medicare program as we know it and would have put a lot of elderly people into the lowest priced HMO that would survive profitably by denying them care.

I cannot understand why we are hearing that the gentleman from California [Mr. THOMAS] would object to a recorded vote. If he really thinks it is a bad idea to change the age limit, he ought to be willing to vote with us to reject that idea when they go into conference.

The Senate reconciliation bill contains a number of ill-conceived provisions relating to Medicare. They increase the burdens on beneficiaries with home health copayments. They have further balanced billing beyond what now exists in the law. They have premiums increase dramatically for higher income people in a very complicated and unworkable way. If you combine the income testing of the premium along with the MSA option, which is in the House bill, it raises the specter of fragmenting the risk pool of the program. That sounds technical, but the effect on moderate-income Medicare beneficiaries who are older and sicker is not going to be some theoretical one. It will be real and it will ultimately hurt many of them.

The issue before us and the focus is the Senate voted to change the Medicare age from 65 to 67. We want to say ''no'' to that provision. It is irresponsible. It is a proposal where there has been no examination of the effects it will have or who it will hurt, and we know already we have a problem with many people waiting for Medicare coverage who have no health insurance coverage. Let us not widen this gap into which many people will fall. We are talking about people who are often downsized, which is the euphemism, out of jobs when they are older, but they are not old enough for Medicare. They are not old enough for Social Security. Under Social Security they at least can come in and get a reduced benefit rather than go without any income. But if we say to them, you have got to wait until you are 67 to get any health care coverage and they happen to be sick, disabled but not disabled enough to get covered as a disabled person, they are not going to find a health insurance coverage insurer that will cover them because of preexisting conditions. We must vote to reject the Senate provisions.

The Senate reconciliation bill contains a number of ill-conceived provisions relating to Medicare. Burdens on beneficiaries are increased with home health copayments, protections against balanced billing are removed in some cases, and premiums are increased dramatically for higher income people in a very complicated and unworkable way.

Combining income-testing the premium, along with the MSA option included in both the House and Senate bills, raises the specter of fragmenting the risk pool of the program. That sounds technical—but the effect on moderate-income Medicare beneficiaries who are older and sicker is not going to be some theoretical one—it will be real, and it will ultimately hurt them.

But I want to focus particularly on the provision in the Senate bill that raises the age of eligibility of Medicare from 65 to 67. This is a change that is totally irresponsible. It is being proposed with no examination of the effects it will have or who it will hurt.

It is flat out bad policy.

We already have a problem in this country with people who find themselves out of the work force at a time when they are getting older, but aren't yet eligible for Medicare. They face a truly terrible situation: frequently they simply cannot find any sort of affordable insurance coverage.

This problem is so serious that we have frequently recognized over the last several years that something needs to be done to extend medical benefits to this population.

Instead, this proposal goes in the opposite direction: It takes people at the very time they are most likely to begin to face health problems, at the very time that getting affordable private coverage is most difficult—and we delay their eligibility for Medicare.

A lot of people out of the work force in their early sixties aren't wealthy or healthy people: they are people in poorer health, or with some disability not quite serious enough to qualify them as disabled, or people that their employers have decided to downsize out and replace with younger workers. This would add to their problems by delaying their eligibility for health coverage.

Unlike Social Security, where people can at least elect a reduced benefit if they need it before the age when full coverage begins—there is no partial coverage for health benefits.

Medicare just won't be there.

This is a change that we should vigorously oppose. House conferees should not accept it.

People who need Medicare, who can't wait 2 more years until they are 67, deserve the support of every Member of this House in opposing this change.

Mr. KASICH. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. THOMAS], chairman of the Subcommittee on Health and the Environment of the Committee on Ways and Means.

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

Mr. Speaker, I am really pleased that the gentleman from California [Mr. WAXMAN] pretty well laid out the game plan here. He talked about the structural changes that the Republicans made in the balanced budget amendment in terms of Medicare changes. Most of those frankly are in this bill. They were voted on unanimously in subcommittee. The point that the gentleman was making on the structural age change from 65 to 67 was not in our program. It was not in the plan.

If you are going to offer a motion to instruct which is not theater, the gentleman from California then went on to discuss the medical savings account provision and a number of other provisions. If you want a contest, you want to lock in positions that are important, that are of substance, that should have been your motion to instruct. Something of substance would have been worth this debate.

The gentleman says we should have a recorded vote on the motion to instruct. The gentleman well knows the motion to instruct carries exactly the same weight whether it is passed by a voice vote or by a recorded vote. It is obvious in the debate that they want to make points not included in the motion to instruct.

The motion to instruct is theater, and the recorded vote that will be insisted on by my colleagues on the other side of the aisle is theater as well. Welcome to the grand theater of the absurd.

Mr. STARK. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio [Mr. STRICKLAND].

Mr. STRICKLAND. Mr. Speaker, when the gentleman on the other side of the aisle says what we are doing as we try to speak for our constituents is a charade and that this is theater, I am reminded of Shakespeare who says ''thou dost protest too much.''

We have got a responsibility in this Chamber to speak up for our constituents and that is what we are going to do. We should be expanding health care opportunities for the most vulnerable among us, the old and the young, and not reducing those opportunities. How many millions of our mothers and fathers, grandparents, aunts and uncles will be without health insurance because of the Senate's action?

□ 1145

For many Americans who work with their hands in grueling jobs, I am talking about steel workers, carpenters, machinists, road builders, it is simply

not physically possible for many of these workers to work beyond 65 years of age. We cannot afford to let them languish without health insurance.

I think of my niece, Beverly, a mother who has four children and who works as a pipefitter. Beverly cannot work beyond 65 years of age, I think. I am worried about Beverly and all the other hard-working Americans who could face the age of 65 and know that they have no guarantee of health insurance. That is what we are talking about. That is why it is important.

My colleague can call it absurd, my colleague can call it theater, but it is important business that we are talking about today.

Mr. KASICH. Mr. Speaker, I yield myself 2½ minutes.

Let me just suggest that I do not have the Senate proposal in front of me, but I believe that the people who would be the most affected by the raise from 65 to 67 are us because it is phased in over a long period of time.

Now I am just going to suggest that if we think that in order to help the children we have to bankrupt mom, that is clearly, that view is clearly held by somebody who does not know much about the current system. At the same time, in order to help mom it does not mean we have to bankrupt her adult son.

Now if we want to hear emotional appeals about the struggle that people have as they become senior citizens, we have to be sensitive to it. I think we got a good bill to do that. But to only take into consideration us, the baby boomers who would be primarily affected by this, and for me to say that I got to eat and that my children should just go to work and work 80 hours a week to pay taxes to support me is unconscionable.

The simple fact of the matter is this country must avoid a generational war, and it is up to us to have the decency, it is up to us to have the restraint, it is up to us to be the leaders that will prevent a generational war in this country by putting the good of the country first and not pitting one age group against another. And if it is going to happen, we are going to go to war.

And I am going to tell my colleagues the young people in this country are going to win that war, and we do not need to have it, we need to avoid it. We have enough divisions in our country. We have enough anger and enough hatred and enough prejudice in our country without us to be creating it.

I believe it is possible in a sensitive way to be able to make the structural changes in this country that will not bankrupt mom while at the same time giving her adult children and grandchildren a chance, and in order to give the adult children and the grandchildren a chance does not mean that we got to dump it all out.

What has happened in our country is simple. The young people, working young people with kids in this country have been put up against the wall, and mom and dad will be the first ones to say we ought to restore balance between the generations, and that is what Republicans and Democrats ought to strive for.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Missouri [Mr. TALENT].

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

Mr. Speaker, I knew from the beginning of the session that there would be a series of attempts through the back door, if my colleagues will, to substantially revise, in fact to gut the work provisions in the welfare bill that we passed last year on a bipartisan basis, and that the President signed and that is working in the United States of America and reducing welfare caseloads around the country, getting people off dependency and to work. And there have been a series of attempts to do that in committee, on the Senate floor, and now unfortunately in this motion to instruct.

Now, Mr. Speaker, the motion to instruct contains, I think, a good provision telling us that we should not, at this time anyway, increase the retirement age for Medicare from 65 to 67. I support that, and I am going to support the motion to instruct for that reason. But attached to it is one of those backdoor attacks on the work provisions in the welfare bill.

The whole point of the work provisions that we passed last year was to require work in exchange for welfare benefits and therefore to make work attractive vis-a-vis welfare, so that we would encourage people to get work skills and to get off welfare and into work, and it is working. All around the country caseloads are going down, people are going off of dependency into sufficiency, into self-sufficiency, and it is working because we have decreased the attractiveness of welfare vis-a-vis work.

Now there are many people in this House who will not oppose that openly. They will all stand up and say ''We are for welfare reform.'' But then they introduce measures which would have the effect of gutting that by in effect turning workfare into a vast expansion of the welfare bureaucracy without changing any of the incentives that lead people to dependency. That is the effect of the work provisions that were attached to the Senate bill. Here is what they would do, in a nutshell:

Let us suppose somebody goes on community service. They have to work under the new bill, they cannot get a job, so they go into community service, they are doing some kind of paperwork job in a clerk's office; OK.

If the Senate provision prevails, they will be getting at least a minimum wage plus food stamps, plus Medicaid, plus housing, plus access to 70 other Federal welfare programs; plus, if the Senate has its way, the right to get the earned income tax credit, the right to file worker's compensation. FICA taxes will be deducted. It will be some kind of a super employee status, and they will be working right next to somebody who is just getting that same minimum wage and is not getting any of those other things, and the reason is they never went on welfare.

So we will take a provision, the purpose of which was to make welfare less attractive than work, and will turn it around and make it more attractive than work, exactly the kind of welfare reform, quote, unquote, that was attempted in the 1980's and did not work and will not work now.

Mr. Speaker, we are helping for the first time poor people and their children. We are getting them off of welfare checks and onto paychecks. It is working. Let us not turn the clock back on that.

I am going to vote for the motion to instruct. I like the provision on Medicare. I think my colleague is right. I think we ought to make a statement to the Senate. Let us work together in conference on these other provisions. The House has reasonable protections for people in community service. We do require the payment of the minimum wage. We have protections against sex discrimination. We have protections to make sure they work in a safe environment. But let us not load up the work requirements to the point that they are unaffordable to the State and that they make actual work unattractive vis-a-vis welfare.

I hope I can work with my colleagues in achieving that in conference. I think the motion to instruct in that respect is a step in the wrong direction. I am going to support it anyway, but let us talk about it in conference. Let us not gut the work provisions in a welfare bill that is working so well.

Mr. STARK. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Speaker, I want to thank the gentleman from California [Mr. STARK] for yielding me this time, and really thank the gentleman from South Carolina [Mr. SPRATT] and Mr. STARK for bringing forward this motion to instruct our conferees to support the House position.

I would like to talk primarily on the Medicare provisions because we worked long and hard in this House to bring out a bipartisan bill on Medicare. The other body, in raising the eligibility from 65 to 67, have brought forward a major change in policy in Medicare without any public hearings on this side, without really thinking out what that policy would mean. We have provisions in our bill that set up a commission to look at the long-term solvency of Medicare, but by increasing the age from 65 to 67 we have not thought out how these individuals are going to receive health benefits.

Are we expecting the employer-provided health benefits to cover? If so, then we have one of the largest new mandates on the private sector with no

idea how it is going to be funded. Do we expect our seniors 65 and 66 to pick up this cost, the extra five 5, 6, $7,000 a year? Can they afford it recently retired? I doubt it. Do we expect our seniors to go without any insurance coverage, to increase the number of uninsured?

These are questions that must be answered first before we increase the eligibility age for Medicare.

I urge my colleagues to support this motion to make it clear to our conferees to maintain the 65-year-old eligibility for Medicare. Let us make sure that we protect the solvency of Medicare as we have in the House provisions. I urge my colleagues to support the motion.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise to urge the Members to support the motion to instruct the conferees to prevent us from prematurely raising the age from 65 to 67 to qualify for Medicare.

Mr. Speaker, a few years ago a young President came to Washington, DC. He wanted to make sure everybody had health care. We all know what happened. We could not agree on a plan, and so we got no plan.

Last year we began again to move in that direction. The Kennedy–Kassebaum, anyone with preexisting conditions could get health care.

This year all we talk about is how do we get more kids covered with health care.

Now I look and see, what are we doing? We only have one area, one group of people who have universal health care. When someone becomes 65, take a sigh of relief. They have got Medicare. Why on one hand are we trying to cover more people and then, lo and behold, on the other side saying, ''You that have it, we're going to take away, you're going to have to wait 2 years longer.''

I think this is folly. The bill before us provides for a study. We should wait for that study and not act prematurely.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio [Mr. KUCINICH].

Mr. KUCINICH. Mr. Speaker, I rise in opposition to the Senate's recent vote to raise Medicare's eligibility age from 65 to 67. Millions of seniors know they are being pushed toward an early retirement. If this provision were accepted today, 4 million seniors would no longer be eligible for Medicare and 200,000 would have no insurance at all. This ill-advised change will create gaps in health care coverage, gaps which could be covered only by expensive private insurance, which would further jeopardize seniors' retirement security or force seniors to forgo needed health care. The number of uninsured seniors would soon rise to almost 2 million.

Ultimately American families will be called upon to sacrifice the health of their parents or grandparents. That is where the real intragenerational financial challenge will be faced, in family budgets. Such hasty changes in Medicare will reduce public confidence in a program which has provided solid health care and security for tens of millions of Americans. We should protect Medicare, not weaken it with a proposal to increase the Medicare eligible age.

Mr. STARK. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from California is recognized for 1 minute.

Mr. STARK. Mr. Speaker, I close by suggesting that I am pleased that my colleagues will be supporting this motion to instruct on a bipartisan basis. Send a strong message to the Senate about our feelings.

But I want to warn my colleagues about the future. Any attempt to make Medicare a two-income-level plan, indeed to make it a welfare plan, could put the seniors in the same fate as second class Americans that we will be debating in the next 10 or 20 minutes, because once we allow any Medicare beneficiaries to become in any way suggested that they are welfare beneficiaries, we will see by the attitude that this House directs toward them what could be the sad fate of seniors.

□ 1200

So think about it. We must keep Medicare as a broad program in which all seniors participate, and as we change it, and we must do that, we must make sure that it does not become a two-class program, because Members will see the dangers in the future debate on this issue.

Mr. Speaker, I thank the distinguished chair of the Committee on the Budget and the ranking member and the chairman of the subcommittee for their courtesy.

Mr. SPRATT. Mr. Speaker, I ask unanimous consent to allocate 12 minutes, 6 minutes to the gentleman from Missouri [Mr. CLAY] and 6 minutes to the gentleman from Michigan [Mr. LEVIN], and ask that they be able to allocate and yield portions of their time to other Members.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

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

Mr. Speaker, I rise in support of this motion. The Republican gentleman from California said that this motion is unnecessary because it is supporting the House position. That is untrue. The House-passed version of the budget reconciliation bill is destined to make second-class citizens out of those going from welfare to work. It establishes a class of workers who will be denied protections against age, sex, and racial discrimination.

The welfare workers will in fact be doing the same jobs as that performed by other workers. The House bill denies these workers the enforcement and remedial protections of the Fair Labor Standards Act. What have poor people done to deserve such cynical treatment by the Republican majority?

The pending motion instructs the conferees to reject the outrageous attack on people trying to escape the ravages of poverty and welfare. It also instructs the conferees to recognize that workfare recipients are worthy of the same dignity and equal protection afforded other workers.

The motion instructs conferees to accept the House language concerning sexual harassment and occupational health provisions. It instructs them to reject the sham grievance procedure under which victims of sexual harassment can only seek redress from the very agencies that employ them. Mr. Speaker, this is contrary to what the gentleman from Missouri on the other side said. It is a sham procedure. There is no protection for them.

The House grievance procedure also fails to provide any means by which welfare workers may effectively refuse to work in dangerous and hazardous conditions. Under the House bill, these workers can be forced to work in toxic waste sites.

Mr. Speaker, the pending motion is very simple: Preserve the promise we have made regarding Medicare eligibility, protect workfare participants like we protect other workers, and make sure these protections are backed up by credible due process and effective remedies for redress.

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

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

Mr. Speaker, the gentleman from California asked why we wanted a recorded vote. The reason is because there are several parts of this motion to instruct. One of them relates to Medicare and the age parameters, but another part relates to whether people who move from welfare to work should be treated as first-class citizens and should be covered by FLSA.

When Members vote, whoever does, for this motion to instruct, they are essentially saying, we reject the House position that takes people who are moving from welfare to work out from under the minimum wage and other protections of FLSA. That is what Members are doing when they vote, if they do, for the motion to instruct.

We want everybody on record on this because it is very important. Contrary to what the other gentleman from Missouri said, this is an effort to implement the welfare bill. This is to make sure, as people move from welfare to work, who are workers, that they be treated as workers and not as second-class citizens.

The history of this is the following, quickly: The original Committee on Ways and Means proposal in the House would exempt all of the people who are under TANF from protection of minimum wage and other protections,

health and safety and others, under the Fair Labor Standards Act. We protested.

So then what was finally done was to say even if they would be classified as employees, they would still not be considered as protected under the Fair Labor Standards Act, but let us be sure they have minimum wage and, unlike the original House Republican proposal, we will not allow the State to deduct medical care, child care, or housing assistance. But they still do not have the protections under Federal law if they are not paid the minimum wage. They still do not have protections against sexual harassment.

Let me just ask, as someone moves from welfare to work, as they should, why should they not have protection against sexual harassment? No, this is not a question of making welfare less attractive. This is an issue of treating people who move from welfare to work as workers. It is carrying out the basic premise of welfare reform, and that is the dignity and integrity of work. That is what this is all about.

We won only part of this fight in the committee. We want to win the rest of this fight today on the floor of the House in the motion to instruct. Let there be no mistake about it, that is our purpose, to implement welfare reform. The excuse was States would not be able to implement the participation requirements if we put people under FLSA. But Members put them, the majority, under some form of minimum wage, which would be the main barrier to States, and everybody acknowledges they are going to be able to meet these participation requirements in the next several years.

Then the argument was, well, we are going to create bookwork. My answer to that is, Mr. Speaker, I do not want to create unnecessary bookwork, but I want to make sure that people who move from welfare to work, which I very much favor, are treated, as is the promise of welfare reform, as first-class citizens of the United States of America.

Mr. Speaker, I urge support for the motion to instruct on this record rollcall.

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

Mr. HOBSON. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. I thank the gentleman for yielding me this time, Mr. Speaker.

Mr. Speaker, I guess we should start out the argument in this particular phase of where we are today as ''been there, done that.'' As a minority party, we have been there, we have done that. Now I think it is a question of whether or not we are going to record a vote. Of course we are going to record a vote. We have been there, we have done that, too.

What do we do? We try to get this thing couched in a way that could cause some embarrassment to the majority. We have been there, we have done that. So let us get rid of the question of whether or not they are acting unfairly, because we have been there and we have done that.

I would like to take a close look at the motion that is before us. The first item talks about, oh, we are not going to raise the retirement age as far as receiving Medicare until age 67. The first generation that is going to have to wait until the age of 67 are those born in 1960, so let us not talk about senior citizens, because we are not. They are totally unaffected. Even people in my age category are unaffected by what the Senate is going to do.

Are we going to support the House position? Of course we are. So we get by that one.

Then I want to go down to the third one. The third one reads that the motion insists on the House provisions that prohibits sex discrimination in all work activities and assures health and safety protection for all participants. Are we going to support the House position? Of course we are. We wrote it. We negotiated it.

I might tell my Democrat friends that they had input in it, and we received some of their input, and together we wrote some of these provisions. Are they going to support that? Of course they are. Are we going to support that? Of course we are, because we put it in the bill.

But let us take a look at the second provision in the motion to instruct. That says that the motion rejects language in the House bill that treats certain TANF participants as nonemployees, therefore denying them protection under the Federal antidiscrimination laws: the Fair Labor Standards Act, OSHA, and other workers' protection.

Let us take a close look at that. Let us look at existing law, the welfare bill that was signed into law by the President on August 22, 1996. That has a provision, a nondiscrimination provision, including, and I am reading directly from the legislation right now, ''The following provisions of law shall apply to any program or activity which receives funds provided under this part.''

Now what applies? We heard somebody talk about discrimination on race. We heard another Speaker say they can discriminate on age. Let us see what is in the law right now that we do not change, that we simply make this a part of.

The Age Discrimination Act of 1975, that applies to the people receiving these benefits. Section 504 of the Rehabilitation Act of 1973, that applies to people receiving benefits and having to work for their benefits under this bill. The Americans with Disabilities Act of 1990, it applies. We do not take that away. Title VI of the Civil Rights Act of 1964, that applies. It is in the bill. Read the law. Read the law for once and quit posturing.

Then what we do is that we go back and we add to those antidiscrimination provisions. We have a provision as to health and safety. We have another provision as to sex discrimination. I am reading right from it. It says, ''In addition to the protections provided under the provisions of law specified in section'' so and so, ''an individual may not be discriminated against with regard to participation in work activities by reason of gender.'' That is in here. Read it. That is in the House bill.

I think it is important that we look and see how far we have come. We have taken the provisions and the safety provisions that are presently in the existing welfare bill and we build upon them. We build upon them, to be sure that workers have more rights.

Now, the question is, is there a remedy? Yes, we provide in here that the States have to set up a remedy. Now, with regard to the Civil Rights Act and other Federal laws that I just made reference to, their remedy is just as it always has been and it is for any worker, whether it be through the courts or a complaint to the Federal Government. But we set up a provision that requires the States to set up a remedy with regard to some of these other provisions if people are discriminated against.

Mr. Speaker, these are important things to realize. I would like to point to one other provision that was something that was very, very heavily supported by the Democrats. That is a provision that could be, could be seen as discrimination. We cannot displace an existing worker with somebody who is on welfare. That is something that I think Members want in the bill. Is that discrimination? Yes, I would say that is discrimination. If we cannot fill that position and let somebody go because you are going to fill it with somebody coming off of welfare, that is, but I think my Democrat friends would insist upon that, and it makes sense. We went along with it. So I think what we have to do, and I would say here in closing that I have no problem with the motion to instruct. Is it a political document? Of course it is. Does it have any effect of law? Does it bind the negotiators? No, it does not. Does it do any harm? No, it does not. Am I going to vote for it? Of course I am going to vote for it. There is nothing in here that is inconsistent with my responsibility as a conferee, and I intend to support it.

□ 1215

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Mr. Speaker, it is an interesting refutation we just heard. What we heard is that with respect to people who are struggling to get off of welfare, the Republicans are prepared to take care of old disabled people. We thought they would do that anyway.

But the fact of the matter is for the workers under this legislation that they have sent to conference, those

workers who are struggling to get off of welfare, who have taken the direction of this Congress, they are second-class citizens with respect to the protections that other workers receive. That is a matter of the law in the bill that we have sent to the conference committee.

That is true with respect to sexual harassment. That is true with respect to the minimum wage. That is true with respect to worker protections under OSHA. We have to ask ourselves, why is it the Republicans are so hell bent, so hell bent on punishing working people?

Earlier we saw that they wanted to deny them the minimum wage. Then they wrote a tax bill that showered the benefits onto the wealthy. Now we see, to balance the budget, they have decided that people who go on welfare should not be given the same benefits as other people they are working alongside of in the workplace.

It simply is not fair. It is inequity, and it is simply un-American with respect to the treatment of working people. Working people deserve better and that is why we are going to ask for a vote on the motion to instruct.

Mr. HOBSON. Mr. Speaker, I yield 30 seconds to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, I would like to read directly from the House bill. Health and safety standards, that is OSHA, established under Federal and State law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of participants engaged in a work activity.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I say to my friend from Florida, look, there is a reference to health and safety that was put in after we protested. But there is no Federal protection of that right.

Why should people be treated as second class citizens as they move from welfare to work? Why should they not have the same protections as other people, the full dignity and integrity of work? In the list he read earlier, there is no protection against sexual harassment or against employment discrimination. So they are trying in a sense to finesse the issue on the majority side.

We have been able to move this along but not to the point where people who work are first class citizens whether they are on welfare or not.

Our basic premise is this: People who work, surely those who move from welfare to work, as I believe they should, and I supported the welfare bill, should have the same protections as all other employees. If they are employees under FLSA, they are employees. And you have been trying to cut this in pieces.

What we are saying is, let us keep it whole. That is what people in this country deserve. That is the intent of the law.

This motion to instruct says, follow FLSA as it applies to all employees.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, the Republican tax-and-spend bills that we are debating here this afternoon help the biggest and reward the richest and the biggest corporations, and they punish America's working families. My colleagues across the aisle know it, and the American people know it.

This Republican spending bill turns hardworking Americans into, as my colleagues have just said on the floor, second class citizens. This bill contains provisions that permit and even encourage employers to deny basic rights and protections to hardworking Americans doing an honest day's work, provisions that say that it is OK to deny some Americans safe working conditions, provisions that say that it is OK to deny some Americans their right under the Family and Medical Leave Act, denying them the right to choose their jobs, making sure that they do not have to deal with the choice between the job that they need and the family they love, provisions that say that it is OK to deny some Americans protection from sexual harassment.

This bill says that some Americans are less than equal, that they do not deserve the same rights as other Americans, that it is OK to create a subclass of citizens. That is not just a slippery slope, it is a jagged cliff.

If all Americans do not share the same rights, then none of us have them. Think about a mother who is working to support her children. This spending bill permits, it even encourages her boss to ignore the most basic safety rule. It allows him to sexually harass her without fear of punishment. Who would put their sister, their daughter, their mother in such a demeaning, compromising situation without any recourse? The Republicans want to write this into law.

This Republican spending bill does very little to protect children's health. Every day in America 3,300 children lose their health insurance. In the bipartisan budget agreement, Republicans promised to cover half of America's 10 million uninsured children. This bill abandons that promise. It abandons these children. Under this bill, only about 500,000 children will get health care, and even that figure is in dispute.

To make matters worse, this bill shortchanges funding for children's hospitals. This Republican spending bill is an attack against the American principles of fairness and opportunity. This Republican spending bill is an attack on our rights. This Republican spending bill is an attack against American working families, as is the bill that we will discuss in a little while that deals with the tax reconciliation, helping the rich at the expense of working Americans.

I urge my colleagues to vote for the motion to instruct so we do not have to have a subclass of American citizens and so that we can ensure that our citizens are protected in health care.

Mr. HOBSON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. LINDER].

Mr. LINDER. Mr. Speaker, I thank the gentleman for yielding me the time. This whole discussion has sort of an Alice in Wonderland quality about it. We are talking as though hard working American citizens are being denied basic rights of employment.

These are welfare recipients. These are people who have been on welfare for 2 years and did not get a job after 2 years, as the welfare reform requires. So they are doing 20 hours a week of public service. They are getting $8.50 to $9 an hour in cash and noncash welfare benefits without working for it, and they are providing 20 hours a week of public service because they did not get a job as the law requires.

Now they want to require, in addition, they get minimum wages on top of that. For that, they get all the protections of the Fair Labor Standards Act, so they could possibly maybe get unemployment benefits, too, when they quit the job, and all the other benefits that accrue to people who go out and work for a living, find a job and support their family the way the rest of America does.

It is dishonest, it seems to me, or at least misleading to try and convince America that these are hardworking people just trying to raise their families when in fact they are welfare recipients, getting $8.50 to $9 an hour in benefits from the taxpayers already, who now want to be paid for public service because they refuse to go to work.

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

Mr. HOBSON. Mr. Speaker, I yield the balance of my time to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, as we come to the closure of the debate on this, I would like to not only compliment the chairman of the Committee on the Budget, the gentleman from Ohio [Mr. KASICH], but also the gentleman from South Carolina who, together with the Republicans and his Democrats, sought out a lot of middle ground in working this process through to bring the House bill to the floor.

The provisions complained of in the motion to instruct are harmless. It accepts the House provision in the first and the last provision within the motion to instruct. The second provision is written in such a way, I think, to mislead people that the House provision was blind to the protections that workers would have.

I would encourage all Members on this side of the aisle to go ahead and support the motion. It does no harm to the House position. I think, as a matter of fact, my interpretation of it is in very strong support of the House position, and that is where the conferees should start out and hopefully end up on a lot of these provisions.

I do want to make it very clear, however, to Members listening to the debate that what we are talking about when we talk about some of these things that might be missing such as unemployment compensation, FICA, some of these other provisions that are the only benefits that these people are not receiving, when they go into the private sector, they will receive full benefits.

There is no discrimination against people when they become employees when coming off of welfare. As a matter of fact, we do everything we can to get them out there in a permanent job in the private sector where they receive all the benefits.

This is not a question of class warfare, class distinction, or taking away the rights of the American workers. They are fully protected as they should be protected. We are talking only about the provision when they are doing public service jobs so that they do not lose their benefits. That is what is important.

Mr. SPRATT. Mr. Speaker, I yield myself the balance of my time.

We bring this motion to instruct conferees because we are in the minority. This is a way we have, one of the few devices we have to register our views on things that are important.

There is no question about it. Medicare age eligibility is fundamentally important. We want to register the House position on that.

Second, it is fundamentally important to us also to say that everybody, every American, because of his status as an American, is entitled to the fundamental protection of the laws of the land, which is what the Federal Labor Standards Act is.

The simple way to accomplish that is to say that you are a worker within the definition of the Federal Fair Labor Standards Act, except to the extent that this protection does not apply. That is what we are seeking here, to give them the broad protection of the law that has been the law of the land for more than 50 years. I was pleased to hear that my colleagues, the other side of the aisle, will be supporting this motion to instruct, and I assure the Chair that when the time comes we will be asking for a record vote because this is a matter of importance, both of these issues, on which we want to register the views of the House as we go into this conference.

Mr. STENHOLM. Mr. Speaker, I rise in support of this motion, but I bring a somewhat different perspective to this debate. I find myself in agreement with much of what has been said by my Republican colleagues about the need to deal with both of these issues. I agree with the substance of both proposals addressed in this motion.

A gradual increase in the eligibility age for Medicare must be part of a serious effort to reform entitlement programs to preserve them for future generations. I think most of us recognize that the budget agreement is a very humble first step in dealing with the long-term needs of the major entitlements. Bringing the eligibility age of Medicare in line with Social Security is a fair and reasonable reform that would have a tremendous long-term benefit for the Medicare Program. However, I do agree that it is reasonable for this issue to be considered in the context of overall Medicare reform where we can consider the various ramifications of this change on retirees, employers, the health system, and so forth.

With regard to the second provision, I am concerned that a well-intentioned effort to protect welfare recipients will harm the very people that we are trying to protect. Many States have instituted community service and work experience programs as a safety net for welfare recipients who do not have the skills or experience to obtain private sector employment before they lose eligibility for cash assistance. Community service jobs often provide experience for these individuals then to be hired by private employers. If we apply all labor laws to community service programs, many States who sincerely want to help welfare recipients will find it too cumbersome and complex to operate a community service program, leaving welfare recipients with no source of income when they lose eligibility for cash assistance. States that rely on nonprofit organizations to provide community service jobs for welfare recipients will have a hard time continuing these programs because very few nonprofit organizations are willing to accept the legal obligations and liabilities associated with being classified as an employer. I don't believe that any of us want to eliminate this portion of the welfare safety net, but that will be the consequence if we do not take action on this issue.

However, I support this motion because I question the ability to adequately deal with these issues within budget reconciliation. These are very controversial and complex issues that should be reviewed and debated on their own merits. I believe that both of these issues would receive strong support in Congress if they were considered separately.

As someone who is very interested in taking constructive action on both of these matters, I am concerned that the politically charged context of the budget agreement will prevent a serious discussion of these issues. Allowing these matters to be consumed by the rhetoric in the budget debate will make it much more difficult to make any real progress on either issue. For this reason, I would encourage all Members who want to deal with these issues in a constructive manner instead of allowing them to be exploited for political purposes to vote for this motion.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from South Carolina [Mr. SPRATT].

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

Mr. SPRATT. 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 notify absent Members.

The vote was taken by electronic device, and there were—yeas 414, nays 14, not voting 6, as follows:

[Roll No. 257]

YEAS—414

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)

Morella	Rivers	Stokes
Murtha	Rodriguez	Strickland
Myrick	Roemer	Stump
Nadler	Rogan	Stupak
Neal	Rogers	Sununu
Nethercutt	Ros-Lehtinen	Talent
Neumann	Rothman	Tanner
Ney	Roukema	Tauscher
Northup	Roybal-Allard	Tauzin
Norwood	Royce	Taylor (MS)
Nussle	Rush	Taylor (NC)
Oberstar	Ryun	Thomas
Obey	Sabo	Thompson
Olver	Salmon	Thornberry
Ortiz	Sanchez	Thune
Owens	Sanders	Thurman
Oxley	Sandlin	Tiahrt
Packard	Sawyer	Tierney
Pallone	Saxton	Torres
Pappas	Schaefer, Dan	Towns
Parker	Schaffer, Bob	Traficant
Pascrell	Schumer	Turner
Pastor	Scott	Upton
Paul	Sensenbrenner	Velazquez
Paxon	Serrano	Vento
Payne	Sessions	Visclosky
Pease	Shaw	Walsh
Pelosi	Sherman	Wamp
Peterson (MN)	Shimkus	Waters
Peterson (PA)	Shuster	Watkins
Petri	Sisisky	Watt (NC)
Pickering	Skeen	Watts (OK)
Pickett	Skelton	Waxman
Pitts	Smith (MI)	Weldon (FL)
Pombo	Smith (NJ)	Weldon (PA)
Pomeroy	Smith (OR)	Weller
Portman	Smith (TX)	Wexler
Poshard	Smith, Adam	Weygand
Price (NC)	Smith, Linda	White
Pryce (OH)	Snowbarger	Whitfield
Quinn	Snyder	Wicker
Radanovich	Solomon	Wise
Rahall	Souder	Wolf
Ramstad	Spence	Woolsey
Rangel	Spratt	Wynn
Redmond	Stabenow	Yates
Regula	Stark	Young (AK)
Reyes	Stearns	Young (FL)
Riley	Stenholm	

NAYS—14

Barr	Johnson, Sam	Sanford
Barton	Kolbe	Scarborough
Campbell	Porter	Shadegg
Ehrlich	Riggs	Shays
Fowler	Rohrabacher	

NOT VOTING—6

Armey	Markey	Skaggs
Burton	Schiff	Slaughter

□ 1248

Messrs. ROHRABACHER, PORTER, SHAYS, RIGGS, BARR of Georgia, BARTON of Texas, and Mrs. FOWLER changed their vote from ''yea'' to ''nay''.

Ms. DEGETTE and Mr. BLUNT changed their vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

For consideration of the House bill, and the Senate amendment, and modifications committed to conference: Messrs. KASICH, HOBSON, ARMEY, DELAY, HASTERT, SPRATT, BONIOR, and FAZIO of California.

As additional conferees from the Committee on Agriculture, for consideration of title I of the House bill, and title I of the Senate amendment, and modifications committed to conference: Messrs. SMITH of Oregon, GOODLATTE, and STENHOLM.

As additional conferees from the Committee on Banking and Financial Services, for consideration of title II of the House bill, and title II of the Senate amendment, and modifications committed to conference: Messrs. LEACH, LAZIO of New York, and GONZALEZ.

As additional conferees from the Committee on Commerce, for consideration of subtitles A–C of title III of the House bill, and title IV of the Senate amendment, and modifications committed to conference: Messrs. BLILEY, DAN SCHAEFER of Colorado, and DINGELL.

As additional conferees from the Committee on Commerce, for consideration of subtitle D of title III of the House bill, and subtitle A of title III of the Senate amendment, and modifications committed to conference: Messrs. BLILEY, TAUZIN, and DINGELL.

As additional conferees from the Committee on Commerce, for consideration of subtitles E and F of title III, titles IV and X of the House bill, and divisions 1 and 2 of title V of the Senate amendment, and modifications committed to conference: Messrs. BLILEY, BILIRAKIS, and DINGELL.

As additional conferees from the Committee on Education and the Workforce, for consideration of subtitle A of title V and subtitle A of title IX of the House bill, and chapter 2 of division 3 of title V of the Senate amendment, and modifications committed to conference: Messrs. GOODLING, TALENT, and CLAY.

As additional conferees from the Committee on Education and the Workforce, for consideration of subtitles B and C of title V of the House bill, and title VII of the Senate amendment, and modifications committed to conference: Messrs. GOODLING, MCKEON, and KILDEE.

As additional conferees from the Committee on Education and the Workforce, for consideration of subtitle D of title V of the House bill, and chapter 7 of division 4 of title V of the Senate amendment, and modifications committed to conference: Messrs. GOODLING, FAWELL, and PAYNE.

As additional conferees from the Committee on Government Reform and Oversight, for consideration of title VI of the House bill, and subtitle A of title VI of the Senate amendment, and modifications committed to conference: Messrs. BURTON of Indiana, MICA, and WAXMAN.

As additional conferees from the Committee on Transporation and Infrastructure, for consideration of title VII of the House bill, and subtitle B of title III and subtitle B of title VI of the Senate amendment, and modifications committed to conference: Messrs. SHUSTER, GILCHREST, OBERSTAR.

As additional conferees from the Committee on Veterans' Affairs, for consideration of title VIII of the House bill, and title VIII of the Senate amendment, and modifications committed to conference: Messrs. STUMP, SMITH of New Jersey, and EVANS.

As additional conferees from the Committee on Ways and Means, for consideration of subtitle A of title V and title IX of the House bill, and divisions 3 and 4 of title V of the Senate amendment, and modifications committed to conference: Messrs. ARCHER, SHAW, CAMP, RANGEL, and LEVIN.

As additional conferees from the Committee on Ways and Means, for consideration of titles IV and X of the House bill, and division 1 of title V of the Senate amendment, and modifications committed to conference: Messrs. ARCHER, THOMAS, and STARK.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2014, TAXPAYER RELIEF ACT OF 1997

Mr. KASICH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2014) to provide for reconciliation pursuant to subsections (b)(2) and (d) of section 105 of the concurrent resolution on the budget for fiscal year 1998, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Speaker, I offer a motion to instruct the conferees.

The Clerk read as follows:

Mr. RANGEL moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2014, be instructed to work in a bipartisan fashion to provide fair and equitable tax relief to working families and avoid large and growing out-year revenue costs. In doing so, the conferees shall, within the scope of the conference,—

1. Recede from their insistence on the provision of the House bill that provides for indexing of capital assets,

2. Support tax relief that provides a family credit commonly referred to as the $500-per-child credit, to working families, who pay Federal taxes,

3. Support tax provisions designed to assist working families in meeting the costs of college education and those provisions shall—

a. Include a HOPE Scholarship credit for the first 2 years of postsecondary education consistent with the objectives of the HOPE Scholarship credit proposed by the President so that students attending low-cost community colleges are not disadvantaged,

b. Include tax benefits for families paying tuition costs for the second 2 years of postsecondary education out of wages and salary income, and

c. Not include the provisions of the House bill that impose new taxes on graduate students receiving tuition waivers.

Mr. RANGEL (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXVIII, the gentleman from New York [Mr. RANGEL]

and the gentleman from Ohio [Mr. KASICH] each will control 30 minutes.

The Chair recognizes the gentleman from New York [Mr. RANGEL].

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

My colleagues, my motion is to move that the managers on the part of the House conference be instructed to work in a bipartisan fashion in order to avoid this historic piece of legislation from being vetoed by the President of the United States.

No one can challenge that our President has gone through great lengths to achieve what is hoped to be a bipartisan agreement as relates to the budget and as relates to taxes. There are sharp disagreements on both sides of the aisle as to how this should be done, and the President has made it abundantly clear that the House bill and the Senate bill, in its present form, would be subject to a veto.

It seems to me, however, I think that some of the things that we can ask those that are in conference to look at is to question, where both sides agree that we are seeking to give middle-income tax relief, that calling people who do not make much money but do have tax liability as being welfare recipients, this would not be the climate in which to create a bipartisan agreement.

When the President and this Congress says it wants to give assistance to middle-class working people, I do not really believe that Republicans or Democrats have the right to set the income level that says that these people deserve or not deserve the child credit.

The second thing is that we did not come into this agreement in order to fix capital gains. It may be a passion with some, but the President has made it abundantly clear that indexing is not a part of what he thinks should be in this bill. It would seem to me, if we want a bill rather than a confrontation, that we should consider removing this obstacle in the bill so that the President can pass it.

And last, I think that some support should be given to the executive as he maps out and assumes the responsibility for an education opportunity. All of us recognize that more emphasis is being placed today on our jails, on police, and on penitentiaries than it is on kids and to prepare them for college, to make sure that they are productive, to give them the hopes and the dreams and the jobs that are necessary so that we can move our country forward.

The President feels very strongly about this, and I would encourage the conferees to try to work with the President to make certain that the educational mandates that he has there would allow him to be able to sign the bill.

□ 1300

I want to thank the gentleman from Texas [Mr. ARCHER], the chairman of the committee, for confiding with me his willingness to be flexible and me just going to conference, I think, would already display the flexibility that I have in trying to reach agreement.

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

Mr. KASICH. Mr. Speaker, I yield myself 4½ minutes. I would just like to talk about a concern I have in the nature of this debate. I think it was Abraham Lincoln who said that you never can build up a poor man by tearing down a rich man.

The interesting thing is I see us, particularly officials within the administration, beginning to engage in a debate to try to rekindle the flames of class warfare. One of the things that has been confusing to me in this debate is if we take a look at the tax bill that we have before us, we have, Mr. Speaker, the big bulk of this tax bill relating to the child tax credit, $500 for every child under the age of 17 whose income levels are under $100,000. That is a very costly provision in the tax bill. It eats up a whole lot of the amount of money that is available under the tax cut program.

Another provision in the tax bill is the education credits, which I strongly support and I frankly want to commend the administration for making a priority. Obviously, it is very difficult for mothers and fathers to educate their children. While we need to work on those reasons why college education grows at rates far beyond the rate of inflation, it is also necessary that moms and dads have a chance to educate their kids. And anything that we can do to begin to relieve the stress of time, the time burdens on moms and dads and families in this society is very positive. That is another thing that applies, of course, to the middle class.

We have the family tax credit, and we also have the education credit. Then when we talk about the issue of capital gains, I think it is fair to say that there are many people who are middle-income folks who have sat on their homes, their farms, and their investments for a long period of time who do not believe they ought to be punished for taking a risk and who really believe that over time they should not be paying taxes on inflation, which is what this indexing provision is all about.

Mr. Speaker, let me also suggest, though, that I think we have a serious problem in our country with the growing difference between the rich and the rest of Americans. There are a lot of things that have to be done to resolve that problem, including education. But beyond that, part of the reason why our workers have wages that are not advancing is because frankly they have not had the tools to compete and win. Our savings rate, our investment rate is very low. If we expect the members of the All-Star team, Mark McGwire, to stand up at the plate and try to hit a home run with a Little League bat, I do not think he is going to be very successful. But if we are interested in having McGwire have that big major league bat and Americans have major league investments and major league equipment, it is necessary to provide incentives for people of means to take risks. It is not confusing in our society for people who have means to not take risks if there is no incentive. I not only believe the capital gains tax cut will apply to middle-income people, it will apply to people of means. But to punish and beat them down is going to mean that they harbor their money and the people we are very concerned about, which are middle-income workers who are spending more time working and getting less gain for it, they need to be given the tools. Part of the way in which they get the tools is through an investment strategy and a Tax Code strategy that provides reasons for people to invest their resources so that our workers can compete and win.

I think this is a problem that we have got in the country that needs to be addressed. I think this tax bill is, by and large, a fair tax bill. Let me just suggest again, as we were fighting about trying to fight off the notion of a generational war of dividing Americans, the idea that we should engage in a class warfare in this country and try to convince one group of Americans that the reason they do not have is because somebody else ripped them off is the last thing we need in our country. We need healing. We need unity.

I think when we take a look at this bill, when we look at the child tax credit and when we take a look at the education credit, it is very hard to argue that this program is skewed toward the wealthiest of Americans. But at the same time let us not beat people down who have had the bypasses and spent time away from their family to provide jobs for Americans just like my mom and dad.

Mr. Speaker, I ask unanimous consent to yield the balance of my time for purposes of distribution to the gentleman from Illinois [Mr. CRANE].

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

There was no objection.

Mr. CARDIN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN].

(Ms. CHRISTIAN-GREEN asked and was given permission to revise and extend her remarks.)

Ms. CHRISTIAN-GREEN. Mr. Speaker, I rise in support of the motion to instruct conferees on H.R. 2014 and in opposition to the increase in airline taxes, especially as it affects travel to the Virgin Islands.

Mr. Speaker, I rise today, during the debate on the motion to go to conference on H.R. 2014, to voice my strong objection to those provisions of the Revenue Reconciliation Act of 1997 that would increase the taxes on airline passengers.

If these taxes become law, they will place a heavy burden on American citizens going to and from the Virgin Islands and hurt businesses in the territory. These provisions are

particularly hard to accept because they will, for the first time, place an unprecedented excise tax on international travel.

The economy of the Virgin Islands is presently trying to recover from one devastating hurricane after another. Tourism is the largest segment of our economy. In the past year, nearly 500,000 primarily mainland U.S. residents visited the Virgin Islands by air.

The imposition of these new taxes, which at a minimum would mean an additional $31 per round trip ticket to the islands, could have a severe negative impact on our local economy.

Mr. Speaker, I thought this was the Congress of no new taxes. Apparently, I was wrong.

Don't pay for the new capital gains tax cuts my making it too expensive for average middle-class families to fly to the U.S. Virgin Islands for a much needed vacation and undermine our already fragile economy. I urge my colleagues to reject this new tax increase.

Mr. CARDIN. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I want to thank the gentleman from New York [Mr. RANGEL] for the motion to instruct because it points out one of the most important differences between the Republican tax bills and the Democratic position. That is, we want a tax bill but we want one that is fair, that provides tax relief to the people who need tax relief.

Both parties profess a desire to help middle-income taxpayers. We differ on the definition of what is middle income. That is understandable. But if we take the middle-income taxpayers, those that are between 20 percent of the income and 80 percent, so we eliminate those at the bottom quintile and the top quintile and then find where the tax relief is going, there is no dispute that under the Democrat position, over two-thirds of the tax relief will go to those that are in the middle income.

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

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

Mr. MCDERMOTT. Mr. Speaker, if what the gentleman says is true, why when the Republicans show us graphs does it always look like their bill gives all the benefit to the middle class, when he says that in fact they give it mostly to people at the top? How do they do that with the graphs?

Mr. CARDIN. I appreciate the gentleman asking me that question. What the Republicans are doing in making their presentation is that they are using 5-year numbers. They are not using the data that reflects the total implementation of the tax changes. Therefore, the indexing of the capital gains is not reflected, which basically will help wealthier individuals. The backloaded IRA's are not included in their recommendation. Again, that will help basically higher income people.

The estate tax provisions that are implemented over a long period of time, if we use the tax provisions that they recommend as fully implemented, less than one-third of the tax relief goes to those between 20 percent and 80 percent, the middle-income taxpayer.

Mr. MCDERMOTT. The issue is at full implementation. They never talk about what happens way out, 10 years or beyond. That is really what the gentleman is saying, is it not?

Mr. CARDIN. The gentleman is correct. When we look at the tax proposals when fully implemented, under the Republican bill less than one-third of the tax relief goes to those that are of middle income, no matter what definition we use for middle income.

Mr. MCDERMOTT. There is another issue that they keep raising with us, and that is that the rich people pay most of the taxes so why should they not get most of the benefit? That makes some sense, I guess, in some way, but when I go to my district, people say, well, it is the people at the bottom who need the benefit, not the people at the top. Where is the fairness? How does that work?

Mr. CARDIN. The gentleman raises a very good point. The truth is that our Tax Code is slightly progressive. That is, those in the upper incomes pay a slightly higher percentage of their income in taxes. But the people who are hurting, the people who are having a difficult time paying their grocery bills, the people who are having a difficult time sending their kids to college are not those in the upper 1 percent of our income bracket. If we want to provide relief to those who really need it, it is the middle-income taxpayer that is hurting and needs some relief.

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

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

Mr. STARK. Mr. Speaker, I thank the gentleman for yielding. Picking up on the questioning of the gentleman from Washington, it would be my understanding that we were unable to find the funds to, say, give a working-class family any relief in either bill because if you get $1 million in capital gain, it is my understanding you would save $80,000. That is 80,000 bucks to somebody who is making $1 million in capital gain. The person who is working as a teamster or a carpenter and, say, has no children is getting nothing, zip. That $80,000 as that capital, if you postpone selling that and the stock went up and up and up, that $80,000 would increase over time, and 5 and 10 years from now, the person working at $45,000 has still got nothing out of this bill.

Mr. CARDIN. The gentleman is correct. That is why under the Republican bill, the top 1 percent in income receive almost 19 percent of the benefits for the reason that the gentleman has pointed out. The large gains in capital, et cetera, are going to be the wealthiest who are going to get the benefit of it.

Mr. MCDERMOTT. If the gentleman will yield further, putting in mind for me is the story I read in one of the major newspapers about the family of four living in a southern city, the father is a rookie policeman, makes $23,000 a year. Some people have been saying that the people that we want to give this child tax credit, that this is like giving welfare to them. This is a rookie policeman making $23,000. Under the Republican plan, he would get nothing. Under the President's plan he gets $767. I cannot understand how we cannot raise the issue of fairness, because it does not seem to me to call a policeman who is making $23,000 a welfare recipient because he is going to get an income credit, or a tax credit on the basis of his children. That to me is not a welfare person. That is a working person. I find that extraordinarily unfair.

Mr. CARDIN. The gentleman makes a very interesting point. It is interesting that that person actually pays over $2,700 in taxes and, if we put in the employer's share of FICA, pays over $4,500 in taxes. Under the Republican bill, that family would receive not a dime under the child credit.

Mr. MCDERMOTT. Because they say he is not paying taxes. Are they not deliberately misleading people by saying he is not paying taxes when they mean he is not paying income taxes? He is paying FICA taxes. Those are Federal taxes.

Mr. CARDIN. The gentleman is correct. In fact, that person actually is paying some income taxes, paying about $600 in income taxes but they are paying FICA taxes and other taxes, that for many American families, the FICA tax is the largest amount of taxes that they pay. They need help. They are trying to raise their family. They are playing according to the rules. They are working 40 hours a week trying to support their family, in many cases even working second jobs. Under the Republican bill, they would be out of the child credit. It makes no sense, it is certainly not fair. I appreciate the gentleman bringing that to our attention.

We could give many, many more examples. A family with $50,000 of income, one child going to an average 2-year community college full-time, under the bill passed by this House, that family would get a $600 credit. Under the Democratic proposal, it is $1,100. On and on. That is why the motion to instruct the conferees as presented is a matter of fairness. I urge my colleagues to support it.

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

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

I have appreciated listening to some of the discussion on the other side of the aisle, notwithstanding the fact I think they misunderstand what the real source of the problem is. There was an interesting article that Milton Friedman recently wrote in the Wall Street Journal where he was pointing out the parallels in terms of average per capita income in this country versus that of Hong Kong, tiny little Hong Kong with 6 million people and the

United States with 260 million and all the resources we have available here. In that article, he pointed out that, to be sure, our average annual income rates exceed those of Hong Kong. But if Hong Kong continues to function as it has, that is going to end in about 2 more years because of the astronomical growth there.

□ 1315

The main distinction he made in his article was that their average per capita or payment of taxes, rather, as a percentage of GDP is 15 percent; ours averages 50 percent already in this country, and we are long overdue for significant tax relief, and put that money to work.

In addition to that, another distressing thing is to hear some of the figures quoted on the other side of the aisle coming from the Department of Treasury. Treasury is unbiased in making its submissions?

We have the Joint Committee on Taxation, which is a nonpartisan organization that did the analysis of the economic impact of the tax figures that we were working with in committee, and the Joint Committee on Taxation showed that in contrast to what the Democrats were touting at the time we passed the bill out of committee that our tax bill would give 93 percent of the tax relief to people making under $100,000 a year, and roughly 72 percent of that tax relief goes to people making under $75,000 a year. And by contrast, the figures that our distinguished ranking minority member held up representing what their proposal would do, it only gave 70 percent of that relief to people making under $100,000 a year, and that was based on Treasury figures, biased figures, if my colleagues will. I submit to my colleagues the Joint Committee on Taxation is a better reference source for making an analysis of these things.

Let me touch upon one other issue though, and that has to do with the objections we have heard from the administration and from some of our colleagues on the other side of the aisle about indexation, preserving indexation that is provided now for capital gains.

I fought for indexation of the Tax Code for over 25 years in this body, and I did not originate the idea, I got it from Milton Friedman, the distinguished economic scholar who formerly taught at the University of Chicago. And as Friedman explained back there a generation ago, absent indexation, what we are doing is permitting the Government to raise taxes in a subtle and undetectable way, and they do that by destroying the integrity of this piece of paper.

They say up here this note is legal tender, good for all debts, public and private. If we have a steady erosion of the integrity of that piece of paper, what we are experiencing over time is a progressive tax increase. And in 1981, mercifully we got incorporated in that monumental Tax Reform Act of that time, indexation of most of our Code so that people did not keep getting ratcheted into higher brackets with no improvement in their earning power, but rather the destruction of the integrity in the purchasing power of that piece of paper.

Now I tell my colleagues some people are extremely sensitive about this issue, and those are people that trace their roots in German history back to that period when their government totally destroyed the integrity of those pieces of paper over there.

When I taught history back 30 years ago, I used to have in my wallet a 50 mark note that was printed in Germany in 1914, about that size, fine quality paper, fine engraving, the ratio was about 4 to 1. And then I showed those kids a little piece of paper that size, printed just 9 years later. They did not even bother to print it on both sides. It was a 500 million mark note, and no German would have bent over to pick one of those out of the gutter.

Mr. Speaker, they had totally destroyed the integrity of their currency, and in the process they taxed their people out of existence, wiped out all of their savings, all of their investments, all their insurance, everything, and we all know the history that followed: that man with a charismatic appeal coming down the pike on his white horse, promising hope and salvation.

Mr. Speaker, we cannot blame the Germans in that state of desperation for falling for that appeal, but the fact of the matter is even though he was featured on the cover of Time magazine in the mid-1930's as Man of the Year—and why? Because he had restored a sound currency, he built the autobahn and he put them all in VW's. We all know the rest of that story.

Mr. Speaker, I am telling my colleagues that indexation of that Tax Code is the only way we can protect individual citizens against this very clever, but very insidious means of imposing increased taxes on individuals without them realizing it.

Keep in mind that in 1970 President Nixon took us off the gold standard, and he did because the world price of gold had at that point jumped to about $45 an ounce, and this piece of paper was redeemable still at $35 an ounce. One could turn their paper in and get gold in return.

Gold today is $350 an ounce, and that is a commentary on the insidious erosion of the integrity of this piece of paper that has gone on as a result of inflation through the years, a hidden tax, if my colleagues will, and that is why it is absolutely essential that we preserve indexation of capital gains that is long overdue so that those people who were doing the things we were all counseled to do as kids, and that is to not blow it all at the end of the week on instant gratification, put something away for that proverbial rainy day. Do that, and get hammered repeatedly under our stupid absurd Tax Code, but this is especially true with investments that are made in the capital gains that are realized.

So if we want to enjoy a reduction in capital gains taxes, than guarantee that it stays in place, and we guarantee it stays in place by indexing that into the future.

Mr. Speaker, I yield 3 minutes to our colleague, the gentleman from Louisiana [Mr. MCCRERY].

Mr. MCCRERY. Mr. Speaker, I thank the gentleman for yielding me time to talk about this issue, basically the refundability of our child tax credit. That is a fancy word to mean that somebody gets something from the Government that they do not send in the first place. It is a negative income tax. We already have that in the form of the earned income credit. It is a very generous credit. One can get up to about $3,400 a year back from the Government without paying any income taxes. That is a good program because it encourages people to work rather than rely on cash welfare programs.

So I think all of us agree that the earned income credit is a valuable program, but it is already in place, and in fact we increased it in 1993. We made it more generous in an effort to help people who were making those low wages have a livable wage, a livable income for their families. That is in place.

What we are trying to do in this tax bill is give a break to those middle-class families that do pay income taxes. This is an income tax cut, so it does not make any sense for us to be here on the floor today talking about not an income tax cut, but basically an increase in what is essentially a welfare program, the earned income credit.

And that is what my friends on the other side are doing, trying to confuse the issue. We already have the welfare program in place. The earned income credit; I like it, I support it, but that is not what this bill is all about. This bill is about giving middle-class folks in this country who work hard and pay income taxes a break. Do not be confused.

So I would say to my good friends, ''If you want to increase the earned income credit, let's talk about it. If you want to give a break in Social Security taxes, let's talk about it; or in Medicare taxes, let's talk about it. But you know very well if we do those things, there are consequences with respect to those programs.''

I would also point out that if my colleagues want to talk about relief from payroll taxes such as Social Security taxes and Medicare taxes, they ought to know that those folks in our society who are at the lower end of the income scale and pay those payroll taxes are paying for very specific programs that they will benefit from, and in fact those programs and the tax system supporting those programs are very progressive. That is to say, those folks at the lower end of the income scale will get back in benefits much, much

more than they ever pay in payroll taxes.

Mr. CARDIN. Mr. Speaker, I yield 2½ minutes to the gentleman from Michigan [Mr. LEVIN] a distinguished member of the Committee on Ways and Means.

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

Mr. LEVIN. Mr. Speaker, first of all let me respond to my friend from Louisiana. The way the President has shaped this, this is the question:

Should people who are paying income tax and/or payroll tax receive the child credit?

And essentially what my colleague is saying is the child credit should not go to people who are paying payroll taxes. Why? Because it is for a specific purpose.

I think taxes are for specific purposes, and we are willing to take this issue to the country. It is not welfare to say to somebody who has a couple of kids, who is paying net payroll taxes, we are going to give you a child credit. A lot of these people are middle-income taxpayers.

Now let me say a word about this 10-year versus 5-year analysis. The Joint Committee on Taxation has refused to give a 10-year analysis period. Why? For two reasons. A 10-year analysis will change the distribution and will show that increasingly from the fourth, fifth year on, more and more of the tax cut goes to very wealthy families. So they will not show, they do not come up with it.

Second, it will show, as the years go on, there is a greater danger of blowing a hole in the deficit.

So essentially the refusal of the Joint Committee on Taxation to come up with a 10-year versus a 5-year analysis is kind of a coverup, and it makes the figures of the gentleman from Illinois [Mr. CRANE] essentially half fact at best. This is a 10-year budget agreement. We need a 10-year analysis. Where is it?

Mr. Speaker, where is the gentleman's 10-year analysis? He does not have one.

So the gentleman can repeat his half fact, and at best it is a half fact, forever, and it is nothing more than a half fact.

The gentleman from New York [Mr. RANGEL] and I wrote to Mr. Keys yesterday. He said in an article, we will service Democrats equally with Republicans. We do not have an answer, and now I guess we are told it is going to be a number of weeks away. The CRS has said the Treasury Department analysis is more reliable than that of the Joint Committee on Taxation.

Republicans, come up with a 10-year analysis.

Mr. CRANE. Mr. Speaker, I yield myself 30 seconds to respond to my colleague across the aisle.

Show me any projection out over 10 years, whether it is Treasury, CBO, Joint Committee on Taxation, that is on target.

What I said before, though, was the Joint Committee on Taxation at least is comprised of bipartisan membership in contrast to Treasury.

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

Mr. CARDIN. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan [Mr. LEVIN] to respond.

Mr. LEVIN. Mr. Speaker, I thank my friend for yielding this time to me.

So now, now the answer from the majority is we will not come up with a 10-year analysis because they are not reliable, even though this is a 10-year budget agreement. No, the reason the majority will not come up with a 10-year analysis is because the second 5 years show the maldistribution and show that they blow a hole in the deficit.

So I say again to the Joint Committee on Taxation, ''Show your bipartisanship, give us a 10-year analysis right away.''

□ 1330

Mr. CARDIN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY], a distinguished member of the Committee on Ways and Means.

Mrs. KENNELLY of Connecticut. Mr. Speaker, as I look at this motion to instruct conferees and read down the list, I see what could be a very, very fine bill for us to pass and have the conferees write and that could get a majority on both sides of the aisle.

No. 1, created from insistence on the provision of the House bill that provides for indexing of capital gains, this sounds like a sensible idea. However, we cannot afford to do it down the line. Too many people have sacrificed their hard-earned dollars to pay taxes to find out that we finally balanced the budget, and then down the line 5, 6, 7, 8 years from now, that deficit goes right back up. It is not fair, it is not right, and we should not do it.

I read down and I see about education. Every one of us in this House can agree that, if this country is going to compete, we have to educate our young people and all people, because jobs are changing. The HOPE scholarship, people like the HOPE scholarship. President Clinton campaigned on the HOPE scholarship. The people liked it so much they returned him to the White House. We should have that. We should have the whole HOPE scholarship, not 50 percent of it, in the bill that is written by the conferees.

Include tax benefits for families paying tuition costs for the second 2 years of post-secondary education. Mr. Speaker, this is something I know about. The bill before us or the bill that has passed has a savings account that you can put money in, and then down the line you can have that in place for tuition, for anybody.

But what happens here as you enter into the second 2 years, there is nobody who is paying, just earning wages, living, taking care of their families, and they get nothing. If you are on salary and you cannot afford to save, and my husband and I had four children that we put through 4 years of college and graduate school, not taking loans. Let me tell the Members, we really had to work to do it. We could not save those years. Those years we were trying to buy a house. So I really hope that is put in there.

And they should not include a provision in the House bill that imposes taxes on graduate students. Do we not know anything? Graduate students, we need them if we are going to compete in this world. Take this motion to instruct, conferees, do something about it, and we will all vote for it.

Mr. CARDIN. Mr. Speaker, I yield 2½ minutes to the gentleman from Tennessee [Mr. TANNER], a distinguished member of the Committee on Ways and Means.

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

Mr. TANNER. Mr. Speaker, I thank my friend, the gentleman from Maryland, for yielding time to me.

Mr. Speaker, I want to talk about the outyear deficit that is in the current plan passed by the House last week. We have a promise of a vote for an enforcement mechanism to translate the idea of a balanced budget to reality that we have been promised to vote on by July 24. I certainly hope it passes when it comes up, but if it does not, let us talk about where we are today in the House-passed plan.

The indexing of capital gains basically will put the revenue side of our Nation's budget on automatic pilot after the year 2002. If we learned anything about entitlement programs, we learned that beyond 1970, the early 1970's until today, we have had the entitlement programs on automatic pilot. That is the spending side. Our enforcement mechanism that I mentioned earlier will attempt to get our arms around the spending side of this equation as soon as possible under this deal. We know we have to do it.

Can Members imagine that in 1963 every dollar that came to Washington, DC was obligated, about 30 cents of that was obligated for mandatory spending, either interest on the debt or other entitlement spending, and 70 percent was available for us to make public policy with? If we do nothing about the spending side entitlements in the 21st century, that ratio will be reversed. Over 70 cents of every dollar that comes to this town will be obligated.

It does not take a rocket scientist to figure out that it then becomes impossible to cut out of the 28 percent that includes our Nation's defense enough money to keep up with the escalating cost of the 72 percent that is represented by interest and entitlements.

Here in the House-passed plan we are going to exacerbate that problem by putting on automatic pilot the revenue side, when we are trying to stop that

on the spending side. This is not good public policy. This motion to recommit would remedy that shortcoming, that failure in the House-passed plan.

I would say this, while we are here in public office as stewards of this great land, I can think of no legacy that would make our forefathers less proud of us than to leave a broke America to those who come. We owe $5.4 trillion. We must not continue public policy statements that put on automatic pilot these programs.

Mr. CRANE. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would simply like to remind my distinguished colleague that it is the lack of discipline in this body and the body across the Chamber here, of the Capitol Building, that is responsible for that escalation of spending beyond control.

We have increased taxes dramatically. In fact, just in the decade of the 1980's we doubled total revenues from $500 billion to $1 trillion, and yet our national debt combined to escalate astronomically because of the lack of discipline here. I would urge colleagues to keep that in mind.

Mr. Speaker, I yield 3 minutes to our distinguished colleague, the gentleman from Michigan [Mr. CAMP].

Mr. CAMP. Mr. Speaker, I thank the chairman for yielding the time to me. Mr. Speaker, I also want to comment on the remarks of my colleague on the Committee on Ways and Means, who I have great respect for, and his eloquence in terms of having us control the spending side.

But I rise to oppose this motion to instruct because the second provision, which says that they would like to provide the focused per child tax credit to people who are not paying taxes, that would make that credit a refundable credit. The only way we could do that is to make it a cash payment.

I think people should understand that is a huge source of fraud and noncompliance. When I visit the middle part of Michigan and have town meetings, people are always talking to me about the fraud in these programs, and how can we get at that.

In April of 1997 the IRS released a study that said the EITC, which is a refundable credit, had an error and fraud rate of 21 percent. So that meant of the $28 billion in 1998, nearly $6 billion was due to error and fraud, according to the Clinton administration's IRS. That is completely and totally unacceptable.

We have heard a lot of rhetoric about how much help is enough. All EITC recipients already receive public assistance which is unavailable to middle-income taxpayers. For example, a family of four with one worker and two children who earns $18,000 a year receives an EITC of $2,555 and has a total income and FICA due of $199. A family, the same family of four that had an income of $24,000, would have an EITC of $1,292, a total income and FICA taxes due of $2,380. A middle-income family of $50,000 would receive no EIC, would have a total income tax of $11,505.

Mr. Speaker, I would like to be able to help every taxpayer and every individual more, but we really need to bring some help to these middle-income taxpayers. And just as a note, under the Clinton administration proposal, at $60,000 of income a family of four would have a tax liability over $14,000 and they would see their $500 per child tax credit begin to be phased out or lost under that proposal.

So I think we have no alternative but to oppose this motion to instruct, because what it does is make this $500 credit refundable. There is so much fraud in the refundable credit system we have seen already with the EIC, and Americans are saying, please, do something about the fraud; do not create another fraudulent program.

Mr. CARDIN. Mr. Speaker, I yield 15 seconds to the gentleman from Tennessee [Mr. TANNER], my friend, to respond to the comments made by the gentleman from Illinois.

Mr. TANNER. Mr. Speaker, I just would like to reiterate that the gentleman from Illinois emphasizes a point I am making. Spending did go up in the 1980's because of the automatic pilot that was put on the entitlement programs in the early 1970's. It is rising faster than we can cut domestic discretionary and other spending. We are going to do the same thing on the revenue side. It is a mistake.

Mr. CARDIN. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. BECERRA], a distinguished member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank my colleague, the gentleman from Maryland, for yielding time to me.

Mr. NEAL of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BECERRA. I yield to the gentleman from Massachusetts.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for yielding to me, and I also wanted to thank the gentleman from Maryland [Mr. CARDIN] for this opportunity.

I want to clarify a couple of issues here. Perhaps the gentleman could help me seek that clarity. There have been many changes that appear to have been made to the President's education package. These changes to me appear to be detrimental to low- and moderate-income students and seem to benefit those in the higher income brackets. Do not the Republicans provide a reduced HOPE credit for the first 2 years in college in the case of students attending a low-cost institution?

Mr. BECERRA. That is correct, Mr. Speaker. If the gentleman looks at it closely, for a student who attends a low-cost public college with tuition somewhere around $1,000, under our plan, under the Democratic plan presented by the President, that HOPE credit would be $1,500. But under the Republican plan we have passed out of the House, the credit would only be $750. This change would particularly hurt students from low- and moderate-income families, those working class families that typically attend those junior colleges that do not cost all that much.

I am as concerned, as anyone else on this floor should be concerned, about helping working families pay for all 4 years of college. Is the gentleman aware of any tax incentives that the Republican proposal has for families paying tuition expenses for the last 2 years of college out of their salary or wage incomes?

Mr. NEAL of Massachusetts. No, it is my understanding that families will receive tax incentives provided by the Republican proposal for families paying tuition costs out of dividends and interest. There are no income limitations on the tax incentives provided by the Republicans.

Mr. BECERRA. The President's education proposal, supported by the Democrats, would have provided tax benefits for working families paying those tuition costs out of salary or wage income, but do not those proposals have income limitations?

Mr. NEAL of Massachusetts. Yes, they do. The proposals were not available to families with incomes in excess of $100,000, and they began to phase out at incomes over $80,000. Families with incomes over $100,000 paying tuition costs out of dividend and interest income are one of the few categories of taxpayers to receive more benefits under the Republican approach than under the Democratic approach.

Mr. BECERRA. We are talking about higher education here. Graduate education, which is postsecondary education at the highest level, where we have our chemists, our scientists, our teachers coming out of our schools, that is extremely important as well. I am concerned that there are some provisions in this bill that would detrimentally affect graduate students, those who have already got the undergraduate degree and now are trying to get that graduate degree to be the scientists and chemists and inventors of the future.

Can the gentleman explain it? There is a particular provision that is harmful to those graduate students. Can the gentleman explain that to us?

Mr. NEAL of Massachusetts. Mr. Speaker, I am glad the gentleman raised that. I used to teach these courses. Under current law, graduate students, teachers, assistants, or researchers are not taxed on the amount of tuition waivers granted by the institution. The House bill would repeal this exemption and these students would have to pay taxes on the amount of those tuition waivers.

Mr. BECERRA. It is my understanding, and it has been a while since I was in college as a graduate student as well, that these graduate students, we are talking not about so much the business school and law school and medical school graduates, but the folks studying science and chemistry and mathematics, that they average about

$10,000 to $15,000 in income. How much of a tax does this bill impose on those types of students?

Mr. NEAL of Massachusetts. Their bill, the Republican bill, would treat as taxable income the tuition reduction of these students, and this could be as much as $25,000. It would result in an average tax increase on graduate students of $4,000. It is hard to believe we are taxing hard-working students who are serving the future needs of the Nation.

In Massachusetts alone we have numerous graduate students who are making technological advances, and we should not reward their efforts with a tax increase.

Mr. BECERRA. I have taken a look at the tax bill as best I can find. The tax that is being imposed on students who earn, say, $10,000 or $12,000 is not going to help provide other opportunities for other people going to college, it is there to help pay for the cost of these tax breaks that mostly well-to-do Americans are going to be receiving.

How does that strike the gentleman?

Mr. NEAL of Massachusetts. That is true. And on the House bill, it simply does not include permanent extension of employer-provided education either. We live in an atmosphere now and at a time when people are going to have to be continually called upon to upgrade their skills. There is nothing in the House bill that supports lifelong learning. Maybe the gentleman could explain to me the absence of this exclusion.

Mr. BECERRA. By not providing for that tax credit for employers that try to provide education to some of their employees, what we are doing is saying if an employer has decided that it would be good for that employee to get further trained, that no longer can the employer say to that employee, you can now get that training and we will both receive the benefits of a tax credit by having had you better educated.

□ 1345

Now the IRS will have to decide if there is any tax credit to be had by the employer or the employee.

Mr. NEAL of Massachusetts. Mr. Speaker, that was very helpful. I thank the gentleman very much.

Mr. CRANE. Mr. Speaker, I yield myself 30 seconds.

With respect to item 3(c) relating to graduate teaching assistance with respect to tuition waivers, it is expected that the conferees will clarify that no change in current law will apply to tuition remissions for graduate students. There was no intention on the part of the House to change the treatment of graduate students.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, let me begin my brief remarks by commending the gentleman from Illinois [Mr. CRANE] and other members of the Committee on Ways and Means for trying to keep what I would define as a good balance between various groups of taxpayers in this bill.

The colloquy that we just heard, Mr. Speaker, is just a continuation, and I might say a very good continuation, of the debate that was started by Secretary Rubin 10 days or so ago, when we began to try to point out that the Republican proposal, which this motion seeks to change, benefits the more wealthy taxpayers in this country, which is simply not true.

As a matter of fact, the balance that I spoke about just a minute ago, which the gentleman from Illinois [Mr. CRANE] and the gentleman from Texas [Mr. ARCHER] and others on the Committee on Ways and Means have been so careful to try and maintain, is exactly the same balance that the Democrats voted for in 1993 and that Bill Clinton signed into law, the same balance among various groups of taxpayers.

This chart will help me to explain what I mean.

This chart shows in 20 percent jumps five groups of taxpayers ranging from the 20 percent lowest group of taxpayers to the 20 percent highest group of taxpayers. Under the bill that was voted for by all of you in 1993 and subsequently signed into law by President Clinton, 1 percent of the taxes that are paid in this country are paid by the lowest 20 percent of the taxpayers.

Conversely, 63 percent of the taxes that are paid in this country, as shown by the red line at the far end of the chart, 63 percent of the taxes that are paid by all taxpayers are paid by the highest 20 percent. And as you note, coming from right to left, this way, 21 percent are paid by under the current tax system by the second 20 percent down, if you will, and 11 percent and 4 percent and back to the 1 percent.

Now, the balance that I speak of that is so important in the Republican proposal maintains exactly the same ratios as demonstrated by the yellow bars at the far end. Still under this proposal, 63 percent of the total taxes that are paid, I want my friends to understand this, are still paid by the highest quintile or the highest 20 percent.

Likewise, 21 percent of the total taxes that are paid are paid by the fourth quintile or the step down one notch, 20 percent. That is those taxpayers between 60, who are between the 60 and 80 percent mark. So this is very important.

What this motion seeks to do is to change this balance rather dramatically, as Secretary Rubin tried to do 10 days or so ago before our debate when we passed the Republican proposal, and the colloquy that we just heard also seeks to disrupt the ratios that all of you supported in 1993.

I frankly, Mr. Speaker, have a hard time understanding why if it was good in 1993, why it would be bad under the Republican proposal that passed this House just a few days ago.

I thank the gentleman for yielding me the time, and I hope that this helps to clear up this matter somewhat.

Mr. CARDIN. Mr. Speaker, I yield myself 15 seconds to respond. I have not run into too many people that are in the upper 5 or 10 percent that are complaining that they cannot support their children going to college or that they need the child credit. The people at the highest incomes are paying about 21, 22 percent of their income in taxes; middle-income people paying about 19, 20 percent. The people who need the relief are the people in the middle income.

Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Speaker, just a quick response to the gentleman from New Jersey. I have a quote here from the Boston Globe on June 19 of this year in which it suggests, "'and graduate students include future doctors, lawyers and engineers,' he said. 'We do not think it is appropriate to give people who are on the verge of becoming society's highest paid workers tax benefits that are not available to others.'"

The University of Massachusetts Medical School is at the other end of my district.

Mr. CRANE. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, I would respond to the gentleman by saying that the chart that I just showed demonstrates full well that 84 percent of the taxes that are paid in this country are currently paid by people who are in the 60 to 100 percent number of people who pay taxes. That is the highest incomes. So that 84 percent of the total taxes that are paid in this country under the Republican proposal are likewise paid by that same upper income group.

Mr. CARDIN. Mr. Speaker, I ask for the time that remains on both sides?

The SPEAKER pro tempore [Mr. GILLMOR]. The gentleman from Maryland [Mr. CARDIN] has 6¼ minutes remaining, and the gentleman from Illinois [Mr. CRANE] has 7 minutes remaining.

Mr. CARDIN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. KUCINICH].

Mr. KUCINICH. Mr. Speaker, the Revenue Reconciliation Act contains a very destructive provision that would destroy employment relations in our country and eliminate key economic benefits essential to working families.

I am speaking of the independent contractors proliferation clause. This provision would reward employers for reclassifying their employees as independent contractors. It would let employers avoid paying Social Security taxes and overtime pay. Workers who are classified as independent contractors would lose health insurance, lose jointly-funded pensions, lose family medical leave, lose workers' compensation and lose unemployment benefits.

Millions of American workers would be exploited and an American tradition of respect for workers would be lost as well. This radical change in worker classification will enable the companies which can reassign workers to independent contractor status a competitive advantage over socially responsible companies. This will reduce American workers, rob them of their benefits, harm the American family and steal from the U.S. Treasury. It is financially and morally bankrupt and it should be defeated.

Mr. CARDIN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON of Wisconsin. Mr. Speaker, I thank the gentleman for yielding me the time. I do not have any charts today or pictures or graphics. I want to talk about real people, Mr. Speaker.

Real people want tax relief. Real people want to target tax cuts to families who get up every morning and go to work and pay their bills. Real people want to target tax cuts to students so they can pay for the college or vocational training, and real people want to target tax cuts for farm families and small business owners.

These Republican tax cuts are like those aliens in Roswell, NM. Real people will never see them. It is just wrong to have two-thirds of the tax cuts go to families earning $100,000 or more. The bulk of the tax cuts should go to the hardworking middle-income real families in America.

The original bipartisan balanced budget agreement called for the $1,500 tax credit for college tuition. Let me give you a real-people example. The student at Northeast Wisconsin Technical College currently pays $1,600 in tuition. Under the Republican tax bill, he or she would save half the amount. Under the bipartisan tax plan, the student would save the full $1,500. It is real savings for real people.

Mr. CARDIN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I rise as one of the 27 Democrats that voted in favor of this bill, but voted for it because, first, I believe my constituents back home in Indiana, whether they want to send their kids to college or they are a farmer or they have worked hard on a business, they deserve a tax cut. But it needs to be fair. It needs to be paid for, and it should not have hidden taxes in it.

I rise in support of this motion to instruct for one reason, because it gets the indexing out. The indexing provision in the last 5 years costs $14 billion.

Second, this motion to instruct will provide tax relief to the $25,000-a-year plant worker or policeman who pays FICA taxes. They get a child tax credit.

Third, this motion to instruct removes the hidden tax on graduate students that are receiving tuition waivers. If you are for tax fairness, if you are for fiscal responsibility, if you are for delivering taxes in educational areas for people across this country, vote for the motion to instruct.

Mr. CARDIN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support the motion to instruct, a commonsense plan and a commonsense tax bill.

Mr. Speaker, I would like to urge my colleagues to vote in favor of the motion to instruct the conferees on the Reconciliation Tax Act. The Conferees should be urged to provide fair and equitable tax relief to working families, support a child credit and education tax benefits for working families, and oppose indexing of capital gains. A new Treasury Department analysis reveals that the Republic bill is light on relief for working families, and heavy on tax breaks for the rich. According to the Treasury Department analysis, only a third of the tax breaks in the Republican plan go to the middle 60 percent of all families—that's families making between $17,000 and $93,000 a year. By stark contrast, the Democratic alternative gives two-thirds of the tax breaks to the same middle 60 percent.

The Republican plan skimps on the tax breaks for college students in their budget. The Republican tax bill provides only half of the $1,500 tuition credit for the first 2 years of college, does virtually nothing for juniors and seniors, and raises taxes on some graduate students. In stark contrast, President Clinton and congressional Democrats have offered an alternative that includes the full $1,500 HOPE credit for the first 2 years of college, plus a 20-percent tuition credit for any subsequent years.

A Wall Street Journal/NBC poll released on June 26 revealed that Americans prefer the Democratic tax alternative to the GOP plan by a 2-to-1 margin, 60 percent to 31 percent. A USA Today/CNN/Gallup poll released on July 1 found that 52 percent of Americans think the Republican tax plan favors the rich. Based on these numbers, I urge my colleagues to vote in favor of the motion to instruct.

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

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

Let me reiterate one point that I made before. It has to do with indexation of the Tax Code. Indexation of the Tax Code was one of the most profound, fair, and proper things that we did in our Tax Code when we did it back in 1981. It eliminated that subtle, disguised means of steadily imposing increasing taxes on all working Americans unbeknown to them. It was a clever gimmick. Whoever thought it up, we have to give the guy credit because people did not seem to catch on to that for a generation. But indexation of capital gains is something that is essential to guarantee that we are not going to reverse what we are trying to do with this package, and that is to provide tax relief 5 years out. You reverse that and you vote for the elimination of indexing of capital gains, what you are calling for is an increase in taxes that you are trying to produce at that time. You want to start raising taxes again.

Many of you, I am sure, were not here in 1980, but on the other hand I am sure you all have a vivid recollection of Jimmy Carter's last year, what the inflation rate was in that single year, 14.6-percent. It could happen again. That was a 14.6 percent increase in taxes on all Americans through this hidden, devious means of inflation of our currency.

I would urge all of our colleagues to support and preserve and protect indexation of our entire Tax Code.

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

Mr. CARDIN. Mr. Speaker, I yield the balance of my time to the gentleman from Michigan [Mr. BONIOR].

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BONIOR] is recognized for 3¼ minutes.

Mr. BONIOR. Mr. Speaker, we worked very hard to bring the Reagan-Bush deficits down to a 20-year low. In 1992, when Bill Clinton was elected to the U.S. Presidency, he inherited a deficit of $290 billion a year. In 1993, without one Republican supporting our budget deficit proposal, in the House or the Senate, all being supported by the Democrats, we have brought that deficit down, year-after-year, from 290 to 255 to 203 to 164 to, in 1997, $45 billion and next year it will be balanced. That was the balanced budget proposal that got this country back in balance.

What this tax proposal that we are debating today will do will shoot these numbers off this chart, back up to the range of not $300 billion but as the Center for Budget Priorities estimated, $650 to $700 billion because of the issue that the gentleman from Illinois just touched on, indexing of capital gains.

This Republican tax bill is an ugly attack on America's working families. It is a big bonanza for big corporations and the wealthy. It is a bad deal for everyone else. It is a bad deal for teachers, for nurses, for plumbers, for secretaries, and every other working person who is going to have to pick up the tab when this starts to skyrocket again.

□ 1400

American working families deserve tax relief. We need to cut their taxes and we can do it while balancing the budget, but this Republican tax bill is nothing. There is nothing in it for working families.

If we take the case of a rookie police officer in the Speaker's own district in Georgia, he and his wife are trying to raise two young children, they have a household income of $23,000, they pay thousands of dollars, thousands of dollars in Federal taxes. Under the Republican bill, this family will get zero tax relief. Not a single dollar. This police officer, a family man who puts his life on the line every day, gets absolutely nothing.

Under this same Republican tax plan, the millionaire who spends his day on his yacht talking to his stock broker on his cell phone will get a tax cut on capital gains. He will get an estate tax cut. If he owns a corporation, there is a $22 billion giveaway on the corporate minimum tax. He may even qualify for that special tax loophole to benefit 1,000 wealthy investors that somehow slipped into this bill, a tax break that will cost all of us about $9 billion.

Under this Republican tax bill the millionaire gets thousands of dollars in tax breaks, while the working people, the police officer, the teacher, the secretary, the plumber, the manufacturing worker get absolutely nothing. And this Republican giveaway to the wealthy is going to bust the deficit wide open again and put us into the same situation we inherited with Reagan and Bush.

Now, some of my Republican colleagues have the gall to say that an income tax cut for young working families would constitute welfare. In fact, one conservative columnist wrote the other day that the proposed cuts are welfare benefits to inspire breeding. That is an insult to every working family, that is wrong, this motion to instruct needs to be passed and I urge my colleagues to support it today.

Ms. SANCHEZ. Mr. Speaker, I rise today in support of tax relief for millions of hard-working Americans.

It is time to give every American their first tax cut in 16 years. It is our job to ensure that all Americans receive the benefits promised from this tax bill.

Fortunately, this plan does provide tax relief for young families who are worried about the future educational needs of their children.

While this is a good first step toward helping families and students there is still much more to be done.

I am a fiscal conservative. That is why I voted for the taxpayer relief bill. But being fiscally conservative does not mean that working class Americans should be left out of these tax cuts. We can do better to ensure a fair distribution.

We have seen many fancy charts and graphs in this debate but what really matters is what the American people see in the bottom line on their 1040 next April.

Working class Americans carried the burden of financing the cold war. Working class Americans carried the burden of financing oppressive Federal deficits of the last decade. Working class Americans deserve a return on their investment. Working class Americans deserve the bulk of this tax cut.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from New York [Mr. RANGEL].

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

Mr. CARDIN. 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 notify absent Members.

The vote was taken by electronic device, and there were—yeas 199, nays 233, not voting 2, as follows:

[Roll No 258]

YEAS—199

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NAYS—233

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—2

Schiff
Slaughter

☐ 1422

Messrs. SHUSTER, GRAHAM, DEAL of Georgia, BARRETT of Nebraska, CHRISTENSEN, NUSSLE, AND RIGGS changed their vote from ''yea'' to ''nay.''

Mr. SCHUMER and Mr. ORTIZ changed their vote from ''nay'' to ''yea''.

So the motion to instruct was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. GILLMOR). Without objection, the Chair appoints the following conferees:

For consideration of the House bill, and the Senate amendment, and modifications committed to conference: Messrs. KASICH, ARCHER, CRANE, THOMAS, ARMEY, DELAY, MCDERMOTT, RANGEL, STARK, and MATSUI.

As additional conferees from the Committee on Transportation and Infrastructure, for consideration of sections 702 and 704 of the Senate amendment, and modifications committed to conference: Mr. SHUSTER, Ms. MOLINARI, and Mr. OBERSTAR.

As additional conferees from the Committee on Education and the Workforce, for consideration of sections 713–14, 717, 879, 1302, 1304–5, and 1311 of the Senate amendment, and modifications committed to conference: Messrs: GOODLING, FAWELL, and PAYNE.

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 181 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 181

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. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, 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 306 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. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with ": *Provided*" on page 46, line 25, through "part 121" on page 47, line 6; and page 76, line 10, through line 13. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendments printed in the report of the Committee on Rules accompanying this resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report 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. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. CAMP). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

REQUEST TO AMEND HOUSE RESOLUTION 181

Mr. SOLOMON. Mr. Speaker, I would respectfully ask unanimous consent that the amendment to House Resolution 181 that I have placed at the desk be considered as adopted.

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

The Clerk read as follows:

Amendment offered by Mr. SOLOMON:

Page 2, line 14, after "line 6;" insert "beginning with ': Provided' on page 61, line 22 through 'Reserve' on page 62, line 4;".

□ 1430

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

Mr. YATES. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. SOLOMON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], 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.

Mr. Speaker, House Resolution 181 is an open rule. It provides for consideration of H.R. 2107, the Department of Interior and related agencies appropriations bill for fiscal year 1998. The rule provides an open amending process, allowing any Member of this House to offer cutting amendments or offsetting amendments, including limitation amendments normally allowed under an open rule. No additional restrictions are written into this rule. This is the open amendment process. It also offers an acceptable compromise for many Members on the contentious issue of funding the National Endowment for the Arts.

The rule provides 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations. The rule also provides necessary waivers to allow the bill to be considered on the House floor here today. The rule waives section 306 of the Budget Act, which prohibits matters within the jurisdiction of the Committee on the Budget in a measure not reported by that committee, against consideration of the bill.

The Committee on Rules understands this waiver to be technical in nature and that it does not constitute a substantive violation of the Budget Act. Otherwise we would not be giving the waiver here today.

The rule also provides certain waivers of points of order against the bill itself with certain exceptions as specified in the text of the rule. Members have copies on the desks in front of them.

Specifically, the rule waives clause 2, prohibiting unauthorized and legislative provisions in an appropriations bill, and also clause 6, prohibiting reappropriations, of House rule XXI against the bill, except as noted in this rule.

The first items in the bill left exposed to points of order for lack of authorization or legislating on an appropriations bill are two provisions relating to Forest Service credit issued for purchasers of timber for the construction of roads, and a limitation on the availability of timber purchaser road construction credits to small businesses. These provisions were objected to by the chairmen of the authorizing committees, the Committee on Agriculture and the Committee on Resources.

The second item in the bill left exposed to a point of order for lack of authorization is a $10 million appropriation for necessary expenses of the National Endowment for the Arts.

Mr. Speaker, the exposure of this agency to a point of order in this rule bears further explanation. As I mentioned earlier, clause 2 of House rule XXI prohibits unauthorized appropriations and legislation on an appropriations bill. Those are the rules of the House.

General appropriations bills are privileged on this House floor. However, the Committee on Appropriations in modern practice has sought special rules from the Committee on Rules which provide for consideration of bills and waive appropriate points of order. Mr. Speaker, in the 104th Congress the Republican leadership established a protocol relating to waivers of unauthored programs or legislative language in general appropriations bills. Under this protocol, the Committee on Rules would provide the necessary waivers to enable the bill to come to the floor if the authorizing committee chairmen did not object to them. If the authorizing chairmen object to the waivers, then under the leadership's protocol, the Committee on Rules would leave the specific language in question exposed to a point of order on the floor.

We attempted to do that a few minutes ago, before the gentleman from Illinois [Mr. YATES], the ranking member, objected, because it was inadvertently protected for the Strategic Petroleum Reserve, which if we had received the letter in a timely manner from the Commerce Department, we would have certainly left that measure exposed, as we have others like the NEA.

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

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

Mr. YATES. Mr. Speaker, I would tell the gentleman I would not have objected to his amendment had he included as well protection for the National Endowment for the Arts.

Mr. SOLOMON. Again there is absolutely nothing I would not do for the gentleman from Illinois [Mr. YATES]. The gentleman is the most respected member of this body. I think we all agree to that on both sides of the aisle. But let me explain why.

Mr. Speaker, yesterday, the gentleman from Pennsylvania [Mr. GOODLING], chairman of the Committee on Education and the Workforce, wrote to the Committee on Rules and recommended that the National Endowment for the Arts not be allowed to continue without an authorization from his committee and, hence, that the $10 million in the bill for the NEA be exposed to a point of order. We are again honoring the protocol, and we are honoring the request of that committee chairman of that very important committee.

Mr. Speaker, the House has grappled with the issue of funding arts programs for many years now, and this year is no exception. The NEA, as we know it, is likely to be stricken from the bill by a point of order. As a matter of fact, it will be, we are told.

After that occurrence, the rule provides that it shall be in order to consider an amendment offered by the gentleman from Michigan [Mr. EHLERS] which represents a different approach to Federal arts funding. This amendment contains a block grant art proposal which provides a total of $80 million, 40 percent of which is dedicated to state art commissions in the individual States and 60 percent to local school boards for school-based art activities. In other words, we give 40 percent of this $80 million to the local school districts in Members' congressional districts so that they can develop the art programs as they see fit and not as some bureaucrat here in Washington sees fit.

Mr. Speaker, the House should explore various alternatives to address the Federal commitment to the arts. I have long believed that rather than take the money from the taxpayers, perhaps we should just pass the hat around at the next Academy Awards presentation. The amount that we collected at that award might double last year's NEA budget. Certainly those people can afford it with their tens of millions of dollars in salaries and their earnings.

Mr. Speaker, the Committee on Rules believes this compromise of exposing NEA to a point of order to respect the committee system while allowing a vote on the approach of the gentleman from Michigan [Mr. EHLERS] to Federal arts assistance is a fair and workable accommodation for all parties involved.

Mr. Speaker, if I might continue to describe the rule, it also makes in order two additional amendments, one by the gentleman from Florida [Mr. WELDON] relating to the Canaveral National Seashore and the deficit reduction lockbox amendment offered by the gentleman from Idaho [Mr. CRAPO]. These amendments are debatable for 10 and 20 minutes respectively, are equally divided between a proponent and an opponent and are not subject to further amendment. The rule also waives all points of order against the amendments.

Finally, Mr. Speaker, this rule waives clause 2(e) of rule XXI, which prohibits nonemergency amendments to be offered to a bill containing an emergency designation under the Budget Act against amendments to the bill.

The rule also includes one motion to recommit, with or without instructions, for the minority.

Having finished describing this important rule, I might emphasize the importance of supporting the lockbox amendment made in order by this rule. There are many Members on the other side of the aisle, I think they call themselves the Blue Dogs, and they all have asked for this amendment to be made in order, along with the gentleman from Idaho [Mr. CRAPO] and Republicans on this side. This amendment is made in order for them.

The Crapo amendment will make the budget process more user friendly for Members who wish to offer spending cut amendments on the floor of the House and the Senate. When a spending cut amendment is adopted, savings from that amendment will be credited to deficit reduction and not left hanging there to be used for other spending purposes.

This amendment is identical to the bill that was reported by the Committee on Rules during the last Congress and passed this House under an open rule on September 13, 1995, by a bipartisan vote of 364 to 59. We would expect that same vote today; as a matter of fact, an even stronger vote since a new Congress has been seated since that time and most of those are fiscally conservative Members. Similar lockbox language was also adopted by the House on two other occasions attached to bills like this, appropriations bills.

Mr. Speaker, with such vast support for the amendment during the last Congress, it follows that it should once again be included with these funding bills.

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

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, for yielding me the customary one-half hour, and I yield myself such time as I may consume.

Mr. Speaker, at the outset, I want to be perfectly clear that the rule we are considering today will kill for all times the National Endowment for the Arts. My Republican colleagues might say that they are creating a smaller substitute program, which is like throwing an 11-foot rope down a 12-foot well to rescue someone. The fact remains, Mr. Speaker, with this rule, they are killing Federal support for the arts.

Mr. Speaker, there is not a congressional district in the entire country that has not benefited from the NEA. Even the district of my good friend, the gentleman from New York [Mr. SOLOMON] got eight National Endowment for the Arts grants in fiscal year 1994, including the Crandall Library in Glens Falls, which put on folk and traditional art programs; the UNIMA–USA Theater in Hyde Park; arts awareness in Lexington, NY, which put on visual arts programs, and the Mettawee Theater Company in Salem; and Music for Salem.

I recognize that in the past, there have been some bad decisions on the part of the NEA but their number was small, and today it is zero. According to the Atlanta Journal-Constitution, less than four ten-thousandths of NEA funds have been misdirected. Again, Mr. Speaker, less than four ten-thousandths of NEA funds have been misdirected. But even since then, Jane Alexander and her NEA staff have taken extraordinary steps to ensure that offensive programs are not funded.

Mr. Speaker, artists supported by the National Endowment for the Arts have gone on to win Pulitzer Prizes, National Book Awards, Emmys, and Tonys. In fact, the man who wrote the play ''Driving Miss Daisy,'' Alfred Uhry, says that his play, and I quote, ''never would have gotten out of the garage if not for the support of the National Endowment for the Arts.''

□ 1445

Yet the Republican leadership wants to add this program to the increasing pile of popular Federal programs that they have already eliminated.

Now I might add, Mr. Speaker, the National Endowment for the Arts is already operating under enormous cuts. Two years ago my Republican colleagues cut it by 39 percent. Today the total NEA budget amounts, and I wish the Members would listen, the total NEA budget today amounts to one one-thousandth of 1 percent, one one-thousandth of 1 percent of the entire Federal budget. In other words, Mr. Speaker, it is not much.

So, Mr. Speaker, this debate really is not about money, it is about philosophy. It is about ending arts experience for millions of Americans, all for the sake of taking a political stand.

Mr. Speaker, enough is enough. Art in all of its forms touches our souls in ways that just cannot be measured in political points, and despite the huge cuts the arts endowment still manages to bring Shakespeare to the inner cities, classical music to the Midwest and ballet to the suburbs. It improves children's basic skills, it improves their math ability, raises their SAT scores and enriches their lives, and the

Republican leadership has no business taking that away.

President John Adams once said:

''I must study politics and war so that my sons may have the liberty to study mathematics and philosophy in order to give their children the right to study painting, poetry and music.''

Mr. Speaker, John Adams was right.

To my colleagues who by their support of this rule decide that we do not need the NEA, let me say that since the National Endowment for the Arts was created in 1966 there has been an explosion of community arts across the entire country. Thanks to the NEA, Mr. Speaker, we have eight times more nonprofit theaters, thanks to the NEA we have seven times more dance companies, and thanks to the NEA we have four times more orchestras and opera companies. Without the National Endowment for the Arts only people in big cities like Boston, Los Angeles, New York, and Houston would be able to enjoy the arts, but thanks to the NEA people all over the country of all ages now experience the joys of art.

And these art experiences, Mr. Speaker, do more than just bring people joy or educate our children. American culture exports raise thousands upon thousands of dollars a year. Every dollar that the National Endowment for the Arts provides attracts an average of $12 from other sources. The nonprofit arts industry represents 6 percent of our gross national product. According to the Ohio Hamilton Journal News, it is as big an industry as construction.

Mr. Speaker, the arts are most definitely in our national interest. The excuse that this represents a singular unauthorized appropriation is not entirely true. There are 13 unauthorized appropriations in this bill, all of which got waivers, all except the National Endowment for the Arts.

Mr. Speaker, there is not a State in this country that does not benefit from the National Endowment for the Arts. These are wonderful programs, and it would be a shame to see them suffer. Anyone who has gone to a children's festival, anyone who has experienced a small dance troop, anyone who has enjoyed folk art or seen the benefits of art-based literacy programs should join me in keeping this program alive. Although we cannot measure the dollar benefits of art programs, school lunches, health care for poor children or home heating assistance, there is no reason to eliminate them.

I urge my colleagues to join me in protecting the National Endowment by opposing this rule.

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

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

Mr. Speaker, my good friend, the gentleman from Massachusetts [Mr. MOAKLEY] quoted John Adams. As my colleagues know, over the Fourth of July I had the opportunity to respond to the President's Fourth of July message, and in my message to the American people I said:

''The Founding Fathers designed a government with limited defined powers, but that idea has been turned on its head,'' I said, ''because instead of the government doing only what the Constitution allows it to do, it does whatever the Constitution does not forbid it to do.''

And let me tell my colleagues something: What our Founding Fathers could not even comprehend is the idea of paying more in taxes than they do for food and shelter. Do my colleagues know that? They could not even begin to comprehend the idea of the American people working 6 months out of the year just to pay for the cost of government. Our Founding Fathers would have rolled over in their graves if they saw what has been happening here.

And, yes, we have over the last 3 years, we have eliminated 270 programs and bureaus and agencies and bureaucrats to bring this budget into balance. That is what this is all about today.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DREIER], a very valuable Member of this body, a member of the Committee on Rules, vice-chairman of the Committee on Rules, to expound on that thought a little bit.

Mr. DREIER. Mr. Speaker, I thank my friend from Glens Falls, the distinguished chairman of the committee, for yielding this time to me. This has obviously been an extraordinarily contentious debate, and I have to say first that to see the gentleman from Massachusetts [Mr. MOAKLEY] stand here and make his very eloquent arguments on the second anniversary of his liver transplant is a very important statement to this House, and I appreciate the fact that he has stepped forward.

But now having said that, I have got to say that I completely disagree with virtually everything the gentleman from Massachusetts said. The fact is John Adams did envisage the time when we would see that third generation from politics and war to mathematics and philosophy to music and poetry. He envisaged the idea of young people in future generations being able to participate in the arts.

Mr. Speaker, I feel very strongly about that. My father passed away this spring, and he had been chairman and president of the opera company in Kansas City, MO, and he was very involved, and he and I had many arguments about that. My dear friend, the gentleman from Illinois [Mr. YATES] and I have discussed this before: My dad wanted me to be a strong supporter of the National Endowment for the Arts, but I told him that as we looked at establishing priorities it is very important for us to realize that there is Government subsidization of the arts because we provide a tax deduction for people to make these contributions.

The gentleman from New York [Mr. SOLOMON] mentioned the fact that many of my constituents could in fact participate by contributing to the arts. Many large corporations have called for continued support for the National Endowment for the Arts. But I think we should do everything we can to encourage them to participate through even greater philanthropy.

And I have to say that having supported the Crane amendment myself in the past, this compromise is going to allow those local communities to enjoy Shakespeare, poetry, other very, very important arts because 40 percent of this funding will be going to State arts commissions and 60 percent to local school districts as we look at this compromise. And during that period of time, if this can in fact become law, and obviously there is a big question about that based on what might happen in the other body and down on the other end on Pennsylvania Avenue, but if we were to put this package into place, it seems to me that we could continue down this road of encouraging more and more people to contribute.

The arts are very, very important, and I am very proud that my family has spent many years as supporters of the arts. But it seems to me that, as we look at our priorities here, to claim that the sky is going to fall if the National Endowment for the Arts is not maintained exactly as it is today is a ludicrous argument because they are going to continue, the Government will continue to support them through providing opportunities for tax deductions to be out there, and I hope very much that we can move ahead with this balanced compromise approach.

Support this rule, and let us move ahead with the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, the gentleman from New York just said that this is about saving taxpayers money. That is not what it is about at all.

Just last week, I would point out, this House voted for enough B–2 bombers, which the Pentagon did not want, to pay for the National Endowment for the Arts for 108 years.

In my judgment this rule, Mr. Speaker, is a sham and a fraud. It is a cynical abuse of power to prevent Members of both parties from voting to save the National Endowment for the Arts. That is all it is.

The rule prevents the gentleman from Illinois [Mr. YATES] from offering a simple amendment to restore funding for the NEA on the grounds that it is not authorized, and then it allows an amendment which is 28 pages long which, in essence, is a complete and total rewrite of the NEA: No hearings, no public comment and not produced by any committee that I know. It is not a legislative product; it is a political product. It is a device which was designed by the committee simply to allow Congress to assassinate the NEA behind the smokescreen of this substitute amendment. It is a procedural

power play to prevent Members of both parties who went up in the Committee on Rules yesterday asking for the simple right to vote to continue the NEA as is. And it ought to be turned down because it is a smokescreen.

Mr. Speaker, it is a sham substitute. It provides block grants to State agencies, but the agencies who are supposed to receive that money have themselves said they do not want this arrangement. They have said:

> State art agencies rely upon Federal leadership in funding and identifying and addressing cultural needs that are truly national. We need a partner agency at the Federal level to play a leadership role in working with our organizations and agencies.

It also provides a tiny bit of funding to each school district in the country, probably about $500 per school. That is an amount so small that we have been urged by our Republican friends on the Subcommittee on Labor, Health and Human Services, and Education to eliminate a number of programs because those provide such small grants that they are not worth having.

Let us not kid ourselves. If we want to save the NEA, there is only one way to do it. It is not to buy into this phony smokescreen of a substitute amendment. It is purely and simply to vote ''no'' on this rule, take this back to the Committee on Rules, put the Yates amendment in order. That is the least destructive thing to do; it is the most fair-minded thing to do. If we were going to have the Ehlers amendment before us, at the very least we ought to have the Yates amendment before us also so that people can choose between conflicting substitutes.

I urge people not to be taken in by this sham power play. Vote ''no'' on the rule.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. REGULA], one of the hard-working members of the Committee on Appropriations. He is the chairman of the Appropriations Subcommittee on Interior.

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

Mr. REGULA. Mr. Speaker, I hope all of my colleagues will vote for the rule. This will allow us to debate a bill of great significance. I think sometimes it ought to be called the enhanced quality of life bill rather than the Interior bill, because everything that we do in this bill literally enhances the quality of life for our people. It is the future.

For example, the greatest single source of recreation in this Nation, and it cuts across all spectrums of society, is the national forests, the parks, the fish and wildlife refuges, the BLM lands. These resources are not only a source of recreation, but also a source of education, because many schools take their young people to fish and wildlife facilities, to the national forests, as part of an education process.

□ 1500

So that enhances the quality of life for all 260 million Americans. Likewise, this bill deals with our energy future.

Just this past week I talked to a young lady in my family, who is 14½. She cannot wait to get her driver's license. She is looking forward to getting out into the workaday world sometime and owning an automobile. We need to be concerned about energy, because energy means jobs, energy means growth in our economy, energy means a quality of life that people can get in their automobile and travel at a reasonable cost. We are blessed in this Nation with relatively cheap energy.

We heard a lot about the tax bill in the recent debate. Of course, energy is very much a part of that, because the key to a balanced budget is growth, growth in the economy. To have growth you have to have energy at a modest cost. It is vital. We spent not only lives but a lot of money in Desert Storm to protect energy sources. This bill supports a lot of research to provide the technologies to assist with meeting our goals of an improved environment and a growing economy as we look forward to the future into the next century. It truly is a bridge to a better quality of life in the century ahead.

It also deals with other things. One of the subjects that is under discussion is the National Endowment for the Arts. Mr. Speaker, I would not begin to denigrate the NEA. I think they have done some excellent work. We had a symphony group that went out to the schools in my district. If Members watched the concert on the Mall on July 4 when they ran the tag lines, we noticed there was support by the NEA. I think it was a great thing. PBS said it is the most watched program they have. I could go on with others.

But likewise I would point out that perhaps the most graphic piece of artwork in this city is at the Holocaust Museum, what is called Remember the Children. There are the little plates, ceramics, that have incorporated the artwork of children from all across this Nation as to what the Holocaust means to them. That was done without an NEA grant. Let me mention also, if we take the passageway from here to the Cannon Building, we see the artwork from schools across the country. Many of us participate in that arts program. There is no NEA grant, they did it without an NEA grant.

What do we do in this bill? We provide that $80 million, that is $100 million that we have provided over each of the last 2 years minus the administrative costs, because we are going to send it back to the communities. We are going to send it back to the State arts agencies. The arts agencies in my State get a budget from the legislature that they increase every year. Why? Because they have had a very successful administration. They actually get three times as much from the Ohio Arts Agency than they do from here. We want to give them some additional help, because they are out there on the ground.

Last, it provides for sending money back to the schools, back to the children, where we really teach arts education, where we really teach an appreciation of the cultural heritage of this Nation.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. LEWIS], the minority whip of the Democratic Party.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today on behalf of the artists, the writers, the actors, the musicians, the schoolchildren, and the thousands upon thousands of people in Georgia and around the Nation who benefit from the National Endowment for the Arts. I rise on behalf of all of these people to plead with all of my colleagues, Democrats and Republicans, to defeat this rule, this rule which abolished the National Endowment for the Arts without so much as a vote.

It was President Lyndon JOHNSON who said:

> Art is a Nation's most precious heritage, for it is in our works of art that we reveal to ourselves and to others the inner vision which guides us as a Nation. And where there is no vision, the people will perish.

We cannot and we should not and we must not abandon the role of the Federal Government in supporting the arts. Bombs, not books; planes, but not poems; missiles, but not music: Is this the legacy we will leave for our children? I say no, and the American people say no. There is a role for our government to play in supporting the arts, and that role is through the National Endowment for the Arts.

This rule abolishes the NEA. It does not even permit a vote. This rule is a travesty. It is an insult to our democracy. Mr. Speaker, let us defeat this rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

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

Mr. Speaker, the poet Shelley once wrote that the greatest force for moral good was imagination. God knows, our children and the people of America, but especially our children, need all of the imagination they can get to face the challenges of the future. Yet, the rule before us today serves to stifle imagination and stifle debate by eliminating the National Endowment for the Arts without even the formality of a vote.

Mr. Speaker, the music and the arts are their own excuse for being, but they also help our children learn to gain confidence, to reduce barriers to communication, and to enrich the lives of the American people.

Despite a 32-year history of the NEA of bringing the arts to communities all across America, to almost every congressional district, funding over 100,000 grants, and despite the overwhelming support of the American people, and

despite the economic benefits pointed out by the gentleman from Massachusetts [Mr. MOAKLEY], the rule today eliminates the NEA without even the formality of a vote.

I urge my colleagues to vote against this uncivil rule and uncivilizing rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from New Jersey [Mrs. ROUKEMA].

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

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

Mr. Speaker, at the outset I certainly want to commend the gentleman, our colleague, the gentleman from Ohio [Mr. REGULA] for the fine work he has done on this Interior appropriations bill. I regret that his subcommittee has been put in this untenable position. I understand that the emotions are running very high on both sides of this issue.

But although the gentleman from Illinois [Mr. YATES] and I and many others of us went before the committee yesterday and asked for democracy, that is all we asked for, we sought protection for an up-or-down vote on this very important issue, and what did we get? We got a rule that is rigged for a legislative procedure that deprives the body of an up-or-down vote on this issue.

Mr. Speaker, I must tell the Members that therefore, I must, regretfully, oppose this rule. We should allow a vote on the Yates amendment with the waiver. This would give us adequate funding for the coming year, and this is very important, Mr. Speaker, not a rule that permits an unexamined block grant, so-called block grant, to substitute for the authorization process of the authorization committee. I am a member of that committee, and we should have a deliberate, proper, intelligent procedure in the committee which is consistent with a world-class democracy. That is the American way.

Mr. Speaker, I rise in opposition to this rule—fully understanding that it is difficult to oppose a so-called open rule.

Mr. Speaker, at the outset I want to commend the gentleman from Ohio [Mr. REGULA] for his fine work on this Interior appropriations bill. And I regret that his subcommittee has been put in this untenable position. However, I nevertheless must rise this afternoon in opposition to this rule and in support of the National Endowment for the Arts.

I understand that emotions run high on this very sensitive issue. Some people, probably a majority in this House, feel that support for the arts is a cause worth fighting for and that the NEA is a worthwhile endeavor. I also understand that there are those in this House that want to eliminate all Federal support for the arts.

I disagree with them but recognize their right to their position.

So Mr. YATES and I, and many of our colleagues, went to the Rules Committee yesterday and asked for democracy. We sought protection for a simple up-or-down vote on the Yates amendment to restore funding to the NEA.

And what did we get in this rule? A rigged legislative procedure that deprives this body of a vote—up or down—on this issue.

I understand that the NEA has not been authorized in years. I submit that is not the fault of the supporters of the NEA. As a member of the authorizing committee, I would be happy to vote for a properly structured bill that reforms, restructures, and preserves the NEA.

So we asked for the routine waivers for Mr. YATES' amendment, something that is done all the time around here, and incidently, the same protections granted to Mr. EHLERS' block grant amendment. We were simply asking the Rules Committee to allow the democratic process—that's democratic with a lower-case ''d''—to work.

Frankly, Mr. Speaker, if the NEA amendment is offered and defeated, I can live with that. Because the process has been allowed to work. The principle of majority rule should have been recognized.

That's the American way.

But the House should have the right to work its will on this issue after a complete and open debate.

While I am here, allow me to address the Ehlers-Hunter block grant approach.

I applaud these well-intentioned efforts. However, I submit that this is not the time and the Interior appropriations bill is not the place to undertake a complete overhaul of our arts funding process.

We simply do not have the time to fully analyze these new proposals. Indeed, this is a job for the authorizing committee—the Education and Workforce Committee.

Mr. Speaker, you know my position on the NEA. I have worked for years to reform, strengthen, and protect the NEA.

Since its formation over 30 years ago, the National Endowment of the Arts has provided the public side of a very valuable public-private partnership to foster the arts. The people in this room represent the private side of that partnership.

Since the NEA's birth, the number of community orchestras has grown from 22 to 422. The number of professional dance companies has risen from 37 to 300. Community orchestras have jumped from 58 to over 1,000.

The NEA has provided the critical support which allowed production of such American classics as the original ''Driving Miss Daisy,'' ''The Great White Hope,'' and a ''Chorus Line.'' The NEA has brought us the television programs ''Live from the Lincoln Center'' and ''American Playhouse.''

All told, over 11,000 artists have received fellowships from the endowment. They've won dozens upon dozens of Pulitzer Prizes, MacArthur Awards, and National Book Club Awards.

The arts have been found to be an important part of a child's development. Exposure to the arts nourishes imagination and creativity. It develops collaborative and teamwork skills, in addition to flexible thinking and an appreciation for diversity.

A University of California study has shown that after 6 months of piano lessons, preschoolers demonstrated significant improvement in the types of reasoning required to excel in math and science.

It has been the NEA's role to leverage—not replace—the private funding that is so necessary to allow this type of growth and achievement to occur.

Aside from the creative benefits of the arts industry to the community are the financial benefits to the community. The nonprofit arts industry generates $36.8 billion annually in economic activity, supports 1.3 million jobs, and produces $790 million in local government revenue and $1.2 billion in State revenue.

So why then is the NEA under fire?

I think everyone in this room would agree: A balanced budget is a laudable goal. The NEA, like every other agency of the Federal Government including the Pentagon and NASA, should contribute to that effort. However, the reduction should be proportionate and fair and even-handed.

But there has been nothing even-handed and fair about the proposals to eliminate the NEA. And that's what I have been fighting for several years now to both reform and renew the NEA.

Funding for the NEA stood at $165 million 2 years ago. This year it stands at $99 million. If the NEA's opponents win this round this year, funding will be down to the $10 million range for the sole purpose of shutting it down.

So I must oppose this rule. We should allow a vote on the Yates amendment—with the waiver. This would give us adequate funding for the coming year—thereby giving the authorizing committee the time to reform and renew the NEA in a proper, deliberate, and intelligent manner that is consistent with a world-class democracy.

That, my colleagues, is the American way.

Oppose the rule. Support the arts.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. HOUGHTON].

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

Mr. HOUGHTON. Mr. Speaker, I rarely speak from the well of the House, and I even more rarely speak about a procedural issue, but in this case I feel I must. This is a bad rule and it should be defeated. If we stand for anything, we stand for openness.

Frankly, that is why I am here, to be able to use this voting card, to be able to express my opinion. We are going to be prevented from doing that. It is the heart of this Congress, it is the heart of the forum, where we express our feelings as Republicans and Democrats. This rule suppresses that discussion. If the NEA cannot stand on its own and stand the test of debate, it should go down, but let us have a vote on it.

I am a Republican, I am a proud Republican, and we Republicans, when we assumed leadership in the House, promised we would not shut off debate on critical issues. We preach this. Now let us practice it.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. NADLER].

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

Mr. NADLER. Mr. Speaker, I rise to object in the strongest possible terms to this rule. The action of the House leadership to deny a vote on the floor of the House on whether to retain or to

abolish the National Endowment for the Arts is unconscionable and is an act of cowardice. It is an insult to democracy and a great disservice to the American public. The rule specifically targets the NEA for extinction. It waives points of order against every other amendment but one. Why? Because they are not confident they have the votes to defeat the NEA in a fair and open vote.

The rule is a cynical attempt to prevent the elected representatives of the American people from even voting for or against abolishing a major Government agency. Instead, the rule permits the Ehlers amendment, which is nothing but a snare and a delusion. That amendment would abolish the NEA and instead distribute $600, on average, to every school district for the arts, $600 to all school districts. To what use could they put that?

What is really at stake is the availability of art to the American people across the country. Before the NEA there were 58 orchestras in the country. Today there are more than 1,000. Before the NEA there were 37 professional dance companies. Now there are 300. Before the NEA, there were 1 million people who attended the theater each year. Today more than 55 million attend.

Do we want to go back to that era, when art was available only in large cities, and only to those who could afford large sums of money? That is what is at stake. Vote against this rule. Do not be deluded.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I hope that those artistic surgeon's hands that saved the gentleman's liver are the ones that got some training from the NEA.

Mr. Speaker, I rise in opposition to this rule, because the Committee on Rules has failed to allow this House to vote for the continued funding of the National Endowment for the Arts. Instead, it gives us the Ehlers amendment, and I urge all my colleagues to read that amendment, because it first abolishes the National Endowment for the Arts. This is a bad idea. Members might ask why, why is it bad for America?

It is bad for the schools, it is bad for our communities, and most of all, it is bad for business, so bad that the presidents and CEO's of America's largest corporations have written the Speaker asking him to sustain the funding for the arts. Companies likes Pepsi-Cola, Dean Witter, Procter & Gamble, B.F. Goodrich, Chase Manhattan Bank have joined 70 other Fortune 500 companies in requesting the support of the NEA. Why? Because the structure of the NEA serves as a clearinghouse for giving grant money.

Most importantly, creativity is America's greatest gift. Preserve creativity, preserve the NEA.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. FORBES].

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

Mr. FORBES. Mr. Speaker, I thank my colleague for yielding time to me.

Mr. Speaker, this is a very sad time for me as a Republican Member of this House, because for 40 years when the Republicans were in the minority we made it clear that we would not do things this way. We would always have the sunshine and daylight allow us to bring an issue up on the floor and have an up-or-down vote. That is what should happen for the National Endowment for the Arts. This critical program has done so much good. It is the Republican Congress, the 104th Congress, that clamped down on the atrocities that had come to symbolize unfairly this agency.

We need to move forward. There have been 121 instances in the last Congress where we appropriated unauthorized programs, and there is no reason why this program and the Yates amendment could not have a vote. I would suggest to my colleagues that we need an up-or-down vote on the NEA. Absent that, I regret that we are going to have to vote against the rule. That is something I truly regret having to do.

On the so-called compromise, if Members love the Department of Education and they love the Department of the Interior, they are going to love sending $80 million more through that bureaucracy, which is not sensitive to the arts in America.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. MENENDEZ].

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

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Mr. MENENDEZ. Mr. Speaker, the Committee on Rules abuses the rights of Members by not allowing an amendment supported by Republicans and Democrats alike to keep the National Endowment for the Arts alive. That is undemocratic, and the President will veto it if it comes to him in that way.

I know the value of the arts to my communities in New Jersey, in Jersey City, Hoboken, Newark. They have revitalized downtown businesses, attracting conferences, conventions, increased tourism, new business, boosting the value of commercial and residential real estate.

They are a powerful, positive economic ripple effect in our communities. To eliminate that funding hurts our communities. They are important for the education of our children. They move beyond math and science to something equally important, imagination and creativity, allowing students to interpret their community and the world around them. And the arts are a bridge to cross-cultural understanding, bringing us together as a nation. The NEA brings the richness of our people to the poorest in our communities. So vote no on the rule. Vote to save the arts and vote to preserve our rights as Members in this House.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. BENTSEN].

[Mr. BENTSEN asked and was given permission to revise and extend his remarks.]

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

Mr. Speaker, this is not about the merits of the NEA. We already know that a majority of the House supports the NEA and if we had a vote it would pass. It is about the process. It is a continuing pattern in this Congress and in the last Congress. In the last Congress we saw when a majority of the Congress wanted to keep the Government open, the majority would not allow the vote. We saw in this Congress when a majority of the Congress wanted to end the debacle with the flood disaster in the Midwest, the majority in the Congress would not allow a vote.

We saw in the B–2, and I voted for the B–2, that the majority in this Congress tried to strip the amendment and caused us to wait 10 hours to consider that bill. We are going to do the same thing today because no matter what happens with this rule, the NEA will get funded because that is the will of the majority, the real majority of the House and not the ruling majority.

Just this week in Mexico, last Sunday, we saw the ruling party allowed free and fair elections and respected the will of the people, but the majority party of this House does not respect the majority will of the House itself. What a shame that is. Defeat the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

[Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.]

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise on behalf of the children. I rise against the attack on the NEA because it is summarily unacceptable.

SOS: The Fourth of July will have to be canceled in Washington, DC, for the NEA sponsored last week, the NEA sponsored last week the Fourth of July celebration for this Nation. How unfortunate that the Yates amendment and other amendments to restore NEA funding in the Committee on Rules were not allowed.

Quality of life issues: Less than 0.6 percent of the Federal budget is spent on our children and the arts. Representing most of the arts community in Houston, let me say to you that this is a ridiculous trampling on the arts, the culture and the history of this Nation. What a tragedy that this Nation does not recognize what the real quality of life is all about. We are going to win this. We are not going to see the clocks turned back. We are going to

stand up for the children so they know what art is about, they know their culture and they know their history. We are going to stand up and make sure this rule is defeated.

I ask my colleagues to join me. Bring up the quality of life and let us keep the Fourth of July celebrated in the United States of America.

Mr. Speaker; I speak in order to express my vehement intent to oppose this rule for H.R. 2107—the Department of the Interior and related agencies appropriations bill of 1968. The related agency that this rule seeks to eliminate is the National Endowment for the Arts.

The current funding level of $10 million appropriated in H.R. 2107 for the NEA is summarily unacceptable and needed to be changed. My amendment restored funding for the NEA to $99.5 million.

The difference between my amendment and the amendment of my colleague, Representative YATES, was that my restoration was offset by a reduction in the Forest Service—forest and rangeland research appropriation; while his restoration was offset by using the strategic petroleum reserve.

I am outraged that the Rules Committee has decided to stop the democratic process by not allowing the Congress to do its job. The Rules Committee had decided to use Gestapo maneuvering in not allowing the House of Representatives to vote on such an important issue as preserving an important part of American culture through the arts.

How is it that the chairman of the Rules Committee can completely stop the democratic process. Why are we all here? The Rules Committee was never used to stop the democratic process. Under the dictator type leadership of the Republicans, the democratic process is not taking place.

If the House of Representatives to hold its title as the people's House, then Democrats and Republicans should work together in openness and fairness. But that is simply not the case. The Republican majority of the House has the power to decide which legislation will be brought to the floor and what will be voted on. However, under the Republican dictatorship of the Rules Committee, the full House is completely stopped from voting on important legislation of the American people.

I am outraged at where this debate on funding for the NEA is heading. The opponents of funding for the NEA are quick to trot out the occasional bad choices made by the NEA. However, it is important to highlight and inform the American public of the vast majority of activities funded by the NEA.

In Houston, TX, the Alley Theater is an excellent representation of the value of the NEA and the arts in Texas. The Alley Theater is family oriented with over 200,000 persons attending productions annually. To quote Paul Tetreault, the managing director of the Alley Theater in Houston, ''the NEA has given meaning support to the Alley and its audiences for many years.'' However, this year, the Alley was denied funding for a production as a result of reduced budgets. He states that, ''it was a great surprise and disappointment to see that support interrupted at a time when the Alley is realizing its greatest artistic achievements.'' Mr. Tetreault goes on to say that, ''many other deserving theaters, museums, dance and opera companies have been even more deeply affected by having their grant requests denied. Their losses, like that of the Alley's, will have a collateral effect on the quality of life in the communities they serve, to the detriment of arts education, commerce, and tourism.''

Mr. Speaker, that is what this debate is about. The quality of life for Americans and their families and children throughout this country. This is not about the few bad choices made by the NEA in the past. This is about the ability of children and families to view productions of plays and musicals; the ability of children and families to experience art and art education; the ability of a child to travel across town to an outdoor play with his father and mother and share in a meaningful family outing where the love of a family can be shared; where a community can come together in place; where the quality of life for residents in a city can be improved by an arts event that both educates and entertains.

What is the need to summarily eliminate an area of the Federal Government that is working. Funding for the NEA represents less than six-ten-thousandths—0.0006 percent—of the entire Federal budget. With that six-ten-thousandths percent—0.0006 percent, the NEA is still the largest single source of funding for the nonprofit arts in the United States. This investment of the U.S. Government is an investment in the quality of life for families and children. It spawns investment and giving to the arts by the American people, private and corporate donors. However, increased demands on all sectors of private giving have recently presented corporate and individual donors with tough choices. How can we expect private donations to the arts to increase, when we do not keep our commitment to the NEA. This is the time that the Federal Government should be making an investment in the NEA; not closing it.

Who are we really hurting if we do not fund and support the arts. We are hurting middle class and poor America. Seven point five—7.5 percent—of funding for the NEA goes directly to projects in under-served communities. Through access and outreach related grants, the NEA has helped to make the arts accessible to millions of Americans who could not otherwise afford them. What does that mean? It means that children in poor communities will not have access to plays, musicals, stage productions, and arts education that serve to increase the quality of life and overall educational value of American children. We are hurting the very people that we are sent here to help. We are hurting families who are trying to raise their children to respect the community. Mr. Speaker, we are hurting America.

Most grants of the NEA help support community outreach projects, free and touring concerns, and educational initiatives that make our major institutions accessible to all Americans. How many children will not hear the sweet and magnificent sounds of the symphony and orchestra because of this bill. How many families that cannot afford to by tickets to the symphony will be left out of valuable and quality appreciation of the performing arts.

Cutting funding for the NEA will not only negatively affect cities, but it will also negatively affect rural, small town communities. NEA grants serve communities in both urban and rural areas. In most small towns across the country, traveling tours, exhibits, and concerts are the major exposure to the live performing arts that children receive. The small town and rural communities cannot afford to support a full symphony, orchestra, or museum.

Funding for the NEA is not a Republicans versus Democrats issue. There are even Republicans that support level funding for the NEA. It is not a conservative versus liberal issue. Funding for the NEA is a cultural issue. Important cultural, educational, and artistic programs are funded by the NEA. Business leaders, educators, cities, States, and even law enforcement officials support funding for the NEA. After schools arts programs keep kids off the streets. We have all heard the phrase ''an idle mind is the devil's workshop.'' If we are able to reach kids and take them off of the streets via an after school arts program, then why don't we. Funding for the NEA exposes inner city minority children to Hamlet and the Othello.

The Cultural Arts Council of Houston/Harris County receives funding from the NEA. They have over 115 members that receive funding from them. These organizations would be dramatically hurt by the destablization of funding due to cuts in the NEA.

The NEA stimulates local and national economies and helps to create jobs. It is estimated that nationally, the NEA generates $37 billion in economic activity and returns $3.4 billion in Federal income taxes to the U.S. Treasury each year. The estimated impact to the Houston community because of funding cuts to the NEA was a negative $1.5 million across all manners of organizations both great and small. Houston's diversity of institutions makes it a great city. We do not believe in elitism. Cultural diversity is keen. If funding for the NEA is drastically cut, then the negative impact in Houston will be devastating, estimating that it will cost the city over $3 million in economic gains.

The Houston Ballet is internationally known. C.C. Conner, the managing director of the Houston Ballet expressed that, ''private support cannot replace the role of the Government cultural funding.'' He states that, ''funding from the NEA has played a significant role in Houston Ballet's growth from a small regional company to what is today, according to many dance critics, one of the premier dance companies in the United States * * * however, one can safely say that Texas' citizens and taxpayers are losing jobs and income as a result of NEA cutbacks.''

The NEA makes the arts accessible to all Americans. There is no doubt that a people and culture without a preservation of the arts in history are doomed. I urge my colleagues to oppose this dictatorial rule.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GOSS] a very valuable member of the Committee on Rules and chairman of the Permanent Select Committee on Intelligence.

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

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Glens Falls, NY, for yielding me the time and I rise in support of this mainly open rule.

Mr. Speaker, the Interior appropriations bill, which is what this is, provides important funding to protect our

natural resources for future generations, including our children. The underlying bill is an excellent example of doing more with less.

We are going to save money by focusing our limited resource in priority areas. Even though this bill spends $100 million less than last year's appropriation, it still provides important funding increases for our national parks, the National Forest System, and the National Wilderness Refuges, which many Americans and American children use.

Especially important for my home State of Florida, this is a vehicle for the crucial Everglades restoration funds. These funds permit us to meet the Federal commitment in our ongoing effort to restore and preserve for future generations, especially our children, the unique river of grass.

Another important provision is the extension of the Outer Continental Shelf oil and gas exploration moratorium, which protects Florida's fragile coastline from oil slicks and pollution. Each year for the last 13 years Congress has passed this moratorium, and I am pleased that the committee has once again seen fit to include this commonsense measure. So many people enjoy our beaches and shores, including, of course, all Americans, many visitors, and especially our children.

As always, there are some issues in this bill that remain controversial and probably always will be. But the gentleman from Ohio [Mr. REGULA] has done an outstanding job balancing the very diverse views of this body.

This rule likewise reflects a genuine workable compromise. I think it is a good process. I think the rule is a good rule, and I think it is a good bill.

If the NEA is the only way to culture in America, then we have got a problem. This rule provides for us to look at other ways to get public money, tax dollars, to the public for the purpose of the arts. Those who suggest the sky is falling on the arts if the NEA is cut back or curtailed do not understand that there are many ways and many aspects to the arts. I believe that the block grant opportunity is one we should examine, and will under this rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY of New York. Mr. Speaker, I rise against the rule and in support of one of America's greatest treasures, the National Endowment for the Arts.

My colleagues, who want to slash the NEA budget, say it is elitist and controversial. Some claim that eliminating the NEA will help cut the deficit. But their numbers do not add up. The NEA budget represents only 0.01 percent of the Federal budget. That translates into 35 cents a person, little more than the cost of one postage stamp. In fact the NEA actually brings in money. The arts generate $36 billion in revenue and pay $3.4 billion in Federal income taxes.

In New York State, the NEA is a boon to the economy. The arts employ approximately 174,000 New Yorkers and attract millions of tourists annually, producing an estimated $13 billion in revenue. Without the NEA, local theater and educational groups that introduce children to the arts will be forced to dim their lights. That would be a serious loss to this country.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN of Virginia. Mr. Speaker, this rule needs to be defeated because if it passes, the National Endowment for the Arts and all the great work that it does will be defeated.

During our hearing on the Subcommittee on Interior of the Committee on Appropriations, we heard from a young lady by the name of Denyce Graves. She grew up just a very few miles from here, right next to the Kennedy Center, but the Kennedy Center could have been a world away. She never had the money to go to the Kennedy Center.

But because of an NEA grant, there was a community opera production that she went to when she was a teenager. She was inspired by it. She went on to devote her career to being an opera singer. She now plays Carmen at the Met. That may not seem important to the Members of this body, but I know it is important to millions of young families and children around the country who would like that similar opportunity and will not have that opportunity if it is only the elitist organizations that are funded. NEA works on behalf of the real people of America. Give their talent an opportunity to express itself. We are all richer because of it.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Ms. Pryce], a very distinguished member of the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the distinguished chairman of the committee for yielding me the time. I rise in strong support of this fair rule. This is about the NEA, but it is only a small part of this legislation. This appropriations bill is also about preserving our Nation's rich heritage, our natural resources like our national forests and parks; our human resources, like improving native American education and the many museums and cultural centers all around the country.

This bill is about keeping our history and heritage alive for people of all ages and all walks of life to see and to enjoy. What we do today in this bill will not just preserve our past for the record books, it will also enable us to educate our children and grandchildren about who we are and where we came from and the events that shaped our Nation's history. By caring for these precious resources, we honor the legacy of our land and the struggles and the accomplishments of those who came before us.

Mr. Speaker, summer is a time when many of our constituents pack up the family and head off to vacation, maybe to the Nation's Capital to take advantage of the diverse cultural institutions that Washington has to offer. I am pleased to note that the bill provides priority funding for the Smithsonian Institution, the National Gallery of Art, the John F. Kennedy Center and the National Holocaust Museum.

Mr. Speaker, the Committee on Rules worked very hard to find a way to resolve the controversies surrounding the funding for the National Endowment for the Arts. This has been a difficult emotional issue for Members on both sides of the debate, and many thoughtful arguments have been made for why the NEA should or should not continue as it is today. I believe this rule offers a very fair approach to debating the question of whether the Federal Government should be engaged in promoting the arts in America and to what degree.

This rule permits the House to debate an amendment which will transform the current NEA to a block grant program funded at $80 million, to be administered by the States. This may not be the preferred option for those who strongly support the NEA, but in my view it is an honest, good faith attempt to resolve this difficult situation and to maintain an appropriate Federal commitment to promoting the arts and the culture in American society.

Mr. Speaker, in closing let me say that I deeply appreciate the hard work of my colleague, the gentleman from Ohio [Mr. REGULA].

We all recognize the tight constraints of the Federal budget and the contentiousness of many of these issues. He has crafted a bill that balances good government choices with a paramount need to restore, preserve, and protect our Nation's natural and cultural resources. This is a responsible bill. And under this rule we will have a chance for an open debate. I urge my colleagues in the strongest possible terms to vote for this fair and open rule and to support the Interior appropriations bill that it supports.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Speaker, we look back over history and we see that the great civilizations are not remembered for the wars that they fought. They are not remembered for the people that they killed in those wars.

The great civilizations of history are remembered for the arts that they provided for their people: music, art, sculpture, and literature. But throughout those ages, it was not always easy for those who advocated the arts. There were always those in government who wanted to prevent the arts from progressing.

When Rodin developed the great sculpture of the Burghers of Calais,

they would not pay him for that. Michelangelo was thrown in jail. The impressionists were prevented from presenting their art. So all through history we had those who have objected to the arts.

I may be soon visiting Rome. When I go to Rome and I go to La Scala or I go to the National Gallery in Naples or I go to the Pitti Palace or the Uffizi, allow me to say to those Italians that we, the greatest Nation in the world, also preserve and support the arts. Vote no on this rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. DICKS].

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

Mr. DICKS. Mr. Speaker, I had the honor of serving on the Subcommittee on Interior for 21 years, both under the chairmanship of the gentleman from Illinois [Mr. YATES] and the gentleman from Ohio [Mr. REGULA]. To me this is one of the saddest days that I can remember.

I believe that the National Endowment for the Arts deserves the support of the Congress and of the American people. I believe that if we go back to 1964 and we see the Endowment created and we look at the growth in funding from the private sector, it matches the growth of our Federal support for the endowment.

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I believe that over 100,000 grants have been made and less than 50 have been controversial. When we think of the arts, we think of controversy. I think that is an incredible record.

I urge my colleagues today to support the gentleman from Massachusetts [Mr. MOAKLEY] and the gentleman from Illinois [Mr. YATES]. Let us defeat this rule. Let us send them back to the Committee on Rules and come out here with an amendment that allows us to vote up or down on the NEA. This block grant thing is nothing but a fraud, in my opinion.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. CAPPS].

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

Mr. CAPPS. Mr. Speaker, I rise in fierce opposition to the rule. In my district in California the National Endowment for the Arts has supported such valuable programs as the Children's Creative Project, the Santa Barbara Museum of Art, Cal Poly Arts, the Santa Barbara Symphony Orchestra, UC Santa Barbara Arts and Lectures, Cuesta College Public Events, and the list goes on and on.

The National Endowment for the Arts also contributes to the economy of California. Funding for NEA is only a mere 0.001 percent of our Nation's $1.7 trillion dollar Federal budget, but this seed money snowballs when private and nonprofit sectors see the government's endorsement and then add to it.

Small amounts of public arts support leverages immense amounts of outside funding, which have the net result of creating more jobs, greater profits, and more taxes. The work of NEA can be justified simply on the basis of what it does to advance the arts, but it also contributes to the vitality as well as to the economy of our communities. It is a positive, positive national force. Let us defeat the rule.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. CRANE], a distinguished member of the Committee on Ways and Means.

Unfortunately, we only have 1 minute we can allocate to him, but he deserves it.

Mr. CRANE. Mr. Speaker, I thank the gentleman for yielding me this time, and I will try to compress a lot in 1 minute.

One of the things that struck my mind is there was $10 million provided for of continued funding for NEA, and with their 20 percent overhead costs, that leaves $8 million for distribution. That $8 million for distribution I think we can probably raise out of the pockets at least of those colleagues here who are such staunch supporters of the NEA.

One of the things that concerns me about it is the maldistribution of NEA funds. The majority of those funds go to D.C., New York, and L.A. My district is significantly larger than D.C. in population. We got $5,000. But Washington, DC, got double what my whole State of Illinois got.

It is a good old boy network. It is time to terminate that and depend upon the voluntary contributions totaling $9.5 billion a year out of the pockets voluntarily of citizens.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume to say that that good old boy network my friend just referred to is run by a woman.

Mr. Speaker, I would like to inquire of the time remaining.

The SPEAKER pro tempore (Mr. CAMP). The gentleman from Massachusetts [Mr. MOAKLEY] has 5 minutes remaining and the gentleman from New York [Mr. SOLOMON] has 6 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Maine [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I rise in strong support of the National Endowment for the Arts. Maine is a small State but there the NEA has helped us achieve innovative arts programming.

As a former president of the Portland Stage Co., I have seen firsthand how a very small amount of Federal funding helps to support local efforts. It spurs the local economy. In Portland, for example, over 150,000 people a year visit the Children's Museum, and while there they eat in our restaurants, they shop in our stores and they revitalize our economy.

In rural Maine, small amounts of NEA funds help musical, theatrical, and other performing groups brighten our communities.

Leslie Abrams, one of Maine's best comediennes, put it well: ''A world without art is gray, lifeless, dull. The musicians, the actors, the dancers, the sculptors, the composers, the painters, the photographers, the choreographers, the writers and, yes, even the comediennes like myself, are there to bring color and joyful noise to the world. We help others find what is universal in our experience.''

Support the NEA. Vote against this rule.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. DUKE CUNNINGHAM], a very valuable Member of this body.

Mr. CUNNINGHAM. Mr. Speaker, if we want to save the arts and save the arts for children, $80 million goes to all States, not the majority to New York or my State of California. There was a Republican compromise back in 1995. As the chairman of the subcommittee, along with the majority leader, we brought moderate Republicans, conservatives, in an agreement to save the arts for 3 years. Give them $99 million, let them establish their own endowment, their own endowment, and take it off of taxpayers.

Twenty million dollars in administrative fees, the rest of it going to New York and California, very little to many of the States, we decided to get rid of that. Let us put the money down to the States, down to the children, and take it out of the liberal hands of the NEA.

What this rule does is eliminate the organization, not the arts. If we want our rhetoric to go where it is and save the arts, let us put the money down there. When we talk about policy, when the Democrats were in the majority they eliminated this amendment on an up or down vote because they knew it would pass, that the money would get to the children, not to the liberal NEA itself.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. HEFNER].

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

Mr. HEFNER. Mr. Speaker, I am a little bit troubled by this. I would say to my good friend that this rule is absolutely a gag rule.

Now, we have had some examples in the Committee on Appropriations about some of the abuses in the NEA. Certainly we do not like the abuses that have occurred in this NEA. But let me remind my colleagues of this: There are abuses that occur in all programs. We do not close down our military academies simply because we have had scandals. In the Naval Academy, all the academies, we have had scandals.

We have funded on this floor over $20 billion for a B–1 bomber, which I supported, that has never flown a mission and took no part in the Persian Gulf. It has never flown a mission. We do not stop building airplanes.

One of the greatest things for my kids, when they were going to school in this little country school, was when the local symphony from Charlotte or Raleigh or someplace would come and do a skit for them. They were absolutely enraptured by it.

This is a good program. We want to weed out the bad things but, in my view, this rule is absolutely a gag rule to keep us from doing what is the democratic way in this House. Vote down this rule.

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

We have heard a lot about a gag rule on this floor today. Let us be perfectly clear. This rule is an open rule. Any Member can stand up here and offer any amendment under an open rule that is allowed under the rules of this House. That is clear.

Several years ago I wrote a book, ''Before Its Time,'' which dealt with balancing the Federal budget. In that, dealing with the arts, I said then the central question is whether or not the Federal Government should be subsidizing art and humanities, and went on to say, ''As George Will points out, we had the poetry of Walt Whitman and the paintings of Grandma Moses''—from my district—''without this kind of aid.''

I went on to say that, ''While it may be true that reducing funding would result in fewer of these activities, private funding can and should be able to fill the gap. In fact, subsidies account for a mere fraction of what the actual amount spent on the arts is. In 1990, Americans donated nearly $8 billion to the arts, culture, and the humanities. The commitment to the arts goes far beyond the NEA.''

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

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. YATES], a dear friend, a fellow who has done so much for the NEA, and whose amendment should be made in order but it is not.

Mr. YATES. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, as we have heard in this debate, the fundamental question that is involved is the one that we had with respect to the Crane amendment. This is a vote to determine whether or not we kill the NEA. This is a vote that will deprive me of the opportunity of offering an amendment that will allow the House to determine the question as to whether funds should be allowed to keep NEA in operation.

One point should be made, Mr. Speaker. If this rule is approved, it is inevitable that NEA will be stricken from the bill on a point of order and nobody will be allowed to offer an amendment with respect to NEA.

One point is indisputable. If this rule goes down, this rule will come back with only one change, the opportunity to offer an amendment for NEA. That is all that will be required. Therefore, if we are for the National Endowment for the Arts, as I know many of my friends on the Republican side are, then we must vote against this rule. It is that simple.

More than that, if we think that Members of the House should be allowed to vote on this question and not be required to accept it as an imprimatur from the Committee on Rules, we should vote against this rule.

The gentleman from California, Mr. DAVID DREIER, my good friend, talked about the fact that if NEA is killed, we will have the same kind of an arts community throughout the country. Mr. Speaker, nothing is further from the truth. NEA brings the arts to every American community, not just to the big cities.

Oh, we will have the big cities with their arts, as they always have. We will have Chicago and New York and we will have Houston and Los Angeles. All of them will have the same kinds of wonderful arts companies that they have had. But the cities, small cities like Jessup, IA, or Gilpin, GA, populations of 2,500, will not be able to get the benefits of the arts.

I should read to my colleagues, and I do not know whether I will have enough time, but I want to point out there was a witness who appeared before our committee from Jessup, IA, who pointed out what a grant to that small farm community meant to the people who were there. When they heard that they were going to have a quartet come to Jessup, IA, the local furniture store supplied the beds, another family would sacrifice a TV.

I would refer my colleagues to page 3 of the hearings for 1994 if they want to see what happened to this small community which had this grant. It was a wonderful, wonderful experience for which it would be deprived in the future if the arts go down. I hope we will vote down this rule.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume to just say that out of respect for the gentleman from Illinois, we let him go a little beyond his time. We hope our colleagues will allow the majority leader to do the same.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas [Mr. ARMEY], our distinguished majority leader.

Mr. ARMEY. Mr. Speaker, I want to thank the gentleman from New York for yielding me this time.

Let me begin by extending my compliments to the gentleman from New York [Mr. SOLOMON] and the gentleman from Massachusetts [Mr. MOAKLEY] and the other members of what I might dare characterize as the long suffering Committee on Rules for completing their work again late last night to bring this rule to the floor today.

I would also like to give my compliments to the chairman of the Interior appropriations bill, the gentleman from Ohio [Mr. REGULA], a fine gentleman and a decent and honorable man respected by the whole body.

And my particular compliments to my good friend, the gentleman from Illinois [Mr. YATES].

□ 1545

Mr. YATES and I have labored over this issue throughout all the years I have been here, and he, even years before I came; and I have found him in every instance to be a gentleman, a compassionate, a concerned, a sharing and a caring man, stubbornly holding to his point of view, but I appreciated him then and I appreciate him now.

Mr. Speaker, every year, in every summer that I have been in Congress, we have dealt with the Interior appropriations bill, and in each of these times the debate has been, more than anything else, about the National Endowment for the Arts.

In some respects I think that has been unfortunate because of all the good things that are covered in this bill that too often get overlooked. The National Endowment for the Arts has always been, in this case, bigger than life. It has always been a very small fraction of the total spending of the bill, in this case less than $100 million in a $14 billion bill.

The National Endowment for the Arts is small with respect to the extent to which the Nation supports the arts, $100 million or less as over and against the $10 billion that the American people put out. It is certainly small relative to the people's business, which is a $1.6 trillion budget that will be brought into balance as we complete all of this year's work.

What makes it so big? What makes it so big? It is made big by the concerted, well-funded, well-motivated efforts of the art elite in America, who want the focus to be not on whether or not there will be funding over the arts, but whether or not they will be in control of the funding of the arts.

This rule, I said, makes in order the Interior appropriations bill, which has within it $10 million for support of the arts from the Federal Government; $10 million not protected by an exception to the rules of the House. The rule also makes in order an amendment that would give $80 million to support for the arts if passed.

So what we find here is people who mobilize their efforts to protect their control over $10 million as opposed to having local control over $80 million. My colleagues do not think this is about control? My colleagues do not think this is about power? My colleagues do not want to confess it is about an elite that says let us keep the money in our arts community centers across the country and within our control so we can decide what is art and what is not art?

That is precisely what it is about. Should we, in fact, have the good people of Iowa decide for themselves at the local level what they would support, or should they send off an application to a

board of art censors in the East who know better what is or is not art suitable for the people in Iowa? Should we have the local control? Should we have a fair disbursement of the money so everybody in this Nation on a per capita basis gets a fair share of the art? Or should we have it sent to the arts centers like Soho in New York City?

Should we make it more possible for more children to have more Crayolas in their hands by virtue of local control where they can do art, or should we have already privileged artists and privileged troops and privileged organizations in our major cities have additional money that supports the already rich budgets they have?

This is not about whether or not there is Federal funding for the arts supported by the Congress. This is about whether or not the Congress will let that funding be controlled and disbursed by an elite group or whether it will be controlled and disbursed by the local community.

If my colleagues want more funding for the arts than what is in the bill, if they want fair distribution of the funding for the arts that is in the bill, if they want local communities to determine for themselves what is or is not art that they would like to see in their communities from this bill, vote ''yes'' for this rule and make this in order.

If, on the other hand, they want to perpetuate a system of art censorship held in the hands of a group of elite activists sponsored by the Federal Government of the United States for the express purpose of deciding this is or this is not art, then vote for control, vote against freedom, vote against fairness, vote for the status quo, and they can have that.

If my colleagues truly, in their heart, can reach down and say it is fair to continue the National Endowment for the Arts, which has been the single most visible and deplorable black eye on the arts in America that I have seen in my lifetime, as opposed to what real people and their real communities did to celebrate the arts, music, classics in their own communities for 200 years before there was a National Endowment for the Arts, I say vote for this rule, vote for freedom, vote for the children, vote for the parents, and vote against elite control of art in America.

GENERAL LEAVE

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that all Members have 5 five legislative days in which to revise and extend their remarks on House Resolution 181.

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

There was no objection.

Mr. GEPHARDT. Mr. Speaker, I rise today to express my strong opposition to this rule that would set the terms of the debate for the fiscal year 1998 Interior appropriations bill. I must oppose this rule because it is a gag rule—it denies those of us in the House who support continued funding for the National Endowment for the Arts the opportunity to make our case, and instead makes in order an NEA-killing amendment.

The bill as reported by the Appropriations Committee reduces funding for the NEA to $10 million from the current year's funding level of $99.5 million. And that's on top of a 40 percent cut already inflicted on the NEA 2 years ago. I understand that Members of the Republican leadership have been spearheading the effort to eliminate the NEA—reminiscent of a Republican-led effort to get rid of Big Bird a few years ago—and that's why we have this rule before us. What I fail to understand is why.

The NEA plays an extremely important role in educating our children about art and promoting the arts. Not only is this a worthwhile endeavor in and of itself—the arts enrich our lives and are an integral part of our culture—but the arts also contribute to a vibrant economy all across our country. In fact, to those who say the NEA is a waste of taxpayers money or a luxury we can't afford in era of tight budgets, I say the NEA is a wise investment. While the NEA comprises only a tiny fraction of the total Federal budget—approximately 1/1000th—for this small investment millions of nonfederal dollars are matched to further promote the arts, and the arts return more than $3 billion to the Federal treasury in arts-related commerce.

Through the NEA, the arts are supported in every State, reaching people in small towns and rural areas who otherwise may have no opportunity to enjoy music, dance, or theater. Eliminating the NEA and replacing it with a new bureaucracy that would be required to administer this untested unproven block grant system would jeopardize those opportunities and would end the Endowment's grants for lifelong learning programs such as those that serve our Nation's adults, senior citizens, and disabled citizens. Access to the arts that young people and adults now enjoy through public radio and television and touring cultural programs would be canceled.

Therefore, Mr. Speaker, I urge my colleagues to reject this rule. Let us stand with the U.S. Conference of Mayors and the National Association of Counties who believe there is a Federal role in the arts and with the National Assembly of State Arts Agencies which opposes block granting all Federal arts dollars. Let us stand up for nurturing our children and our country's cultural heritage. This rule is wrong, it is antidemocratic, and it should be defeated.

Mrs. KELLY. Mr. Speaker, I rise today in strong opposition to this rule. This rule can work to ruin the livelihoods of numerous splendid artists in my district; halt the regeneration of the city of Peekskill, village of Cold Spring and several other struggling communities; and to deny many of my constituents theater, dance, opera, painting, and other artistic mediums.

This shortsighted decision to severely cripple our Nation's preservation of culture will haunt us in the near future. All of us like to think of the United States of America as a civilized country, but how civilized is a country that abandons their commitment to the arts. How civilized is a country that does not prioritized art and culture as the inevitable measurement of our society? When we look for signs of early and ancient man, where do we find it? In the arts that ancient cultures left behind.

Absent the argument of whether or not the NEA should continue, there is a yet a bigger concern being debated here—Democracy. This rule denies this Chamber a straight up and down vote on funding the NEA. It allows an attempt to reach compromise by block granting arts funds without any hearings. This amendment, while supposedly sympathetic to the arts, operates on the premise of eliminating the NEA—a premise with which I cannot agree.

Henry Wadsworth Longfellow wrote that:

''Art is the child of Nature; yes,
Her darling child, in whom we trace
The features of the mother's face,
Her aspect and her attitude.''

That quote leads me to ask one question. What kind of mother are we then if we devalue the arts? Allow a vote on NEA funding. Defeat this rule.

Mr. MANTON. Mr. Speaker, I rise in opposition to this unfair and damaging rule. The future of the National Endowment for the Arts lies to the balance. The important programs funded through the NEA play an integral part in our communities and schools, in turn, having a tremendous positive impact on the future of our children and society as a whole. As a member of the Congressional Arts Caucus, I take a special interest in protecting the future of the NEA.

The NEA plays a crucial role in providing the tools necessary to enhance the arts programs of our Nation. Without it, access to museums, theaters, festivals, and other celebrations of the arts would be greatly limited. We cannot allow this to happen.

The arts play a vital role in education and enhance our communities. By promoting art programs in our schools, we create more well-rounded, self-confident students who excel in their studies. Art programs benefit our communities by bringing together a wide range of cultural activities for all our citizens while also strengthening local economies.

New York City is home to numerous museums, theaters, and dance groups who rely on funding from the NEA. These attractions draw millions of tourists each year to our city, generating billions of dollars for the New York City economy while creating thousands of jobs for its residents. In my District of Queens, numerous art programs rely on funding from the NEA. I was proud to have 12 cultural groups from my district benefit from the NEA during fiscal year 1997. If their funding were discontinued, it would have a devastating effect on their future and the Queens community.

Mr. Speaker, it would be a tragic mistake to destroy the National Endowment for the Arts. The positive influences it has had on our schools and communities are numerous and far-reaching. I urge my colleagues to vote against this unfair rule and save the future of the National Endowments for the Arts.

Mrs. MORELLA. Mr. Speaker, I rise in opposition to the rule, and to express my disappointment that the whole House will not have the opportunity to decide the fate of the National Endowment for the Arts [NEA].

The arguments in favor of limited funding for the NEA are hollow and without merit.

Government support for the arts is not a program for the elite.

Eliminating the endowment will do almost nothing to reduce the deficit.

The private sector cannot and will not provide sufficient funding to make up this loss.

Let me tell you the many reasons that most Americans believe in government support for the arts:

The arts stimulate economic growth. For every dollar the NEA invests in communities, there is a 20-fold return in jobs services, and contracts.

The arts invest in our communities. The arts develop in our citizens a sense of community, and contribute to the livability for families in that community.

The arts are basic to a thorough education. Student achievement and test scores in academic subjects can improve when the arts are used to assist learning in mathematics, social studies, creative writing, and communication skills.

I invite anyone who thinks the NEA is not needed to visit the Puppet Company Playhouse in Glen Echo Park, just a few miles from the Capitol.

It's a 200 seat theater created out of a portion of an historic ballroom at Glen Echo Park. The audience is usually made up of children accompanied by their families and teachers, representing the cultural and economic diversity of Maryland, Virginia, and the District of Columbia. An NEA grant allows the Puppet Co. to keep the ticket prices low so that many young families can attend the performances. The associates who run the company work hard for modest salaries in the true spirit of keeping their company nonprofit.

I think most taxpayers would be pleased to know that they support such a worthwhile project.

Mr. Speaker, our legislative agenda could have far-reaching implications for the cultural vitality of our Nation. Therefore, I cannot support this rule.

Art is how we remember. It is important, even vital, that we support and encourage the promotion of the arts so that the rich and cultural story of our past can be made available to future generations.

Ms. SLAUGHTER. Mr. Speaker, I regret that I will not be present for this important debate, due to a death in my family. However, I strongly oppose this rule because it fails to waive points of order on the section of the bill that provides funding for the National Endowment for the Arts. Waiving points of order on this section would protect the Appropriations Committee's work, and allow the issue of Federal funding for the arts to reach the House floor.

Numerous Members from both sides of the aisle testified yesterday before the Rules Committee in favor of allowing a straight up or down vote on the National Endowment for the Arts [NEA] on the House floor. But instead, the Rules Committee decided to deny the Members of this body an opportunity to vote on this issue, which affects millions of people across the country.

Our Federal investment in the NEA is an investment in our children's educational development and in our Nation's economic growth. The $99.5 million we invest in the NEA yields a return of $3.4 billion to the Federal Treasury. I know of no other investment we make that yields so great a return.

Studies have shown that investments in arts education yields other dividends as well. For example, we now know that playing the piano helps students better learn math and science. It is ''penny wise and pound foolish'' for us to sacrifice the investment in arts education that we have been making in our children and our communities—particularly without an up-or-down vote by this democratic Congress.

As a majoritarian body, the House has an obligation to ensure that members of Congress have the opportunity to determine the future of the NEA by voting on it, rather than being blocked by a procedural issue. The NEA has played an essential role in our society for over 30 years. It is simply unfair to make any decision affecting its continuation—and in turn affecting the millions of citizens who benefit from NEA-funded programs—without the benefit of a vote by the entire House of Representatives.

This is not a parochial issue. All Members of this House recently received a letter from Americans United to Save the Arts and Humanities, an organization of business leaders, expressing their strong support for the NEA. The CEO of the Xerox Corp., the chairman and CEO of Sun America, Inc., the chairman and CEO of the Sara Lee Corp., and over 100 other business leaders endorsed continued Federal funding for the NEA as well as the National Endowment for the Humanities [NEH]. As their letter explained, ''The NEA and the NEH have each been valuable components in creating a healthy business climate. We value employees with a solid education in the arts and humanities. * * * Exposure to an arts education produces workers with such skills as analysis, synthesis, evaluation and critical judgement—key elements to success in today's competitive global economy.'' The letter went on to say, ''We recognize the tight constraints of the Federal budget. However, it is evident that there is a clear parallel between the Federal investment in culture and the willingness of corporations, foundations and individuals to support cultural activity.'' Business leaders know how important the NEA's contribution to the arts is to the success of our Nation in the global economy.

The Rules Committee's failure to protect the NEA against points of order is simply a ruse to prevent a majority of House Members from exercising their will on this issue. Arguments that the NEA should not be funded because it is unauthorized are disingenuous. As we all know, a lack of authorization never prevents this body from appropriating funds for any program, unless opponents of that funding need a handy excuse. In fact, a Congressional Budget Office report from January 1997 states, ''The CBO is unaware of any case in which appropriations have not been provided for a program solely because its authorization has expired.'' In fiscal year 1997, this House passed appropriations for 121 programs which were unauthorized. Obviously, authorization is not an absolute requirement, but one that the majority applies selectively.

The Ehlers/Hunter amendment to retain funding for the arts in the form of State block grants is an unacceptable substitute. Federal leadership and funding play the essential role in the effort to make arts available in every community to every citizen. The State arts agencies rely upon Federal leadership and direct funding of national initiatives to attract private, corporate, and foundation support to the arts, especially from funders who can be encouraged to provide matching support on a regional or national basis. The National Assembly of State Arts Agencies [NASAA], which represents the State and special jurisdictional government arts agencies of the United States, strongly opposes block grants to States.

Under a block grant system, there would be great difficulty in creating a fair formula for allocating arts funding among the States. In addition, NEA grants that go to one district often benefit numerous other communities and States. This is particularly true in the case of exhibits or performance groups that travel to various locations. Block grants would eliminate the incentive that currently exists under our system of direct Federal funding to give money to fund arts programs with interstate benefits.

The full House of Representatives deserves the opportunity to vote on the NEA, not on block grants which are unacceptable to the State arts agencies, to our constituents, and to most Members of Congress.

For these reasons, I urge my colleagues to defeat the rule on the Interior appropriations bill.

Ms. ESHOO. Mr. Speaker, I rise today in opposition to the rule for the Interior appropriations bill because it doesn't waive points of order on funding for the National Endowment for the Arts.

Unless this rule is defeated, the House will never have a straight up or down vote on funding for this vitally important agency—a vote that NEA supporters would clearly win.

A majority of the House is ready to offer the American people a full chorus of beautiful art, but opponents want them to settle for someone singing solo in the shower.

I support the NEA because it's a solid financial investment, helping to generate $3.4 billion in Federal income taxes.

I support the NEA because it's a solid educational investment, lifting America to new levels of cultural endeavors and bettering our nation immeasurably.

And I support the NEA because it's a solid investment in America's cultural heritage, bringing art to communities throughout the United States.

Mr. Speaker, I urge my colleagues to support the arts and the NEA by voting to defeat the rule before us.

Mr. ENGEL. Mr. Speaker, I rise today to oppose the rule and support the National Endowment for the Arts. The NEA is a great investment for the American people and, quite frankly, I think that our time would be better spent debating an issue other than a program which costs each American a grand total of 38 cents a year.

I would like to specifically highlight one of these propaganda newsletters that came to my office denouncing the NEA as ''offensive'' and ''elitist''. Imagine my surprise when I saw that one of these objectionable grants was Dances for Wave Hill a program which is held in my district.

Most of the Members of this body may not be familiar with Wave Hill but the residents of the Bronx are proud of this facility which encompasses 28 acres of gardens and woodlands overlooking the Hudson River. Dances for Wave Hill is a series of outdoor performances produced by Dancing in the Streets, a group specifically founded with the intention of introducing dance to new audiences.

You might wonder what is so objectionable about the program. Strangely enough, some groups are angry that there is no subway stop in the garden so they have labeled Dances for Wave Hill as an elitist program.

It is time we took a good look at the campaign of misinformation which has been aimed at the NEA. The funding for the NEA is money well spent and I urge all of my colleagues to defeat the rule.

Mr. LEWIS of Georgia. Mr. Speaker, as the House considers legislation which does not allow a fair and open debate, and vote, on the National Endowment for the Arts, I urge my colleagues to consider the words of Elliott Levitas, writer, attorney, former member of the Georgia House of Representatives and former United States Congressman representing the Fourth Congressional District of Georgia:

CULTURAL WAR RAGES IN AMERICA—ALL GREAT CIVILIZATIONS OF THE PAST HAVE PROVIDED PUBLIC SUPPORT FOR THE ARTS

(By Elliott Levitas)

Proposals in Congress to abolish the relatively minuscule public funding for the arts, humanities and noncommercial public TV and radio lie at the heart of a cultural war raging in America.

In the face of charges of elitism, budget deficits and controversial subject matter, the real issue is whether there is a vital role for government to seed and supplement the private sector in promoting, preserving and transmitting American culture.

Every great civilization has provided public support for its arts and culture. Whether it was Egyptian, Babylonian, Greek, Roman, Spanish, French, British or whatever, these towering forebears of our culture all provided essential support for their artists, writers, thinkers, architects and dramatists, in addition to funds made available through private sponsorship by patrons.

The great art traditions of China, Japan, India and the ancient civilizations of Central and South America, all derived support and encouragement from the governments.

Societies which did not provide this institutionalized support did not attain the heights of great artistic creativity, nor pass it on. We look at the Visigoths, the Huns, the Tartars and other societies long forgotten because they did not do so.

Do we believe our American cultures, which enrich the spiritual life of our people, should be cultivated? If so, history teaches us that there is an essential role for government, albeit small. Whom do we wish to emulate, the Visigoths or the Greeks?

The suggestion that budget deficits can be fought by eliminating cultural funding is a blatant fraud on an anxious and credulous public. The total amount of budget support for the National Endowment for the Arts is less than .009 percent of governmental expenditures. To eliminate that amount does not even meet the test of ''every little bit helps.''

Should the arts share across-the-board budget reductions? Yes. Eliminate the arts funding? No.

Indeed, if we apply the ''cost-benefit'' test, the small cost returns great benefit to cultural creativity.

No, this issue is not budget deficits, but cultural war. Groups of modern-day ''know-nothings,'' advocates of thought control and would-be cultural dictators would just as soon see the richness of American culture disappear with a new Dark Age. Their fear of cultural diversity and their demand for uniformity of mind is what the cultural war is all about.

Nor is elitism a serious argument. Government support for American culture not only reflects Shakespeare, Beethoven and Picasso, but also provides for Howard Fenster, folk music, cowboy poets, Native American crafts and jazz. The issue of elitism is phony.

Even though in recent years the endowments have vastly expanded the audiences in the countryside, it has never been a mass audience, even among the Romans and Greeks. But the few have usually preserved the gifts of culture for the many. Those few, who may be more numerous than some politicians believe, can distill and pass on the essence of our national cultural treasures.

If we want to avoid the errors of the past and benefit from its achievement, let us follow the path that all great civilizations traveled. Let our government continue its small, but essential, role in providing the seed to ensure that our diverse American cultures will continue to find greatness and will be there for future generations as they enrich our lives today.

Let us follow the Greeks and not the Visigoths.

Mr. CUMMINGS. Mr. Speaker, I rise today in opposition to the rule and to advocate on behalf of full funding for the National Endowment for the Arts (NEA).

Mr. Chairman, the arts are the heart of our Nation and the NEA is the heart of the arts. Today, there are those who would rip out the heart of the artistic community.

Current funding for the The National Endowment for the Arts is certainly a modest effort. It accounts for less than 1/1000 of 1% of our Federal budget.

The impact of this small program is immeasurable. Today, more Americans have access to the arts than ever before.

Each year, the Arts Endowment opens the door to the arts for millions of school children, including many at-risk youth.

The few isolated cases of controversial art work are not an accurate representation of the thousands of grants the NEA gives out each year.

Must we burn the entire orchard if there are a few apples that are not to our liking?

Join me to help lend a voice to the painters and the sculptors, the singers and the musicians and the actors—the artists of this country.

Esteemed colleagues, I urge you to join me in opposing this rule.

Mrs. TAUSCHER. Mr. Speaker, I rise today in opposition to this rule, and in opposition to H.R. 2107 without the changes necessary to bring it into accordance with the Budget agreement worked out between the White House and Congressional Republicans. I will not support a measure that goes back on the promises made to the American people to protect our remaining open spaces through the Land and Water Conservation Fund or protect our limited assistance to the arts through the National Endowment.

As a proud member of the Blue Dog Coalition, I have focused on balancing the Federal budget while protecting our national priorities, including the environment, the arts, and humanities. As we have seen, many of our colleagues claim that we cannot justify continuing to fund the Endowments for social and fiscal reasons. Yet it is specifically for these reasons that we must continue support. Despite a 40% cut in funding over the past two years, the NEA continues to make a great investment in the economic growth in every community in America. The nonprofit arts industry alone generates $37 billion annually in economic activity, supports over 1.3 million jobs and returns $3.4 billion to the Federal Government in income taxes. That is a huge return on a small investment.

When this economic gain of the arts and humanities is added to the educational benefits, the increase in quality of life that they provide, and the public support for the Endowments, it is obvious that we must continue to fund the arts. Each year, more people attend performing arts events than all professional sports events combined. The study of the arts and humanities helps students think critically and creatively, while working across traditional disciplines—skills that workers need to progress into the twenty-first century. Also, the Endowments preserve America's heritage by funding libraries, museums, folk festivals, theaters, arts centers, and dance studios which draw families and businesses to participate in the cultural life of their communities. Ultimately, the NEA economically brings diverse people together and builds bridges of understanding.

I urge you to join me in creating a more productive America by supporting the National Endowments. Vote no on the rule; support the NEA. Thank you and I yield back the balance of my time.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. SOLOMON. 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 notify absent Members.

The vote was taken by electronic device, and there were—yeas 217, nays 216, not voting 2, as follows:

[Roll No. 259]

YEAS—217

Aderholt	Collins	Goodling
Archer	Combest	Goss
Armey	Condit	Graham
Bachus	Cooksey	Granger
Baker	Cox	Greenwood
Ballenger	Crane	Gutknecht
Barr	Crapo	Hall (TX)
Barrett (NE)	Cubin	Hansen
Bartlett	Cunningham	Hastert
Barton	Davis (VA)	Hastings (WA)
Bass	Deal	Hayworth
Bateman	DeLay	Hefley
Bereuter	Diaz-Balart	Herger
Bilbray	Dickey	Hill
Bilirakis	Doolittle	Hilleary
Bliley	Dreier	Hobson
Blunt	Duncan	Hoekstra
Boehlert	Dunn	Hostettler
Boehner	Ehlers	Hulshof
Bonilla	Ehrlich	Hunter
Bono	Emerson	Hutchinson
Brady	English	Hyde
Bryant	Ensign	Inglis
Bunning	Everett	Istook
Burr	Ewing	Jenkins
Burton	Fawell	Johnson (CT)
Buyer	Foley	Johnson, Sam
Callahan	Fowler	Jones
Calvert	Fox	Kasich
Camp	Frelinghuysen	Kim
Campbell	Gallegly	King (NY)
Canady	Ganske	Kingston
Cannon	Gekas	Klug
Chabot	Gibbons	Knollenberg
Chambliss	Gilchrest	Kolbe
Chenoweth	Gillmor	LaHood
Christensen	Gilman	Largent
Coble	Gingrich	Latham
Coburn	Goodlatte	LaTourette

Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—216

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—2

Schiff
Slaughter

□ 1610

Mr. ABERCROMBIE and Mr. RAHALL changed their vote from ''yea'' to ''nay.''

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

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.

The SPEAKER pro tempore (Mr. CAMP). Pursuant to House Resolution 181 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. 2107.

□ 1613

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. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. LATOURETTE 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.

□ 1615

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] and the gentleman from Illinois [Mr. YATES] each will control 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, we have had a spirited debate on the rule. I think for those that are watching from the gallery it has to be quite evident, and those that are watching on C–SPAN, that this is a democracy, that each person who is a Member here representing 600,000 people has an opportunity to be heard and present a point of view. But, after we have had these discussions, we go forward.

I hope that as we take this bill forward that each Member will look at it on its merits, determine as we deal with the amendments what is in the best interests of the 260 million people we represent.

This truly is a quality-of-life bill because much of what we do in this bill touches the lives of Americans, and I want to say at the outset I hope that in our dealing with this legislation that it will have the same great spirit of cooperation that I have had with the gentleman from Illinois [Mr. YATES] over the years that we have served on this committee. He has been a partner, as I was to him in the years we have worked together, and he has been a great individual to work with, and, most importantly, to call my friend. And while occasionally we would have a difference, in every instance what we did reflected what we felt was in the best interests of this Nation.

This bill represents important accomplishments on a lot of common objectives. Much of what is in here, the gentleman from Illinois [Mr. YATES] and I have supported not only this year but in years past, and I think on balance, over the years, we have developed legislation that has been productive for this Nation.

The bill totals $13.1 billion. It is a few million dollars less than last year. But essentially it goes forward with the programs that are important to the people and that is to enhance the quality of life in these United States. The bill provides significant funding for all the agencies under our jurisdiction, but I think basically we have tried to accomplish a couple of critical objectives.

One is to meet a backlog in maintenance. We have had the Secretary of the Interior and Agriculture and the directors of the land management agencies and many others, testify about the enormous backlog of problems that need to be addressed in our parks, in our forests, in our fish and wildlife facilities, in the Bureau of Land Management.

Here we see a chart that outlines the enormous maintenance needs. I think it is very important that we make every effort to address that in legislation, and we have done so, and we have done this as a team effort, both with myself and the gentleman from Illinois [Mr. YATES]. This includes things like the Smithsonian, $250 million that needs to be spent there for maintenance; the Fish and Wildlife Service, $536 million, and my colleagues can see all the different agencies. But we have done it in a fiscally sound and an environmentally responsible way. Much of this maintenance is important to the protection of the environment in this Nation.

For example, in the Everglades we have fully funded the administration's request for the restoration of the Everglades. This is something that is important to all people, and certainly it is a team effort because the State of Florida is making a very strenuous effort. They have financially the help in bringing the Everglades back to what they have been in the past, to be a very important part of our Nation's ecosystem, a very important part of our Nation's environment.

We have continued and enhanced the recreation fee demonstration for the land management agencies. This started 2 years ago. Prior to that time, fees that were collected in the Park Service, the forests, the Fish and Wildlife

Service, went to the Treasury and consequently there was no incentive to do so. Last year, with the support of this body, we gave authority to the various agencies to collect fees, but the important difference was they got to keep them, and this has been a very successful program.

We have had support not only from the agencies, but the public. They like the idea that if they pay a few dollars to enter a park, that the money is going to stay there and not be sent to the U.S. Treasury.

The program is working out very well. This year we have added a new change, and that is that fees that were under the old program, collected prior to the inception of the new program, still went to the Treasury. We changed that. So now a hundred percent of what is collected at the agencies like the parks and forests and so on will be kept in that service. Eighty percent will stay right where it is collected, and I think this will help a great deal. For example, in the national parks it is estimated that in 3 years it will amount to $400 million.

Now we have encouraged the agencies in the language of the bill to use this money to address some of the maintenance problems that I have outlined here.

We began last year an emphasis on forest health because that is important; the suppression of disease, forest fuel reduction, vegetation management, wildlife habitat and watershed improvements. The testimony in our committee was clearly in support of the enhancement of the forest health program, a couple hundred million acres, a vast resource and asset of this Nation, and we have addressed that problem in many ways throughout this bill.

Fire management has been given priority. We see it on our televisions, the forest fires, and of course to avoid this problem we have to manage the forests carefully.

We have required the Forest Service to operate under a multiple-use mandate. That means forestlands are available for grazing, for mineral exploration. The multiple-use mandate covers, as I mentioned, grazing, mineral exploration.

It is an interesting thing that this bill is $13 billion, but the activities that are funded in this bill generate $9 billion in receipts. So we only have a net cost of $4 billion, and those are resources that belong to all the people that are being developed in the mineral exploration, offshore oil, many different sources that are part of producing $9 billion for the Treasury of the United States and for the people.

I visited the Angeles National Forest just outside of Los Angeles, and to see families out there, who are in part of a city of something like 20 million people, have an opportunity to recreate outdoors. The kids can see a deer, can see other forms of wildlife, perhaps drop a line in the creek and fish. One of the beauties of the national forests is that they are available for the multiple use, and if my colleagues go to a place like Angeles National Forest, right on the edge of this city, they will realize how important this is. And this is true all across the country; Allegheny National Forest in Pennsylvania and many others that are available for people to use.

Now we are going to have an amendment to cut the Forest Service road program. We will talk more about that at the time, but let me say to Members that are listening or watching this, do not be too quick to commit on that. I think there are some very compelling reasons to not vote for this cutting amendment because it goes to our ability to rebuild and maintain existing roads. It is a very important environmental use of these funds. We have been very careful in the way that we have allocated resources to the Forest Service, and the dollars that are there are important for particularly the recreation user. Something like 77 percent of the roads are used for recreation. And when individuals and families go out on these roads, we need to ensure that they are safe, that they are comfortable, that they can get access to the facilities. There are 18,000 different recreational facilities in the national forest, and people need access to those facilities.

The bill provides for the construction of very limited new timber roads, less than 2 miles to be exact, not very much. Ninety-five percent of the appropriated construction dollars for roads go for safety, for environmental improvements to existing roads and to close roads.

□ 1630

We obliterate, wipe out, more roads than would be built. We are trying to make the roads that are there usable to the public for the many multipurposes.

I would point out that the forests have tripled the visitor days of the Park Service, three times as much, because people can participate on a wide variety of activities on forest lands. The forests are a family recreation facility, so a steelworker in Johnstown, PA, can load up the family on his 2 weeks' vacation, go to Allegheny National Forest, know when he follows a road that the bridge is going to be safe, that the road is going to be safe, that his camper is not going to go over the side of the hill and that he is going to enjoy that experience, as 87 million other Americans are doing each year. Mr. Chairman, I hope Members will look at this amendment with caution and carefully consider these points.

We have over 121,000 miles of hiking trails in the national forests. Money in the roads budget also maintains those trails so people are safe, so people can enjoy them. Again, I would urge all Members to look carefully before they take away this ability to carefully manage our forests, to provide the recreation user, the people of this Nation, a good experience, before we do something that will inhibit people's ability to use this land, which belongs to all 260 million Americans.

Much of the roads budget is for maintenance. We want to ensure that these roads are safe, and things like guardrails are just one example. We recognize that there is a greater interest in maintaining the forest for recreation purposes. Ten years ago, in fact, less than that, in 1990, in this bill, we provided for over 11 billion board feet of timber harvest. The bill today is a little over 3 billion board feet. We have had a reduction of 66 percent, from 11 to 3.8 billion, because we are trying to balance the timber program and other multipurpose uses of these lands.

I would also point out, because of the practices, and they started under the leadership of the gentleman from Illinois [Mr. YATES] of maintaining forest health, that we are growing each year in the national forest 17 billion board feet. So we have a net gain of 14 billion. We are growing 14 billion more board feet than we are cutting. I think that is good management. That is what we have tried to do.

Mr. Chairman, I want to talk a little bit about energy, because right now energy prices are relatively low. I was in Europe not long ago, and when we see prices there of $4 or $5 a gallon, we really appreciate what it is in the United States to be able to pull up to a pump and get gasoline for maybe $1.20 a gallon. But we need to be diligent and vigilant in continuing energy research and in continuing to manage our energy resources wisely. Energy, as I mentioned in the debate on the rule, is vital to a nation. Just think about it. Clothing is just one example. A lot of it comes out of a barrel of oil, but that is a small item. Think about how our industries are impacted.

I remember some of the Members were here in the late 1970's when we had petroleum shortages, and how jobs were lost, how schools had to close down. We do not want that to happen again. Therefore, it is important that we manage our energy resources carefully. We fund the research. We do not do this carelessly. Our energy research programs require matching funds from the private sector. If we are going to have a technological development program, we want the private sector to contribute their fair share, because that means that they believe in what we are doing.

As a result of this research, we are getting new energy sources. I think, looking down the road, this becomes very important for this Nation. For us to have the kind of growth that will get that deficit down to zero, we have to have available a lot of energy. That means that we need to continue the R&D in our programs.

We have an enormous supply of coal. I know there will be some who oppose and we have rescinded, in this bill, $100 million of clean coal money, but we

also keep what is required to fulfill our contractual obligations to those who have committed to participate on a 50–50 matching basis, or even a greater private share. The average has been 60 private, 40 public to develop clean coal technology.

What does it mean? It means that this technology will be sold not only in the United States but all around the world. We hear a lot about China these days. China today is burning more coal than the United States, and we burn a lot in this country. The electricity that lights this Chamber is coming from a pound of coal or a ton of coal, but in spite of the amount that we use, China is using more coal today than we are. Therefore, as we develop the clean coal technology we can sell this to China, because they are developing also an environmental movement.

Likewise I would point out that we have an interest in this, because if they do not develop and use this kind of technology, those emissions are going into the atmosphere and will have an impact on all of us.

I think what we are trying to do in this bill, to encourage research in alternate fuels, and the use of coal in a clean burning way, and the Department of Energy tells us that by 2010 we will have technologies that will allow us to burn coal that emits 10 times less sulfur and nitrogen than is allowed under the current law, that is twice as efficient as conventional power plants, and emits less than half as much carbon dioxide.

For example, this bill provides for research into low emission boilers. What does that mean? It means that the boilers that will be developed, and this is all in partnership with the private sector, will be far more efficient than the ones we use today in our utility industry. That means we can burn the coal in a clean way, and at the same time have a high degree of efficiency.

The programs leverage a lot of support from the private sector.

I want to mention a little bit about the Bureau of Indian Affairs. I know this does not have a wide range of interest, but the Bureau of Indian Affairs is vitally important to the over 2 million American Indians. We have a responsibility, a treaty responsibility and a responsibility as a nation that cares, to do what is right by the native Americans. We increase the tribal priority allocation by $76 million over last year. Why is that important? Because this promotes and encourages local control. We are trying to encourage the Indian tribes to become self-sufficient, to develop their own economy, to provide ways in which they help themselves in education, in jobs, and become part of the American dream. So we say to the tribes who manage their own affairs, we are going to give you more money to make your own priority judgments as to what is important to the people that you represent.

We have had the debate on the NEA. I do not think we need to talk anymore about that. I would just say to all Members, this is a good bill. We have been very fair in what we have done on projects. We had 2,000 requests from all of the Members, from literally, I suppose, almost every Member, 2,000 different items that were requested by our colleagues to be put in the bill. We have done a lot of these. We have done as many as we could. We have done them on a totally nonpartisan basis. I did not count, but I suspect if we added up the administration's requests plus the requests from our friends in the minority, we have funded more of those than we have on the majority side.

We valued projects on their merits and not as to the source of the request. We wanted to make sure that we did what was fair and what was good for this Nation, what was good for the people; trails, for example, in the Continental Divide out in the Western part of the country, and I could go on and on in pointing out some of the very constructive projects that have been funded in this bill that will, again, as I mentioned earlier, enhance the quality of life of the people of this Nation.

I hope all Members will take some time to study the bill and understand what we have tried to achieve. We have tried to achieve better management, we have tried to achieve things that will be good for this Nation that make a lot of sense in terms of expending taxpayer dollars.

For the record I would like to note two technical corrections to the report as follows: on page 67 and page 74 of the committee report—House Report 105–163, insert the word ''International'' before ''Arid Lands Consortium'' and on page 37 of the committee report—House Report 105–163, the committee bill funding level in the table for ''cultural programs'' should be $18,699,000 and the language on page 38 of the report for ''Cultural programs'' should say ''The Committee has provided an additional $135,000 for uncontrollable expenses.''

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

The table referred to is as follows:

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2107)

	FY 1997 Enacted	FY 1998 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	575,664,000	587,495,000	581,591,000	+5,927,000	-5,904,000
Wildland fire management	352,042,000	280,103,000	280,103,000	-71,939,000	.....
Central hazardous materials fund	12,000,000	14,900,000	12,000,000	.....	-2,900,000
Construction	4,333,000	3,154,000	3,254,000	-1,079,000	+100,000
Payments in lieu of taxes	113,500,000	101,500,000	113,500,000	.....	+12,000,000
Land acquisition	10,410,000	9,900,000	12,000,000	+1,590,000	+2,100,000
Oregon and California grant lands	103,015,000	101,406,000	101,406,000	-1,609,000	.....
Range improvements (indefinite)	9,113,000	7,510,000	9,113,000	.....	+1,603,000
Service charges, deposits, and forfeitures (indefinite)	7,966,000	7,966,000	7,966,000	.....	.....
Miscellaneous trust funds (indefinite)	7,605,000	7,605,000	7,605,000	.....	.....
Total, Bureau of Land Management	1,195,648,000	1,121,539,000	1,128,538,000	-67,110,000	+6,999,000
United States Fish and Wildlife Service					
Resource management	526,047,000	561,614,000	591,042,000	+64,995,000	+29,428,000
Construction	59,256,000	35,921,000	40,256,000	-19,000,000	+4,335,000
Natural resource damage assessment fund	4,000,000	4,628,000	4,128,000	+128,000	-500,000
Land acquisition	44,479,000	44,560,000	53,000,000	+8,521,000	+8,440,000
Cooperative endangered species conservation fund	14,085,000	14,000,000	14,000,000	-85,000	.....
National wildlife refuge fund	10,779,000	10,000,000	10,000,000	-779,000	.....
Rewards and operations	1,000,000	1,000,000	1,000,000	.....	.....
North American wetlands conservation fund	9,750,000	15,000,000	10,500,000	+750,000	-4,500,000
Rhinoceros and tiger conservation fund	400,000	400,000	400,000	.....	.....
Wildlife conservation and appreciation fund	800,000	800,000	800,000	.....	.....
Total, United States Fish and Wildlife Service	670,596,000	687,923,000	725,126,000	+54,530,000	+37,203,000
National Park Service					
Operation of the national park system	1,154,611,000	1,220,325,000	1,232,325,000	+77,714,000	+12,000,000
National recreation and preservation	37,976,000	42,063,000	43,934,000	+5,958,000	+1,871,000
Historic preservation fund	36,612,000	45,612,000	40,412,000	+3,800,000	-5,200,000
Construction	182,744,000	150,000,000	148,391,000	-34,353,000	-1,609,000
Land and water conservation fund (rescission of contract authority)	-30,000,000	-30,000,000	-30,000,000	.....	.....
Land acquisition and state assistance	53,915,000	70,900,000	129,000,000	+75,085,000	+58,100,000
Everglades restoration fund	.....	100,000,000	.....	.....	-100,000,000
Total, National Park Service (net)	1,435,858,000	1,598,900,000	1,564,062,000	+128,204,000	-34,838,000
United States Geological Survey					
Surveys, investigations, and research	740,051,000	745,388,000	755,795,000	+15,744,000	+10,407,000
Minerals Management Service					
Royalty and offshore minerals management	156,955,000	157,922,000	139,621,000	-17,334,000	-18,301,000
Oil spill research	6,440,000	6,118,000	6,118,000	-322,000	.....
Total, Minerals Management Service	163,395,000	164,040,000	145,739,000	-17,656,000	-18,301,000
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology	94,172,000	93,209,000	94,937,000	+765,000	+1,728,000
Receipts from performance bond forfeitures (indefinite)	500,000	500,000	500,000	.....	.....
Subtotal	94,672,000	93,709,000	95,437,000	+765,000	+1,728,000
Abandoned mine reclamation fund (definite, trust fund)	177,085,000	177,348,000	179,624,000	+2,539,000	+2,276,000
Total, Office of Surface Mining Reclamation and Enforcement	271,757,000	271,057,000	275,061,000	+3,304,000	+4,004,000
Bureau of Indian Affairs					
Operation of Indian programs	1,443,502,000	1,542,305,000	1,526,815,000	+83,313,000	-15,490,000
Construction	100,531,000	125,118,000	110,751,000	+10,220,000	-14,367,000
Indian land and water claim settlements and miscellaneous payments to Indians	69,241,000	59,352,000	41,352,000	-27,889,000	-18,000,000
Indian guaranteed loan program account	5,000,000	5,004,000	5,000,000	.....	-4,000
(Limitation on guaranteed loans)	(34,615,000)	(34,615,000)	(34,615,000)	.....	.....
Total, Bureau of Indian Affairs	1,618,274,000	1,731,779,000	1,683,918,000	+65,644,000	-47,861,000
Departmental Offices					
Insular Affairs:					
Assistance to Territories	37,468,000	39,494,000	40,494,000	+3,026,000	+1,000,000
Northern Marianas Islands Covenant	27,720,000	27,720,000	27,720,000	.....	.....
Subtotal, Assistance to Territories	65,188,000	67,214,000	68,214,000	+3,026,000	+1,000,000

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2107)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Compact of Free Association	10,038,000	8,445,000	8,445,000	-1,593,000	.....
Mandatory payments	13,500,000	12,000,000	12,000,000	-1,500,000	.....
Subtotal, Compact of Free Association	23,538,000	20,445,000	20,445,000	-3,093,000	.....
Total, Insular Affairs	88,726,000	87,659,000	88,659,000	-67,000	+1,000,000
Departmental management	58,286,000	58,286,000	58,286,000	.....	.....
Office of the Solicitor	35,443,000	35,443,000	35,443,000	.....	.....
Office of Inspector General	24,439,000	24,500,000	24,439,000	.....	-61,000
National Indian Gaming Commission	1,000,000	1,000,000	1,000,000	.....	.....
Office of Special Trustee for American Indians	32,126,000	39,337,000	32,126,000	.....	-7,211,000
Total, Departmental Offices	240,020,000	246,225,000	239,953,000	-67,000	-6,272,000
Total, title I, Department of the Interior:					
New budget (obligational) authority (net)	6,335,599,000	6,566,851,000	6,518,192,000	+182,593,000	-48,659,000
Appropriations	(6,365,599,000)	(6,596,851,000)	(6,548,192,000)	(+182,593,000)	(-48,659,000)
Rescissions	(-30,000,000)	(-30,000,000)	(-30,000,000)	.....	.....
(Limitation on guaranteed loans)	(34,615,000)	(34,615,000)	(34,615,000)	.....	.....
TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest and rangeland research	179,786,000	179,781,000	187,644,000	+7,858,000	+7,863,000
State and private forestry	155,461,000	156,408,000	157,922,000	+2,461,000	+1,514,000
National forest system	1,278,176,000	1,325,672,000	1,364,480,000	+86,304,000	+38,808,000
Wildland fire management	1,080,016,000	514,311,000	599,715,000	-480,301,000	+85,404,000
Reconstruction and construction	180,184,000	146,084,000	160,122,000	-20,062,000	+14,038,000
Land acquisition	40,575,000	41,057,000	45,000,000	+4,425,000	+3,943,000
Acquisition of lands for national forests special acts	1,069,000	1,069,000	1,069,000	.....	.....
Acquisition of lands to complete land exchanges (indefinite)	210,000	210,000	210,000	.....	.....
Range betterment fund (indefinite)	3,995,000	3,811,000	3,811,000	-184,000	.....
Gifts, donations and bequests for forest and rangeland research	92,000	92,000	92,000	.....	.....
Midewin national tallgrass prairie restoration fund	.....	100,000	100,000	+100,000	.....
Cooperative work, Forest Service	.....	.....	128,000,000	+128,000,000	+128,000,000
Total, Forest Service	2,919,564,000	2,368,595,000	2,648,165,000	-271,399,000	+279,570,000
DEPARTMENT OF ENERGY					
Clean coal technology:					
Rescission	-140,000,000	-153,000,000	-100,000,000	+40,000,000	+53,000,000
Deferral	.....	-133,000,000	.....	.....	+133,000,000
Subtotal	-140,000,000	-286,000,000	-100,000,000	+40,000,000	+186,000,000
Fossil energy research and development	364,704,000	346,408,000	312,153,000	-52,551,000	-34,255,000
Alternative fuels production (indefinite)	-4,000,000	-1,500,000	-1,500,000	+2,500,000	.....
Naval petroleum and oil shale reserves	143,786,000	117,000,000	115,000,000	-28,786,000	-2,000,000
Energy conservation	569,762,000	707,700,000	636,766,000	+67,004,000	-70,934,000
Economic regulation	2,725,000	2,725,000	2,725,000	.....	.....
Strategic petroleum reserve	-11,000,000	209,000,000	.....	+11,000,000	-209,000,000
(By transfer)	(220,000,000)	.....	(209,000,000)	(-11,000,000)	(+209,000,000)
Energy Information Administration	66,120,000	62,800,000	66,800,000	+680,000	+4,000,000
Total, Department of Energy:					
New budget (obligational) authority (net)	992,097,000	1,158,133,000	1,031,944,000	+39,847,000	-126,189,000
Appropriations	(1,132,097,000)	(1,444,133,000)	(1,131,944,000)	(-153,000)	(-312,189,000)
Rescission	(-140,000,000)	(-153,000,000)	(-100,000,000)	(+40,000,000)	(+53,000,000)
Deferral	.....	(-133,000,000)	.....	.....	(+133,000,000)
(By transfer)	(220,000,000)	.....	(209,000,000)	(-11,000,000)	(+209,000,000)
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services	1,806,269,000	1,835,465,000	1,829,008,000	+22,739,000	-6,457,000
Indian health facilities	247,731,000	286,535,000	257,310,000	+9,579,000	-29,225,000
Total, Indian Health Service	2,054,000,000	2,122,000,000	2,086,318,000	+32,318,000	-35,682,000
DEPARTMENT OF EDUCATION					
Office of Elementary and Secondary Education					
Indian education	61,000,000	.....	.....	-61,000,000	.....
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses	19,345,000	19,345,000	18,345,000	-1,000,000	-1,000,000
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute	5,500,000	5,500,000	3,000,000	-2,500,000	-2,500,000

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2107)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Smithsonian Institution					
Salaries and expenses	318,492,000	334,557,000	334,557,000	+16,065,000	.....
Construction and improvements, National Zoological Park	3,850,000	3,850,000	3,850,000	.....	.....
Repair and restoration of buildings	39,000,000	32,000,000	50,000,000	+11,000,000	+18,000,000
Construction	10,000,000	58,000,000	.....	-10,000,000	-58,000,000
Total, Smithsonian Institution	371,342,000	428,407,000	388,407,000	+17,065,000	-40,000,000
National Gallery of Art					
Salaries and expenses	54,281,000	53,899,000	55,837,000	+1,556,000	+1,938,000
Repair, restoration and renovation of buildings	5,942,000	5,942,000	6,442,000	+500,000	+500,000
Total, National Gallery of Art	60,223,000	59,841,000	62,279,000	+2,056,000	+2,438,000
John F. Kennedy Center for the Performing Arts					
Operations and maintenance	12,475,000	11,375,000	11,375,000	-1,100,000	.....
Construction	12,400,000	9,000,000	9,000,000	-3,400,000	.....
Total, John F. Kennedy Center for the Performing Arts	24,875,000	20,375,000	20,375,000	-4,500,000	.....
Woodrow Wilson International Center for Scholars					
Salaries and expenses	5,840,000	5,840,000	1,000,000	-4,840,000	-4,840,000
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration	82,734,000	119,240,000	10,000,000	-72,734,000	-109,240,000
Matching grants	16,760,000	16,760,000	.....	-16,760,000	-16,760,000
Total, National Endowment for the Arts	99,494,000	136,000,000	10,000,000	-89,494,000	-126,000,000
National Endowment for the Humanities					
Grants and administration	96,100,000	118,250,000	96,100,000	.....	-22,150,000
Matching grants	13,900,000	17,750,000	13,900,000	.....	-3,850,000
Total, National Endowment for the Humanities	110,000,000	136,000,000	110,000,000	.....	-26,000,000
Institute of Museum and Library Services/ Office of Museum Services					
Grants and administration	22,000,000	26,000,000	23,390,000	+1,390,000	-2,610,000
Total, National Foundation on the Arts and the Humanities	231,494,000	298,000,000	143,390,000	-88,104,000	-154,610,000
Commission of Fine Arts					
Salaries and expenses	867,000	867,000	907,000	+40,000	+40,000
National Capital Arts and Cultural Affairs					
Grants	6,000,000	6,000,000	6,000,000	.....	.....
Advisory Council on Historic Preservation					
Salaries and expenses	2,500,000	2,745,000	2,700,000	+200,000	-45,000
National Capital Planning Commission					
Salaries and expenses	5,390,000	5,740,000	5,700,000	+310,000	-40,000
Franklin Delano Roosevelt Memorial Commission					
Salaries and expenses	500,000	.....	.....	-500,000	.....
United States Holocaust Memorial Council					
Holocaust Memorial Council	31,707,000	31,707,000	31,707,000	.....	.....
Total, title II, related agencies:					
New budget (obligational) authority (net)	6,792,244,000	6,533,095,000	6,450,237,000	-342,007,000	-82,858,000
Appropriations	(6,932,244,000)	(6,819,095,000)	(6,550,237,000)	(-382,007,000)	(-268,858,000)
Rescission	(-140,000,000)	(-153,000,000)	(-100,000,000)	(+40,000,000)	(+53,000,000)
(By transfer)	(220,000,000)	.....	(209,000,000)	(-11,000,000)	(+209,000,000)
TITLE III - EMERGENCY APPROPRIATIONS					
Emergency appropriations (P.L 105-18)	386,592,000	.....	.....	-386,592,000	.....
Grand total:					
New budget (obligational) authority (net)	13,514,435,000	13,099,946,000	12,968,429,000	-546,006,000	-131,517,000
Appropriations	(13,297,843,000)	(13,415,946,000)	(13,098,429,000)	(-199,414,000)	(-317,517,000)
Emergency appropriations	(386,592,000)	.....	.....	(-386,592,000)	.....
Rescissions	(-170,000,000)	(-183,000,000)	(-130,000,000)	(+40,000,000)	(+53,000,000)
(Limitation on guaranteed loans)	(34,615,000)	(34,615,000)	(34,615,000)	.....	.....
(By transfer)	(220,000,000)	.....	(209,000,000)	(-11,000,000)	(+209,000,000)

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2107)—Continued

	FY 1997 Enacted	FY 1998 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management	1,195,648,000	1,121,539,000	1,128,538,000	-67,110,000	+6,999,000
United States Fish and Wildlife Service	670,596,000	687,923,000	725,126,000	+54,530,000	+37,203,000
National Park Service	1,435,858,000	1,598,900,000	1,564,062,000	+128,204,000	-34,838,000
United States Geological Survey	740,051,000	745,388,000	755,795,000	+15,744,000	+10,407,000
Minerals Management Service	163,395,000	164,040,000	145,739,000	-17,656,000	-18,301,000
Office of Surface Mining Reclamation and Enforcement	271,757,000	271,057,000	275,061,000	+3,304,000	+4,004,000
Bureau of Indian Affairs	1,618,274,000	1,731,779,000	1,683,918,000	+65,644,000	-47,861,000
Departmental Offices	240,020,000	246,225,000	239,953,000	-67,000	-6,272,000
Total, Title I - Department of the Interior	6,335,599,000	6,566,851,000	6,518,192,000	+182,593,000	-48,659,000
TITLE II - RELATED AGENCIES					
Forest Service	2,919,564,000	2,368,595,000	2,648,165,000	-271,399,000	+279,570,000
Department of Energy	992,097,000	1,158,133,000	1,031,944,000	+39,847,000	-126,189,000
Indian Health Service	2,054,000,000	2,122,000,000	2,086,318,000	+32,318,000	-35,682,000
Indian Education	61,000,000	.....	.....	-61,000,000	.....
Office of Navajo and Hopi Indian Relocation	19,345,000	19,345,000	18,345,000	-1,000,000	-1,000,000
Institute of American Indian and Alaska Native Culture and Arts Development	5,500,000	5,500,000	3,000,000	-2,500,000	-2,500,000
Smithsonian Institution	371,342,000	428,407,000	388,407,000	+17,065,000	-40,000,000
National Gallery of Art	60,223,000	59,841,000	62,279,000	+2,056,000	+2,438,000
John F. Kennedy Center for the Performing Arts	24,875,000	20,375,000	20,375,000	-4,500,000	.....
Woodrow Wilson International Center for Scholars	5,840,000	5,840,000	1,000,000	-4,840,000	-4,840,000
National Endowment for the Arts	99,494,000	136,000,000	10,000,000	-89,494,000	-126,000,000
National Endowment for the Humanities	110,000,000	136,000,000	110,000,000	.....	-26,000,000
Institute of Museum Services	22,000,000	26,000,000	23,390,000	+1,390,000	-2,610,000
Commission of Fine Arts	867,000	867,000	907,000	+40,000	+40,000
National Capital Arts and Cultural Affairs	6,000,000	6,000,000	6,000,000	.....	.....
Advisory Council on Historic Preservation	2,500,000	2,745,000	2,700,000	+200,000	-45,000
National Capital Planning Commission	5,390,000	5,740,000	5,700,000	+310,000	-40,000
Franklin Delano Roosevelt Memorial Commission	500,000	.....	.....	-500,000	.....
Holocaust Memorial Council	31,707,000	31,707,000	31,707,000	.....	.....
Total, Title II - Related Agencies	6,792,244,000	6,533,095,000	6,450,237,000	-342,007,000	-82,858,000
TITLE III - EMERGENCY APPROPRIATIONS					
Emergency appropriations (P.L 105-18)	386,592,000	.....	.....	-386,592,000	.....
Grand total	13,514,435,000	13,099,946,000	12,968,429,000	-546,006,000	-131,517,000

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

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

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

Mr. DICKS. Mr. Chairman, I rise today to substitute, I was always a substitute, it seems like, for the gentleman from Illinois [Mr. YATES], and to talk a little bit about this Interior appropriations bill.

Mr. Chairman, I certainly want everyone here to know that I have enjoyed the 21 years that I have had an opportunity to work with the gentleman from Ohio, [Mr. RALPH REGULA], who is the new chairman on this committee and has served for many years, and worked under the gentleman from Illinois, [Mr. SID YATES] when he was chairman. We have a very good bipartisan committee that tries to work together on these important natural resource issues.

Obviously, many on our side today are quite unhappy about the fact that we did not or will not get an opportunity to have an up-or-down vote on the National Endowment for the Arts, but we had a vote on the rule. We lost by one vote. Now we are going to consider this bill.

I also believe that there is a lot of good that comes out of this bill. The Interior appropriations bill provides funding for the National Park Service. It does provide funding and has in the past for the National Endowment for the Arts and Humanities, for the Forest Service, for the Bureau of Indian Affairs, for the Bureau of Mines, for many of the energy conservation programs and alternative energy programs of the Department of Energy. So this is a very positive piece of legislation.

It also provides funding, as I mentioned, for the Indian tribes in this country. We do have a trust responsibility to those tribes. It is a serious responsibility. We also fund the Fish and Wildlife Service.

Of course, we have had debates on this floor over the Endangered Species Act. I would say to my colleagues here, there is probably not a congressional district in America that has been more affected by the Endangered Species Act than the Sixth District in the State of Washington. I have seen the harvest on our forests there go down by about 95 percent, maybe 98 percent, because of the requirements of protection for the spotted owl and the marbled murrelet.

The President's forest plan is in place in the Northwest. We have received funding under this plan to try and do something about watershed restoration, watershed analysis, ecosystem protection and management. All of that comes out of the Interior appropriations bill.

I want Members to know that I think that we have an outstanding chairman and an outstanding ranking member in the gentleman from Illinois [Mr. YATES], and an excellent staff that has done a lot of very good and positive work on this legislation.

One of the issues that will come up today is the question of forest roads. This is a very controversial issue. Last year we had a major debate on this issue on the floor of the House of Representatives. I want to tell my colleagues, I feel that I did not do as good a job on this issue last year as I needed to. We won, we prevailed, but I do not think I explained it as well as I should have explained it. I worked up a little chart here and I would like my colleagues to see it. It is a small chart. I think they will understand what it is.

This program here lays out the Forest Road Program that we have for the country. Of that, of the money that is being spent this year on the Forest Road Program, there will be 2,000 miles of road reconstruction. This is going out and fixing up existing roads so they do not cause environmental problems, so that they do not cave in, so there is not siltation. They have to replace the culverts. They have to fix these roads.

Then, there are only 480 miles, this is under purchase or credit, only 480 miles of new roads being built, and most of those roads are short roads into areas where there has already been timber harvesting.

□ 1645

I will bet no one in this place knows this number, 90 percent of the roads, 90 percent of what is happening on the roads is for recreational purposes. People go in and this is the access point to go into our wilderness areas, to go into our lakes, to go into our camping areas. It is recreation. And these roads are very, very important for that purpose.

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

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

Mr. REGULA. Mr. Chairman, I think it is appropriate at this time, I want to read a statement from Secretary Glickman; the Forest Service is in his jurisdiction. It fits in with what the gentleman is saying.

A letter from the Secretary to me today says:

> However, the $41.5 million reduction the amendment proposes goes too far in eliminating important construction and reconstruction efforts that provide public safety and environmental benefits.

Mr. DICKS. Another point, Mr. Chairman, if we do not have roads, if we have got forest fires out there, we have got to be able to get the men and women who fight these forest fires into those woods. And the road program is much less dense than it is on the BLM lands, much less dense than it is on private lands.

This is done very carefully. This is not being done by James Watt. This is being done by the Clinton-Gore-Babbit-Glickman administration. Jim Lyons, former staff member here on the Committee on Agriculture, is in charge of the Forest Service program. He is a committed environmentalist. He has said that the amendment that will be offered by Mr. KENNEDY and the gentleman from Illinois, [Mr. PORTER] goes too far. It will cut into the reconstruction of roads. It will cause environmental damage, and it will require 400 to 500 people in the Forest Service to be laid off. It is a meat-ax approach to dealing with this problem.

Then, of course, we have some small amount of roads that are built with appropriated funds, 165 miles of reconstruction. This is going out and fixing up those roads again, and only 8 miles with appropriated funds are used for new construction. And, in fact, down here at the bottom, we have the obliteration of roads; 1,500 miles of roads in those Forest Service lands are being taken out, the ones that are no longer necessary, and they are being taken out and replaced.

To my friends and colleagues who think that we are doing too much in terms of timber harvesting, let me show them what is happening in this country in terms of harvesting of timber off the Federal timberlands. This is the miles of roads. This is the historical Federal Road Program. And we used to do, here was 8,870 miles. That was in 1985. Then we went down to 6,545 miles. Here it is, in 1995, we are down to 2,868 miles. We are down to 2,652 miles, of which only 18 percent are new construction.

What has happened on timber sales in this country, we used to do 10 billion board feet off the Federal timberlands. This year the administration budget request is for 3.7 billion board feet. That is over the entire country. If the Kennedy–Porter amendment is adopted, that will be reduced down to 1.7 billion board feet.

What does that mean? That means what we have done in essence is create a shortage, a shortage of timber, a shortage of lumber. What that means is when people go out to build a house or build an apartment, the cost of that goes up. That is why the home builders have been urging the Congress to at least do the 3.7 billion in the Clinton administration budget, but not to cut it back to 1.7, which is the effect of this amendment.

So this is a very major issue. I hope Members will be not stampeded. I know that the environmental community is making this their No. 1 priority. But please listen to the members on the committee who have had some experience, who know something about it, who know a little bit about this issue.

I want Members to know that we have cut back about as far as I think we should cut back in terms of timber harvesting. As I said, in my forest at the Olympic National Forest in the State of Washington, we have gone from 250 million board feet down to 10 million. This is all done by thinning sales now. So we have taken a huge cut. But to kill the road program in my judgment is a terrible mistake.

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

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

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman for yielding to me.

He talked about the billions of board feet that we are going to lose in terms of timber production. That means also hundreds of thousands of logging families who are going to have no wherewithal to pay their mortgages, send their kids to college, and do all the other things that we like to do in America as part of the American dream. This will be a devastating blow to a lot of working folks in this country.

Mr. DICKS. Mr. Chairman, the other point is, we have to import about 30 percent of our saw wood timber today from Canada. And what that means is they are going out and harvesting like crazy up in Canada to supply the American market, because we are not harvesting at historic levels off of our Federal lands.

I think, frankly, we had to make some reductions in timber harvesting. I am not opposed to that. What I am opposed to is that we have it down now to a level that I think is clearly sustainable, and we are going to have this amendment today that will even take it down further, which is going to drive up the price of lumber. And it is not well thought out. It cuts into road reconstruction money in the name of cutting out money for new roads, and it just misrepresents the facts.

I have never seen, in my entire career, and I have seen a lot of distortions in my entire career up here, believe me, but this one, what this amendment says it does and what it actually does, there is more distance between this and anything I have seen. It is not right. I think a lot of Members here have been misled, and if they actually knew the facts they would be voting against this amendment.

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

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

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

He has just made a very lucid, factually substantiated statement, the best I have heard in years on this floor about the issues involved in this question of timber harvesting and the relationship with the road program. The gentleman represents a great saw timber area of the country.

In my district, we have pulp wood principally and we do not have the big saw timber trees, but it is as important a yield for our forests, for the pulp and paper industry and the particle board industry, as the saw timber is for the lumber and homeowner and home building sector of our economy.

Something I think is very important to understand, we are talking about a sustainable yield, a renewable resource in forestry. We are also talking about roads that are used for other purposes than for timber harvesting. There are all sorts of recreational activities that take place on these roads, and they never get, those other uses rarely get charged for the cost of the road construction that is always attributed to timber harvesting.

I know in the forests in my district and in northern Wisconsin and in the upper peninsula of Michigan that we now have an above-cost operation; that is, the cost of the road is more than amply paid back simply by the cost and the value of the timber harvesting. And there are all these recreational benefits that follow upon the road program.

Mr. DICKS. Mr. Chairman, the gentleman is absolutely correct. Ninety percent of the utilization of these roads is for recreational purposes. I am sure the gentleman knows in the forests of Minnesota the same thing that I know in the Olympic Peninsula. This is where the people go to recreate, they go to the lake, they go to the wilderness, they go camping, hiking, they go hunting, fishing. They use this road system. This is not an evil, terrible thing.

What is evil, what is terrible, what is environmentally dangerous is not to sustain those roads. What is misunderstood here today is that most of the money that is being taken out, most of that money would be used for road reconstruction to fix up problem roads and make them safer so that they do not wind up blowing out and going into the stream, and replacing culverts so that salmon can get back up and reproduce. That is a big part of the cut that is in this budget today.

Mr. OBERSTAR. Mr. Chairman, the gentleman has stated the case exceedingly well. And I just say that those who are advocating this amendment do not have in mind the roads and their utility or their significance. They really want to get at the timber harvesting program. I think we have a fair balance of sustainable yield management on the national forests of this country. We ought not to cut it or gut it by means of this amendment.

Mr. DICKS. Mr. Chairman, I would point out to the gentleman, out in region 6, used to be the No. 1 timber producing area in the Nation, we have gone from about 4½ billion board feet down to about less than 1 billion board feet, an 80 percent reduction, an 80 percent reduction. Hundreds of mills have gone out of business.

All we are saying is, can we not have a little balance here? Let us remember that this program provides recreation and opportunities that are different, and it is not just timber harvesting. I am asking my friends, many from across the country, look at the facts here, look at what Secretary Glickman said. Do not just be swept up because you are being pressured by certain groups. I just ask for a fair evaluation of the facts. Give us that. Look at it and hopefully we will have the right vote.

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

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

Mr. REGULA. Mr. Chairman, along with what the gentleman said, another point is, here is a 2 by 4. Seven years ago it was 22 cents a foot. Today it is 44 cents a foot. What does that translate into? Two thousand dollars to $3,000 more for a frame house, and that means that young people will have an additional burden when they want to seek that first home, because the forest cut has been so reduced. This saw foot comes out, a lot of it, from our national forests.

Mr. DICKS. That is why the home builders have made this one of their most important issues. They are very concerned about what the gentleman, the chairman has pointed out. We have created this shortage. When we create a shortage, we drive up the price. And so we are trying to do this fairly. We are trying to do it on a sustainable basis. We are trying to make sure that the money is used for demolition and for fixing up troubled roads. But with this amendment, we are going to take away a huge part of the money that is there to fix up troubled, environmentally dangerous roads, and this is just because I am afraid the people who are offering this amendment do not serve on this committee and do not talk to the Forest Service and do not understand the complete implications of what they are doing. Their intent may be pure but what happens is not.

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

Mr. REGULA. Mr. Chairman, I yield 4 minutes to the gentleman from Washington [Mr. NETHERCUTT], a very distinguished and productive member of our subcommittee.

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

I certainly want to congratulate him for a very hard effort, well-deserved applause in connection with this bill and certainly to the gentleman from Illinois [Mr. YATES] and the gentleman from Washington [Mr. DICKS] who worked very hard on this bill as well. And the staff. I think we too many times overlook how hardworking the staff is to try to put this all together and get it to the floor and keep track of it all.

I am a member of this subcommittee, Mr. Chairman. I am delighted to be part of it because it has been a pleasure to work on this bill. It protects our natural resources. Even though it is funded below last year's level, it keeps our Nation on track to achieve a balanced budget. So this was a difficult effort trying to put the numbers together, even though they are below last year's, to meet the priorities of our Nation and protect the environment but also protect our natural resources.

So we were able to increase a number of programs in this bill that needed increase. I want to call particular attention to a few of the highlights of the

bill as they affect my region of the Pacific Northwest.

The National Park Service is an important agency to many Americans. It is going to receive a $78 million increase in funding, making it the third straight year that this committee has increased park operations.

The chairman also included a provision that allows parks and refuges and forests which participate in the recreational fee demonstration program to keep 100 percent of the fees, not to send them back here to Washington but to keep them in the location in which they will do the most good. This is going to benefit Lake Roosevelt National Recreation Area in my district. It is a new fee demonstration participant. We are going to keep a lot of those fees and use them to improve really the commercial activities and the maintenance activities that are necessary within the park itself.

We are going to also achieve a tremendous backlog maintenance problem in our parks, and that program will assist in that regard.

The native American programs in this bill are increased. The tribal priority allocation which was mentioned by the chairman is increased by $76 million. This funding goes directly to the tribes, directly affects my district in the Pacific Northwest and it bypasses the Bureau of Indian Affairs, and I think that is a good approach.

I am concerned that this bill does not meet the President's request in the area of Indian health because Indian health care's inflation is well above the normal inflationary rate, and for too long the native American population has been a low priority for the administration and the Congress and their health needs. I hope the other body will increase this funding level.

What I want to say, too, most importantly, following up on the debate that we have just had here and the discussion regarding our national forests and public lands, over the last 3 years we have spent an unsustainable $2.3 billion fighting fires on our national forest lands.

□ 1700

That is unacceptable, but that is due, in my judgment, to the fact that we have diseased forests and we have unmanaged forests. That is unacceptable. Should be to all Americans.

As a result of this, we have seriously addressed in this bill the issue of improving forest health. Disease suppression, forest fuel reduction, vegetation management, watershed improvements, research, and reforestation are all increased. This is a good environmental bill.

With regard to the timber road issue that is coming up, I urge my colleagues do not be persuaded by some outside group that is going to score this bill on an environmental basis and be pushed into making the wrong judgment. Study the facts. This timber road reduction provision that is coming up is going to hurt the small operator. It will not hurt the big operator. It will hurt the small operator. And that will do damage to the forest health and the multiple use concept in our national forest.

Remember that about 80 million visitors go into the national forests and use the forest roads that are currently in place. And we are obliterating forest roads by a ratio of 4 to 1. Four times as many are obliterated as those that are built.

So Members should be very careful about this bill and look very carefully at this amendment because it is a red herring and we should not be persuaded by it.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN of Virginia. Mr. Chairman, as a member of the Subcommittee on Interior of the Committee on Appropriations, I want to express my appreciation to the hard work and leadership of its chairman, the gentleman from Ohio [Mr. REGULA], and also to the very distinguished ranking member. Serving on this subcommittee, one gains an even greater appreciation for the great loss that this body will experience when the gentleman from Illinois [Mr. YATES] retires. So I thank him for his leadership.

I also want to recognize the professionalism of the staff on this bill. Debbie Weatherley, Loretta Beaumont, Chris Topik, Joel Kaplan and Angie Perry. Barbara Wainman, the chairman's personal assistant, Curt Dodd, and of course Del Davis, who has to assume a Herculean load, given the fact that the minority staff are so few in number with so many responsibilities.

Mr. Chairman, as the chairman has said, this is clearly one of the most important subcommittees in the entire Congress. We have some very controversial issues, though, and we are going to spend most of our time on those controversial issues. But it should be expressed that there are some very fine things in this bill. For example, $136 million increase for the Everglades; a $78 million increase for the national parks; $42 million more for operating the Fish and Wildlife Service.

There are a great many needs within those organizations. I will not take the time to go into them, but we are addressing those needs. There is a $16 million increase for natural resource science research by the U.S. Geological Service. These things go unmentioned because we focus exclusively on the controversial issues.

Thirty-one million in program increases go to native Americans. Very much deserved. The Indian Health Service will bring more Indian health care to communities. In fact, we are providing modular dental units on reservations where dental services are sorely lacking.

But, of course, there are some deficiencies in this bill, at least in my opinion, and in the opinion of the ranking minority member. Weatherization assistance is an example. I wish we could do more in the way of weatherization assistance because we decrease it by over $30 million.

The automobile fuel cell research, I think, has a great deal of potential, which may not be realized because we are cutting back on that almost entirely. That has potential for meeting the clean air standards.

But most importantly we are going to focus on the NEA and it needs to be focused on. It should be restored to its existing level of $99 million.

The value of the logging subsidy to private timber companies is over $250 million a year. The taxpayer foots this bill to build roads in forest areas 87 percent of which would otherwise be uneconomical. They've built 378,000 miles of road. Fifty percent more road than in nonforest service lands roads that cause landslides, erosion and siltation of our streams. The National Endowment for the Arts deserves to be funded. Private timber companies don't.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN], a distinguished member of the Committee on Resources.

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

Mr. HANSEN. Mr. Chairman, it is interesting now that we have come into this interesting bill, which the gentleman from Ohio [Mr. REGULA] has done some super work on, and a lot of people, the gentleman from Illinois [Mr. YATES], have worked very hard on this particular piece of legislation. I think it is interesting that most of us who campaigned on the idea that we do not want any tax increases, we are against tax increases, if anything we are going to balance the budget this time, yet we seem to come up with an amendment that is pending that is called the Kennedy–Porter amendment which, in effect, is going to raise taxes indirectly on every American.

How is it going to do that? Well, one thing, those of us who come from the West, I hope people realize that last year there were more fires in our public lands across America than any time in history, and that cost over $1.2 billion to fight them.

I am a member of the Committee on National Security and we have requests from the Forest Service, BLM, and every firefighter: Give us some of those old airplanes; we want to convert them to tankers because we have to go in and fight those fires.

So they are going to save $41,000, according to this amendment. At the same time we are going to spend billions and billions of dollars and we are going to decimate the West. There goes those beautiful forests. The folks from the East who fly over them and say, look at that green carpet, it is gorgeous, it is beautiful, I love it. And yet when we want to go in and kill the pine

beetle, which is taking them out, no, here comes these same environmental groups saying, oh no, you cannot do that, and they put injunctions on it.

Now, the professional foresters came in before the committee I chaired for a few years and they say, if we do not kill the pine beetle by taking that section out, they will kill every tree in here. And if they kill every tree, that beautiful green forest becomes toothpicks. And then they say and we will have a sure bet that we will have a fire. And then they say we will have a sure bet we will have a flood. And then they say it will take Mother Nature 200 years to bring it back to the way it was.

So why did we not just go in there when we had the opportunity and take care of that infestation of pine beetles? Now, because we could not go in there and do that, we now have what we call a fuel load. So now we have a fuel load in America heavier than we have ever had. Why do we have the fuel load? Because we cannot go in, we do not have the roads, and we cannot thin the forests. We cannot take down all these down fuels.

So what do we have? We have fires. And we can count on it. The best people in America are saying that we will have more fires in America this year than we have ever had. So we are going to spend billions of dollars fighting the fires when we could have the roads that the people could go in.

What about these young people that want to build homes? The gentleman from Ohio talked about the increase. I remember in 1967 when I built a home for me and my wife and my family that I thought was wonderful, and I looked at the 2 by 4's and they were 83 cents apiece. I bought some 2 by 4's the other day and they were $4 apiece. Now, there goes the cost up.

Keep in mind what we will do with this amendment from PORTER and KENNEDY. First, we are going to raise the taxes of Americans rather substantially; second, all the people who use the roads will not be able to use them, and 90 percent of it is used for recreation and, third, we will burn the West.

So let it burn, my colleagues, and vote for this amendment they have here; do not let it burn and vote against the amendment.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York [Mrs. LOWEY], a member of the committee.

Mrs. LOWEY. Mr. Chairman, I, too, would like to express my great respect for our chairman, the gentleman from Ohio, [Mr. REGULA] and our outstanding leader, the gentleman from Illinois [Mr. YATES]. And although he fought vigorously to defeat the rule, which would have given us an opportunity to support the National Endowment for the Arts, we lost, and I would like to direct my remarks to the Ehlers-Hunter amendment regarding the National Endowment for the Arts.

Mr. Chairman, in a nation of such wealth and cultural diversity, it is a tragic commentary on our priorities that we are here today debating the elimination of the National Endowment for the Arts, an agency that spends less than 40 cents per American each year. One of the standards by which we judge a civilized society is the support it provides for the arts. In comparison to other industrialized nations, the United States falls woefully behind in this area, even with a fully funded NEA.

But let us be honest, my colleagues. This is not a fight over money. The Republican leadership wants to eliminate the NEA because they are concerned about artistic expression in a free society. This battle is not about defending the values of mainstream America, this is about pandering to Pat Robertson and the Christian Coalition. The Republican assault on the arts, on cultural expression itself, is an outrage and it must be defeated.

Polls overwhelmingly show that the American public supports Federal funding for the arts because students, artists, teachers, musicians, orchestras, theaters, dance companies across the country benefit from the NEA. For many Americans, whether they live in the suburbs, our cities, or our rural areas, the NEA is critical in making the arts affordable and accessible.

If those reasons are not compelling enough for some, let us just talk dollars and cents. Because for every $1 the NEA spends, it generates more than 11 times that in private donations and economic activity. That is a huge economic return on the Government's investment, and we certainly do not need to be from New York to see the impact of the arts on a region's economy.

Instead of debating this issue on the merits, the NEA opponents delight in telling sensational stories about objectional projects. Let us be very clear on the facts. Out of more than 112,000 NEA funded grants over the past 32 years, only 45 were controversial. That is less than 0.04 percent of all grants.

Moreover, under the very able leadership of Jane Alexander, the NEA has restructured the grant process to ensure the mistakes of the past cannot be repeated. I urge my colleagues to defeat the Ehlers-Hunter amendment and preserve the NEA.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise to request a colloquy with the gentleman from Ohio [Mr. REGULA] regarding the status of ongoing restoration work at the Independence National Historical Park in Philadelphia.

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

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

Mr. REGULA. Mr. Chairman, I am pleased to address the gentleman from Pennsylvania's concerns about this important work. And I might add also that if the gentleman saw the chart of backlogged maintenance, this is a classic example of how we have neglected to maintain an extremely valuable resource of this Nation.

Mr. FOGLIETTA. Mr. Chairman, reclaiming my time, Independence Park has been known to have been undergoing a significant utilities restoration project. Several years back I walked through the halls of Congress with a corroded pipe because the sprinkler system in Independence Hall was completely inoperable. A fire could have destroyed that national treasure in 20 minutes.

The chairman then, the gentleman from Illinois [Mr. YATES], and the corresponding chairman in the other body came to my rescue and provided the money for emergency assistance. I appreciated that and I appreciate the subcommittee's provision of $4.3 million on the project to preserve Independence Hall and the other historic buildings surrounding it. This is generous, and I thank the chairman, but I am concerned because the administration had requested $6.3 million for this project. I understand these funds are absolutely required to implement the park's master plan for the next century.

This country has existed for two centuries because of what happened in this park and Independence Hall. I am hoping that we can work together in conference on this funding so that this project can proceed on schedule.

Mr. REGULA. Mr. Chairman, if the gentleman will continue to yield, I understand the gentleman's concerns and I share them. Let me assure him that the committee strongly supports this construction work.

As the gentleman knows, this committee has provided more than $40 million over the past several years to take care of the critical maintenance needs of Independence Hall.

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Mr. REGULA. Unfortunately, the Parks Service has a backlog. As I mentioned earlier, the Senate allocation is higher than the House number. Were the Senate to fund this project, and if other high priority needs for construction are met, then I would certainly give a lot of consideration to supporting increased funding for this project. It is a very important piece of work, and I am very strongly in favor of taking care of it. This is one of our Nation's great cherished monuments.

Mr. FOGLIETTA. Mr. Chairman, if the gentleman would yield, it is also the heart of my district.

Mr. REGULA. It is across the street, as I understand it.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. PELOSI], a member of the committee.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in great respect for the gentleman from Ohio [Mr. REGULA], the distinguished chairman of the

subcommittee. I appreciate his fine work in bringing this legislation to the floor. And I join my colleagues in expressing great esteem for our colleague, the gentleman from Illinois [Mr. YATES], for the great tradition that he has brought to this Congress of support for the arts and support for preserving our national and natural heritage as well. It is indeed an honor for every one of us who serves in this body to call him ''colleague.''

So it is with regret that I rise to oppose an amendment that will come up later, the Ehlers amendment, and hope it will not be part of this legislation at the end of the day.

As I am fond of saying in this Chamber, there are so many fig leaves around here that it is beginning to look like the Garden of Eden. Today's fig leaf is the Ehlers amendment, which is supposed to give cover to those who voted to eliminate the National Endowment for the Arts, but alas, it is a transparent fig leaf.

It is interesting to me that, in the course of the Committee on Rules debate and debate on the floor, our Republican colleagues said that we had to eliminate the $99 million in funding for the NEA because we need to reduce the deficit. Now, hiding behind the transparent fig leaf, the Republicans say that we can vote for $80 million through the Ehlers amendment. It is clear that this is not about reducing the deficit, it is about content restriction; it is about conformity instead of creativity.

The gentleman from Texas [Mr. ARMEY], the distinguished majority leader, when he spoke earlier, said that the Ehlers amendment would put more Crayolas in our children's hands. Yes, and that is just about it. The Ehlers amendment would amount to about $1 per child for the arts.

Do we not want more for America's children? I am certain the gentleman from Texas [Mr. ARMEY] wants more for his new grandson, who was born yesterday. I am pleased to welcome him to the grandparent's club, the best club there is. Let us hope that our grandchildren can express themselves freely. In order for that to happen, we should reject the Ehlers amendment and bring back the NEA.

I urge my colleagues to oppose the Ehlers amendment.

The CHAIRMAN. The gentleman from Washington [Mr. DICKS] has 2½ minutes remaining. The gentleman from Ohio [Mr. REGULA] has 2 minutes remaining.

Mr. DICKS. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. CAPPS].

Mr. CAPPS. Mr. Chairman, I agree with my colleagues that there are many positive features in this bill. But I am particularly sensitive to its cultural institutional components, and here the bill deserves a mixed review.

I am pleased that funding for the National Endowment for the Humanities is being sustained, not in abundance, but at current levels. On the other hand, I lament what is happening to the National Endowment for the Arts.

What is most troubling about this, in my judgment, is that we here in the Congress have taken on the role of art critics who can make judgments about what is good or what is bad art, and the electorate has not asked us to do that.

I am also extremely bothered by the large, devastating cuts to the Wilson Center down the street. The Wilson Center has done distinguished work. It would be extremely short-sighted if we were to destroy this very excellent research center.

Mr. Chairman, my first contact with Congress came more than a decade ago when I testified on behalf of the arts and the humanities, and I gave my testimony to the committee directed by the gentleman from Illinois [Mr. YATES], who is now my colleague.

The gentleman from Illinois [Mr. YATES] has given years of distinguished service in supporting our national cultural institutions, and I want to say that I am so honored to be working at his side.

Mr. REGULA. Mr. Chairman, I yield 1 minute to my colleague, the gentlewoman from Ohio [Ms. PRYCE], a very distinguished member of the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Chairman, I thank my good friend, the gentleman from Ohio [Mr. REGULA], for yielding me the time, and I rise in opposition to the Porter-Kennedy amendment.

This amendment eliminates funding allocated to the forest road program. But this program builds, improves, and maintains forest roads. Those who support the amendment argue that the forest road program provides a subsidy. I respectfully disagree.

I would like to take this opportunity to commend to my colleagues this piece of literature prepared by Price Waterhouse that says ''the forest roads program does not contain a subsidy for timber purchasers and provides an efficient and effective mechanism for financing road construction and reconstruction.''

These roads are an important tool used to manage the resources in our national forests. Just last August, a staffer of mine spent 14 days fighting wildfires in Oregon. It was the forest roads that provided him and other firefighters with their sole access over land to the safety of their fire camp 6 miles away. Without such roads, access over land would have been next to impossible, causing a great loss of both time and energy.

But it is not just access for our wildland firefighters that is important, these roads also provide access for our resource managers and foresters, hunters, fishermen, and those who just want to take a walk in the woods.

I urge Members to look past the political rhetoric that many groups would have them believe. If you support promoting forest health and sound environmental stewardship, I urge you to support the forest roads program and defeat the amendment.

Mr. DICKS. Mr. Chairman, I yield the remaining time to the gentleman from Illinois [Mr. YATES], the distinguished ranking minority member.

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

Mr. Chairman, I want to pay my tribute to the gentleman from Ohio [Mr. REGULA]. He and I worked on this bill for many, many years. He knows it thoroughly. And, for the most part, I think that this bill reflects good judgment on his part.

In view of the fact that the bill and the rule have killed NEA, I will not support the bill. In many respects it is a good bill. It provides additional funds for building our parks, our natural resources, but it devastates almost equally important cultural programs.

I mentioned what it had done to the National Endowment for the Arts. And although it gives its approval to appropriations for the National Endowment for the Humanities, it kills the Woodrow Wilson Center, which I think has done good work over the years, and it suspends work on the Museum for the American Indian. We have been waiting year after year after year for a museum to pay tribute to the great people who first inhabited this country.

So, Mr. Chairman, again I pay my tribute to the gentleman from Ohio]Mr. REGULA]. I look forward to working with the Senate to add some improvements to the bill, particularly in the cultural aspects of it; and I hope that the gentleman from Ohio [Mr. REGULA] will work with me in that respect.

Mr. REGULA. Mr. Chairman, I will use my last minute to announce what I have been advised, and that is that the leadership advises that they would like to work to between 10 and 12 tonight. The objective would be to finish by 2 p.m. tomorrow, and I think we can easily do that if we work until that time tonight.

We will probably roll votes until about 7 p.m., and then after we have done that group, we will roll again for a couple hours. So this, I think, will give the Members an idea of what the rest of the evening will be like as far as schedule and what we could anticipate for tomorrow.

Mr. Chairman, I just close by saying this is a good bill. I hope all of our colleagues will look at it carefully as we go through the various amendments and then on final passage.

Mr. ENSIGN. Mr. Chairman, I rise in support of the Sanders amendment to H.R. 2107. This amendment would increase funding for the payments in lieu of taxes [PILT] by $19 million. These payments are absolutely vital to our counties that have a decreased tax base due to federally owned land located within the county boundaries.

These payments help defray the costs of law enforcement, fire prevention, search and rescue and infrastructure needs in those counties that must provide these essential services, yet do not have the revenue stream normally provided by private property tax collection.

Coming from a State where 87 percent of the land is federally owned, you can imagine how strapped our rural counties are when it comes to providing these essential public services. The PILT Program was established to address the fact that the Federal Government does not pay taxes on its own land. Unfortunately, PILT payments have never approximated the revenue the local governments would otherwise generate through private property taxes.

I appreciate the gentleman from Vermont offering this amendment and I urge my colleagues to support it.

Ms. CHRISTIAN-GREEN. Mr. Chairman, I rise today to express my strong disappointment in the fact that the majority members of the Appropriations Committee refused to include, in the bill we are discussing today, the $700 million that was included in the bipartisan, 5-year balanced budget agreement for Federal land acquisition.

Over $300 million of the $700 million was slated to go to the Land and Water Conservation Fund [LWCF], the Federal trust fund, established to purchase private lands for outdoor recreation or for preservation for future generations.

Last month, when we learned that this money might not be included in the bill, I joined 22 of my colleagues on the Resources Committee in sending a letter to Chairman REGULA to remind him that the LWCF is currently owed about $11 billion which has accumulated because money meant for the fund has been directed for other uses, like balancing the Federal budget.

This misdirection of LWCF funds has created a tremendous backlog of purchases of threatened land designed to protect the public health and the environment.

I was overjoyed, Mr. Chairman, when I heard that the balanced budget agreement had provided an additional $700 million for Federal land acquisitions.

This additional funding would have meant the possibility that funding could finally be realized to begin acquiring land at the Salt River National Park and Historical Preserve, on the island of St. Croix in my district, the Virgin Islands.

Salt River National Park was authorized in 1992, creating an approximately 1,000 acre park offering a unique combination of biologically significant flora and fauna. Salt River is also best known as the only documented site where Christopher Columbus landed in what is now the United States.

Tragically, since its authorization, there has not been any Federal land acquisitions at Salt River. This is a concern because a major hotel development had been proposed for the mouth of the Salt River Bay, including the area of the Columbus landing site.

While the development permits for this project have been denied by the courts, the current owner of the property believes that an opportunity still exists to sell the property and re-initiate the hotel project. It is essential, in order to preserve this magnificent area, for LWCF funds to be appropriated for the Park Service to acquire key private tracts of land at Salt River.

I urge my colleagues to continue to insist that the previously allocated $700 million be made available to address the threats faced at Salt River, as well as, for the other hundreds of priority Federal land acquisition and local recreation projects across the country.

Mr. VENTO. Mr. Chairman, I rise in opposition to the Interior appropriations bill in its current form. It shortchanges the Land and Water Conservation Fund [LWCF]. It shuts down the National Endowment for the Arts. And it is packed with irresponsible government subsidies such as the timber roads credit and special breaks for clean coal technology. Thankfully, we have some opportunities today to fix some of these problems and send the President legislation he can sign.

My colleague from California [Mr. MILLER] plans upon offering an important amendment that will restore the commitments the leadership made to the President on funding for the Land and Water Conservation Fund [LWCF]. This amendment will provide for two critically important land exchanges: the New World Mine in Montana and Headwaters Forest in California. Some of my colleagues oppose these purchases, and I respect but disagree with their views. But that is not the point. The point is that this provision was part of the budget deal that this Congress agreed to with the President. There are a lot of aspects of this budget agreement with which I'm not in agreement with, but I, along with more than 300 of my colleagues, supported the budget agreement when it passed on this floor. As Members supported the budget deal the Congress/Clinton compromise, it is only reasonable to uphold the key provisions of the same. Specifically the commitment to increase the LWCF by some $700 million, that is the Miller amendment that will be offered in good faith and in accord with the budget agreement.

Similarly, the bill in its current form shuts down the National Endowment of the Arts. A number of our colleagues insist on making inflammatory, and I'm sad to say inaccurate, statements about the NEA and its priorities. The fact remains that most of the money we spend on the arts goes to providing cultural experiences for children in communities across the Nation who would not otherwise enjoy such opportunity or experiences. The President, furthermore, has indicated that he will veto this bill if Congress does not restore funding for the NEA.

Instead of more endless, partisan bickering, this House should continue funding the NEA at previous levels. This would have been a compromise. While I and a number of my colleagues would like to strengthen our commitment to the arts, I recognize that this is currently not likely. So I am willing to face reality and move forward with the legislative program for our Nation. I would have hoped that those who disagree would at some point be willing to do the same.

In addition to these important amendments, we will debate an amendment to eliminate the special subsidy program for timber roads in our National Forests. I am not sure how many of my colleagues are aware of the fact that this bill includes $40 million so that the Federal Government can reimburse timber companies for their road construction costs, road graded so that the same entities can harvest the timber. That is $40 million less of tax dollars that we can spend on educating our kids, cleaning up the environment, providing heat assistance for the elderly, and any number of other worthy and important activities serving our communities.

You will hear many claims that, according to Price Waterhouse, these millions of dollars do not amount to a subsidy. Please bear in mind that this Price Waterhouse analysis was the result of a timber industry funded study, frankly the results don't seem surprising. I'm underwhelmed by such industry produced fodder. Beware of a special interest financed study that supports the special interest access to the Federal taxpayer pocketbook. We should end this fiscally and environmentally unsound program today by voting for the Porter-Kennedy amendment.

Like just about all of the legislation we consider in this House, this is a true question of priorities. I believe and I have long believed that we can effectively manage our National Parks and Forests, that we can preserve funding for the arts and humanities and that we can deal fairly with members of Native American Tribes while we at the same time spend money responsibly and eliminate programs and unwarranted subsidies that have failed their goal or that enrich special interests. We should use this Interior appropriation legislation to achieve such goal. Indeed, there are those that wish to preserve the subsidy program for logging roads, there are those who wish to preserve the so-called Clean Coal Technology Program, and there are those who want the Federal Government to extinguish the commitment to the arts. I disagree, these actions run counter to sound policy and are not supported by the American public.

I have always viewed the Interior appropriations bill as an opportunity for Congress to both protect the environment and save taxpayer dollars—what has become recognized as the Green Scissors approach—and this year is no different. We should pass the Miller amendment, preserve our commitment to the arts, pass the Porter-Kennedy amendment, and pass the Klug-Miller-Foley amendment. Then we'll send the President a bill that he can sign and show the American people that sometimes, when given the opportunity, Congress is capable of real change and can do our decisionmaking task fairly, efficiently, and above all competently.

Mr. UNDERWOOD. I know that today's debate on the fiscal year 1998 Interior Appropriations will largely focus on funding for the arts and humanities, but I would like to take a moment to highlight several provisions included in the bill which I am very pleased to support.

As you may know, citizens of the freely associated states of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, can freely migrate to Guam under the provisions of the Compact of Free Association between the United States and these nations. Appropriations to reimburse Guam for the impact of the Compact are authorized under Public Law 99–239. In the Omnibus Appropriations Act of fiscal year 1997 [P.L. 104–134], 6 years of partial reimbursement for Guam was included for the social and educational costs of this migration. I am pleased that H.R. 2107 again includes $4.58 million as partial reimbursement to Guam. I would like to thank Chairman REGULA and Ranking Member YATES for their leadership on this issue and for working to fulfill this important Federal obligation.

H.R. 2107 also includes an additional $1 million for brown tree snake eradication research as requested by the administration. This funding is vital for the efforts to control this non-indigenous species which has decimated Guam's indigenous bird species and is the cause of countless power outages

throughout the island. I thank Chairman Regula and his staff for their willingness to take a serious look at this problem and understand the ongoing and potential impact of this uncontrolled non-indigenous species.

I am also pleased that technical assistance to the territories has been increased by $1 million to approach a more adequate level and has remained separate and distinct from funding to control the brown tree snake. I look forward to continuing to work with my colleagues and the other body to see that all of these important provisions remain intact.

Mr. DAN SCHAEFER of Colorado. Mr. Chairman, I rise to note a matter which is of great concern to myself and the members of the Commerce Committee on both sides of the aisle. H.R. 2017, contains language which would allow the sale of approximately 10 million barrels of oil from the Strategic Petroleum Reserve.

The legislative language in H.R. 2017 changes existing law regarding the drawdown of the SPR, and violates House Rule 21 which prohibits legislating in an appropriations bill. Yesterday, we asked the Rules Committee to issue a rule which did not waive points of order against this language. Unfortunately, because of some miscommunications, the rule waived the point of order and an objection was made to the unanimous-consent request to modify the rule.

Thus, Mr. Chairman, I am disappointed that the point of order which would lie against this provision was waived. However, I have spoken with Mr. REGULA and Mr. SOLOMON about this and I understand they will work with me to see that this language is removed at conference.

Mr. REGULA. Mr. Chairman, 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 for amendment under the 5-minute rule.

Amendments printed in House Report 105–174 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, are debatable for the time specified, equally divided and controlled by the proponent and an opponent, are not subject to an amendment, and are not subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 2107

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 fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $581,591,000, to remain available until expended, of which $2,043,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which $3,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which $1,500,000 shall be available in fiscal year 1998 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for challenge cost share projects supporting fish and wildlife conservation affecting Bureau lands; in addition, $27,300,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $581,591,000; and in addition, not to exceed $5,000,000, to remain available until expended, from annual mining claim fees; which 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 for the cost of administering communication site activities: *Provided,* That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire use and management, fire preparedness, suppression operations, and emergency rehabilitation by the Department of the Interior, $280,103,000, to remain available until expended, of which not to exceed $5,025,000 shall be for the renovation or construction of fire facilities: *Provided,* That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further,* That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise for the purpose of a colloquy with my friend, the gentleman from Ohio [Mr. REGULA].

As the gateway for more than 12 million immigrants between 1892 and 1954, Ellis Island holds a unique place in our Nation's history. More than 90 million Americans trace their roots to Ellis Island, and 1½ million visitors from around the world tour the island every year.

Unfortunately, some parts of the island are not receiving the attention they deserve, and last month the National Trust for Historic Preservation included the south side of Ellis Island on its annual list of the 11 most endangered historic places in the United States.

The south side of Ellis Island consists of more than two dozen buildings that served as hospital wards during the first part of this century. These buildings have great historical significance. In fact, the cure for pink eye was discovered there.

Due to years of weather-related damage, however, the hospital complex is seriously decayed. Roofs are caved in, walls are crumbling, and in some buildings stalactites of lime hang from the ceiling. These buildings are literally falling apart, and allowing them to decay beyond repair would be a national disgrace.

I am very pleased that the gentleman from Ohio [Mr. REGULA] has included report language in the bill at my request that directs the Park Service to come up with an immediate plan to stabilize these buildings. I also want to reiterate my hope that, working with the Senate, we may be able to find a small amount of money in the bill to begin basic emergency repairs in the future.

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

Mrs. LOWEY. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I thank the gentlewoman from New York [Mrs. LOWEY] for her interest and efforts. Ellis Island truly is a national treasure that has desperate needs for construction repairs.

Unfortunately, the Park Service construction budget is severely constrained by its overwhelming backlog of critical maintenance projects, $570 million, as our chart showed, which consists of serious public health and safety issues.

Should the Senate provide funds for the project, and if the other priority construction needs are met, I will give serious consideration to supporting the project. It is a good project and deserves support. I look forward to working with the gentlewoman from New York [Mrs. LOWEY] to ensure the project's successful completion.

Mrs. LOWEY. I thank the gentleman. We really owe it to the memory of our ancestors and for the benefit of future generations to preserve these buildings. I am very appreciative of the chairman's support for getting us on the path to do just that.

□ 1730

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. section 9601 et seq.), $12,000,000, 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 section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

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

Mr. Chairman, I would like to take this time to, if I could, participate in a colloquy with the gentleman from Ohio [Mr. REGULA] if that would be in order.

Mr. Chairman, there seems to be a lot of confusion surrounding, at least in my mind, the funding level for the automotive fuel cell research and development program within the Energy Conservation Program. First, I want to clarify the funding level for the advanced automotive technology program. It is my understanding that the committee recommended more money for the advanced automotive technology program this year than was appropriated in the years 1996 and 1997.

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

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

Mr. REGULA. The gentleman is correct. The comparable program was funded at $104,640,000 in fiscal year 1997 and the committee recommendation for fiscal year 1998 is $104,796,000. This represents an increase of $156,000. It is an increase of over $4 million above the 1996 level.

Mr. KNOLLENBERG. I thank the gentleman for that. Although the total amount for the advance automotive technology program received an increased recommendation from the committee over the past 2 years, I have heard from the Department of Energy that the fuel cell program has received a significant reduction in funding, perhaps as much as $10 million.

Mr. REGULA. If the gentleman will yield further, the department is not correct. It is true that the committee has recommended a slight reduction from last year's appropriation to the fuel cell program due to the difficult choices we have had to make in trying to balance the budget.

Mr. KNOLLENBERG. It is further my understanding, Mr. Chairman, that the Department of Energy approved grants within the fuel cell program and that these grants have had an impact on the market value of the companies that have been designated as grantees. A part of my confusion is how these grants could have been approved by the DOE, the Department of Energy, if the funding for these grants were dependent on future appropriations. I also am not clear whether the grant recipients can receive a portion of their grant even when the amount appropriated is not enough to fund all the department's approved grants.

Mr. Chairman, I understand there is some good research being conducted within this program, including some research in my home State of Michigan, but the gentleman can see there still appears to me a lot of confusion surrounding the issue. I am asking the gentleman today to work with me to clarify some of this confusion surrounding the funding level for the automotive fuel cell program.

Mr. REGULA. I would be glad to work with the gentleman from Michigan to help clarify any confusion he or others may have regarding the automotive fuel cell program.

Mr. KNOLLENBERG. I appreciate that from the gentleman, and I thank the gentleman for joining me in the colloquy.

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

Mr. Chairman, I rise to request a colloquy with the gentleman from Ohio [Mr. REGULA] regarding the fate of ongoing restoration work at the Fort McHenry National Monument and Historic Shrine in Baltimore.

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

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

Mr. REGULA. I am pleased to address the gentleman from Maryland's concerns about this important work.

Mr. CARDIN. Mr. Chairman, I am concerned that the bill does not provide the $1.8 million needed by the Park Service for high priority construction work to complete the restoration of Fort McHenry. Last year Congress appropriated $800,000 for the work on the fort. This was part of a $2.6 million project designed to preserve the birthplace of our National Anthem. To date significant work has been undertaken to repair and repoint the fort's main exterior brick walls, dating back to the War of 1812. Additional funding is needed to complete preservation of underground bombproof rooms, powder magazines and Civil War period defense works at the site.

I am concerned that the action of the committee threatens the timely and efficient completion of the necessary work. Finding sources of historically compatible bricks and artisans skilled at this restoration work has been difficult, but the project is now underway and we should complete it.

Mr. REGULA. I understand the gentleman's concerns. Let me assure him that despite our decision not to include construction funding for Fort McHenry, the committee strongly supports this work. Unfortunately, the National Park Service has a $5.6 billion construction and repair backlog, $575 million of which deals with the critical maintenance needs regarding public health and safety issues.

Mr. CARDIN. I understand the pressures the committee is under this year and particularly that the Park Service's fiscal year 1998 construction budget included two extremely high cost projects, but the Fort McHenry project is also a priority and is in danger of being cut off in the middle. The Senate allocation is more generous than the House numbers. Should the Senate provide funds for this project, can I ask the gentleman to support the funding construction at Fort McHenry?

Mr. REGULA. Fort McHenry is one of this Nation's great historic treasures. Were the Senate bill to fund this project and if the other high priority needs for construction are met, then I would give serious consideration to supporting the project. It is an important project and deserves funding. I look forward to working closely with the gentleman from Maryland to ensure the successful completion of this construction in a timely and efficient manner.

Mr. CARDIN. I thank the gentleman.

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

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

Mr. RAHALL. Mr. Chairman, I rise to engage the distinguished chairman of the subcommittee in a colloquy, but before I do I want to commend the chairman and the subcommittee for placing a moratorium on the acceptance and processing of mining claim patent applications made under the Mining Law of 1872. By the continuation of this moratorium, I think the subcommittee expresses the view of the majority of the Members of this body, if given the opportunity, they would vote for a comprehensive reform of the Mining Law of 1872.

While I do commend the Committee on Appropriations for continuing this patent moratorium, I think it is important that we be up front in recognizing that this provision is only a Band-Aid that will not staunch the hemorrhaging of the public's mineral wealth under the Mining Law of 1872. Radical surgery is what is required. I hope that one day we will get around to doing that.

Mr. Chairman, the committee bill provides $4.5 million for grants to the eight heritage areas designated by the Omnibus Parks Act signed into law last year. Of this amount, three heritage areas are to receive the maximum amount allowed under that law, $1 million each, because the committee has determined they are further advanced. That leaves $1.5 million for the remaining five heritage areas.

Is it the committee's intent for the National Park Service to distribute this funding roughly evenly among those five heritage areas, with no area receiving less than $200,000?

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

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

Mr. REGULA. That would be the intent of the committee.

Mr. RAHALL. I thank the distinguished gentleman from Ohio and commend him for his work on this bill as well as the gentleman from Washington [Mr. DICKS], the ranking minority member.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I move to strike the last word.

I also want to thank the gentleman from Ohio for engaging in this colloquy with me regarding the heritage areas, an initiative that I know he and the members of the committee have long supported and supported very strongly.

I would like to speak particularly of the Blackstone River Valley National Heritage Corridor in my State of Rhode Island as well as the bordering State of Massachusetts. This is one of the real examples of State partnership between Massachusetts and Rhode Island that we have. I also want to commend the gentleman from Massachusetts [Mr. MCGOVERN] and the gentleman from Massachusetts [Mr. NEAL] as well for their long work on this issue.

Mr. NEAL of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. NEAL of Massachusetts. I thank the gentleman from Rhode Island for yielding. I want to thank the gentleman from Ohio [Mr. REGULA] for the manner over the years in which he has treated the Blackstone funding priorities. It has been very encouraging and he has been more than generous with his time as well as his support of this project. I know that since I represent the town of Blackstone that this really commemorates a remarkable part of the manufacturing history of America. I am delighted with his pronouncement today that he will support us on the Senate side when this legislation goes to conference.

Mr. KENNEDY of Rhode Island. I thank the gentleman from Massachusetts [Mr. NEAL]. This is a real example of us working together on a bi-State issue, but one that pulls us all together because of the nature of the heritage corridor.

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

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

Mr. MCGOVERN. I want to thank the gentleman from Rhode Island for yielding to me, and I want to associate myself with his remarks as well as the remarks of the gentleman from Massachusetts [Mr. NEAL]. The Blackstone River Valley National Heritage Corridor is a crown jewel of the National Park Service and showcases our natural resources while preserving the history of that area. I want to also express my deep gratitude to the gentleman from Ohio [Mr. REGULA]. We genuinely appreciate his consideration of our comments regarding this subject, which is of tremendous importance to not only Rhode Island but Massachusetts, where I am from. I appreciate it.

Mr. KENNEDY of Rhode Island. I want to thank both my colleagues from Massachusetts.

Mr. Chairman, I realize the difficult choices the chairman and the members of the committee are faced with, but I want to discuss with the gentleman the fact that this bill provides no construction funds in fiscal year 1998 for the Blackstone Corridor.

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

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

Mr. REGULA. I understand the gentleman's concerns. I would point out that the Blackstone River Valley Heritage Project is one of the flagships of our national program. It has set a standard. Let me assure the gentleman that our decision had nothing to do with the committee's support for the Blackstone Corridor. The National Park Service has a $5.6 billion backlog of major priority construction projects; $575 million of that deals with critical backlog maintenance, needs such as failed water systems, broken sewer lines, deteriorating utilities, unsafe dams and other major health and safety projects. I might add, as I said in the opening statement, we are very sensitive about the backlog maintenance problems.

Mr. KENNEDY of Rhode Island. I appreciate the gentleman's position and I know the committee's support for the Blackstone Valley River Heritage Corridor. I know the chairman's sensitivity to the notion of passing the bill last year as we did during the last Congress and putting some of the construction funds in place, but then it is sort of analogous to building a house but not putting the furniture in it. We do not want to jeopardize this project by not following through on our commitment to it as we did through the authorization bill last year.

Should the Senate allocation in this year's bill be more generous than the House number and should the Senate provide the funds for this project, can I ask the gentleman as chairman and the members of his committee to consider supporting this project once again as he has done in the past?

Mr. REGULA. I would advise the gentleman were the Senate to fund this project for fiscal year 1998 and if the other priority needs for construction are met, I very much hope that we can provide the construction funding for the Blackstone Heritage Area. It is a good project and it deserves strong support. I do look forward to working closely with the gentleman from Rhode Island and the other two gentlemen that spoke to ensure the ongoing success of this project.

Mr. KENNEDY of Rhode Island. We certainly appreciate the chairman's consideration and look forward to working with him for the success of this project, which means a great boon to our area in northern Rhode Island and Massachusetts as well, which has seen a great growth in jobs as a result of this wonderful model project in this country of what a heritage corridor can do for the economy of a given region. I want to thank the chairman for his work on this.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $3,254,000, 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), $113,500,000, of which not to exceed $400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

AMENDMENT NO. 11 OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. SANDERS:

Page 5, line 4, after the dollar amount, insert the following: ''(increased by $19,000,000)''.

Page 59, line 10, after the dollar amount, insert the following: ''(reduced by $47,500,000)''.

Mr. SANDERS. Mr. Chairman, this bipartisan amendment which is being introduced by the gentleman from New Hampshire [Mr. BASS] and myself does two important things that most Members of this body agree with.

First, it deals with the very serious problem of underfunded mandates, of forcing citizens in close to 2,000 counties in all 50 States to pay more in local property taxes than they should be paying because the Federal Government has fallen very far behind in its payment in lieu of taxes on federally owned lands. This amendment addresses this problem by increasing payments in lieu of taxes by $19 million, from $113.5 million to $132.5 million.

Mr. Chairman, I should add here that this amount is exactly the amount authorized for fiscal year 1995, when Congress passed the reauthorization for PILT in 1994. In other words, this amendment provides what the Congress promised cities and towns all over this country 3 years ago that we should be doing. We made a commitment, we should honor that commitment, and that is what this amendment does.

Mr. Chairman, the PILT program was established to address the fact that the Federal Government does not pay taxes on its own land.

□ 1745

These Federal lands can include national forests, national parks, fish and wildlife refuges, and land owned by the

Bureau of Land Management. Like property taxes, PILT payments are used to pay the school budgets, law enforcement, and other municipal expenses. Communities all over this country are upset by the lack of fairness that they are receiving from the Federal Government, which is why this amendment is endorsed by the National Association of Counties.

Mr. Chairman, despite an increase that was granted 3 years ago in the PILT authorization levels, the actual appropriations have been kept nearly level, resulting in a revenue shortfall to local communities in real terms. For fiscal year 1997, for example, local governments will receive only 60 to 70 percent of the payment level which was set in the authorization. This amendment would begin to address this unfunded mandate by increasing the payment in lieu of taxes program to where it was in real terms 10 years ago.

The formula by which payments in lieu of taxes are made is a complicated one, and each property is treated somewhat differently, but on average, on average, if this amendment passes, each local government would see a 17-percent increase in PILT money, and that is a significant advantage to thousands of communities all over this country.

Mr. Chairman, we have heard a great deal of discussion recently about evolution and our concerns for local communities and local government. It is high time that the Federal Government accepted its responsibility to do right by local communities.

Mr. Chairman, the $47.5 million that we are using for these purposes, in other words, deficit reduction and increasing PILT payments to local communities all over America, would be transferred from the Fossil Energy Research and Development Program. According to the report of the fiscal year 1997 budget resolution which passed the House last year, the Republican resolution, and let me quote from that, and I quote:

> The Department of Energy has spent billions of dollars on research and development since the oil crisis in 1973 triggered this activity. Returns on this investment have not been cost effective, particularly for applied research and development which industry has ample incentive to undertake. Some of this activity is simply corporate welfare for the oil, gas and utility industries. Much of it duplicates what the industry is already doing. Some has gone to fund technologies in which the market has low interest.

Mr. Chairman, these are not my words. These are the words from the report of the fiscal year 1997 budget resolution produced by the leadership of the Republican party. But obviously it is not only Republicans or conservatives who feel this way; progressives agree. Public Citizen has this to say about the Fossil Energy Research and Development Program, and I quote:

> Fossil energy programs have received over $15 billion in Federal funding since 1974. The fossil energy industry is prosperous and mature, and it is not deserving of a continuing large share of taxpayer support.

Mr. Chairman, the bottom line is, progressives and conservatives support this concept. I would urge Members from both sides of the aisle to vote for it.

Mr. REGULA. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Vermont.

Mr. Chairman, I know the PILT Program is popular, but we have to make priority judgments. We have to decide what best serves the interests of the people of this Nation.

What we have done in the fossil program is look at it very carefully, and we have reduced it over the past couple of years by 30 percent, and we want to avoid cutting any more.

I think this term ''corporate welfare'' is used very carelessly, because we have established a policy that we do not fund these energy research projects unless the private sector puts in a substantial share of funding. These are very important partnerships.

And I want to point out one other thing. We made a policy in the fossil research program that once the technology is developed, the Government is out of it. We do not spend any money on commercialization. Once it is proven that a low emission boiler works, then it is up to the private sector to take over from there.

I simply say that to point out that we have tried to make these programs very efficient. We have restructured the programs so that we are not committed to large costly demonstration projects.

But my colleagues have to remember that this country relies on fossil fuels for the majority of its energy requirements and will continue to do so for the foreseeable future. That is coal, oil, and natural gas. This is what makes this Nation great; this is what drives this economy.

I think one of the great advantages our Nation has over our European competitors is low-cost energy. It is reflected in the fact that we have a 4 percent growth in the economy. In 1997, we hope that the deficit will be down under $50 billion. But to do that we have to keep research in fossil fuels, we have to ensure that in the future we are going to have the advanced technologies that will allow us to use our fossil energy sources in a very efficient and environmentally sensitive way.

Of course some of the critics contend that we should put more money into alternative energy sources and abandon research on traditional energy, the energy resources that fuel our economy, but I think that does not make sense given the realities of today's economy and the importance of fossil fuel.

I think that a lot of this research is designed to reduce the environmental impact of the use of fossil fuels because realistically that is going to be our energy source for as far as the eye can see. And if we want to leave for future generations the opportunity to have the same quality of life that we have had, we have to ensure that we can use fossil fuel in an energy-efficient way and that we can use it in an environmentally safe way.

What does that add up to? It adds up to research which improves the technologies, which develops new fossil fuel technologies which reduce emissions, which use energy more efficiently, and it creates jobs at the same time we explore the alternative energy sources.

We have done that in this bill, and I think it would be a serious mistake in terms of this Nation's economy to take money out of this fossil research program. It will cost $47.5 million from research to provide $19 million more for PILT. It would be nice to give these additional credits to local counties. We have done that while trying to stay within our allocation. But to cut our fossil energy research program would be very shortsighted in the long haul, and for that reason I have to strenuously object to this amendment.

Mr. Chairman, I hope that the Members will support us in defeating this amendment.

Mr. STUPAK. Mr. Chairman, I rise in strong support of the Sanders-Bass amendment which would restore much deserved funding to the PILT Program. PILT Program, payment in lieu of taxes.

Each year thousands of counties across this Nation lose out on millions of dollars in property tax revenue simply because the Federal Government owns the property. While the PILT Program was established to compensate for this fact, it is woefully underfunded. Since it was adopted in 1976, the PILT Program has neither kept pace with its authorized funding levels, nor with the true costs of providing services in support of the Federal lands.

We have repeatedly tried year after year to increase PILT payments, and unfortunately there is never any money for the PILT payments. And, as I said, it has not kept pace with the funding levels, the authorization levels, and that is why there is strong support of the Sanders-Bass amendment.

But if my colleagues take a look at it from an equity point of view, local governments have a right to be compensated for untaxable land which is owned by the Federal Government within their jurisdiction, for providing services to Federal employees, their families, and to the users of the public lands. PILT funds are used by these communities for important programs such as education, law enforcement, emergency search and rescue, fire and emergency medical services, solid waste management, road maintenance, and other health and human services.

In my district, Mr. Chairman, there are many counties where the Federal Government is the largest land owner, and our school districts cannot even bond to build a new school because most of the land is encumbered by the Federal Government and is nontaxable. Therefore we do not even have a tax

base to put forth a school system and to maintain a school system.

Therefore I urge my colleagues to cast a vote for equity by voting in favor of the Sanders-Bass amendment.

Mr. Chairman, I yield to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I thank the gentleman from Michigan for yielding the balance of his time to me, and I hate to disagree with my good friend, the gentleman from Ohio [Mr. REGULA] especially since we are going to do a colloquy in a few moments. But bottom line is the program that we are talking about here is corporate welfare. That is what the Fossil Energy Research and Development Program is, and that is not just my opinion. I remind the Members that it was the 1997 budget resolution of the Republican party which said, and I want to repeat this:

> The Department of Energy has spent billions of dollars on research and development since the oil crisis of 1973 triggered this activity. Returns on this investment have not been cost effective, particularly for applied research and development which industry has ample incentive to undertake. Some of this activity is simply corporate welfare for the oil, gas and utility industry.

Mr. Chairman, let me quote from the Congressional Budget Office:

> In the area of fossil research and development, commercial firms already spend a great deal of money to develop new technologies. The major new technologies for enhanced oil recovery, for example, have come from private industry, not DOE.

Mr. Chairman, this is an important point to make, and I want the Members to hear this:

> Among the beneficiaries of the petroleum research and development program are some of the largest multinational energy conglomerates in the world, including: Exxon, Chevron, Conoco, Texaco, Amoco, Phillips Petroleum, ARCO and Shell.

When kids around the country cannot get an education because this land is their land, the public land is not paying taxes, payment in lieu of taxes, should these major multinational corporations be the industries that we are subsidizing? I think not.

Mr. Chairman, this project, the fossil energy program, is being targeted as one of the dirty dozen corporate subsidies by the Stop Corporate Welfare Coalition, which includes National Taxpayers Union, Taxpayers For Common Sense, USPIRG, and Citizens Against Government Waste.

Mr. Chairman, this concept is supported by progressives and conservatives and people in between. Let us stop subsidizing large multinational corporations who do not need taxpayers' money. Let us help local communities all over America get the payments in lieu of taxes that they need.

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

Mr. Chairman, I rise in support of the amendment before the committee this evening, and I want to certainly thank the chairman of the Subcommittee on Interior for having crafted a bill that has created more headaches than I would ever want to have in a given week.

The question here really is, as he puts it, a question of priorities. There are over 2,000 counties in this country in 49 States, the gentleman from Vermont [Mr. SANDERS] said 50 States, that suffer as a result of chronic underfunding of the payment in lieu of taxes system in this country. The amendment that my colleagues have before them today will contribute not only to the PILT issue but also the deficit reduction.

Now, as other speakers have mentioned this evening, communities with significant Federal lands cannot collect the same kinds of property taxes as communities can that do not have Federal lands, and as has been mentioned before, the Federal Government moved to create a system whereby payments will be made in lieu of property taxes, but these authorizations and these commitments have been chronically underfunded.

□ 1800

In fact, today the Federal Government only pays a little more than 60 percent of what they are obligated to pay. What is the result of this? The result is that we have for communities in the affected areas a Hobson's choice. Either they can disproportionately increase taxes in order to meet their funding obligations, or they can provide fewer services: education, fire, and other services that are so necessary for communities.

I would not be standing before the Members today concerned with this amendment if it was not for the fact that this is a question of equity and fairness. We are talking about adding $19 million to the $132.5 million, which would bring the funding level up to what it was supposed to have been in fiscal year 1995, when I entered Congress.

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

Mr. BASS. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Chairman, I would just like to rise in support of this amendment and thank my colleague the gentleman from New Hampshire [Mr. BASS] and the gentleman from Vermont [Mr. SANDERS] for the excellent work they have done with the amendment.

I would just like to take a moment to underscore the important point the gentleman has made, that this is about inequity, it is about meeting our commitments, meeting the commitments that were made when Congress authorized the Payment In Lieu of Tax system. These are cities and towns that have national forests within their borders, and they are obligated at times for services, not just those of schools or municipal services that so many cities and towns have, but oftentimes services that take place in the boundaries of the national forest: rescue services, fire services.

The burdens that we place on them is one that we need to recognize. We need to recognize that the PILT has failed to live up to the obligations that were originally made, and that by putting that forward, $19 million to make up some of this difference, we move with a system that is fairer, one that helps us meet our commitments, and one that provides a lot of these towns with property tax relief, because so many of them rely on their property base for the taxes that they use to pay for municipal services.

So while I would like to commend the chairman for his work in putting together this bill, I would like to lend my support to the gentleman from New Hampshire and the gentleman from Vermont, and encourage my colleagues to support this amendment.

Mr. BASS. Mr. Chairman, I thank my colleague.

Reclaiming my time, Mr. Chairman, I would point out that if we were to fully fund the PILT program in fiscal year 1998, we would have an obligation of $224 million. We are talking about $132.5 million, so we are certainly not asking for everything that is really due.

I just want to conclude by saying that this is a bipartisan amendment. Any time the gentleman from Vermont [Mr. SANDERS] and I are producing an amendment together, Members can be sure it is bipartisan. It is an issue of fairness, an issue of giving what is due the towns, giving the towns what they are due. It is not full funding, as I said a minute ago, but Mr. Chairman, it is a step in the right direction.

If Members support equity, if they support help to communities that need assistance in funding for critical services in areas where there are Federal lands, please support the Sanders-Bass amendment.

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

Mr. Chairman, I rise in strong opposition to the amendment. The gentleman from Vermont [Mr. SANDERS] is attempting to increase funding for Payment In Lieu of Taxes, which is not necessarily a bad initiative, but he seeks to do so in a very reckless manner. The fossil energy program is one of the least understood and most important at the Department of Energy, supporting important cost-shared research and development activities to make energy resources we use the most cleaner and cheaper.

This also enhances our energy security as these resources are our most abundant domestic sources of energy. The Energy Information Agency has predicted that we will continue to rely on these resources and these sources of energy for over 85 percent of our energy needs well into the 21st century.

Additionally, any commitments the United States makes in the area of global climate change will necessitate that we find ways of reducing emissions without crippling our economy. Thus, it is vital that we maintain this

modest commitment to cleaner and more efficient energy.

Over the last several years fossil energy has undergone significant downsizing, roughly 10 percent each year. Now is not the time to seek additional savings from this program. This R&D work is conducted throughout the United States by a wide range of small and large companies. This amendment calls for an across-the-board cut, which in no way takes into account the needs of specific programs.

Mr. Chairman, I urge the defeat of this amendment.

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

Mr. Chairman, in Minnesota if a private citizen fails to pay his or her property tax bill within 7 years, they lose their property. The Federal Government is 20 years behind in keeping up with its payments to the counties of northern Minnesota and elsewhere around this country under the terms of the Payment In Lieu of Taxes legislation.

Twenty-five years ago, as a staff member for my predecessor, John Blatnik, who served in this body, I helped write the language that became the Payment In Lieu of Taxes law that is in place today. As a Member, I have worked to keep it in place, to expand it, to update it. But it has not kept pace with the needs of the counties in which these great Federal landholdings are located, and it has not kept pace, by any means, with inflation.

These are lands held in public trust for all Americans to enjoy, and they do come from all over the United States to enjoy the land of northern Minnesota, the boundary waters, canoe area, the Voyageurs National Park, Superior National Forest, I can go on with several others, and I will not name them.

But who is stuck with the bill? When the accident happens on the highway between Duluth and Grand Portage, MN, up in Cook County, it is the Cook County sheriff's department that has to come to scrape the bodies off the highway. It is the Cook County hospital that has to stay open 24 hours a day to accommodate them, in a little county of 3,600 people, 94 percent of the land in public ownership, most of it Federal, and they do not have the resources. How can 6 percent of the land sustain the total needs of that area and all the tourists who come from all over America to enjoy this land, and then they say, well, take care of our health needs, take care of our safety needs, take care of our requirements, law enforcement requirements, while we are in your midst?

All of America holds these lands in trust, and all of America should help pay the bill. We have not kept pace with the needs. That is what this amendment simply does.

It is unfortunate, I say to my colleague from Pennsylvania, that it comes out of a project or out of a resource or a fund that benefits a resource in his district. That is the budget economy we are dealing with. I also happen to have iron ore mining and manganese deposits in my district, and the research conducted by the Bureau of Mines was terminated. The Bureau of Mines was eliminated under this budget economy of ours. That is unfortunate.

But this is an obligation of all Americans to those who live in the area where we took land and said we are going to hold it in public trust.

Let us take St. Louis County. We could put the whole State of Massachusetts into St. Louis County; not all of the people, but the geography. Some people might say, that is a good thing; not the folks in northern Minnesota, however. That is how big this county is, 3,000 miles of county roads that have to be maintained on this little county budget.

All we are saying is increase, increase the funding under this Federal program to help this county take care of search and rescue, law enforcement costs, lost hikers who are out there in the Superior National Forest who need help. Someone has a fishhook in their eye in the Boundary Waters canoe area, they have to be treated in the Cook County Hospital, or in the Cook Hospital in St. Louis County.

Sanitary enforcement, planning and zoning, health services, groundwater, surface water, all of those are needs that the county has to attend to, and they do not have the resources to deal with it. All we are saying is help them keep pace.

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

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

Mr. SANDERS. Mr. Chairman, let me pick up on a point that the gentleman has made. In 1980 in real dollars PILT payments were $180 million. Today they are $113 million. It is the communities and the children and the citizens of those communities who are suffering. I just wanted to reiterate that point.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for that elaboration.

We are simply making an appeal for fairness, those of us who represent areas with large land jurisdictions in Federal holdings, for justice, decency, and respect for the people who are holding, who are the custodians of these lands held in public trust for all Americans. Help them pay the bill. Vote for the Sanders-Bass-Oberstar amendment.

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

Mr. Chairman, let me begin by thanking our chairman, the gentleman from Ohio, Mr. RALPH REGULA, for the outstanding work he has done on this major piece of legislation and involvement in working with all of us. We commend him for that.

Mr. Chairman, this amendment increases payments in lieu of taxes funding for counties and schools by $19 million, to $132 million for fiscal year 1998, while at the same time reducing the Federal deficit by $29 million. More than 20 years ago this Congress recognized a serious inequity existed in areas containing a high percentage of Federal property. Since the Federal Government does not pay taxes on its own property, these areas were left without any source of funding to provide for local schools and county services.

In 1976, we attempted to correct this inequity and provided funding in the form of payments in lieu of taxes, or PILT payments. However, since providing these payments, this Congress has failed to fully fund the PILT Program. Each year 1,789 communities in each of the 50 States lose needed Federal payments due to the failure of the Federal Government to appropriately compensate these communities for lost property tax revenue on federally owned lands. The Sanders-Bass amendment corrects this shortcoming, and provides an increase of $1.86 million of necessary funding for the communities in my own State of California.

To put this amount into perspective, many of the areas that will receive this funding were recently under water when the midwinter storms caused severe flooding. In January, the State of California suffered approximately $1.8 billion in damage. Each of the 10 counties in my district were declared a natural disaster area. The $1.86 million in PILT payments is sorely needed to rebuild after this serious disaster.

There are other reasons, however, to support this amendment. This money goes directly to local schools and rural counties who can least afford a loss of funding. In one California county, recent funding losses have forced the school district to completely cut out extracurricular activities, including sports and field trips, food service for one of its elementary schools, library services, two-thirds of its transportation services, all fine art programs, teacher training courses, a school nurse program, and all capital expenditures.

If these same cuts had been made in urban and inner city areas, lawsuits would have been filed and service levels would undoubtedly have been necessarily restored.

Mr. Chairman, today we heard a lot of discussion over the need for Medicare and the need to provide medical services for our elderly residents. Before any of our citizens can receive Medicare or Medicaid assistance they first must be able to have roads to travel on to get to the hospitals, ambulances to carry them in when needed, and hospitals to go to. By underfunding our rural counties, we have forced these counties to cut back on county services. These county services include road maintenance, ambulance service, search and rescue, law enforcement,

snowplowing, bridge maintenance, hospitals, and all local ground support for maintenance of Federal lands.

If the county services were to go away, the Federal Government would not have an infrastructure in place to service its public lands. When visitors get lost on public lands, it is the county search and rescue that comes to their aid. When visitors to public lands need police protection, that need is filled by county services.

Mr. Chairman, I support the Sanders-Bass amendment because it gives necessary assistance to counties otherwise left without a source of funding. I urge my colleagues to vote for public schools and county services by supporting this amendment.

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

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

Mr. BROWN of California. Mr. Chairman, if we are engaged in a comparison of the size of the counties that we represent, I would like to enter my entry in the contest. My good friend, the gentleman from California, [Mr. JERRY LEWIS], and I represent San Bernardino County, which is larger in size than the States of Pennsylvania, New Jersey, Maryland, Delaware, and Massachusetts combined.

□ 1815

Both of us, while we support the PILT program, oppose the offset provision that is contained in this amendment offered by my good friend, the gentleman from Vermont [Mr. SANDERS].

May I stress that while the support for this amendment deservedly is bipartisan, the opposition is also bipartisan. I would like to make that very clear.

Let me say in case there is any doubt about it that my very large county is probably about 75 percent owned by the Federal Government, and we benefit as much from PILT payments as any other county in the United States, probably considerably more because we are the largest county in the United States. And if there was any way that we could provide adequate funding for this program, other than taking it out of research programs which I have been supporting for the last 30 years, I would be very happy to support this amendment.

But I want to make it clear that the target for funding the PILT program is not a proper target. If there is any question about the value of energy research and specifically fossil energy research to this country, we ought to dispel it. This country has had a flourishing, developing, expanding economy because we conducted research on energy technologies of all kinds, beginning with the atomic energy program in World War II, and I have been involved, of course, with that program which preceded the creation of the Department of Energy.

Now, what can we say that would elevate the priority for energy research? I have tried to defend these research programs over the years in every way that I could. I think all of you know that according to most economists, half of the economic growth in this country, the increase in gross national product, stems from investments that we make in research. We make it in solar energy research; we make it in fuel cell research. We make it in all kinds of research. And we support a multitude of research programs.

Why pick on these research programs which collectively generate the growth in the U.S. economy and make us the world's leader in order to support something which deserves support but does not deserve support at the expense of what creates the growth for this country? It creates the jobs that we are training people in the schools for and does all of these other things.

I think that there is a failure to recognize the importance of these investments. I want to stress them in every way that I can.

Now, I also do not like, and I hope I do not offend anybody by making this statement, to argue support for this on the grounds that this research is corporate welfare.

Many of my colleagues have heard me debate our dear departed friend, Bob Walker, who I think coined this phrase because he objected to most forms of applied research that involved cooperation between the Government and the private sector. That is what this fossil energy research does. Bob used to decry any of these kinds of programs because he would say they are corporate subsidies. They are corporate welfare.

I happen to know a lot about corporate welfare. The biggest corporate welfare program in the world was the oil depletion allowance, which provided a very large subsidy to a very profitable industry over very many years until we woke up to the fact that it really was corporate welfare and we eliminated it.

These programs of cost-shared research, in which the role of the Federal Government is frequently only 5 or 10 percent, leverage the most important investments by the private sector that can be made.

The CHAIRMAN. The time of the gentleman from California [Mr. BROWN] has expired.

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

Mr. BROWN of California. Mr. Chairman, we should be proud of the fact that these shared research programs exemplified by the fossil energy research programs have contributed as much as they have. Have they all been successful? No. Over the last 25 years, I could give my colleagues a long list of those which did not produce and which were canceled, sometimes without being completed. Much of our nuclear program could be criticized. We have got nuclear plants around the country that were built but never used. My good friend, the gentleman from Washington [Mr. DICKS] has some in his area. But do we regret the fact that we spent money to develop the world's best nuclear power system? No. The nature of research is that you get some winners and you make a few losers once in a while. But if you do not continue to make the investments, you will never make progress.

I will stand in every case where an offset is made from energy research to support a worthy program and oppose it, much as I would like to support the worthy program. We are cutting at the lifeblood of this country's future when we begin to take out the funds for this offset from research programs of any kind.

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

Mr. Chairman, I would like to begin by expressing appreciation to the gentleman from Ohio [Mr. REGULA] for the fine legislation that is before us, but would like to say a few words in support of the Bass-Sanders amendment and give an example from my own district.

Last fall, as many of my colleagues know, President Clinton, with a few quick words and the stroke of a pen, created the massive Grand Staircase-Escalante National Monument in southern Utah. Contained within the 1.7 million acre monument are two counties in Utah, Kane and Garfield Counties. Thousands of tourists are now flocking to this area because it has been advertised in virtually every travel magazine in the country and the burden of those tourists falls squarely upon the 10,000 residents of those two counties.

These small counties have excruciatingly small tax bases. Garfield County, for instance, is 98 percent owned by the Federal Government. Yet every local resident must now pay for the costs of law enforcement, search and rescue, trash pickup, and other services incurred by tourists to the monument. That is fundamentally unfair.

Since we as Americans own the land, the Federal Government, not the residents of Kane County or Garfield County, should pay those bills.

This amendment is an important incremental step toward placing more of the costs of Federal lands where they belong, on the Federal Government. I encourage my colleagues to vote yes on the Sanders-Bass amendment.

Mr. REGULA. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. REGULA. Mr. Chairman, I understand the concern they have for PILT.

Let me point out to my colleagues that we put in $12 million more than was requested by the President in his

budget. We recognize how important this is to those who have Federal lands, and for that reason we increased the PILT program $12 million over what the President requested.

But, as the gentleman from California [Mr. BROWN] pointed out, our fossil energy research and development is also an important program. And we have, over the years, developed synergically advanced technology, as has been stated many times. We can burn coal more cleanly and efficiently because of the fossil energy research effort. For every barrel of oil we produced, we have left two in the ground. And we have invested millions of dollars under the leadership of the gentleman from California [Mr. BROWN] in developing technologies to recover these resources.

The reason we have cheap fuel in this country, the reason our economy is the strongest in the world, is in part because we have readily available energy resources and that is the result of the things that we have done in the past in fossil research, a result of the committee, the Committee on Science, having the vision to authorize these programs.

We have another problem. That is, we are phasing down contracts, but we have contractual obligations. If we take $47 million out of the fossil research program, we are going to breach contracts. We are going to have lawsuits against this government.

We have already reduced the fossil program 30 percent. So let me say, and I endorse what the gentleman from California [Mr. BROWN] said, PILT payments are, but this is not the place to take the money because we want to keep those jobs, we want to keep this economy strong. We will not get to a balanced budget unless we have growth in the economy. Energy is the lifeblood of this Nation. It is critical to continue to develop these advanced technologies to lead us to the 21st century.

And let me say, too, in our fossil research programs, we have insisted on cost-share participation from the private sector. This is not a giveaway. And one of the reasons these programs have been so successful is because the private sector gets involved with their own money.

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

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

Mr. OBERSTAR. Mr. Chairman, I was remiss in not thanking the chairman and recognizing the chairman for his efforts to increase the funding of PILT. I really do appreciate the initiative.

This is not a comment in any way on the gentleman's custodianship of that extraordinarily difficult budget which he has to administer. These are very difficult choices. We understand that. We understand the need for research. We have spent millions of dollars on those research projects for fossil fuel over the years. I compliment the chairman on the job he has done. It is just that we feel that we need to go further.

Mr. REGULA. Reclaiming my time, Mr. Chairman, I understand what the gentleman is saying. As I pointed out in the general debate, this bill is less than last year, not much but it is less and, therefore, we simply cannot do all the good things we would like to do. But I think the fossil research programs are vital. These are contractual relationships. The government, the United States Government has a responsibility to complete these contracts because the private sector has invested its money, and to suddenly pull the rug out from under them would be not only unfair but could be very costly in lawsuits.

Far more important, if this Nation is to continue to grow, to have jobs, to have opportunities, to continue to be a world leader, we need to develop the fossil energy resources so we can use them in an environmentally safe way, we can use them at a low cost to our economy; and certainly we have a proposal from the EPA to decrease, in effect, the levels of particulate matter. That, again, emphasizes how important research on fossil energy is to the future of this Nation.

If we are to meet these new more stringent standards on air quality, we have to continue the fossil research programs. As the gentleman from California [Mr. BROWN] pointed out, I do not quarrel with the PILT program. That is why we increased it $12 million over the President's budget request. But I think to take money out of the fossil program would be a serious mistake in terms of the future of this Nation.

Mr. SANDERS. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. SANDERS. Mr. Chairman, I want to thank the gentleman from Ohio [Mr. REGULA] for the outstanding work that he has done on this budget. I applaud his efforts. We just disagree on this issue.

This is the bottom line. It is not complicated. You have heard it from conservatives and progressives, Democrats, Republicans and Independents. This is tripartitism. The issue is that we have 1,700 communities throughout the United States of America in 50 States who are not receiving fair compensation from the Federal Government.

In fact, in 1980, in real dollars, they were receiving then $180 million in PILT payments. Today it is $113 million, significant reduction in PILT payments.

In terms of the fossil energy research and development program, what we have got to ask ourselves is whether or not we should be subsidizing Exxon, Chevron, Conoco, Texaco, Amoco, Phillips Petroleum, ARCO and Shell. These are profitable multinational corporations. I frankly do not think they need these subsidies. I would simply point out that opposition to the fossil research program is widespread from conservatives, from progressives. It was targeted as one of the quote unquote dirty dozen corporate subsidies by the Stop Corporate Welfare Coalition which includes the National Taxpayers Union, not necessarily a progressive organization, I do not get a terribly high rating from them, Taxpayers for Common Sense, USPIRG, Citizens Against Government Waste.

The choice is clear. Do we stand up for the kids who are not getting adequate education throughout this country because of lack of Federal payments, or do we stand with some companies that really do not need the subsidies. I would urge a ''yes'' vote for the Sanders-Bass amendment.

□ 1830

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

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

The CHAIRMAN. Pursuant to House Resolution 181, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

Mr. MICA. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I rise to engage the gentleman from Ohio [Mr. REGULA], chairman of the Subcommittee on Interior of the Committee on Appropriations, in a brief colloquy.

I first want to take a moment to thank the gentleman from Ohio and his staff and the ranking member and the staff of the minority for the tremendous effort they have put forth in bringing this legislation to the floor. I realize the many challenges that they have and the many needs that we have throughout the Department of the Interior and the demands on Interior appropriations.

Mr. Chairman, I was going to offer an amendment to increase funding for the National Park Service for a project in my district known as Seminole Rest, a historic site renovation project at Canaveral National Seashore in east central Florida. Although I will not offer that amendment, I strongly support efforts to develop this site in a manner which preserves both its resources while making them available for public enjoyment.

Mr. Chairman, it is my hope and understanding that the gentleman will work with me and the National Park Service and the Department of the Interior to help preserve and develop this project, Seminole Rest at Canaveral National Seashore.

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

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

Mr. REGULA. Mr. Chairman, I thank the gentleman from Florida for his

comments and I would be pleased to work the gentleman and with the National Park Service to find appropriate means to address the problems at Seminole Rest.

Mr. MICA. Mr. Chairman, reclaiming my time, I thank the chairman and I will be submitting a more lengthy statement, a complete statement, for the RECORD.

Mr. Chairman, I rise today to express my concern that we may miss an opportunity to save a resource of great significance to both my State of Florida and our Nation—Seminole Rest, which is located at the Canaveral National Seashore. This 26-acre site sits on the edge of Mosquito Lagoon in one of the last pristine environmental preserves along the East Coast of the United States. On this property are located three cultural resources; a shell midden known as Snyder Mound as well as two historic buildings; the Instone House and the Caretaker's House.

Seminole Rest holds archaeological resources which reflect periodic occupation over a period of about 2000 years. In fact, Snyder Mound is one of the most significant and unique Indian middens in the United States. This midden contains the remains of shellfish and other refuse discarded by prehistoric Indians who inhabited the site as early as 800 AD and may represent as much as 700 years of prehistoric occupation. The two historic houses are significant for their design and integrity, and have been located on the property since before 1890. On March 19, 1997, Seminole Rest was listed on the National Register of Historic Places.

I strongly believe we should be acting to develop Seminole Rest in a manner which preserves its resources while making them available for public enjoyment. Additional property north and south of Seminole Rest should be acquired both to act as a protective buffer and to provide for an interpretive display—one which would trace the history of the Indians who once lived on the site. Further space exists for marine life exhibits, limited public boat-launching facilities and boat tours from Seminole Rest to Canaveral National Seashore.

Unfortunately, Mr. Chairman, despite the obvious archaeological and historical significance of this tremendous resource, Seminole Rest today lies in a state of abandonment and deterioration. Despite the obvious potential of Seminole Rest, the two houses on its property are in desperate need of repairs and restoration. And with many other shell middens lost over the years to erosion and construction, Snyder Mound is one of the last sites of its kind and may be lost as well. However, I am concerned that the appropriations bill before us today lacks the critical funding which would permit the National Park Service to act to save this resource.

Today I had intended to offer an amendment to provide an additional $2 million to the National Park Service for operation and maintenance so that it might act to save Seminole Rest. I will instead withdraw my amendment and have agreed to work with both my distinguished colleague, Chairman REGULA, and with the National Park Service to ensure that we preserve and develop Seminole Rest as a national and historic resource.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $12,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

AMENDMENT OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer an amendment.

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

The CHAIRMAN. The point of order is reserved.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Miller of California:

Page 5, after line 15, insert:

PRIORITY FEDERAL LAND ACQUISITIONS AND EXCHANGES

To carry out priority Federal land exchange agreements and priority Federal land acquisitions by the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and the United States Forest Service, up to $700,000,000 to be derived from the Land and Water Conservation Fund, to remain available until expended, of which not to exceed $65,000,000 is for the acquisition of identified lands and interests in lands and for other purposes to carry out the Agreement of August 12, 1996, to acquire interests to protect and preserve Yellowstone National Park, and not to exceed $250,000,000 is for the acquisition of identified lands and interests in lands, at the purchase price specified, in the September 28, 1996, Headwaters Forest Agreement.

Mr. MILLER of California (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 California?

There was no objection.

Mr. MILLER of California. Mr. Chairman, I thank the chairman for his reservation of his point of order.

The purpose of this amendment which I am offering is to try to reinsert into this bill, the legislation that is before us, the $700 million, for the Land and Water Conservation Fund for the acquisitions that were discussed within the Committee on the Budget and within the budget agreement agreed to between the leadership of both Houses and the President of the United States.

The Land and Water Conservation Fund, as most Members understand, was intended by Congress to provide the resources to protect, enhance, and expand our Nation's parks, wildlife refuges, public lands and forests. The trust fund has accumulated some $12 billion and is growing at the rate of nearly $1 billion a year.

So when the conferees to the budget agreement provided for priority land acquisitions of some $700 million, they were not being fiscally irresponsible at all. What they were trying to do is to get this Congress to meet its obligation to the people of this country to make sure that the legacy of this country with respect to the greatest of our natural resource assets, our parks, our refuges, our wilderness areas and those areas yet waiting to be acquired is preserved.

Two of the most important to me in this fiscal cycle is that which is to deal with the buyout of the New World Mine, which was a mining development which was providing the threat to Yellowstone National Park above the Clark's Fork River. I think the administration and the mining company came to a wise agreement not to go forward but certainly they were entitled to compensation.

The other is in the Headwaters Forest in northern California, where we have one of the last remaining stands of old growth forests, of redwood trees, that clearly the Nation has made a decision they would like to preserve. Certainly the people of California recognize that these forests say a great deal about the heritage of this country and the importance of those forests to the American people.

Again, negotiations have been entered into, including the State of California, the Federal Government, this administration, Members of Congress to try to come to an agreement for the purchase price. This $700 million would allow these two purchases to go forward and also providing additional money for other purchases and priority projects within the agreement.

Mr. Chairman, I appreciate that some people who perhaps do not know as much about the priorities and the needs of the Park Service got involved in suggesting to the committee maybe where this money should have been spent, and they would have been better off not doing that. But I am also terribly afraid that we will lose the opportunity to have this money be used for this purpose should this bill pass without this amendment to it, and we will lose the opportunity both for the acquisition of the Headwaters and of the New World Mine and the backlog.

It is interesting, as we told Members we were going to offer this amendment, a great many Members have called our office saying could they be included. That is not our purpose in offering this amendment. That is a proper question for the Committee on Appropriations.

Let me just say, and then I will be glad to yield, that I offer this amendment in the spirit of many of the Members who are on the floor today with deep concern about our natural resources. That is not to in any way minimize the struggle and the work product of this committee, because this committee has been handed a menu of desires by Members of Congress on an urgent basis and the committee simply does not have enough money to meet all those needs. So I say that because I think this committee has done an outstanding job. I just would hate to lose the opportunity that this money within the budget agreement provides us.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. MILLER of California was allowed to proceed for 3 additional minutes.)

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

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

Mr. DICKS. Mr. Chairman, I appreciate first of all the chairman's leniency here, and I want to compliment my friend from California for bringing this issue up.

Our committee struggled with this issue. A decision was made not to put the money in at this point. I happen to believe, and I hope that by the time this bill is done that we will have the $700 million then.

I had a chance to visit northern California, the redwoods myself, just a few days ago during the recess. I wanted to see this Headwaters area. And I think it is absolutely essential that we move forward. Others are more expert on the Yellowstone issue.

I know our chairman had concerns about the backlog of maintenance and other things and, hopefully, we can work out something in the conference committee on this issue if the gentleman's amendment is stricken. I regret that it will be, I think it will be, but I think bringing up this issue is very, very important. I hope at the end of the day we are able to acquire these properties and make the progress which I know the gentleman and many of us would like to see accomplished in this Congress.

Mr. MILLER of California. Mr. Chairman, reclaiming my time, I thank the gentleman very much for his remarks, and again I hope that people understand the spirit in which this amendment was offered.

I appreciate the chairman reserving his point of order rather than making it at the outset so we would have an opportunity to discuss a matter which is obviously very, very important to those of us in California, but I think also to many of our colleagues, as we struggle to provide for the backlog of acquisitions and maintenance and repair to the public resources in this country.

I want to again commend the chairman. I wish I could have stood up and had a colloquy with the gentleman, because everyone was doing so well in these colloquies, but, unfortunately, I only had an amendment so it has not worked out quite as well as I wanted it to. But I appreciate the gentleman's reservation and allowing me the time to offer this amendment.

The CHAIRMAN. Does the gentleman from Ohio [Mr. REGULA] still reserve his point of order?

Mr. REGULA. Mr. Chairman, I continue to reserve my point of order.

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

I thank the gentleman for his comments and I understand his concerns. With respect to the $700 million that was negotiated, I do not think anyone in this room was part of that negotiation, but the $700 million, wherever it came from, is restricted to land acquisition.

The problem I have with this is that we are looking at this backlog of unmet maintenance needs of $14 billion. We look at construction projects, and we have heard of them today. Frankly, Indian facilities are a tragedy. What we have let happen to schools and hospitals on Indian reservations is a disgrace. There are so many unmet needs. And today, when the United States already owns nearly 30 percent of the Federal land, I do not think it makes good sense prioritywise to commit another $700 million to the purchase of enormous additional acreage. Before we start buying more, let us take care of what we have.

Most people do not realize that almost one-third of the United States is Federal land. And on those lands and on these facilities we have this $14 billion in unmet needs, $14 billion of neglect. To go out and buy land, I think, would be a great mistake in judgment and in establishing priorities, which we have to do on this bill.

Now, I would point out to the gentleman from California, he mentioned the New World Mine and the Headwaters Forest, but there is no environmental impact statement at the moment, there is no current appraisal, there is no habitat conservation plan, there has not been a hearing in our committee and there is no comprehensive oversight.

The President told us earlier this year that they did not need us. They did not need the Committee on Appropriations; they were going to handle this under FLPMA by exchanging lands and giving the owner of Headwaters a building in Los Angeles and so on. Then, suddenly, they discover they need money.

Let me point out again that prioritywise we have a lot of other things: failing sewer systems at Yellowstone and Glacier, unsafe access routes at Cape Cod, at Eisenhower, at Shenandoah, leaky roofs at the native American schools in Oklahoma, Maine, and Arizona, condemned kitchens, inoperative plumbing in Washington and Arizona in detention facilities, fire hazards, deteriorated dams and levees, endangering habitat and public recreation, erosion of water control structures, 100 abandoned mine shafts and the list goes on, all a great danger to the people of this Nation.

Prioritywise, to spend $700 million, adding to the 30 percent of America we already own would be a serious mistake in the face of all these needs that face us.

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

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

Mr. MILLER of California. Perhaps the gentleman would like to exercise a point of order.

Seriously, Mr. Chairman, let me say to the gentleman that I think he is making a terribly important and valid point and that is why I alluded to, in my remarks, that I wished when the deal was cut they had spent some time with people who had spent most of their legislative life dealing with these issues and a better package could have been put together.

The gentleman from Washington [Mr. DICKS] suggested there may be an opportunity over the life of this bill to get some of this money included, and I would hope it would be. I also hope it would be included with the full input of the Committee on Appropriations so that we can go to where the priorities are. I would say that there is a lot at stake both with respect to the New World Mine and the Headwaters.

I would also just say that the United States recently won a very important court case that said that we owned the lands that were contested off the coast of Alaska, and it is about $1.5 billion. I have introduced legislation. I would hope this committee would take a look at whether or not that money could be put into restoration and the backlog that has so troubled the chairman and the rest of us. Because the gentleman's priorities are exactly right, but somehow we have to find the money to deal on both fronts, both with acquisitions and with the standard of care we owe the American people with the current resources.

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

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

Mr. DICKS. Mr. Chairman, as I understand the problem here, under the Land and Water Conservation Fund legislation, we do not have an authorization to do backlog projects with that money.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. REGULA] has expired.

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

Mr. DICKS. Mr. Chairman, the distinguished gentleman is in a position on the authorization committee to help us solve that problem. That would be, I think, a good change, and we could have a balance between new acquisitions and taking care of the backlog. I think that would be a very good outcome here.

□ 1845

I know it is one the chairman, I think, thinks is the right direction to go.

(Mr. REGULA asked and was given permission to speak for 2 additional minutes.)

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

Mr. REGULA. I yield to the gentleman from Wisconsin [Mr. OBEY], the

ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I thank the gentleman from Ohio for yielding.

I simply would like to say that I think the amendment of the gentleman from California is a constructive amendment because it both attempts to target some of the high priority items that ought to be purchased and, second, it does not attempt to put this committee in an illegitimate straitjacket, as did the Committee on the Budget in its gratuitous determination of exactly what amount would be provided.

Under the Committee on the Budget, under the rules that they would want enforced, it would be permissible and within budget rules if we produced $700 million in acquisition, but it would be against the rules as exceeding the budget amounts if we provided $690 million. That is ludicrous on its face.

I think the gentleman's amendment, by saying up to $700 million, brings it back within the legitimate approach of the appropriations process, and at the same time it tries to meet some high-priority needs of the country with respect to Yellowstone and the California lands in question. I, for one, think the amendment would be adopted if the rules of this House made any sense and if the House itself made any sense on this bill.

Mr. REGULA. Mr. Chairman, how much time do I have?

The CHAIRMAN. The gentleman from Ohio has 1 minute remaining.

(By unanimous consent Mr. Regula was allowed to proceed for an additional 2 minutes.)

Mr. REGULA. Mr. Chairman, I yield to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the distinguished chairman for yielding. I am going to submit my full statement for the RECORD, because the gentleman from California [Mr. MILLER] covered, in presenting his amendment, many of the concerns that I have.

But I do want to commend the gentleman from Ohio (Mr. Regula), the distinguished chairman, for his leadership on this committee. We are very fortunate to have him there. And he is quite correct, there were representations made about the Headwaters, that some kind of exchange could be made through a full presentation to the subcommittee on the Headwaters.

The need for funds for Headwaters was not presented to him. But we do now have an agreement, concluded after exhaustive negotiations between major timber districts and the Federal Government, to acquire the important land in the Headwaters Forest. As the chairman knows, this is an extremely vital part of our northern California forest ecosystem that protects endangered species and their habitat. It is a long-awaited goal that is now before us, that will be lost without action now. We do not want to risk this great, unique wonder of nature, because once lost, it is lost forever.

I would also say that in addition to my own area that I am interested in, I think the New World Mine property is an important acquisition because it would threaten Yellowstone National Park if we could not do that.

But, as I say, the gentleman is quite correct, he was not appropriately approached for this appropriation because at the time another remedy was being sought. Those remedies have been exhausted. We do have an agreement now which I hope, further along in the process, as the gentleman from Washington [Mr. DICKS] and the gentleman from California [Mr. MILLER] said, that we will have a chance to revisit this.

I once again thank the gentleman for the way he does protect our natural resources and listens to our concerns.

Mr. Chairman, I rise in support of the Miller amendment to provide increased funding for the Land and Water Conservation Fund.

The fund has been dormant for far too long while the backlog of environmentally sensitive lands has increased to a critical stage.

The budget agreement provided $700 million for the land acquisitions under the fund and yet the committee chose not to include this amount of funding.

We have waited for years to address the enormous backlog that exists, as well as to act on new priorities that will be opportunities lost without this funding.

For instance, there is now an agreement, concluded after exhaustive negotiations, between major timber interests and the Federal Government to acquire important lands in the Headwaters Forest. This is an extremely vital part of our northern California forest ecosystem that protects endangered species and their habitats. It is a long-waited goal that is now before us and will be lost without action now.

In addition to this important acquisition, the New World Mine property that would threaten Yellowstone National Park is a priority acquisition. We cannot measure the value of this natural treasure—one of the crown jewels and original parks in our national system.

We had an agreement; the money is there—why should we hesitate to address these compelling needs. Why should we risk the future of these great, unique wonders of nature? Once lost, they are lost forever.

I urge my colleagues to support the Miller amendment. Thank you.

Mr. REGULA. Mr. Chairman, reclaiming my time, just let me make a final comment. I would hope that the committee, in which the ranking post is held by the gentleman from California [Mr. MILLER], would examine some of these issues in the interim between now and conference.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Ohio insist on his point of order?

Mr. REGULA. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act, as amended.

The Committee on Appropriations filed a revised subcommittee allocation for fiscal year 1998 on June 24, 1997, House Report 105–151. This amendment would provide a new budget authority in excess of the subcommittee allocation and is not permitted under section 302(f) of the act.

In addition, Mr. Chairman, section 205 of the budget resolution only makes the $700 million available for land acquisition if it is in a reported bill from the Committee on Appropriations. The budget resolution does not apply to floor amendments.

Mr. Chairman, I ask that the amendment be ruled out of order.

The CHAIRMAN. Does the gentleman from California [Mr. MILLER] wish to be heard on the point of order?

Mr. MILLER of California. Unfortunately, Mr. Chairman, I think I have to concede that the gentleman from Ohio [Mr. REGULA] is correct. I wish the rule had been written otherwise. But, in fact, the gentleman is correct.

The CHAIRMAN. The point of order is conceded and sustained.

Mr. FARR of California. Mr. Chairman, I rise today in strong support to the amendment offered by the gentleman from California [Mr. MILLER]. This amendment will raise the funding level for the land and water conservation fund to a level consistent with the budget resolution that 333 of our colleagues supported. The budget agreement authorized these funds as an addition to the 602(b) allocations, so it wouldn't take money from other programs. The Appropriations Committee failed to include these funds in this bill. It seems contradictory to me that we will spend all of this time debating an amendment that was already agreed to overwhelmingly by this body.

The land and water conservation fund serves as a primary vehicle for land acquisition to protect the natural, historic, cultural, and outdoor recreational resources that must be guarded and preserved so that they may be passed on to future generations. President Theodore Roosevelt said ''The Nation behaves well if it treats the natural resources as assets, which it must turn over to the next generation increased, and not impaired in value.''

There is not a congressional district in the country that has not benefited from the parks, recreation facilities, wildlife areas made possible by this fund. For years Congress has denied allocating all of the money that is available to the land and water conservation fund from the revenues received from oil and gas leasing on the outer continental shelf. Last year, Congress only spent $138 million of the almost $900 million that was collected. This year the appropriators approved an additional $100 million but it is still less than one-third of the money available this year and only a trivial amount of the more than $10 billion of the accumulated unappropriated balance.

Mr. Chairman, it is time that we use this money as it was intended. The Miller amendment must pass for two important reasons: first, it keeps us from violating the budget resolution and second, it is a positive step forward in the mission of the land and water conservation fund to protect our resources and promote recreation.

AMENDMENT NO. 1 OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment and I ask unanimous consent to amend part of the bill

that has been previously read for amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 Offered by Mr. GUTIERREZ: Page 2, line 13, strike ''$581,591,000'' and insert in lieu thereof ''$576,939,000''.

Page 60, line 20, strike ''$636,766,000'' and insert in lieu thereof ''$638,866,000''.

The CHAIRMAN. The gentleman from Illinois [Mr. GUTIERREZ] is recognized for 5 minutes in support of his 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.

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

Mr. Chairman, I offer an amendment that I have had scored by the Congressional Budget Office, and they have determined that this amendment will save taxpayers $4 million in outlays this year. I ask that I be authorized to present this amendment at this time.

I want to thank the chairman, the gentleman from Ohio [Mr. REGULA], and the ranking member, in whose stead the gentleman from Washington [Mr. DICKS] was here for us instead of the gentleman from Illinois [Mr. YATES], for permitting me the presentation of my amendment to the Interior appropriations bill.

I believe that the amendment before us offers the Members of the House an outstanding opportunity to save taxpayers' dollars, to reduce the deficit. My amendment gives an opportunity to eliminate some government waste and inefficiency in favor of deficit reduction and modest funding for programs that promote local community solutions to energy conservation.

My amendment would reduce funding for the Bureau of Land Management's Public Domain Forestry Program from the committee recommendation of $5.652 to $1 million for the fiscal year 1998. This amendment would also increase by $2.1 million dollars the appropriation for energy conservation programs.

Specifically, and I wanted the legislative history to reflect my intention, this funding would be allocated to the Department of Energy's urban heat island research and highly reflective surfaces program. Those programs would provide technical and scientific assistance to local communities to assist with planning and implementation of measures to reduce energy costs for cooling in public commercial and residential buildings.

At the 10 demonstrations sites already established by DOE, every dollar in Federal funding has been matched by $7 or more by local and State governments, utilities, business groups, and nongovernmental institutions. Nationally, the cost benefits of implementing energy conservation measures such as hide reflective surfaces program are estimated to reach $4 billion a year. However, we cannot attain these savings unless we dedicate more money to research.

These cost-effective benefits stand in clear contrast to BLM forestry. The BLM forestry program has been found to consistently operate at a significant loss to American taxpayers. Rather than being an economically self-sufficient program, as required by Federal law, the BLM forestry program fails to offset even the cost of administering the program. In fact, the more money the agency has devoted to this program, the more taxpayer dollars have been wasted and lost.

Based on data collected by a nonprofit public employee organization, the program stands to lose more than $30 million during the next 5 years. For this reason, Taxpayers for Common Sense and the Concord Coalition support eliminating funding for BLM forestry.

In addition to the economic and budgetary reasons for eliminating the program, experts believe it is threatening the unique transitional forests that exist in many regions around our nation. Disregard for to the National Environmental Protection Act has also been well documented in the administration of this program.

As we work to balance the Federal budget, I feel well should not devote our precious resources to inefficient programs. This is a simple amendment that accomplishes three goals. We devote $2.5 million to deficit reduction. We increase funding by $2.1 million for energy conservation. We bring under control a wrongful and environmentally damaging program.

I urge my colleagues to support this amendment and work with me to reduce the deficit, eliminate waste, and increase savings for future generations.

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

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume. I rise in opposition to the amendment.

Mr. Chairman, the committee does support urban heat island research in the fiscal year 1998 budget at a $700,000 level. And would I point out that the Department has proposed a cool communities concept since 1995, and the committee has directed the Department to pursue the program within the context of urban heat island research, which I think you are interested in. The concept of planting trees and painting surfaces light colors in urban communities to cut down on heat problems and create cool communities is a useful concept, but it is not something that I think requires a multimillion-dollar program in the Department of Energy.

I have to point out also that the offset here for this proposed amendment is to eliminate $4.6 million out of the total of $5.6 million in the Bureau of Land Management for the Public Domain Forestry Program. Obviously this is a very important program, and this amendment would terminate the Bureau of Land Management's ability to preserve forests on 48 million acres of forest land. This amendment would devastate local communities that depend on timber and vegetative products from the BLM forest lands, and would result in the loss of hundreds of timber-related jobs.

BLM would be unable to deliver critical services to local communities, including wildfire control efforts, and prescribed fire planning and control. BLM would be unable to undertake projects to reduce susceptibility to fire, to address overstocking in woodlands and commercial forest areas, and to do forestry stocking. Over $3.5 million would be lost in BLM timber receipts. Because of this amendment, 40,000 permits that are issued for the sale of vegetative products would not be issued, resulting in again an annual loss of $300,000.

Obviously, I understand the interest of the gentleman from Illinois [Mr. GUTIERREZ] in this. But to take $4.6 million out of a budget of only $5.6 million for the BLM forestry program would be a serious mistake.

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

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

Mr. DICKS. Mr. Chairman, I rise in opposition to the amendment proposed by my friend the gentleman from Illinois [Mr. GUTIERREZ]. I do believe the chairman has made a compelling case here about why this cut to the public domain program would be devastating to the BLM and to those communities that rely on it. I just regret that the gentleman did not have a better source, but have I to be in opposition to this amendment.

Mr. REGULA. Mr. Chairman, reclaiming my time, I urge the defeat of the amendment. I hope the gentleman from Illinois [Mr. GUTIERREZ] will work with the Department of Energy in the urban heat island research programs, but it would be a great mistake of judgment to tamper with the BLM forestry program. I urge defeat of the amendment.

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

Mr. GUTIERREZ. Mr. Chairman, I yield myself the balance of my time.

No. 1, just in case the time runs out, Mr. Chairman, I want to thank the chairman for not raising a point of order and allowing me to offer this amendment, so I want to use my time first to get that out of the way.

Second, I would like to say that, look, the ''green scissors coalition'' have found this program environmentally and fiscally unsound. Let us

face it, it helps a lot of large, huge timber companies who are going to continue to chop down timber regardless of those $5.6 million. One of those companies alone that used this program estimated their gross last year was $1.6 billion. We are not talking about small ma and pa operations where this money is used. They are rather large companies which use this money.

So rather than allow huge companies to chop down trees on the clean, we should finally ax a government program that wastes our precious natural resources by chopping down those trees in an environmentally dangerous fashion that they will do, and with our taxpayers' dollars. They really do not need the subsidy. We can use it, obviously, in our inner cities throughout the Nation.

And there are 10 programs, and it is good, and the chairman is absolutely right, there is money, $700,000. But really we got 10 programs and some of the money. There was more money before for these programs. There is less money today and I just wanted it see if we could get some more money, so I proposed this amendment.

I know that we have agreed to a voice vote, Mr. Chairman, on this, and so I thank the chairman once again for allowing me the opportunity to present this amendment.

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Mr. REGULA. Mr. Chairman, I yield myself the balance of my time.

I would only point out that these are small, very small companies that do this forestry program in conjunction with the BLM. These are not large companies. It is obvious by the amount of money involved here.

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

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

Mr. DICKS. I would point out to the gentleman from Illinois that according to the Forest Service data, this is true for BLM, 95 percent of all timber sales in 1996 were purchased by small timber companies. In contrast, large timber companies purchased only 5 percent of these timber sales. There is a perception out there that this is going to the big boys, but they are not involved. It is the small companies that are involved.

Mr. REGULA. Mr. Chairman, reclaiming my time, I commend the gentleman from Chicago for his concern for his community, and I hope he will work with the Department of Energy to address his problem. I have to oppose this because of the impact it would have on the BLM forestry program.

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

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

Mr. GUTIERREZ. Just to add one quick word, it is not who is purchasing, it is who is selling the timber.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. GUTIERREZ].

The amendment was rejected.

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

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

Mr. GILMAN. Mr. Chairman, I rise in strong support of the provision in this bill which allocates $8.5 million for the acquisition of Sterling Forest lands in southeastern New York State.

As my colleagues may recall, during the 104th Congress, we approved and the President signed into law the Omnibus Parks bill of 1996. That act dealt with numerous important public land issues. I was most gratified that the act included language protecting Sterling Forest, an 18,000-acre parcel of environmentally sensitive and an historically important piece of land in my congressional district in Orange County, NY.

More importantly with the help of the gentleman from Ohio [Mr. REGULA], $9 million was appropriated during the last Congress as a first installment for the purchase of Sterling Forest. The agreement to purchase Sterling Forest not only represents a commitment by both the Governors of New York State and the State of New Jersey to protect our region's sensitive lands, but it is also a model which can be replicated for future public land purchases. Not only have Federal funds been committed to the purchase of Sterling Forest, but both New York and New Jersey have committed $10 million each for its purchase and the private sector has also committed a significant amount for this worthy endeavor.

Accordingly, I commend the subcommittee for its efforts in preserving these lands, and I urge my colleagues to support this important provision.

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

Mr. Chairman, I would like to use this opportunity, if I might, to enter into a colloquy with the gentleman from Ohio [Mr. REGULA], the chairman of the subcommittee. I want to thank the gentleman for his support over the years for the Marsh-Billings National Historic Park in Woodstock, VT. This park, scheduled to open in 1998, is very important to Vermont and to others interested in sustainable agriculture.

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

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

Mr. REGULA. I would be very pleased to participate in a colloquy with the gentleman from Vermont concerning this new unit of the Park Service.

Mr. SANDERS. Mr. Chairman, with the gentleman's assistance, last year Congress provided some initial funding for the park, and I am pleased that the fiscal year 1998 bill fully meets the park's needs for its operating costs. However, the bill does not provide the construction funds needed to refurbish the park's historic Carriage House.

Mr. REGULA. The gentleman from Vermont raises an important issue. The construction budget for the Park Service is severely constrained. We have to address the critical backlog of unmet maintenance. I mentioned this before. We have a huge amount of that. Because of our backlog of unmet maintenance needs, we have had to delay new construction and new construction at new units in order to help maintain and fix what we already have.

Mr. SANDERS. While I appreciate the very tough decisions faced by the committee, construction funds are critical for the Marsh-Billings Park. The funds are needed to construct new restrooms, visitor orientation space, staff offices, and an art storage facility. Without these improvements the park will not be able to provide basic visitor, museum and administrative services.

The Senate allocation is more generous than the House number. Should the Senate provide funds for this project, can I ask the gentleman to consider supporting this construction project?

Mr. REGULA. Were the Senate bill to fund this project and if the other priority needs for construction are met, I will give serious consideration to the support of the project. It is a good project and deserves strong support. I do look forward to working closely with the gentleman from Vermont to ensure the successful completion of the project.

Mr. SANDERS. I thank the gentleman for the help that he has given us in the past, and I look forward to working with him in the future.

Mrs. CUBIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the amendment that I am offering will address a very serious concern that I have with the discharge of sewage that has contaminated one of the most recognized and loved landmarks in this country. That is the Old Faithful area in Yellowstone National Park.

As my colleagues know, Mr. Chairman, Yellowstone is the Nation's first national park. The spectacular beauty and the awesome splendor of this area bring millions of visitors to the park every year. It saddens me to think that this outstanding heritage of natural beauty is falling into terrible disrepair, and drastic measures are needed to stop this now. Though legislation was established to include Yellowstone National Park in a pilot fee program that certainly will help the park complete some of the backlog of maintenance, there are some repairs that need to begin immediately.

Congress has increased funding for the National Park Service 69 percent over the last 7 years. During that same time, Yellowstone's funding has increased only about 20 percent, which has barely kept up with unfunded mandates and the rate of inflation. What has happened is that the infrastructure in Yellowstone has been severely neglected.

In August of this year, I had the opportunity to make an extensive tour of

the park. During that time I learned a great deal about the needs of Yellowstone and the unfortunate decay which has occurred to its infrastructure. Miles of roads along with buildings, water systems are in dire need of not only repair but replacement.

My amendment will authorize $5 million to be dedicated to the replacement of the Old Faithful wastewater treatment facility. No example of degradation on the Yellowstone infrastructure is more glaring than the degradation of the sewer system at Old Faithful. The Old Faithful plant was built over 60 years ago, in 1930. Then it was redone, refurbished in 1974, and it has not been touched since then. It is in very bad disarray.

Right now there is substantial use of that facility in the winter months. When the park was built, it was not designed for winter use. As a point of information, one of the 4 sewers at Norris Campground has already failed and the other 3 can fail at any point. Unfortunately, the sewer system at Old Faithful is in the same condition. It is right now polluting the water with sewage from the restrooms.

The Wyoming Department of Environmental Quality inspected this facility last year and found a number of immediate problems, and they are faced with the possibility of closing the Old Faithful area. This is extremely alarming, knowing that the surrounding streams are being contaminated with discharge from this plant.

The National Park Service has established an internal system of setting funding priorities in the parks. What they do is whatever projects they can fund fully, that is what they fund. That has helped the small parks, but it has truly hurt the larger parks like Yellowstone and Yosemite, because the repairs are very expensive and so they are put off. As a matter of fact, there is no line item construction funds for Yellowstone in either 1998 or in 1999.

Mr. Chairman, this year Yellowstone is celebrating its 125th anniversary. In 1872, President Ulysses S. Grant signed a monumental piece of legislation that was the start of one of the very best ideas in America. That is our National Park System. Today let us assure the American people that they will be able to continue to enjoy one of the most popular attractions in the National Park System when they vest Yellowstone National Park this year and in the years to come.

Mr. Chairman, I respectfully ask my colleagues to support this much needed amendment so that the problem at the Old Faithful wastewater treatment facility may be addressed immediately.

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

It is my understanding, Mr. Chairman, that the gentlewoman from Wyoming intends to withdraw the amendment or perhaps not offer it. We have discussed the importance of this project. I think she makes a very powerful case, and I have been assured by the National Park Service that it is a priority to address the problems she has outlined and it will be in the President's budget in the near future.

Yellowstone is one of the crown jewels of the National Park System, and this is one of the unmet maintenance needs here and elsewhere in the National Park Service that I am very committed to addressing with the scarce resources that we have. I think she makes a perfect case for what I have talked about in the backlog of unmet maintenance. This is a classic example. We did provide $1.6 million in additional funds for operations in Yellowstone because these parks are getting great pressures from public usage. I hope the fee program will also greatly help Yellowstone.

The parks get to return fee revenue now, and I know that that will be something that they can use to address the very problems the gentlewoman has outlined. As I mentioned earlier, the gentlewoman makes a strong case for what we keep talking about, the need to address backlogged maintenance. We are very sensitive to the problem.

Mrs. CUBIN. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentlewoman from Wyoming.

Mrs. CUBIN. Mr. Chairman, with that assurance, then I feel I do not need to offer the amendment at the appropriate time in the process.

Mr. REGULA. I thank the gentlewoman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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; $101,406,000, 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 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 Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: *Provided,* That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further,* That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

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

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on 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 SERVICES

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; 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, $591,042,000, to remain available until September 30, 1999, of which $11,612,000 shall remain available until expended 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, to compensate for loss of fishery resources from water development projects on the Lower Snake River, and of which not less than $2,000,000 shall be provided to local governments in southern California for planning associated with the National Communities Conservation Planning (NCCP) program and shall remain available until expended, and of which not to exceed $5,190,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973, as amended.

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; $40,256,000, 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 Public law 101–337; $4,128,000, to remain available until expended: *Provided*, That under this heading in Public Law 104–134, strike ''in fiscal year 1996 and thereafter'' in the proviso and insert ''heretofore and hereafter'', and before the phrase, ''or properties shall be utilized'' in such proviso, insert '', to remain available until expended,''.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–4–11), 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, $53,000,000, 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, $14,000,000, 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), $10,000,000.

AMENDMENT OFFERED BY MRS. MALONEY OF NEW YORK

Mrs. MALONEY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY of New York: In title I in the item relating to ''Department of the Interior—U.S. Fish and Wildlife Service—National Wildlife Refuge Fund'', after the dollar amount insert ''(reduced by $500,000)''.

In title I in the item relating to ''Department of the Interior—National Park Service—Construction'', after the first dollar amount, insert ''(increased by $500,000)''.

Mrs. MALONEY of New York (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 gentlewoman from New York?

There was no objection.

Mrs. MALONEY of New York. Mr. Chairman, I rise today to offer this amendment on behalf of the gentlewoman from New York [Ms. SLAUGHTER] who has been called away due to a death in her family.

The amendment would designate $500,000 for critically needed repairs and restoration at the historic Susan B. Anthony home in Rochester, NY. The Susan B. Anthony House witnessed some of the most important moments of the women's rights movement. As Anthony's residence for her entire adult life, the house was the site of many visits and planning meetings between Ms. Anthony and her fellow activists, including abolitionist Frederick Douglass. This is also the place where Ms. Anthony was arrested for voting in 1872.

The Susan B. Anthony House is a vital part of our Nation's heritage. It is part of a complex of sites in upstate New York in and around Seneca Falls, NY, that include the Women's Rights National Historical Park and the National Women's Hall of Fame, celebrating the history of the women's rights movement.

Next year we will celebrate the 150th anniversary of the first women's rights convention in Seneca Falls. In terms of the women's movement, the women's rights convention in Seneca Falls is considered the most important single event making the struggle for women's rights possible. Just 2 weeks ago, we held a ceremony here in Congress moving a statue of two of the organizers of that convention as well as Susan B. Anthony herself into the Capitol rotunda. These women are finally taking their rightful place as important leaders in our Nation's history.

□ 1915

Next year many leaders in our Nation will come together for this historical anniversary for a year's worth of events on women's history, rights and suffrage. Celebrate 98 will educate and inspire the State of New York and our entire Nation with the story of the women's rights struggle.

What is important to realize and put into context is that the Susan B. Anthony House is not only a national historic landmark but a critical part of our Nation's history. It is not only a museum of Miss Anthony's pictures and papers, along with her trademark wire-rimmed glasses and Quaker shawl, but hundreds of pictures and papers and documents of her sister suffragettes.

Mr. Chairman, there is no national museum of women's history in the United States. The Susan B. Anthony House has filled that void by collecting the history of the women's movement and preserving it as best they could with volunteer labor and donations for the past 47 years.

Today time, weather, and Band-Aid repairs have taken their toll on this house. The Susan B. Anthony House recently launched a major initiative to finance a complete renovation and restoration of the property. In addition to needed repairs and maintenance, this project will begin the hard task of restoring the house to its appearance during Miss Anthony's lifetime.

Both the house itself and the collection pose special challenges. Many of the papers are fragile, and special preservation measures must be taken if they are to survive for the benefit of future generations. No complete catalog has ever been made of the collection.

This amendment would provide a modest one-time investment of $500,000 toward the Susan B. Anthony House restoration project. These funds would be used toward an historic structures report for the site and some basic physical repairs to the house. The historic structures report is a mandatory document for all national historic landmarks and provides a sort of baseline for repairs. This report will set the parameters for restoring the property to its appearance during Miss Anthony's lifetime.

The $500,000 provided by this amendment is only a first step toward restoring the house. The vast majority of the funds needed will be supplied through private donors and contributors. This amount is a modest contribution by the Federal Government to express our support for this vitally important piece of our Nation's history.

This amendment is the very least our Government can do to show the importance of the Susan B. Anthony House and the women's rights movement in our history. The amendment would offset this $500,000 by deducting the same amount from the U.S. Fish and Wildlife Service's wildlife and refuge account. The amendment represents only 1.7 percent of the $29 million increase granted by the committee over the administration's request for this account. It is a minuscule 0.18 percent of the account's total appropriation of $274 million.

The CHAIRMAN. The time of the gentlewoman from New York [Mrs. MALONEY] has expired.

(By unanimous consent, Mrs. MALONEY of New York was allowed to proceed for 1 additional minute.)

Mrs. MALONEY of New York. Mr. Chairman, the committee noted that this generous increase was to be used toward preparations for the National Wildlife Refuge System's 100th anniversary in the year 2003. Therefore it

only seems appropriate to use some of this funding, considering that the Susan B. Anthony House will be a major attraction during the 150th anniversary of the first women's rights convention in Seneca Falls next year. Surely if we can prepare for the Wildlife Refuge System's centennial 5 years away, we can provide some small amount of money in commemoration of women's rights.

Would we let Mount Vernon or Monticello fall to pieces? Certainly not. Susan B. Anthony was a pioneer for women's rights including the right to vote, to own property, and to participate as equal partners in our democracy and our society. Susan B. Anthony revolutionized the lives of half our Nation's population. Surely she deserves no less than our full support. This amendment does not attempt to provide full support, but merely a token for the restoring renovation.

I really would like to ask for a recorded vote on this.

Mr. REGULA. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from New York.

I want to say, first of all, we extend our sympathy to the gentlewoman from New York [Ms. SLAUGHTER] on the death of her sister, and I think I speak for all the Members in that respect. I appreciate the gentlewoman from New York [Mrs. MALONEY] handling this matter for her.

Mr. Chairman, we have over a million structures on the National Register of historic places, and all of them have a very deserved place in this Nation's history. But we have a backlog of $500 million in refuges maintenance which this amendment would further exacerbate.

Mr. Chairman, this project is not within a unit of the National Park system, and what we have tried to do here in this bill is take care of what we have rather than starting new programs. The Park Service has advised us, in fact, that they cannot even spend these funds without specific legislative language authorizing the project. And as I pointed out earlier, we have a $14 billion backlog of maintenance projects. I will not recite all of those again, but even in the Fish and Wildlife Service we are faced with a $500 million backlog. And if we were to adopt this amendment, we would offset it by decreasing Fish and Wildlife Service resource management by an equal amount of $500,000, and with the backlog that exists in these facilities it would be a very unjustified policy decision to make this action.

We had almost a hundred Members of Congress write to the committee in support of increased funding for the refuge system, and we could not answer a lot of those, we could not respond to a lot of those simply because we do not have enough money. So I think, as a matter of policy, it simply does not fit to take $500,000 out of the Fish and Wildlife Service to do this, particularly in light of the fact that it is not a unit of the National Park Service and in light of the fact that we have the millions of designated historic structures that have similar needs.

Mr. Chairman, I respect the fact that Susan B. Anthony played an enormously important role in this Nation's history, but nevertheless I think it would be an unwise policy to invade the funds that we now have for Fish and Wildlife Service resource management, and in light of this I regrettably have to urge the Members to vote no on this amendment.

Mrs. MALONEY of New York. Mr. Chairman, I ask unanimous consent to strike the last word to respond.

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

There was no objection.

Mrs. MALONEY of New York. Mr. Chairman, I certainly appreciate the chairman's concerns for the underlying budget restraints, but I wanted to point out that before us today and included in the budget are two national historic landmarks which are already in the bill, and given the pressing point that the gentlewoman from New York [Ms. SLAUGHTER] has made over and over again, that there is no national women's museum in this country and that the Susan B. Anthony home has served as such a museum in gathering the materials, the history of the women's movement of the country, it is certainly deserving, and I appreciate the gentleman's concerns, but I certainly wanted to point out that Ohio and Maryland have two items in the bill, and we were hoping that given the fact of two historical landmarks in the bill, that the gentleman would consider this additional historic landmark given the fact that there is no women's museum in this country.

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

Mrs. MALONEY of New York. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I understand what the gentlewoman is saying, but I would point out that the two that she refers to, one is a President of the United States, and the State is putting in a lot of money. What we are putting in is a small amount. The other is a project of the gentleman from Maryland [Mr. HOYER], and again the State of Maryland is putting in a lot of money.

I do not think there has been any indication here that there is any money being proposed by the State or any other entity to support this, that the total cost that is being proposed would be Federal, and I think perhaps the gentlewoman from New York [Ms. SLAUGHTER] would like in the future to find some matching funds that would make this kind of a project more attractive.

Mr. Chairman, I would still urge a vote of ''no'' on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York [Mrs. MALONEY).

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

Mrs. MALONEY of New York. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 181, further proceedings on the amendment offered by the gentlewoman from New York [Mrs. MALONEY] will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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), $1,000,000, 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, as amended, $10,500,000, to remain available until expended.

RHINOCEROS AND TIGER CONSERVATION FUND

For deposit to the Rhinoceros and Tiger Conservation Fund, $400,000, to remain available until expended, to carry out the Rhinoceros and Tiger Conservation Act of 1994 (Public Law 103–391).

WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, $800,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 108 passenger motor vehicles, of which 92 are for replacement only (including 57 for police-type use); 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 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 Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of

lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in the report accompanying this bill: *Provided further,* That the Secretary may sell land and interests in land, other than water rights, acquired in conformance with subsections 206(a) and 207(c) of Public Law 101–816, the receipts of which shall be deposited to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund and used exclusively for the purposes of such subsections, without regard to the limitation on the distribution of benefits in subsection 206(f)(2) of such law.

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 $2,500,000 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 16 U.S.C. 1706, $1,232,325,000, of which $12,800,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and 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, Public Law 100–203.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $43,934,000, of which $4,500,000 is for grants to Heritage areas in accordance with Titles I–VI and VIII–IX, Division II of Public Law 104–333 and is to remain available until September 30, 1999.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $40,412,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 1999.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities $148,391,000, to remain available until expended: *Provided,* That $500,000 for the Rutherford B. Hayes Home and $600,000 for the Sotterly Plantation House shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470A.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1998 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out 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, $129,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $1,000,000 is to administer the State assistance program: *Provided,* That any funds made available for the purpose of acquisition of the Elwha and Glines dams shall be used solely for acquisition, and shall not be expended until the full purchase amount has been appropriated by the Congress: *Provided further,* That of the funds provided herein, $8,500,000 is available for acquisition of the Sterling Forest.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 396 passenger motor vehicles, of which 302 shall be for replacement only, including not to exceed 315 for police-type use, 13 buses, and 6 ambulances: *Provided,* That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further,* That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

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

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

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332 and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $755,795,000 of which $66,231,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $147,794,000 shall be available until September 30, 1999 for the biological research activity and the operation of the Cooperative Research Units: *Provided,* That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further,* That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

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

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; $139,621,000, of which not less than $70,874,000 shall be available for royalty management activities; and an amount not to exceed $65,000,000 for activities within the Outer Continental Shelf (OCS) Lands Program, 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 $1,500,000 for computer acquisitions shall remain available until September 30, 1999: *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.

OIL SPILL RESEARCH

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

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; $94,937,000, 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 1998: *Provided,* That the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1998 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further,* That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $179,624,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $5,000,000 shall be 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 1998: *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 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 use 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: *Provided further,* That funds made available to States under title IV of Public Law 95–87 may be used, at their discretion, for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further,* That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further,* That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For 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, 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, including such expenses in field offices; maintaining of Indian reservation roads as defined in 23 U.S.C. 101; and construction, repair, and improvement of Indian housing, $1,526,815,000, to remain available until September 30, 1999 except as otherwise provided herein, of which not to exceed $93,825,000 shall be for welfare assistance payments and not to exceed $105,829,000 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 prior to fiscal year 1998, as authorized by the Indian Self-Determination Act of 1975, as amended, and up to $5,000,000 shall be for the Indian Self-Determination Fund, which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau under such Act; and of which not to exceed $374,290,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 1998, and shall remain available until September 30, 1999; and of which not to exceed $59,775,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, land records improvements 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 and for unmet welfare assistance costs: *Provided further,* That funds made available to tribes and tribal organizations through contracts, compact agreements, or grants obligated during fiscal years 1998 and 1999, as authorized by the Indian Self-Determination Act of 1975, 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 to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than two years may be reprogrammed to two 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, 1998, may be transferred during fiscal year 1999 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, 1999: *Provided further,* That notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1998: *Provided further,* That funds made available in this or any other Act for expenditure through September 30, 1999 for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996: *Provided further,* That no funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995: *Provided further,* That beginning in fiscal year 1998 and thereafter and notwithstanding 25 U.S.C. 2012(h)(1)(B), when the rates of basic compensation for teachers and counselors at Bureau-operated schools are established at the rates of basic compensation applicable to comparable positions in overseas schools under the Defense Department Overseas Teachers Pay and Personnel Practices Act, such rates shall become effective with the start of the next academic year following the issuance of the Department of Defense salary schedule and shall not be effected retroactively: *Provided further,* That the Cibecue Community School may use prior year school operations funds for the construction of a new high school facility which is in compliance with 25 U.S.C. 2005(a) provided that any additional construction costs for replacement of such facilities begun with prior year funds shall be completed exclusively with non-Federal funds.

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, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $110,751,000, to remain available until expended: *Provided,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed 6 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: *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 fiscal year 1998, 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, $41,352,000, to remain available until expended; of which $40,500,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618, 102–374, 102–575, 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 $852,000 shall be available pursuant to Public Laws 99–264 and 100–580*: Provided,* That the Secretary is directed to sell land and interests in land, other than water rights, acquired in conformance with section 2 of the Truckee River Water Quality Settlement Agreement, the receipts of which shall be deposited to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund, and be available for the purposes of section 2 of such Agreement, without regard to the limitation on the distribution of benefits in the second sentence of paragraph 206(f)(2) of Public Law 101–618.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $34,615,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, $500,000.

ADMINISTRATIVE PROVISIONS

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

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

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $68,214,000, of which (1) $64,365,000 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) $3,849,000 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 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 improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further,* That any appropriation for disaster assistance under this 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 Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, $20,445,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $58,286,000, of which not to exceed $8,500 may be for official reception and representation expenses, and of which up to $1,200,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $35,443,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $24,439,000.

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.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $32,126,000, to remain available until expended for trust funds management: *Provided,* That funds for trust management improvements may be transferred to the Bureau of Indian Affairs: *Provided further,* That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1998, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further,* That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained

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

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided,* That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(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 ''Wildland Fire Management'' shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(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, United States Code: *Provided,* That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

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

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

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

SEC. 107. No final rule or regulation of any agency of the Federal Government pertaining to the recognition, management, or validity of a right-of-way pursuant to Revised Statute 2477 (43 U.S.C. 932) shall take effect unless expressly authorized by an Act of Congress subsequent to the date of enactment of this Act.

SEC. 108. 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. 109. 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. 110. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the Eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 111. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 112. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450, et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(a) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States or in obligations or securities that are guaranteed or insured by the United States, or

(b) deposited only into accounts that are insured by an agency or instrumentality of the United States.

SEC. 113. (a) Employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Secretary of the Interior may pay the total amount of the severance pay to the employee in a lump sum. Employees paid severance pay in a lump sum and subsequently reemployed by the Federal government shall be subject to the repayment provisions of 5 U.S.C. 5595(i) (2) and (3), except that any repayment shall be made to the Helium Fund.

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

(c) Benefits under this section shall be available to Helium Operations employees who are or will be involuntarily separated before October 1, 2002 because of the cessation of helium production and sales and other related activities.

SEC. 114. None of the funds in this or previous appropriations Acts may be used to establish a new regional office in the United States Fish and Wildlife Service without the advance approval of the House and Senate Committees on Appropriations.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $187,644,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, Territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities, $157,922,000, 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 forest planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads ''Forest and Rangeland Research,'' ''State and Private Forestry,'' ''National Forest System,'' ''Wildland Fire Management,'' ''Reconstruction and Construction,'' and ''Land Acquisition,'' $1,364,480,000, to remain available until expended, which shall include 50 per centum of all monies received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): *Provided,* That up to $10,000,000 of the funds provided herein for road maintenance

shall be available for the planned obliteration of roads which are no longer needed.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned over National Forest System lands, $599,715,000 to remain available until expended: *Provided*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes.

□ 1930

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 181, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 11 offered by the gentleman from Vermont [Mr. SANDERS]; and the amendment offered by the gentlewoman from New York [Mrs. MALONEY].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont [Mr. SANDERS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to House Resolution 181, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the second amendment on which the Chair has postponed further proceedings.

The vote was taken by electronic device, and there were—ayes 199, noes 230, not voting 5, as follows:

[Roll No. 260]

AYES—199

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Ballenger
Barcia
Barrett (WI)
Bass
Becerra
Bereuter
Berry
Bilbray
Bishop
Blumenauer
Boehlert
Bonior
Bono
Boswell
Boyd
Brown (FL)
Brown (OH)
Bryant
Burr
Camp
Campbell
Canady
Cannon
Capps
Carson
Chabot
Chenoweth
Christensen
Clay
Clayton
Clyburn
Coble
Collins
Condit
Conyers
Cox
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
Dellums
Deutsch
Dickey
Doolittle
Duncan
Ehrlich
Emerson
Ensign
Eshoo
Evans
Farr
Fazio
Filner
Flake
Foley
Ford
Fowler
Furse
Gallegly
Ganske
Gibbons
Goode
Goodlatte
Goss
Gutierrez
Gutknecht
Hastings (FL)
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hoekstra
Hooley
Horn
Houghton
Hulshof
Hutchinson
Jackson (IL)
Jefferson
Johnson (WI)
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klug
Kolbe
Kucinich
LaFalce
Lantos
Latham
LaTourette
Leach
Lewis (KY)
LoBiondo
Luther
Maloney (NY)
Manton
Manzullo
McCarthy (MO)
McCarthy (NY)
McCollum
McHugh
McInnis
McIntyre
McKinney
McNulty
Meek
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Minge
Moran (KS)
Morella
Nethercutt
Neumann
Norwood
Nussle
Oberstar
Obey
Olver
Owens
Pappas
Parker
Pascrell
Pastor
Paul
Payne
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pombo
Portman
Rahall
Ramstad
Rangel
Riggs
Rivers
Rogers
Rohrabacher
Rothman
Roybal-Allard
Rush
Salmon
Sanders
Scarborough
Schaffer, Bob
Sensenbrenner
Serrano
Shadegg
Shays
Sherman
Skelton
Smith (MI)
Smith (OR)
Smith, Adam
Snyder
Spratt
Stearns
Strickland
Stump
Stupak
Sununu
Tanner
Taylor (MS)
Thomas
Thompson
Thune
Torres
Towns
Traficant
Turner
Velazquez
Waters
Watt (NC)
Weldon (FL)
Weller
Wexler
Weygand

NOES—230

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Berman
Bilirakis
Blagojevich
Bliley
Blunt
Boehner
Bonilla
Borski
Brady
Brown (CA)
Bunning
Burton
Buyer
Callahan
Calvert
Cardin
Castle
Chambliss
Clement
Coburn
Combest
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Cummings
Davis (VA)
DeLauro
DeLay
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Engel
English
Etheridge
Everett
Ewing
Fattah
Fawell
Foglietta
Forbes
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Graham
Granger
Green
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hefner
Hilleary
Hinojosa
Hobson
Holden
Hostettler
Hoyer
Hunter
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kennedy (MA)
Kildee
Kim
King (NY)
Klink
Knollenberg
LaHood
Lampson
Largent
Lazio
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Maloney (CT)
Markey
Martinez
Mascara
Matsui
McCrery
McDade
McDermott
McGovern
McHale
McIntosh
McKeon
Meehan
Mica
Miller (CA)
Mink
Moakley
Molinari
Mollohan
Moran (VA)
Murtha
Myrick
Nadler
Neal
Ney
Northup
Ortiz
Oxley
Packard
Pallone
Paxon
Pease
Pelosi
Pickett
Pitts
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Reyes
Riley
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Roukema
Royce
Ryun
Sabo
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Sessions
Shaw
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stabenow
Stark
Stenholm
Stokes
Talent
Tauscher
Tauzin
Taylor (NC)
Thornberry
Thurman
Tiahrt
Tierney
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (PA)
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—5

Boucher
Harman
Schiff
Slaughter
Yates

□ 1957

Ms. STABENOW, Mr. COYNE, Ms. PELOSI, Mr. MATSUI, Mr. REYES, Ms. WOOLSEY, and Messrs. STARK, NADLER, ENGEL, and Mrs. LOWEY changed their vote from ''aye'' to ''no.''

Messrs. BARRETT of Wisconsin, NUSSLE, SALMON, CRAPO, NETHERCUTT, DICKEY, CHRISTENSEN, McINNIS, Mrs. KENNELLY of Connecticut, and Messrs. CHABOT, CAPPS, HULSHOF, FORD, RUSH, HEFLEY, CUNNINGHAM, LATHAM, GALLEGLY, COLLINS, NORWOOD, and PICKERING changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. MALONEY OF NEW YORK

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York [Mrs. MALONEY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 77, noes 351, not voting 6, as follows:

[Roll No. 261]

AYES—77

Abercrombie
Ackerman
Andrews
Bass
Becerra
Bentsen
Berry
Blagojevich
Bonior
Brown (CA)
Carson
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Diaz-Balart
Edwards
Engel
Eshoo
Farr
Fawell
Fazio
Filner
Frost
Gejdenson
Gephardt
Gilman
Gordon
Gutierrez
Hall (OH)
Hastings (FL)
Hefner
Hinchey
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.

Kennelly
Kucinich
LaFalce
Leach
Lipinski
Lowey
Maloney (CT)
Maloney (NY)
Manton
McNulty
Millender-McDonald
Mink
Moakley
Morella
Nadler
Olver
Owens
Payne
Rangel
Ros-Lehtinen
Roybal-Allard
Rush
Sanders
Schumer
Scott
Serrano
Sherman
Smith, Adam
Souder
Stabenow
Thurman
Towns
Velazquez
Vento
Waters
Waxman

NOES—351

Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
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Johnson (CT)
Johnson (WI)
Johnson, Sam
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Kildee
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Kind (WI)
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Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
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Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stark
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Stokes
Strickland
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Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
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Whitfield
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Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Boucher
Dooley
Harman
Schiff
Slaughter
Yates

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

Mr. GUTIERREZ and Mrs. KENNELLY of Connecticut changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

RULES COMMITTEE PROCEDURE REGARDING AMENDMENTS TO LEGISLATION TO BE CONSIDERED DURING WEEK OF JULY 14, 1997

Mr. SOLOMON. Mr. Chairman, in making the two announcements, let me also announce that we do not expect any votes between now and about 10 o'clock. There will only be one more amendment, and perhaps an amendment thereto, so that there is no reason for Members to stand around here talking if they do not want to for the next hour and a half.

Mr. Chairman, the Committee on Rules is planning to meet during the week of July 14 to grant a rule for consideration of the foreign operations appropriation bill for fiscal year 1998. The bill was ordered reported by the Committee on Appropriations on July 9 and will be filed tomorrow, July 11. The bill is scheduled for floor action on Wednesday, July 16. That is next Wednesday.

The Committee on Rules may grant a rule which would require the amendments be preprinted in the CONGRESSIONAL RECORD. In this case amendments to be preprinted would need to be signed by the Member and submitted at the Speaker's table.

Mr. Chairman, because of the tight schedule on appropriation matters, the Committee on Rules plans to meet Monday at 5 p.m., that is this coming Monday, on the appropriation bills for veterans and HUD for fiscal year 1998. It is scheduled for floor consideration on Tuesday, July 15. The bill has been ordered reported by the Committee on Appropriations and the report is expected to be filed tomorrow.

The Committee on Rules is contemplating an open rule for this legislation. If Members have amendments to the bill, and they comply with House rules, there is no need to submit the amendments or to testify before the Committee on Rules. Members should use the Office of Legislative Counsel to draft their amendments. Again, it is not necessary to submit amendments to the Committee on Rules or to testify as long as the amendments comply with House rules.

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

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

Mr. DICKS. Mr. Chairman, could the distinguished chairman of the Committee on Rules or any of the Republican leadership tell us what we are going to be doing for the rest of the evening at this point?

Mr. SOLOMON. Well, reclaiming my time, I can tell the gentleman that there is an amendment about to be offered by the gentleman from Colorado [Mr. SKAGGS] that will not take but a few minutes.

Mr. DICKS. If the gentleman will continue to yield, perhaps the chairman can enlighten us about what the plan is for the rest of the evening.

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

Mr. SOLOMON. I yield to the gentleman from Ohio [Mr. REGULA] to explain that to the gentleman.

Mr. REGULA. Mr. Chairman, it is my understanding that we will go to the Porter amendment and all amendments thereto, and prior to that the gentleman from Colorado [Mr. SKAGGS] has an amendment which I am going to accept.

After we finish with the gentleman from Colorado we are going to go to the gentleman from Illinois [Mr. PORTER]. I would assume that that is probably going to take a considerable amount of time and that would be all we would get done tonight.

Mr. DICKS. Does the gentleman intend to vote on the Kennedy-Porter amendment tonight?

Mr. REGULA. I would hope so, yes. I would like to finish it tonight.

Mr. SOLOMON. Mr. Chairman, reclaiming my time, I will continue to yield to the gentleman to explain what might happen on the next vote on the Porter amendment. Will the Committee stay in Committee and continue to vote and then roll votes over until tomorrow? What is the intention of the chairman?

Mr. REGULA. We are going to try to do that, depending on how much time the Porter amendment takes. The goal is to get far enough along that we can finish by 2 p.m. tomorrow. So we want to keep moving. And any votes after the Porter amendment we will roll over.

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

Mr. SOLOMON. I yield to the gentleman from Massachusetts, my good friend, the ranking member of the Committee on Rules.

Mr. MOAKLEY. The gentleman from New York alluded to a bill before the Committee on Rules on Monday on veterans. I thought there might be some chance that we may hear that Friday.

Mr. SOLOMON. Reclaiming my time, Mr. Chairman, I would say to the gentleman that that is all up to the Subcommittee on VA, HUD and Independent Agencies. If they can file their report tonight, I would be more than glad to meet tomorrow to save the Committee on Rules members from having to come back here Monday when there are not going to be any votes until Tuesday at 5 o'clock.

Mr. MOAKLEY. That is what I am referring to.

Mr. SOLOMON. I would ask my good friend to use his persuasion and get it done.

Mr. MOAKLEY. I used my persuasion on the Interior rule and nothing happened.

Mr. SOLOMON. I would suggest the gentleman persevere.

AMENDMENT OFFERED BY MR. SKAGGS

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

The Clerk read as follows:

Amendment offered by Mr. Skaggs:

Page 46, line 14, strike ''$599,715,000'' and in lieu thereof insert ''$591,715,000''.

Page 58, line 18, strike ''$100,000,000'' and in lieu thereof insert ''$101,000,000''.

Page 59, line 10, strike ''$312,153,000'' and in lieu thereof insert ''$313,153,000''.

Page 60, line 20, strike ''$636,766,000'' and in lieu thereof insert ''$644,766,000''.

Page 60, line 25, strike ''$149,845,000'' and in lieu thereof insert ''$153,845,000''.

Page 61, line 6, strike ''$120,845,000'' and in lieu thereof insert ''$123,845,000''.

Page 61, line 7, strike ''$29,000,000'' and in lieu thereof insert ''$30,000,000''.

Mr. SKAGGS (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 Colorado?

There was no objection.

The CHAIRMAN. Is there objection to consideration of this amendment at this time in the bill en bloc?

There was no objection.

Mr. SKAGGS. Mr. Chairman, this amendment would increase the bill's funding for energy conservation and efficiency programs by $8 million. These additional funds would be used for several important R&D programs at the Department of Energy, for State energy programs, and for weatherization. It also makes a small adjustment in the division of funds among some of the fossil energy programs.

I appreciate very much the willingness of the gentleman from Ohio, the chairman of our subcommittee, to work to develop this amendment, which he has indicated he would accept, and should, therefore, not be controversial.

As the chairman knows, I wish that we could go further than is provided in this amendment and to provide greater increases in these important efficiency and conservation programs, but we were unable to find the offsets to do that. In adopting this amendment, it will make a definite improvement in the bill. I hope we may be able to go a bit farther as the other body considers this legislation.

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I urge adoption of the amendment.

Mr. Chairman, this amendment would increase the bill's funding for energy conservation and efficiency by $8 million. These additional funds will be used for several important research and development programs of the Department of Energy, for State energy programs, and for the weatherization program. It also makes a small adjustment in the division of funds for the fossil energy programs.

I greatly appreciate the willingness of the subcommittee chairman, the gentleman from Ohio, to work with me to develop an amendment that he will accept and that therefore should not be controversial.

As Chairman REGULA knows, this amendment does not go as far as I would have liked. I think these programs should receive an even greater increase in funds. But the amendment is a compromise, and just as it does not do all that I would have wanted, it goes further than would the bill as reported. So, adopting this amendment will make a definite improvement over the bill as reported, and I hope it will set the stage for further improvements when we get to a conference with the other body.

I urge the adoption of the amendment.

This amendment adds $8 million in budget authority to the energy conservation accounts. Of that total, $3 million is for the weatherization program; $1 million is for the State energy program; and the rest is allocated as follows:

Building equipment and materials will be increased by a total of $3 million. Of that total—

$250,000 will go to research in developing gas-fired heat pumps for heating and cooling residences and smaller commercial buildings (''Hi-cool Heat Pump program'');

$1 million will go to the lighting programs, to support a variety of research programs including work on improved light fixtures, advanced lamp technologies, improved lighting controls, more sophisticated light distribution systems, and possibly work along lines suggested by the Hybrid Lighting Partnership;

$1 million will be for cooperative efforts between DOE and industries such as the manufactured-housing companies and utility firms to increase the adoption of efficiency measures in the marketplace—efforts that have been part of the ''Energy Star'' program, but that don't include other aspects of that program such as the training of retail personnel;

$150,000 will be to expand efforts to develop practical ''superinsulation'' materials, by working with insulation manufacturers; and

$600,000 will be for research projects concerning windows and glazing, including advanced window coating, electrochromic ''smart'' windows, and other new technologies that can produce great energy savings.

Three programs in the industry sector will receive a total increase of $1 million. Of that—

$300,000 will be for Industrial Assessment Centers, university-based centers that provide no-cost energy and environmental audits to help small and medium-sized businesses;

$300,000 will be for the ''Motor Challenge'' program, under which industry-government partnerships promote a systems approach in selecting, operating, and managing efficient electric motor systems; and

$400,000 will be for the ''NICE-cubed'' program, which provides competitively-selected grants to state-industry partnerships aimed at encouraging deployment of energy-efficient technologies and to demonstrate technologies that can improve energy efficiency, reduce waste, and save money.

Finally, the amendment will make a modest increase ($1 million) in funding for the consolidated fuel cell program, part of the fossil energy research and development activities of the Department of Energy.

The amendment is fully offset. The increases in the energy conservation accounts are offset by a reduction in the advance funding for forest service firefighting activities, and the increase for the fuel cell program is offset by an additional rescission from the clean coal program. These offsets will not have an adverse effect on these activities.

Mr. Chairman, I yield to my colleague, the gentleman from Florida [Mr. DAVIS].

(Mr. DAVIS of Florida asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Florida. Mr. Chairman, I support the Skaggs amendment.

Mr. Chairman, I rise in strong support of the Skaggs amendment which provides a much needed increase in funding for energy conservation programs. Included in the amendment is an additional $600,000 for the windows and glazing program. This program provides funding for a promising new technology with enormous energy savings potential for the commercial windows market.

It is my expectation that this funding increase will be used to further the development of plasma enhanced chemical vapor deposition [PECVD] techniques for electrochromic technologies. This technology provides a flexible means of controlling the amount of light and heat that passes through a glass or plastic surface. Such a capability would provide Americans, and indeed much of the world, with a premier energy saving opportunity in building construction. The Department of Energy has estimated that placing this technology on all commercial buildings in the United States would produce savings equivalent to the amount of oil that travels through the Alaska pipeline each year.

In recognition of the importance of this technology, my home State of Florida has provided $1.2 million in State funds to the University of South Florida which is utilizing a license associated with technology developed by the National Renewable Energy Laboratory in Colorado. I believe the additional funds for the windows and glazing program will be available to assist with this excellent example of a public-private partnership.

Mr. Chairman, I want to thank Congressman SKAGGS for his hard work on this amendment and Chairman REGULA for his willingness to accept it. I believe it is a common sense amendment which will enhance our nation's important energy conservation programs and

allow the United States to remain at the forefront of major new conservation technologies.

Mr. SKAGGS. Mr. Chairman, reclaiming my time briefly, I also wanted, if I could, to ask the chairman to engage with me briefly. I believe he has received a copy or has received a letter from the Secretary of Energy. I have a copy which I would like to put in the RECORD at this point. It is, I think, a very helpful indication of the administration's willingness to work with the chairman in some areas of concern to the subcommittee in the building program in particular.

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

Mr. SKAGGS. I yield to the gentleman from Ohio [Mr. REGULA] relative to the Secretary's letter and my amendment.

Mr. REGULA. Mr. Chairman, we have examined the amendment. We appreciate the fact that the gentleman from Colorado [Mr. SKAGGS] is willing to work out a compromise on this, and in view of that, we are prepared to accept the amendment.

Mr. SKAGGS. Mr. Chairman, reclaiming my time, let me also inquire of the chairman, I wanted to put Secretary Peña's correspondence to the chairman in the RECORD at this time.

As I mentioned a minute ago, I expect that the chairman finds this a very forthcoming expression of intended cooperation and accommodation by the administration in some areas that were of concern to the chairman in this particular part of the bill, and I just wanted to ask the gentleman's consent on that point.

Mr. REGULA. Mr. Chairman, if the gentleman would yield further, we have no objection to putting the letter in the RECORD at this point.

The letter referred to follows:

THE SECRETARY OF ENERGY,
Washington, DC, July 10, 1997.

Hon. RALPH REGULA,
Chairman, Subcommittee on Interior and Related Agencies, Committee on Appropriations, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your interest in helping us reshape the energy conservation programs of the Department of Energy and your continued support for the objectives of these programs. I know that we share the view that investments to increase the productivity of energy use are critical for finding ways to meet environmental goals, to increase American energy security, and to ensure continued economic growth.

I know that the House Committee on Appropriations has expressed concerns about the management of programs designed to improve the energy efficiency of buildings. While the Department's programs in this area have been highly successful in the past, I share your concern that they need a careful review. I agree with your observation that the programs should be focused around a set of objectives that are both clear and easily explained. These programs must be developed in close cooperation with the business and other groups who must be our partners in this work. Their support for our programs is vital to our success.

We are working to redesign our programs and will give the views expressed in the FY 98 House Interior Appropriations Committee report very serious consideration. Later this year I will provide you with a strategic plan that responds to the Committee's request; I want to assure you that it will receive my personal attention. Given the importance of energy efficiency—and the opportunities for improving the energy efficiency of buildings, in particular—it is essential that the federal government's RD&D program be well-focused and adequately supported.

I look forward to discussing this matter with you in more detail in the near future.

Sincerely,

FEDERICO PEÑA.

Mr. FOX of Pennsylvania. Mr. Chairman, as my colleagues know, I have been a strenuous supporter of funding for the Low-Income Weatherization Assistance Program and the State Energy Conservation Program funded through the Department of Energy accounts in the Interior appropriations bill. I have offered amendments in prior years to increase funding for these programs and I continue to support strong increases for these programs that go to the heart of the Federal Government's cooperation in community-based solutions to the needs of the people in our boroughs, townships, and counties.

I want to thank Mr. SKAGGS for working with us in supporting increased funding for these important programs. Today's amendment increases Weatherization by $3 million to $124 million in fiscal year 1998 and increases the State Energy Program by $1 million to $30 million. Even though the amendment is small, it begins to move in the right direction. The Appropriations Committee had supported flat funding with no inflation increase.

I also want to commend Chairman REGULA and his staff for his work on this very difficult appropriations bill. It is important to stress, however, that these two programs have taken the brunt of the cuts in the Department of Energy conservation accounts since fiscal year 1995, when Weatherization was funded at a level of $226 million and the State grants received $53 million. These cuts of almost 50 percent have affected people in every congressional district. Weatherization helps low-income Americans through the installation of insulation and otherwise improving the energy efficiency of homes. On average, these improvements save these poor households over $200 a year in energy costs. That makes a huge difference. The State Energy Program provides leveraging of funds to conduct energy improvements in schools and hospitals so that more money can go into education and health care. This program reaches into small business and homes to reduce energy costs and apply innovative technologies to solve our energy challenges.

These programs are still grossly underfunded. I want to stress to my colleagues that I hope we can increase these funding levels in conference. I will carefully observe our actions and I look forward to working with Chairman REGULA in balancing important interests, but providing critical resources to aid people in need.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. Skaggs].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RECONSTRUCTION AND CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, $160,122,000, to remain available until expended for construction, reconstruction and acquisition of buildings and other facilities, and for construction, reconstruction 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 not to exceed $50,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers: *Provided further,* That purchaser road credit will be limited to those companies that meet the Small Business Administration definition of small business as defined in title 13, Code of Federal Regulations, part 121.

POINT OF ORDER

Mr. SMITH of Oregon. Mr. Chairman, I raise a point of order against the legislative provision beginning with ''provided further'' on page 47, line 2, through ''part 121'' on line 6. This language violates clause 2 of House rule XXI, which prohibits a provision containing legislative language in a general appropriation bill.

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

The Chair is prepared to rule. The second of the unprotected provisos under the heading ''reconstruction and construction,'' by restricting the availability of the purchaser road credit to a specified class of companies, includes legislation in violation of clause 2(b) of rule XXI.

Therefore, the point of order is sustained and the language is stricken from the bill.

Are there any further points of order against the language read?

AMENDMENT NO. 7 OFFERED BY MR. PORTER

Mr. PORTER. 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. PORTER:

Page 46, line 20, after the dollar amount insert ''(reduced by $41,500,000)''.

Page 46, line 126 after the dollar amount, insert ''(reduced by $1)''.

Mr. PORTER. Mr. Chairman, I hate to offer any amendment to the bill of the gentleman from Ohio [Mr. REGULA]. There is no one in the House for whom I have more respect and admiration, and I assure my friend and all of our colleagues from the West and so-called timber districts that my difference with him and with them is one only of policy.

The amendment that I offer, together with the gentleman from Massachusetts [Mr. KENNEDY], the gentleman from Florida [Mr. MILLER], the gentleman from Ohio [Mr. KASICH], the gentlewoman from Oregon [Ms. FURSE], the gentleman from Delaware [Mr. CASTLE], the gentleman from Utah [Mr. COOK], the gentleman from Wisconsin [Mr. KLUG], the gentlewoman from Maryland [Mrs. MORELLA], and the gentleman from California [Mr. ROYCE] will put an end to the use of taxpayer subsidies for the construction of logging roads in our national forests. It will reduce the $89.5 million road construction and reconstruction account

by $41.5 million. This amendment will eliminate the funds for the construction and reconstruction of timber roads and eliminate the funds used to administer the purchaser road credit program. As estimated by the CBO, the amendment will directly save taxpayers $42 million.

Mr. Chairman, this amendment will not affect recreation and general purpose roads, and it will not reduce the money for maintenance and road obliteration, which is funded through a separate account. Under this amendment, if timber companies want to build logging roads with their own money, they can; and there is $5.9 million left in the account for the Forest Service to inspect and oversee their work.

Under the present system, logging companies receive incentives to build roads but the taxpayers are left with future maintenance costs. A majority of the timber roads in our national forests were constructed through the purchaser road credit program.

The credit that is issued by the Forest Service is for an estimate of the cost of the road that, according to the GAO, includes a 15-percent profit margin. Mr. Chairman, that is a direct subsidy, and it is one that is often greater than the profit margin than the timber company can expect on the whole sale. Further, the estimate and the actual costs are never compared. That may be a further indirect subsidy.

Bottom line, there is no accountability for the estimate and credit offered by the Forest Service.

To argue that the purchaser road credit program does not offer a subsidy is absolutely absurd. If there was no subsidy, Mr. Chairman, the timber companies would not care if it is eliminated; and, very obviously, they do. The fact that the Price Waterhouse study says otherwise is refuted by the fact that it was paid for by the American Forest and Paper Association.

Mr. Chairman, the Forest Service is a land management agency. It was not created to be in the business of building roads. The two other land management agencies, the Bureau of Land Management and the Bureau of Indian Affairs, do not subsidize the construction and reconstruction of timber roads on their lands. Neither should the Forest Service.

The timber companies build a lot of roads under the Bureau of Land Management and Bureau of Indian Affairs, but none of them are subsidized.

I appreciate the efforts of the chairman of the subcommittee to improve the forest road program by limiting the number of roads that can be constructed in our national forests.

My colleagues will hear in the debate that only 8 miles of roads will be allowed to be built by the Forest Service. That is by the Forest Service, Mr. Chairman, and does not take into account the purchaser road credit program. Factoring in the roads under this program, the total is 302 miles of new subsidized timber roads at a cost to the taxpayer of $41.5 million.

Under this amendment, the roads can still be built, the logging can still take place, but the timber companies will have to pay for the cost of building the roads needed for the timber harvests. That is the way almost every for-profit company in America works in our economy, Mr. Chairman; they pay their own costs of doing business. That is called free enterprise.

Mr. Chairman, we already have 380,000 miles of roads in our national forests, enough to encircle the planet more than 15 times, 1.6 miles of road for every square mile of national forest. Do we really need more subsidized roads?

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, I rise in support of the Porter amendment.

First I want to say to my good friend, the gentleman from the State of Washington [Mr. DICKS], that I thought that when the House got rid of B–1 Bob that it might be the last we have seen of someone in that particular line of work. But we have got B–2 Norman to replace him, who has become the Paul Bunyan of our national forests.

The House of Representatives voted less than 2 weeks ago on a spending cut package to balance the Federal budget. Wrapped in those proposals were billions of dollars of reductions in the country's transportation budget, money needed to pave our highways and fill our potholes, money needed so that hard-working families can get to work on time, so that economic goods can be efficiently shipped to the marketplace, and so that the parents can get their kids to schools safely.

Yet today we are considering an Interior appropriations bill that contains millions of dollars to subsidize the construction of logging roads in our national forests so that wealthy timber companies can haul off even higher profits. Not enough money to fix our national highways, but plenty to spare for big profitable timber companies like Weyerhaeuser, Georgia Pacific, and International Paper.

American taxpayers will no longer stand for such corporate welfare schemes. Paul Bunyan and his blue ox Babe never needed a pocketful of Federal cash to do their job. But if we listen to the cries of the timber interests, their industry would go down the river if they were pulled away from the subsidy trough.

My colleagues would think that if we were going to allow private timber companies to come in and remove Federal assets from our forests for their own profit, at the very least these companies would have to pay for the roads that are needed to get to that timber. What is next? Paying for gasoline for the corporate jets? The American taxpayers already paid for 380,000 miles of roads that crisscross our national forests, which is more than eight times the size of the U.S. Interstate Highway System.

I am joined by my colleagues today to say, enough is enough, we do not need any new taxpayer subsidized logging roads. If new roads for logging purposes are warranted, practical and profitable, why should not these corporate giants build their own roads?

The amendment I offer today with my colleague from Illinois [Mr. PORTER] will end the practice of taxpayer subsidies for the construction of these new logging roads. We cut $41.5 million out of the construction and reconstruction component of the Forest Service roads budget.

Our amendment only affects the construction and reconstruction of logging roads themselves. It does not touch funds for recreation or general purpose roads or trail construction, nor does it affect the budget for the maintenance of the existing infrastructure.

The Forest Service fiscal year 1998 budget notes show how they would use the $41.5 million for timber roads. They want to spend roughly $10 million to build 1.3 miles of new timber roads and 38.1 miles of reconstructed timber roads. The remaining $31.5 million was slated for use, in the staff report, for the designing and engineering of timber roads under the purchaser credit program.

This program gives trees to timber companies in exchange for their cost to build the roads, another taxpayer giveaway that must end. This amendment leaves intact the $5.9 million the Forest Service requested to inspect and oversee the work when timber companies build roads under purchaser credit.

We still want the Forest Service to inspect and oversee their work. We just no longer want to reimburse timber companies for the cost of these roads. The savings we get from this amendment will be applied for deficit reduction.

We must stand up against the special interests and reverse this wasteful and environmentally damaging spending. The environment suffers because building these new roads in our national forest system has had a devastating impact on direct habitat loss, water quality, and wildlife populations.

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Road construction, particularly on steep unstable slopes dramatically increases the risk of landsliding, erosion, and siltation of the streams. Such damage requires us to be more than idle observers.

Some points I would like to reiterate about this amendment.

The amendment will cut only money from the budget that would be used to build logging roads. We have never touched the funds that are needed to repair or maintain roads in the existing national forest infrastructure. There is $85 million in this bill under the entirely separate section entitled ''Infrastructure Management'' that is used for road maintenance. We do not touch the funds for building the general purpose or recreation roads or the construction of trails.

This money plain and simple is a direct handover to the lumber companies for going in and harvesting trees. All we say is if you want to go in and cut down the trees, pay for the roads yourself, and do not look to the Federal taxpayer for the subsidy.

AMENDMENT OFFERED BY MR. DICKS TO THE AMENDMENT OFFERED BY MR. PORTER

Mr. DICKS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DICKS to the amendment offered by Mr. PORTER:

On line 2 of the Porter amendment strike the figure $41,500,000, and insert $5,600,000.

On line 4 of the Porter amendment strike the figure $1 and insert $25,000,000.

Mr. DICKS. Mr. Chairman, I have been listening to my colleagues today, many of which feel that the Kennedy–Porter amendment goes too far, that it makes too deep a cut in the timber purchaser credit program. It also makes a very severe cut in appropriated funds, most of which are being used for reconstruction of timber roads. Only 8 miles of new roads are being constructed under appropriated funds.

What I am offering here is a compromise. This will allow us to go forward and do the reconstruction, and it will also provide half of the money for timber purchaser credit.

By the way, most of the timber sales, over 75 percent of the timber sales, go to small businesses. These are not going to the elite. Most of them have gotten out of the business, at least in the Northwest, because they export off their private lands and they get very little if any Federal timber.

My colleagues have to understand what has happened in the timber area. We used to do about 10 to 12 billion board feet nationally each year. This year we have come down, and this is the history here, and in recent years we have come down to about 3.7 billion board feet. We have cut in third the timber program in this country.

What happens when we do that? What happens when we create this shortage? First of all we import. Over 30 percent of the softwood that comes in today comes in from Canada. They are up there cutting like mad to meet the U.S. market requirement. The other thing that happens is it forces up the price of lumber. We have got a letter here from the homebuilders saying that the average house has gone up about $2,800 per house because of increased lumber prices. So consumers have paid something like $2.8 billion more than they would have had to pay for their new houses over the last several years.

I ask tonight for some common sense, for some compromise. This is an amendment that will not devastate these programs. By the way, in case somebody did not understand, one cannot go in and do timber harvesting without roads. Ninety percent of the roads we have are used for recreational purposes. They are used for fire suppression. They are used to get people out into those great recreational areas. The Forest Service lands provide more recreational opportunity than our National Park System. That is something that is not well understood by some easterners, and if the gentleman from Massachusetts ever wants to come out, I will be glad to take him around and show him a few of the roads. But, seriously, these roads are very important in terms of the transportation system. I want to also point out the density of roads on the Forest Service lands are much lower than either BLM lands or in Forest Service lands.

The problem with what the gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from Illinois [Mr. PORTER] have come up with is that they want to cut $41.5 million out of appropriated funds for timber roads. Most of that money, almost all of that money, I think $40 million of that money, would be used for reconstruction. Reconstruction means going out and fixing up roads that have problems and doing it so that you can put in culverts, you can fix the roads so if you have a big storm, they do not break apart and wind up blowing out and winding up in the salmon streams. That is why I have changed that part of their amendment to go to $5.6 million which is the administration's budget request. I think we then fix that part of the amendment. Then we preserve some of the money for purchaser credit so that the smaller companies out there can still use this program, which is important for them because they have a hard time. If they do not have this, they are going to have to finance the roadwork themselves, and some of these smaller companies have a difficult time doing that.

We have a way of fixing that with the purchaser elect program which will then allow the Forest Service to do some of this for them. There are two groups that are going to get really hurt by this amendment and doing away with timber purchaser credit. One is the counties. They are going to lose 25 percent of what they got before. Those Members who have been worried about PILT, counties get hurt here.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 4 additional minutes.)

Mr. DICKS. Mr. Chairman, the counties get hurt and the small businesses who have used this program. That is why instead of eliminating it as the gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from Illinois [Mr. PORTER] do, I have kept it in at $25 million.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. I appreciate the gentleman yielding.

Mr. Chairman, I would love to go camping with the gentleman from Washington sometime, but this issue has nothing to do with recreational roads.

Mr. DICKS. Of course it does.

Mr. KENNEDY of Massachusetts. If the gentleman will just yield to me for a brief moment to answer some of the questions that he has brought up.

First and foremost, we specifically outline in the language in this amendment that would prevent any cut in funding for recreational road purposes, first. Second, the gentleman says that the cost of lumber will go up. Only 4 percent of the lumber in this country comes totally from our national forests. We have got 389,000 miles of forest, and we have only got 1.3 miles worth of new roads.

Mr. DICKS. Mr. Chairman, reclaiming my time, first of all, all these roads are used by people for recreational purposes.

Mr. KENNEDY of Massachusetts. Absolutely.

Mr. DICKS. All of them are used. When we do reconstruction on those roads, it is to keep those roads available for recreational purposes. The gentleman is taking out a big part of that money.

I am surprised that we even have, and I think it is 5 percent, by the way. Look at what we have done to timber harvesting in this country. We have taken it down to here. I know that someone will not rest until it is probably below this line. That is simply not right because we have a responsibility. We can manage these forests on a sustainable basis. This is not James Watt running this place down there. It is Jim Lyons who used to be on the staff here of the Committee on Agriculture, it is Dan Glickman, it is ALBERT GORE, it is Bill Clinton, it is Bruce Babbitt. These are the people that are managing these forests.

All I want to say is that these people are managing this properly. They have also said that the Kennedy-Porter amendment goes too far. We have a letter here today and let me just read a couple of salient paragraphs:

''Small timber business purchasers would be adversely affected because of potential financial troubles they may encounter as they operate timber sales if the purchaser credit program is eliminated. Accordingly, the administration urges Congress to allow the Forest Service to do the purchaser election. The administration also supports reducing the construction of new roads on national forests as reflected in its budget. However, the $41.5 million reduction the amendment proposes goes too far in eliminating important construction and reconstruction efforts that provide public safety and environmental benefits.''

The administration opposes the Kennedy-Porter amendment because it simply goes too far. This is a decent compromise.

Mr. KENNEDY of Massachusetts. If the gentleman will yield further, I would like to point out that I too got

a letter from the Secretary after I received the letter that he sent to me at the gentleman's request, I got a letter from him later this afternoon indicating to me that he has no idea of what it was that the gentleman had talked to him about.

Mr. DICKS. No, no. Dan Glickman is a longtime member of the Committee on Agriculture.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has again expired.

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

Mr. DICKS. Mr. Chairman, I continue to yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. In clarifying the letter that I sent you this afternoon, the administration supports reducing the construction of new roads within the national forest system primarily for the environmental reasons and because of the extensive cost to maintain the road system that already exists.

In fact the President's budget proposes to eliminate the purchaser road credit program, which the gentleman just refunded in his amendment.

Mr. DICKS. By 50 percent.

Mr. KENNEDY of Massachusetts. The President opposes your amendment.

Mr. DICKS. I never said the administration supported my amendment.

Mr. KENNEDY of Massachusetts. But the gentleman certainly said Mr. Glickman supported his amendment.

Mrs. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentlewoman from Idaho.

Mrs. CHENOWETH. I think the amendment of the gentleman from Washington [Mr. DICKS] is interesting, but I have some questions.

One is that on the purchaser road credits because of the volume of timber sales in the Reagan and Bush administration, then they dropped off sharply in the Clinton administration, large businesses as well as small businesses are carrying these purchaser road credits as assets on their books. If the purchaser road credits are eliminated in any form, that would be a taking of assets. Can the gentleman reassure me that in his amendment that would not occur?

Mr. DICKS. If my amendment is adopted, of course, we will keep the program going. Even if it is not, I am confident that there is nothing in the Kennedy-Porter amendment that retroactively takes away anybody's right.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has again expired.

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

Mr. DICKS. Mr. Chairman, I would like to assure the gentlewoman that there is nothing in my amendment and I do not believe anything in either amendment that would adversely affect prior timber purchaser credits. We would certainly work to put language in at some point to make sure that that is a clear understanding. We will work with the chairman and the administration to make sure that is taken care of.

Mrs. CHENOWETH. I thank the gentleman from Washington [Mr. DICKS] because I do believe it could conceivably take away those credits. I would appreciate language that would make sure that did not happen.

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

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

Mr. REGULA. I think the point that is lost here, too, is that taking out this money which takes away the ability to reconstruct roads means we are going to have environmental problems. What this gentleman is proposing is a good environmental vote because it preserves the necessary money to reconstruct these roads in a way that not only can the public use them but we will avoid siltation, we will avoid a lot of problems that would result in an environmental degradation.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has again expired.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the gentleman from Washington have 2 additional minutes.

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 1 hour and that the time be equally divided.

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

Mr. DEFAZIO. Mr. Chairman, reserving the right to object, I am not a member of the committee. I wish to speak on this. How can I be assured, since I am not a member of the committee, and I do not know how many members of the committee are going to rise, that I will be allocated any time during that hour? There are many other members on both sides of the issue who wish to speak.

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

Mr. DEFAZIO. Further reserving the right to object, I yield to the gentleman from Washington.

Mr. DICKS. Is the gentleman saying that it is an hour on the Dicks amendment?

Mr. REGULA. If the gentleman will yield, it is a total of 1 hour on the Porter and the Dicks.

Mr. DICKS. Mr. Chairman, I would object. I think that is too short a time frame. I think there are a lot of Members who want to speak on this and I am just afraid we will not be able to take care of everybody who wants to speak.

Mr. REGULA. Mr. Chairman, let me revise the unanimous-consent request to close all debate on this amendment and all amendments thereto in 1½ hours and, of course, that the time be equally divided.

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, reserving the right to object, I have to clarify this issue with the Chair for a brief moment. If we limit the total debate to 1½ hours, how do we separate the amount of time that would be dedicated to the Dicks amendment versus the underlying Porter amendment?

□ 2045

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

Mr. KENNEDY of Massachusetts. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we do not attempt to separate them. We will roll the votes. There will be a vote on the Dicks substitute, and then there will be a vote on Porter-Kennedy.

Mr. KENNEDY of Massachusetts. So the entire debate will then center around the Dicks substitute?

The CHAIRMAN. The Chair would announce it would be the Chair's intention to divide the time, if the unanimous-consent agreement is reached, as follows: 45 minutes to be controlled by the gentleman from Ohio [Mr. REGULA], 22½ minutes to be controlled by each of the proponents of the amendments on the floor, that being the gentleman from Illinois [Mr. PORTER] and the gentleman from Washington [Mr. DICKS].

Mr. DICKS. What about my amendment, Mr. Chairman?

I think we have to object. I think it is too short. I think we are not ready yet.

The CHAIRMAN. Is there objection?

Mr. DICKS. I object.

Mr. REGULA. Mr. Chairman, I have a unanimous-consent request pending.

The CHAIRMAN. There has been an objection.

Does the gentleman from Ohio [Mr. REGULA] seek recognition?

Mr. REGULA. Mr. Chairman, let us start over.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 1½ hours and that the time be equally divided.

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

Mr. PORTER. Reserving the right to object, Mr. Chairman, the Chair announced that the allocation of time would basically be skewed toward opponents of the Porter amendment and proponents of the Dicks amendment. I would ask the gentleman from Ohio if he would change his unanimous-consent request to request that all debate

on both amendments be concluded by 10:30 p.m. and that half of the time be controlled by the gentleman from Ohio [Mr. REGULA] and half the time be controlled by myself.

Mr. OBEY. If the gentleman will yield under his reservation, Mr. Chairman, I am very interested in trying to obtain a time limitation. I have been trying to do that working with the majority party for the last 45 minutes, but I do not think it is an especially sweet deal when all of the time is controlled by that side of the aisle.

Mr. REGULA. Mr. Chairman, I withdraw my unanimous-consent request, and we will try to work it out.

The CHAIRMAN. The request is withdrawn.

Mr. SMITH of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to discuss for a minute real purchaser credits because again this is one of the situations in which we have been debating where myth seems to override fact. And let me try to bring back to what is actually at stake here with respect to real purchaser credits which have been, they have been accused of being the handmaiden of the rich. It is the process that has been accused of being a subsidy, and let me explain exactly what happens:

If I am a timber purchaser and the forest service has a sale, the forest service identifies the amount of money for the road. When I bid the timber contract, I determine by my own assessment what the road is worth. If the road is in my estimation, in the estimation of the Forest Service, too expensive, I bid less on the timber. If I think I can build a road for the amount of money that is explained through the engineering process in the Forest Service, or less, than I bid more for the timber. So I adjust my timber bid depending upon my assessment of the road allocation determined by the Forest Service and by the engineering process.

When I am through the road is a wash. I do not bid the road to make money on trying to get the timber contract. So when it is all over, there is no advantage to me in the road process. However it is an advantage if I am a small business man because some way I am given a credit for the expense of the road in more timber.

That is the size of it. There is not a subsidy around it; there never has been.

Now do not press me. Look, I am from the west, I am from a timber country. My gosh, I am probably kidding my colleagues. But my colleagues all know Price-Waterhouse. My colleagues all know that they are a very successful auditing company in the United States. Price-Waterhouse has examined this issue. Price-Waterhouse says this is not a subsidy, Price-Waterhouse says this is not a bonus to any big timber companies, and therefore I suggest that a third party witness says and disputes, disputes the thought that this is some sort of subsidy and therefore some sort of corporate pork. It is not.

Mr. Chairman, this issue is not an environmental issue, and it is not even a budget issue. This is a question of the management of forests.

Now let us assume that we eliminate all of the appropriated money, as has been suggested. When we eliminate all the appropriated money, we eliminate the engineering process in America.

Now those of my colleagues who want to shut down the operation of every timber program in America, they are right, they are right. Go with the gentleman from Massachusetts [Mr. KENNEDY]. You betcha; that is what is done.

If my colleagues believe in the management of forests for the protection of everything we want to protect, the endangered species, the water quality and quantity, the stream bank programs, the wildlife, and when I am finished I will yield, then my colleagues have to realize that we have to have roads for the protection not only of the structure of the forests, but what about wild fires? What about recreation? What about all the opportunities that we all enjoy in the forests? Eliminated.

If we eliminate, by the same token, the forest or the timber credit program, we have eliminated small business. Seventy-five percent of all contracts in the forests are given to small business, 75 percent. One of the reasons that they are still in business is simply because of the road credit program because, yes, they can collect their money earlier, they do not have to wait until the end of the program, they do not have to wait 3 years. Sometimes these contracts are out 3 years. They can assume timber in exchange for the cost, the cost of the road. Not profit, the cost. Therefore, my colleagues, this is not, should not be couched in the terms that we have heard.

So supporting any program that has appropriated funds for engineering, supporting any program that protects someone, road purchaser credits is essential to the health of the timber industry in the west.

Please understand this is the issue.

Mr. REGULA. Mr. Chairman, I want to make a unanimous-consent request, and I yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I do not care who makes the unanimous-consent request. I think there is bipartisan agreement on the committee at least.

Mr. REGULA. That is the request I am going to make.

Mr. OBEY. And I think we ought to just proceed with the request, so why does the gentleman from Ohio not go ahead?

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on the Porter amendment and all amendments thereto close in 80 minutes, the time to be allocated as follows: 20 minutes to the gentleman from Washington [Mr. DICKS], 20 minutes to the gentleman from Massachusetts [Mr. KENNEDY], 20 minutes to the gentleman from Illinois [Mr. PORTER] and 20 minutes to myself.

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

Mr. RIGGS. Reserving the right to object, Mr. Chairman, I just would like to ask the distinguished subcommittee chairman, since there are a number of us waiting here for the opportunity to participate in this debate who represent districts that are home to Federal forest lands and which are directly impacted by the proposed amendments when we would have an opportunity to speak under the proposed unanimous-consent agreement limiting time for debate on those 2 amendments or any subsequent amendments thereto.

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

Mr. RIGGS. Further reserving the right to object, I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, obviously we would have 40 minutes between myself and the gentleman from Washington [Mr. DICKS] and he could assign some time and I could.

Now, if my colleague does not think 40 minutes is enough, he can object to the unanimous-consent request. We are simply trying to expedite this, and it would amount to probably about 2 minutes per speaker.

Mr. OBEY. Mr. Chairman, would the gentleman yield under his reservation?

Mr. RIGGS. I yield to the distinguished ranking member, the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me just suggest that it is my hunch that there will be enough time for everybody who wants to to speak provided that people who want to speak simply let the four floor managers know who they are so that they can allocate time to everybody without squeezing people out. The problem they have is that at this time of night people come out of the woodwork and the fellows managing the time do not have any idea who wants to speak.

I mean I cannot imagine in 80 minutes that we will not have enough time for everybody to participate. I have got forest lands in my district. I do not need to talk. I will simply be happy to give that time to somebody else. I just want to get this thing done in a reasonable time before people start losing their tempers.

The CHAIRMAN. Does the gentleman from California [Mr. RIGGS] insist on his objection?

Mr. RIGGS. I reserve the right to object, Mr. Chairman.

The CHAIRMAN. Does the gentleman from California insist upon his reservation of objection?

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

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

There was no objection.

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

Mr. Chairman, the debate, as I understand it now, will be for 80 minutes, 20 minutes controlled by the gentleman from Washington [Mr. DICKS], 20 by the gentleman from Massachusetts [Mr. KENNEDY], 20 by the gentleman from Illinois [Mr. PORTER] and 20 by myself, and then after the 80 minutes of debate, then they will be intermingled. We will take votes on the Dicks substitute, and following that there will be a vote on Porter-Kennedy.

Then I want to announce to the Members that once that is completed it would be the intention of the Chair to continue to take amendments with no further votes tonight. We will go to Line 7, Page 76 and stop just before the NEA issue, and the committee at that point will rise. So we would have two more votes tonight at the end of the 80-minute period in which we debate the Kennedy–Porter and the Dicks substitute.

Mr. Chairman, I want to make it clear there will be no action on the NEA issue tonight. We are going to stop just prior to reaching that point in the bill, which is Page 76, Line 7.

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

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

Mr. OBEY. Mr. Chairman, I am having difficulty still hearing what the gentleman has said. I just want to make sure. There will be which other amendments then debated tonight after these two? The Klug? Royce?

Mr. REGULA. Mr. Chairman, any amendment will be in order that a Member might wish to offer until we reach Line 7, Page 76. If there were any votes ordered, they will be rolled over.

Mr. OBEY. All of the votes will be rolled?

Mr. REGULA. That is correct, there will be no votes after Porter-Kennedy and Dicks.

Mr. OBEY. One additional question.

It is essential that we not be in the committee marking up the transportation bill tomorrow when the NEA vote comes to the floor. Do we have an assurance that that double duty will not occur?

Mr. REGULA. Mr. Chairman, I am advised by staff that the leadership of the Committee on Appropriations, the gentleman from Louisiana [Mr. LIVINGSTON] is trying to work this problem out to avoid the very thing the gentleman from Wisconsin described.

Mr. OBEY. My point is I want assurances that the debate on NEA will not occur while we are in full committee marking up because we cannot be in two places at the same time and everyone feels very strongly about that.

□ 2100

Mr. REGULA. That is my intention that that will not happen; that is, the debate, if there is any committee markup ongoing at that time. Let me assure the gentleman that we are not going to debate the NEA issue while the full committee is in markup.

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado [Ms. DEGETTE].

Ms. DEGETTE. Mr. Chairman, I would like to respond to a couple of points made by the gentleman from Washington [Mr. DICKS].

First of all, this issue that everybody, all of the recreational users, are using these roads. In fact, the GAO has stated that 70 percent of all Forest Service roads are designated as closed to vehicular traffic or for rough, high clearance vehicles. These logging roads are built for and used primarily by logging companies, and are generally inaccessible to vehicles driven by most Americans. I spent a lot of time in the national forests in my State, and I will tell Members that recreational users do not use these logging roads.

Second, with respect to the thought that housing sales will drastically increase if we cut this program, the truth is only 4 percent of all timber activity in the United States occurs in our national forests, and yet there are 377,000 miles of roads crisscrossing these areas. This is eight times the length of the highway system, and it seems incredibly disproportionate to be building these roads, as well as incredibly unlikely that housing costs will go up if we simply stop this program.

Finally, Mr. Chairman, I think it is important for me to add my two cents as a westerner, because I know exactly the damage that timber roads can do to the environment and to the health of our forest ecosystems, as well as the wasting of the taxpayers' money.

When we do this kind of clear-cutting in western forests, we wreak havoc on wildlife and we decimate mountainsides for floods. We have seen a lot of this in Idaho with the recent flood damage, and the fact that a lot of the mudslides have been caused by timber roads in our national forests. It is ecologically wrong and it is a financial drain on our budget. We should simply vote against the Dicks amendment. It does not cut enough. We should vote for the Kennedy–Porter amendment.

Mr. Chairman, I thank the gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from Illinois [Mr. PORTER] for raising these important issue.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. NETHERCUTT], a member of the subcommittee.

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

I want to respond to a few comments by my friends, the gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from Illinois [Mr. PORTER], both of whom I have great respect for. I am from the West. I am from the east side of the State of Washington, where we have small timber companies. The idea of big timber companies is foreign to us. We have small timber companies, two and three and five and ten people who really rely on the timber purchaser credit program. It is not for big companies, it is for the small operator.

I think it is instructive for all of us to think about the fact that, with all due respect to the sponsors of this amendment, in my judgment, in my opinion, in my education, there is not one of them that has the kind of forest lands and the kind of timber communities and the kind of people that I do in my district, so it is easy to sit in Chicago or New York or Massachusetts and say I am going to take care of you out West, and talk about special interests.

Let me tell the Members who the special interests are in this case. They are the people who are driving these fine gentlemen and the sponsors of this amendment to a no harvest-no cut policy on Federal lands. That is not only damaging to Federal property, it is damaging to the recreational interests.

People who go and use these Federal lands and forest areas, they use the roads to get there. It is absolutely inaccurate to say that special interests on our side are trying to protect this program. My special interests are the little guy. That is who is being hurt by this. My special interests are the recreational people who want to go into the forest and use it on a weekend, and they use a timber road to get there.

I want Members to know, let us put this into perspective. There is a special interest driving the sponsors of this amendment. They want a no cut policy on Federal lands and they want to put my region out of work. They want to hurt my little people. I am not going to stand for it.

Mr. PORTER. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Florida [Mr. DAN MILLER], a sponsor of the amendment and a member of the committee.

Mr. MILLER of Florida. Mr. Chairman, I stand up here to a certain degree reluctantly, being a strong supporter of this particular amendment, because I am a member of the subcommittee with the chairman, the gentleman from Ohio [Mr. REGULA], and I have no greater admiration for anyone than I have for the gentleman, especially with the hard work he has done to bring this bill to the floor today.

So many of my colleagues and friends who I vote with most of the time are on the other side of the issue. But this is an issue that if one is a fiscal conservative and one also loves the environment, it is a natural amendment to vote for.

Mr. Chairman, let us get the facts straight here. First of all, we have heard the number of miles we are talking about, 380,000 miles. That is 15 times around the world. That is a lot of miles to be built in the national forests to start with.

Mr. Chairman, the amount of logs that are taken out of the national forests is a very small amount of the total number of logs in the United States. It

only represents 4 to 5 percent of the total amount of commercial logging in the United States. So we are not talking about devastating the entire logging industry of the United States.

Mr. Chairman, there are two major reasons I believe we should be supporting the amendment; first, as a fiscal conservative, it is an issue of money. GAO did a study here about a year or so ago talking about the money. It costs us hundreds of millions of dollars every year to run this program. In 1995 it was a $234 million net cost. It was $278 million in 1995, and it was $455 million back in 1994.

So the total cost of the timber harvesting business is costing the Federal taxpayers money. Why should the Federal taxpayers be subsidizing this program? That is what it is, is corporate welfare, when it has a subsidy. It is a net cost. The GAO said that.

Mr. Chairman, the other issue we talked about is the environment. It does affect the environment, especially when we combine logs, logging, with the roads. I am not opposed to logging in the national forests. My environmental friends may not agree with me on that issue, but I believe it is sustainable, logging in the national forests.

But there are some environmental impacts we have to be concerned with, because when we cut the trees and make the logs it allows more water to flow down the mountainside into the streams, taking all the silt that builds up in there and the rocks and such, and it has caused damage to streams out West, so there are some environmental impacts that we have to be concerned with.

If Members are fiscal conservatives, if they believe in smaller Government, if they want to reduce the size and scope of the Government, this is a good amendment.

Let me conclude with a couple of quotes from some editorials, lots of editorials around the country. One is from my area of Florida and Tampa. This is a conservative newspaper, by the way. Their editorial says, ''This issue,'' talking about logging, ''should unite both conservatives who want to cut to Big Government and environmentalists who want to stop the destruction of America's woodlands.'' It says, ''The issue for Congress should be easy. Washington shouldn't spend taxpayers' money to despoil public resources.''

From USA Today yesterday, let me read one paragraph. ''Fact is, the road-building subsidy is an anachronism, a fossil from the last century when Federal policy was aimed not at managing resources but rather enhancing economic development and westward expansion. Well, times change. The railroads now stretch from sea to sea. The land has been tamed. Let the timber industry pay its own way, or at least pay for its own roads.''

Mr. Chairman, I include for the RECORD three newspaper articles:

[From the New York Times, May 23, 1997]

QUIET ROADS BRINGING THUNDERING PROTESTS—CONGRESS TO BATTLE OVER WHO PAYS TO GET TO NATIONAL FOREST TREES

(By Carey Goldberg)

COEUR D'ALENE, ID.—They are only pretty little forest roads after all, the kind that inspired Robert Frost, the kind that bring memories of bumping happily over canopied ruts on a bike. Or family outings jouncing by car past lacy walls of birches to a beloved pond or hunting ground.

But in the current battle over logging in the country's national forests, woodland roads have nowhere near so innocent a mien.

Logging roads are increasingly blamed for contributing to landslides, floods like those threatening parts of Idaho, and changes in rivers and streams like those that have devastated fish stocks in rivers and lakes around this town in the Coeur d'Arlene (pronounced kur da LANE) National Forest.

The cost of building roads is also increasingly cited as the reason that many national forests lose money on lumber sales. And the dirt roads so web the country's woods, with more than 380,000 miles nationwide—enough to circle the globe nearly 15 times—that here in Idaho, one square mile of forest can be riddled by as many as 20 miles of roads.

''We're concerned about the road network we have and the fact that it's two and a half times the size of the national highway system, which is amazing,'' said Jim Lyons, the Agriculture Department Under Secretary who oversees the Forest Service. ''Our No. 1 water quality problem in the National Forest System is roads.

The opposition to logging roads has reached the point, some national conservation groups say, that they expect it to spark one of the biggest environmental fight in Congress this session.

''This is going to be a pretty big showdown,'' said Marty Hayden, senior policy analyst for the Sierra Club Legal Defense Fund, of a proposed amendment that would slash money for the roads.

The amendment, offered by Representative Joseph P. Kennedy 2d, a Massachusetts Democrat and John Edward Porter, an Illinois Republican, would prevent the Forest Service from using taxpayer money to build roads in national forest. The measure has support from both environmentally inclined lawmakers and fiscal conservatives who oppose corporate subsidies, joined in an alliance known as the Green Scissors.

The timber industry and its allies are fighting the measure, saying that construction of the roads has dropped significantly—to 483 miles in 1996, at a cost of $74.3 million from 1.311 miles in 1991, at a cost of $1.409 million.

The American Forest and Paper Association, an industry group in Washington, D.C., also challenges the assertion that the Government has been misspending money for logging roads. Frank Stewart, the groups spokesman, said a recent Price-Waterhouse report commissioned by the association found ''that, no, this is an efficient and effective way to fund road reconstruction'' in national forests.

The Forest Service has obliterated more than 18,000 miles of roads in the last six years while just 4,575 miles of roads were constructed, the Price-Waterhouse report noted.

The Clinton Administration is taking something of a middle position, Mr. Lyons said, requesting only a small amount for new roads in comparison to what it is asking for maintaining, reconstructing and obliterating logging roads in the national forests.

But the Administration is also, for the first time, pushing for the abolition of the program under which timber companies subtract the cost of road-building from the price they pay for the trees they log in national forests, called the purchaser credit plan.

As the road fight plays out in Congress, environmentalists here in the Idaho Panhandle and in eastern Washington, where national forests are some of the most heavily roaded in the country, say they will be watching with the trepidation that stems from a first-hand knowledge of the damage roads can do.

''The roads have largely destroyed the Coeur d'Alene River here; the river has died a death of a thousand cuts,'' said John Osborn, founder of the Inland Empire Public Lands Council, a forest conservation group. In Spokane, Wash. ''This is the worst case of watershed damage in the National Forest System.''

Roads damage ecosystems in several ways, scientists say, and when heavy road-building is combined with cutting all the timber in an area, known as clear-cutting, the result is a one-two punch.

Trees absorb water. When they have been cut, more water flows down slopes like those that dominate the Coeur d'Alene National Forest.

When roads wash out, the scientists say, they dump rocks and soil on lower slopes and into streambeds; even when they remain intact, roads act as channels for water and contribute further to the erosion of lands and streams. The overall effect is that the streams and rivers fill with silt, the scientists say, and the shallower waters mean ruined fish habitats and more flooding.

''It took only one-half the water in 1996 to cause the same damage as the floods in 1974 because the river flooded so much more easily,'' said Barry Rosenberg of the Inland Empire Public Lands Council.

Roads reduce the complement of fish species in an area, said Chip Corsi, a biologist at the Idaho Fish and Game Department. Researchers have found that as little as 1.7 miles of roads per square mile of forest have that effect. Mr. Corsi said, adding, ''And here we have from 4 to 10 to 15 to up to 20 miles of road per square mile—so it's extreme.''

He added that roads can also hurt some forms of wildlife by opening their areas of the forest to other species, whether noxious weeds or human beings.

But the greatest damage roads do, Mr. Corsl and others said, is to watersheds, and warnings to that effect have been coming from scientists and environmentalists for decades. The heavy flooding in the Northwest in 1996—including landslides that cost several lives—focused particular attention on the perils of forest roads.

Last June, the proposal by Representatives Kennedy and Porter that the Government stop reimbursing the timber companies for road construction lost by just one vote in the House. The new head of the Forest Service, Michael Dombeck, said when he was appointed in February that the national forests' roadless areas should be preserved.

The construction of roads in the national forests has already shrunk significantly. Mr. Lyons said that under the Forest Service's current proposed budget, it would build only 8 miles of new roads and timber purchasers would build an additional 300 miles, of which 132.6 miles would be in currently roadless areas. More than 2,000 miles of road would be reconstructed.

Even that is too much for environmentalists, who argue that the money should be spent on repairing old roads to minimize the damage they cause.

According to calculations by Public Employees for Environmental Responsibility, a whistle-blower group of Federal, state and local workers in resource management, the Forest Service loses millions of dollars each

year on timber sales; in extreme cases, the group says, road building can cost the agency $1,000 for just $100 worth of timber. But the cost of building roads and the price of timber vary tremendously.

In areas like the North Fork of the Coeur d'Alene River here, state employees worry that there is not even enough money in the budget to maintain the roads that exist, let alone to obliterate them.

Viewed from the air, the forest is so ringed and edged and swirled with roads that in places it looks patterned in paisley. It is because of areas like this that the discussion in Congress is expected to be so charged.

''Part of the problem,'' Mr. Lyons said, ''is trying to sit down and explain to people what you need in terms of road maintenance and reconstruction and obliteration to protect the resource—to deal with salmon habitat and things that matter in the Northwest. There is this perception all the money we request for roads goes into building new roads.''

[From USA Today, July 9, 1997]

TIMBER! LET SUBSIDIES FALL

Congress this week will try again to end the ridiculous practice of paying loggers millions to build roads.

More than 100 years ago, in 1891, Congress created the National Forest Reserve as a means of protecting the nation's woodlands and increasingly muddied watersheds from the scouring clear-cuts inflicted by the 19th century timber industry.

Like many good resource-management ideas in those bad old robber-baron days, the protections didn't last long. In 1897, Congress voted to permit logging in the reserves, and the ensuing swarm of timber industry payouts and subsidies continues to finagle taxpayer dollars today. Among the most egregious: a program through which taxpayers spend millions of dollars a year to build roads that logging companies use to harvest cut-rate federal timber.

There is much to complain about when it comes to timber sales, which routinely cost the Treasury hundreds of millions of dollars a year. But the issue at hand is far narrower. For the second year running, a bipartisan congressional alliance of environmentalists and budget hawks will try Thursday to end the road-building subsidy, valued this year at $41 million in direct costs. Last year's effort failed on a tie vote.

More power to them. The program survives on spurious rationales.

Supporters say the roads open the forest to recreation. But have you ever tried driving on one? When they are passable at all, they usually lead to vast fields of deadwood and slash, hardly places that invite picnicking or other pleasures. Moreover, the roads contribute to runoff that ruins fishing streams. Or isn't fishing a recreation?

And it's not as though we don't have enough roads already. The national forests are latticed by 377,000 miles of roads, almost nine times the length of the interstate highway system. In some places, there may be 20 miles of road per square mile of forest, as dense as some cities.

Does the road-building subsidy have economic importance? Hard to see how. The national forests account for only about 4% of the nation's timber production, hardly enough to affect prices or jobs. Other factors are far more influential. Between 1950 and 1994, the timber harvest increased by 64%, while employment in the wood and paper industries fell 4%.

Fact is, the road-building subsidy is an anachronism, a fossil from the last century when federal policy was aimed not at managing resources but rather enhancing economic development and westward expansion. Well, times change. The railroads now stretch from sea to sea. The land has been tamed. Let the timber industry pay its own way, or at least for its own roads.

WHY WASTE MONEY ON LOGGING ROADS?

Washington spends about $30 million a year subsidizing the construction of logging roads in national forests. These roads cause erosion, pollute creeks and deface the wilderness. They are blamed for landslides that occurred during the flooding in the Northwest last year.

As U.S. Rep. Elizabeth Furse, an Oregon Democrat who is working with both Republicans and Democrats to get rid of the subsidies, says, ''First we pay to build them. Then every time there is a flood, the public has to pay for it again.''

The House of Representatives is scheduled this week to review a proposal to cut or eliminate the subsidies. President Clinton favors eliminating the expense.

This issue should unite both conservatives who want to cut Big Government and environmentalists who want to stop the destruction of America's woodlands.

The timber industry defends the expense, saying the roads also allow for greater recreational use of the forests. That's so much sawdust.

There already are more than 380,000 miles of logging roads carved through the forests. This is eight times the length of the interstate highway system.

Hunters, hikers and others do not lack for access to the national forests. Outdoors enthusiasts would much prefer clean creeks and pristine forests to more roads and additional erosion.

The issue for Congress should be easy. Washington shouldn't spend taxpayers' money to despoil public resources.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself 15 seconds. I want to respond to the gentleman from Washington [Mr. NETHERCUTT], who indicated this is a program which supports small businesses. The truth of the matter is that out of the 12,000 companies, only 33 of them are small businesses, and they represent 4 percent of the total road building program in our national forests in this country.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Oregon [Mr. DEFAZIO].

Mr. DeFAZIO. Mr. Chairman, we have too many miles of forest roads. There is absolutely no question, 380,000 miles is too much. But thousands of miles, though, one cannot just walk away from too many miles of road and from poorly constructed roads. We have thousands of miles of roads in need of maintenance.

Unfortunately, the Forest Service often calls that reconstruction. If you take a 6-inch culvert and replace it with a 12 because it is blocked, that is not maintenance, that is reconstruction. That would be virtually eliminated by the Kennedy–Porter amendment.

The Dicks amendment takes the appropriated funds down to the level requested by the Clinton-Gore administration for construction-reconstruction. I can guarantee the Members most of that budget, virtually all of that budget, is going to be used for reconstruction of roads, which is environmentally benign. Some of it will even be used for removal.

I had hoped to come to the floor to add funds to maintenance and add funds to removal, but it is not allowed under the bizarre rules under which we consider appropriations bills at this point.

There is a $440 million backlog, everybody admits to that, for maintenance. But they are saying, we are just cutting construction and reconstruction. No, you are not just cutting construction and reconstruction. Much of that backlog is reconstruction, and reconstruction is maintenance to the rest of us in the world, but not to the pointy heads down at the Forest Service. We need to get that work done.

Reducing purchaser credits by one-half, which the gentleman from Washington, Mr. NORM DICKS, does with this amendment, by 50 percent according to the Clinton administration, I checked with them on this, will eliminate all new road building, including any roads into roadless areas, under the purchaser credit program. That is the way they would use that reduction.

What will the other $25 million go to? It will go to maintenance, which the Forest Service calls reconstruction. It will go to Aufderheide Drive, the most heavily used recreational road in my district in the Willamette National Forest. It will go to other critical roads that have been identified in the President's forest plan as needing immediate removal, reconstruction, repair, or upgrading, because they present dangers to watersheds and fish. That is what this is all about.

It is well-intentioned on the part of these gentlemen, and I do not want to subsidize the industry. No one can accuse me of that. So what, the gentleman from Washington, Mr. NORM DICKS, is proposing will eliminate the roads into the roadless areas, it will eliminate the new road construction under purchaser credits. If you buy into the argument by eliminating these monies, you do that. You cannot have the language in the bill. That is not allowed. And it will put enough money back into the construction and reconstruction program to do what the Clinton administration wants to do, to reconstruct problem roads across western Oregon, Washington, the western United States, that they have identified are in need of immediate upgrade, immediate maintenance, and they unfortunately call reconstruction.

What we really need is to have a debate where we make a more rational forest policy in this country and a more rational roads policy at the Forest Service, in the authorization committees, and bring that to the floor to the debate, as opposed to what we are doing here tonight, because we cannot get at the real problem.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Idaho [Mrs. CHENOWETH], chairman of the authorization subcommittee.

Mrs. CHENOWETH. Mr. Chairman, the 1998 appropriations bill will fund the reconstruction of 160 miles of damaged Forest Service roads. Through the purchaser credits program an additional 2,000 miles of roads will be reconstructed. Reconstruction will protect riparian systems, provide access for forest health projects, and wildfire prevention. The Kennedy-Porter amendment will eliminate these programs, including reconstruction, which will lead to an overall demise of the resource.

By effectively eliminating the roads program, the Kennedy-Porter amendment will seal the fate of thousands of small timber companies and businesses that depend upon the Forest Road Program.

Mr. Chairman, I find two very interesting common threads running with the sponsors of the Porter-Kennedy amendment. None of the sponsors that are from the Republican side, anyway, and I do not believe the gentleman from Massachusetts [Mr. KENNEDY], have any forest roads in their district. They do not serve on any of the natural resources subcommittees.

Furthermore, I find it interesting, these same individuals will debate strenuously for a subsidy to the NEA, $99.5 million last year. They debated strenuously for a subsidy for people's pleasure. Yet, we find them all excited about road credits, which are not a subsidy. I know these are intelligent people, and I know they understand the difference between subsidies and road credits. There are no direct subsidies going from the Federal Government to timber companies.

Furthermore, I want to make it clear that in 1996, small business brought 75 percent of the U.S. timber, 75 percent. It is not the great big timber companies. The gentleman from Washington [Mr. NETHERCUTT] was absolutely right.

I want to ask the sponsor of this amendment, if it will not affect the lives of his constituents, it will affect the lives of mine. I ask him to explain to the children who live in Elk City and Grangeville, ID, and the children of other timber-dependent communities throughout the country how they will make up the funding they count on for their schools that come out of timber sales.

I ask him to tell the sawmill owner in Bonners Ferry, ID, how he can now afford to purchase a timber sale to keep his mill operating. The Kennedy-Porter amendment will effectively shut down the national forests. If we pass this amendment today, our hands are tied. Fighting wildfires and addressing forest health problems will be nearly impossible.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2 minutes to the 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 support of the Kennedy amendment, and am opposed to the amendment of my good friend, the gentleman from Washington [Mr. DICKS], my classmate.

Mr. Chairman, I think that our colleague and friend, the chairman of the subcommittee, raised the question before. He said if you have too many roads already and you cannot maintain them, then why are we going to build more?

□ 2115

That is really what this big fight is all about, because we are falling behind. We have the 380,000 miles of roads. We cannot maintain them. And we get studies that come back that look at the economic aspects, but they do not look at any of the physical aspects, the nontangible aspects in terms of what is happening with these roads in terms of fragmentation, in terms of erosion.

All these issues we have been talking about are being compounded by a program that is basically out of control. This does not cut down timber sales. The BLM, the BIA, the State programs do not rely upon the type of program that the Forest Service has instituted that has built all these roads. And the fact is that most of these roads, 80 percent of them have nothing to do with or little to do with recreation. In fact, if that were the case, we could not have recreated any of these forests before the roads were built. We know that is not accurate.

When we talk about small business, the definition of small business is 500 employees or more in these forest industries Road Credit Program. You say this is a small business program. Of the 13,000 companies involved, only about 30, 35 of them do not qualify for the purchase or credits. What this is is we are setting up a bank account. We are borrowing out the money, and we are not even checking what is happening in terms of what the consequence of the road building results.

The consequences are turning out to be a program that is out of control, that is heavily subsidized. I admit that this particular procedure is a blunt instrument in terms of dealing with this issue. We should deal with it much more surgically. But that is not the choice we have in terms of this rule or what is presented today in this chamber.

The choice we have tonight is to vote up an amendment that will in fact eliminate or stop this particular wasteful subsidized program, not stop timber cutting, saying you are going to do it the way the BLM does it, you are going to do it the way the States do it. It will continue timber cutting but on a business basis not on the basis of Federal Government subsidy but on the basis of business economics the market place not the Federal dole.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN] chairman of the Subcommittee on National Parks and Public Lands.

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

I chaired this committee on the Forest Service for a while, had a lot to do with it. I think the gentleman from Washington [Mr. NETHERCUTT] came up with some very good things. These folks say that there is no recreation. It is obvious where they are coming from. I have spent my life in the outback in Idaho, Wyoming, Utah, that area. I was a guide at one time. I think I understand it very well.

Let me just say, they are used for recreation, about 90 percent. All these roads that are going to be built, they are going to have people who hunt, fish, camp, watch birds, and they are going to be on it. What I worry about is so-called Joe Sixpack, which a lot of us may fall into that category. I worry about the guy that does not have the opportunity to go out on that land, take his camper, take his kids, put up a tent and enjoy it for a little bit.

We are saying to him, you cannot do this anymore. A guy I really worry about a lot and I know you folks in the East probably do not watch what goes on in the West, but do my colleagues know what is going to happen this year?

Let me tell you something. I do not have to be a prophet to say this. It just happens to be the gospel truth. We are going to have fires like you have never seen before. We have got all of this water that came out. Now it has stopped. Now up come these things. Guess what is going to happen? Last year we had more fires than we have ever had.

As one of the senior members of the Committee on National Security, I am always amazed how all these people want to buy all these old airplanes and put them back together. Guess what those fires cost us last year? $1.2 billion.

When you talk to the firefighters they say, but there are no roads to get in. Fine, do it on helicopters that cost $500 an hour. Jump out of those things and get yourself killed. That is all right.

Are we worried about those people? I sure am. I think they are very important. I worry a lot about the people who run stock in that area. I worry about the people, the young people of America.

I built the house I lived in in 1968. I paid 83 cents for a 2-by-4. Now they are around $4 apiece. Let us see what that means to the price.

So in a way, if you are a fiscal conservative, you will vote against the Kennedy bill and you will vote for the gentleman from Washington [Mr. DICKS], my good friend, on this particular bill.

Carrying that on, if you want to see the cost of this thing go up, if you want a tax increase, vote for Porter-Kennedy. You will get a tax increase, I will promise you that.

If you want to hold taxes down, do not do it. These folks in a way are saying, let us give a tax increase to America. Let us burn the West, and that is

what they are saying. Go ahead and laugh. That just happens to be the gospel truth.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself 35 seconds.

I just want to point out that the truth of the matter is that this bill has nothing to do with taxes. Whenever there is an issue that Members feel they are going to lose, they say it is going to mean taxes. This time we are going to hear that we will create fires.

The only thing this legislation does is stop new roads for the exclusive purposes of building those roads for logging. All the funds remain in this bill that are contained for the purposes of recreational roads and for fire prevention or other forest management purposes.

All the funds remain in this bill for recreation, fire prevention and any other purpose other than logging roads.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, this is not about raising taxes. It is not often that we have an opportunity to enhance environmental protection, reduce the deficit and end corporate tax subsidies in one single vote. But that is exactly what this amendment offers us today.

For years the Forest Service has provided taxpayer-funded subsidies to timber companies to construct nearly 400,000 miles of logging roads through our national forests. These subsidies not only provide a handout to the timber industry for costs they should be paying on their own, they also underwrite activities that take a serious toll on our forests' fragile ecology. These are the habitats for a diverse array of fish and wildlife, including many threatened and endangered species. Logging roads fragment habitats, increase erosion and siltation into rivers and streams.

As for the expense to taxpayers, the General Accounting Office estimates that between 1992 and 1994, the logging road program cost the Treasury more than $245 million. And just for a point of reference, that is almost three times the cost of the entire budget for the National Endowment for the Arts.

This amendment is plain common sense. Trout Unlimited, hardly a bastion of environmental extremism, is among the many groups supporting this measure. Let us be very clear. This amendment will not prohibit timber companies from building new logging roads. It simply says, do so at your own expense; go build them but pay for it at your own expense, not with taxpayer dollars. Do not expect the taxpayers to give you a handout. Is that not what welfare reform is all about? The Forest Service's logging road construction program epitomizes the kind of wasteful, environmentally destructive corporate welfare program that we have a duty, a responsibility, to terminate as we move toward a balanced budget.

My colleagues, for all those who want to move towards a balanced budget, I urge support of this bipartisan amendment.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. SHADEGG].

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

Mr. SHADEGG. Mr. Chairman, this debate is not about corporate welfare and it is not about the Federal budget. It is about proper land management of our forests, our land. If you owned a piece of land, would you let someone else come in and build a road on your piece of land and let them control where that road was, what the quality of the road was going to be, and whether the road was going to be permanent or temporary and receded? Absolutely not. That is what this debate is about. It is not about corporate welfare. It is about who manages that decision.

I talked to professional foresters today about this issue. They make it very clear, that the purchase road credit program allows them to manage these decisions. I listened just a few minutes ago to one of my colleagues come to the floor and say, if you are a fiscal conservative or if you are an environmentalist, you will support the Porter-Kennedy amendment. The absolute opposite is true. If you are a fiscal conservative, you would understand that there is no subsidy here.

The timber companies do not keep the roads. We keep the roads. Recreationalists use the roads. And our professional forest managers need to design where those roads go, the quality of the road and whether it is a permanent or a temporary road. It is not also about the environment. If we allow the timber companies to build the road with their own money, they will bulldoze the cheapest, quickest road they can get in and do as much environmental damage as may happen. If we design the road through the purchase credit program, then we can protect the environment.

This is a debate full of red herrings. It is a debate that misses the point. The fundamental issue here is that the Forest Service should be designing these roads and we should be forcing timber companies to pay for them. The current Forest Service credit program does that. If we abandon this program, the forest timber companies will bid, will estimate the cost of the roads at the highest possible figure. They will reduce their bid for the timber by that amount of money. The net effect will be less money to the Federal Treasury. It is not about reducing a corporate subsidy because there is no corporate subsidy.

The fact is right now the bid price includes the cost of building the road. I urge my colleagues to vote against the Porter-Kennedy amendment.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of the Porter-Kennedy amendment to promote fiscal responsibility and protect our natural resources. I think it is clear that the American people want us to get our fiscal house in order. And it is equally clear that they want us to protect the environment. The Porter-Kennedy amendment accomplishes both of these goals by eliminating an unwise Federal subsidy which benefits large corporations and harms our national forests.

I do not oppose timbering on public lands. I understand the importance of accessibility to timber sales. But we already have 380,000 miles of roads in our national forests. That is eight times the size of our interstate highway system. And most of those roads can be used only by timber companies and are not suited for recreational use.

It is time that American citizens stopped subsidizing the construction of more logging roads.

It is important to note that this amendment does not affect, let me stress, this amendment does not affect the funding of the Forest Service for the maintenance of existing roads, nor does it hamper the construction of recreational or general purpose roads.

It simply says that if a timber company needs to build another road to reach another timber sale, the company, not the American taxpayer, should pay for it.

I think that makes perfect sense. So, too, do the Citizens Against Government Waste. So, too, do the Taxpayers for Common Sense and the Wilderness Society and the U.S. Public Interest Research Group. The list goes on and on.

Support U.S. taxpayers and the environment. Support the Kennedy–Porter amendment.

Mr. DICKS. Mr. Chairman, I yield 2¼ minutes to the gentleman from Mississippi [Mr. PARKER].

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

To my good friends from Illinois and Massachusetts sponsoring this amendment, I think it is well-intentioned, but they do not know the difference between a skidder and a knuckle boom.

□ 2130

I must tell my colleagues that I do not care for the Dicks amendment a whole lot. I am going to support it simply because it is better than the amendment of the gentleman from Massachusetts, because this gentleman's amendment is devastating.

We do not have to have roads in national forests. All we have to do is allow people an easement to go in, cut the timber and come out. I would agree that it would be a subsidy if that logging company or that logger took the road with him. But he does not keep the road, he leaves it there for the Federal Government to have.

I must tell my colleagues that that road is not just any road. In the private

sector they go in and they build temporary roads. And those temporary roads, they do not last. They are temporary. But I must also tell my colleagues that the roads that the Federal Government requires, the Forest Service says it must be built to these certain specifications. They are interstates without blacktop. They have got drainage, concrete, culverts. Everything we would ever want on a road, they have it.

Why would we ever expect a timber company or a logger to go in on that property and build to the specifications that the Federal Government demanded and then turn around and say, ''By the way, you have invested in that; you cannot take any credit whatsoever.'' It is ludicrous.

There is one other point that is even more ludicrous. My home county, Franklin County, MS, Meadville, 490 people, all good people, 70 percent of the county is national forest. Homochitto National Forest. They tell me in my home county that, if the amendment of the gentleman from Massachusetts passes, that we are going to cut revenue in timber sales by 40 percent. What does that do?

I ask the supporters of this amendment, I would like to find out from them, what will they say to the schoolchildren that will be devastated by the loss of revenue that we use to educate those children. The money that the Federal Government is going to keep them from having because the county is owned basically by the Federal Government. What will we do?

It is a sad representation that this amendment will do anything good for our economy.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I want to show the gentleman from Mississippi his idea of an interstate highway. This is in fact the real truth about what happens on these logging roads.

These logging roads are built by the American taxpayer. The companies, in fact, get a huge subsidy from the American taxpayer. And the American taxpayer is then forced to maintain these roads. It is a terrible subsidy. It should stop. And we are talking about 8 miles worth of roads in this amendment. Eight miles.

Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of the Porter-Kennedy amendment because eliminating the logging road subsidy will stop those sales that lose the most money and are the most environmentally harmful.

Logging road construction, particularly on steep, unstable slopes, dramatically increases the risk of landslides, erosion and siltation into streams. And this picture demonstrates what I am talking about. After the winter storms in the last 2 years in the Pacific Northwest, the Forest Service found in Idaho that 70 percent of the 422 landslides were associated with these Forest Service logging roads.

Over two-thirds of the roads built in our national forests are logging roads constructed primarily to access timber sales. There is no good reason why the Forest Service should be in the business of constructing these roads on behalf of the timber companies. The Forest Service should follow the lead of the Bureau of Indian Affairs and the Bureau of Land Management and require the timber companies to build their own roads at their own cost. These companies can figure out where it is economical to build a road and make a timber sale and where it is not.

By building these roads for these companies, the Forest Service facilitates logging in many areas that would not otherwise be profitable. Last year 87 percent of the logging operations in our national forests lost money for the Forest Service. Why? Because we are building roads for timber companies to log in areas that should never have been logged and are not economical.

As a result of this backward policy, making our national forests into a logging highway, we now have 378,000 miles of road crisscrossing the acres of forest not designated as wilderness. Our forests contain enough road to circle the globe 14 times over. Imagine that. That is equivalent to one and a half miles of road per square mile of land. It is 50 percent more road than in non-Forest Service land.

This amendment is not going to stop roads from being built in our national forests, but it will stop taxpayers from footing the bill for timber roads. Support the amendment.

Mr. REGULA. Mr. Chairman, I yield 1½ minutes to the gentlewoman from the State of Washington [Ms. DUNN].

Ms. DUNN. Mr. Chairman, I rise in opposition to the Porter amendment and in favor of the Dicks substitute.

I want to talk on a couple of points I have heard here today. The first one is that there is no subsidy for the timber roads in this legislation. As the gentlewoman from Ohio told us earlier, according to a recent economic analysis released by Price Waterhouse: ''The forest roads program does not contain a subsidy for timber purchases; it provides an efficient and effective mechanism for financing road construction and reconstruction.''

These roads are primarily used in the national forest system for recreation, Mr. Chairman. Ninety-seven percent of the road system in any given national forest is used for recreational purposes by the public. I do not think that is a subsidy. They are used by folks who want to go up and see the wildlife, or by the disabled, for years by my family when we did hiking in the North Cascades and never would have gotten into that territory without access to these timber roads.

Second, Mr. Chairman, it is very important that we consider the rural counties that are located next to these national forests. They receive 25 percent of the gross receipts from timber sales in lieu of property taxes on Federal lands. They cannot tax Federal land property, so it is important for us to be supported by the Government in our rural school districts.

In my State, loss of funding would place an unbearable burden on rural school districts because of the number of acres of Federal land in our State that cannot be taxed. We are talking $28.2 million for schools and roads, 76 percent of the timber receipts in my State, because of the impact of Federal regulation.

I stand in opposition, Mr. Chairman, and urge my colleagues to vote against the Porter-Kennedy and in favor of the Dicks amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. CHAMBLISS].

Mr. CHAMBLISS. Mr. Chairman, my perspective on this is a little different from most of these folks that have been up here tonight. I come from the Southeast, but my district is the second largest timber producing district in the country. And whether one is in the Southeast or the Northwest, the issue is the same when it comes to proper forest management. In order to have proper forest management, we have to have control of burning and we have to have the removal of dead and diseased trees.

In order to get those dead and diseased trees and to control burning, we have to have access to those forests. Without the construction of roads, we do not have that access. It is a very, very simple issue.

Once those roads are constructed, they are not only used for removal of these trees and controlled burning, they are used by hikers, by campers, by bird watchers, by hunters, by fishermen; all folks ought to have access to public lands.

If this amendment passes, every single Member of this House will have constituents that are negatively affected. I urge a no vote on the Kennedy-Porter amendment.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise to give my strong support to the Porter-Kennedy amendment.

It is really a win-win situation. First of all, the Forest Service will save over half the amount it annually spends on the construction and reconstruction of roads. It will spend $41.5 million instead of $89.5 million.

Second, almost no timber industry jobs will be lost, since only 4 percent of all timber comes from our national forests and many of the construction workers will still be hired if the logging company wants to build a road.

And the riparian ecology would be left unchanged for future generations.

Of course, I believe that environmental concerns are of paramount importance, and this amendment preserves the environment. However, economics makes passage of this amendment essential.

I believe that Paul Roberts summarized the economic impact in his sobering Harper's magazine article, ''The Federal Chainsaw Massacre,'' when he wrote, ''According to government and independent auditors, once realistic accounting methods are applied, most Federal forests actually lose money.''

Why then do Members continue to hear from timber interests in support of this Federal subsidy? Well, it seems to me there is a simple explanation. Would we not want to have government pay if it is willing to do so?

What we need to ask is, is this subsidy beneficial to the public? Is it profitable? Do we believe that it is the duty of government? To all of these I think the answer is no.

I do not oppose logging but I do oppose unnecessary and wasteful subsidies. Timber users should pay the same fair costs for their product as they would in the 96 percent of private lands available for logging.

In 1992–94 the GAO found that, while timber sales in our national forests returned $302 million to the Treasury, taxpayers spent $1.298 billion in administrative costs; a net loss of $995 million.

This amendment will also reduce the number of timber sales that lose money. It is highly unlikely that a logging company would be willing to accept the risk of constructing a road for sale where it is going to cost more to access, log and transport the trees than would be recouped at current free market timber values.

I hope this House will join me in supporting this very reasonable and important amendment.

Mr. NETHERCUTT. Mr. Chairman, I yield 1½ minutes to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Chairman, I join with many of my colleagues who tonight have spoken in opposition to the Kennedy-Porter amendment.

This is not an issue of corporate subsidy or corporate welfare. As the Price Waterhouse study has shown, with or without the purchaser road credit, the net receipts to the Federal Government from this program will not change. And the administration has affirmed that.

Many of the points I wanted to make tonight have already been made, and I think it is important that someone from the Northeast have an opportunity to speak on this side who would not otherwise have an opportunity because of the limited time we have and, therefore, I yield the remainder of my time to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Chairman, I thank my colleague from Idaho.

I want to say a couple of things. First of all, from my perspective, from the perspective of a businessman, this amendment is nothing but a pig in a poke. The fact of the matter is logs do not fly. They will not sprout wings and fly out of the forests, and somebody will have to pay for these logging roads.

Now, contracts for timber are let exactly the same way a contract would be let to build a building or parking lot or anything else. There is a sale price and cost of sales, and then there is a back charge or credit the cost, especially of capital improvements, into the sale price.

These roads are going to get built, unless we plan to end timber harvest completely in this country, which would be a terrible idea. We will not end up saving money, because the bids will have to be lowered in order to cover this capital expense.

So let us defeat this amendment and get on with the business of approving this Interior appropriations.

Mr. NETHERCUTT. Mr. Chairman, what is the relative time left in the debate?

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] has 11 minutes remaining, the gentleman from Washington [Mr. DICKS] has 10¾ minutes remaining, the gentleman from Illinois [Mr. PORTER] has 11½ minutes remaining, and the gentleman from Massachusetts [Mr. KENNEDY] has 10½ minutes remaining.

Mr. NETHERCUTT. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. RIGGS].

□ 2145

Mr. RIGGS. Mr. Chairman, I want to thank the gentleman for yielding to me.

I just want to tell my colleagues that I think we went through this debate about a year ago, that this debate really has a deja vu view quality. To quote Yogi Berra, ''It feels like deja vu all over again.''

We seem to talk right past one another on this one particular issue. There is this enormous continental divide that somehow separates us from ever reaching any kind of middle ground on this particular issue. I just find it fascinating and, yes, distressing that people, representatives, well-intentioned in this body, who represent largely urban districts, whether they be in Massachusetts, Illinois, New York, Florida, Northern Virginia, Maryland, wherever it might be, apparently have no understanding nor any appreciation for the concerns of us that represent these districts that are home to timber-dependent communities.

Now, make no mistake about it, this is bad policy. These are public roads that provide public access to Federal forest lands for a variety of purposes. And I thought we wanted to encourage the idea of multiple use of Federal forest lands. It is going to further reduce PILT payments, payments in lieu of taxes, to local communities and local schools. It is going to worsen forest health and exacerbate the fire damage on Federal forest lands.

I would just quote to my colleagues from a letter from the 225,000 members of the International Association of Fire Fighters, who say that ''the forest roads program and the purchaser road credit program are essential to providing safe passage for fire fighters and protecting our national forests and surrounding communities from catastrophic wildfires.'' We urge our colleagues to oppose the Kennedy amendment and any other efforts to reduce funding for forest roads construction and maintenance.

The International Association of Fire Fighters are joined by several other important national labor organizations in opposing this amendment, including the United Paperworkers International Union, the Association of Western Pulp and Paperworkers, and the United Brotherhood of Carpenters and Joiners of America.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. STUPAK].

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

I rise in opposition to the Kennedy-Porter amendment. This amendment would have a devastating impact on the health of our national forests, jobs, small businesses, recreation, education, local government.

In a letter from the Society of American Foresters, one of the oldest conservation organizations in the world and which is widely respected as the leader in forestry science, they state that the Kennedy-Porter amendment would have a negative impact on forest health. The letter states, and I quote:

> Forest roads are the single most important infrastructure component that supports natural resources professionals in the maintenance of healthy forest ecosystems.

In addition, the Kennedy-Porter amendment would have a devastating impact on jobs and small businesses across the country. According to the Forest Service, timber harvesting annually supports over 64,000 jobs, which results in over $337 million in Federal income tax revenues. Small businesses purchase two-thirds of the timber harvested in national forests.

Contrary to what supporters say of the Kennedy-Porter amendment or as they have tried to portray, 97 percent of forest roads are open for recreational use. That means for everyone from hunters to fishers, mountain bikers, snowmobilers, hikers, and most importantly, of course, fire fighters. All benefit from forest roads.

Finally, supporters claim that this forest program is a subsidy. This is blatantly false. As has been repeatedly said tonight, the Price Waterhouse report concludes that the road program is not a subsidy.

Mr. Chairman, the Kennedy-Porter amendment is well intended but complete ill-advised. Those of us who depend upon the forest for our living in northern Michigan, we know. I urge all Members here to oppose this amendment and cast a vote in favor of local

government, forest health, small businesses, recreation, education and jobs.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon [Ms. FURSE].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I add an additional 3 minutes to the time of the gentlewoman from Oregon [Ms. FURSE].

The CHAIRMAN. The gentlewoman from Oregon is recognized for 5 minutes.

Ms. FURSE. Mr. Chairman, I would like to talk a little bit about some of the things I have heard today. I am a sponsor of this amendment and, obviously, I rise in strong support of the Porter-Kennedy amendment. It would end taxpayer subsidies for the construction of logging roads in our national forests. People said it is not a subsidy? USA Today says it is a subsidy. The Washington Post says it is a subsidy.

I have heard a great amount of talk about the recreational needs and how people who are recreating would use these roads and why they would oppose this amendment. However, I wanted to point out who does support this amendment: Trout Unlimited. They recreate; Steelhead Committee of the Federation of Fly Fishers; the Northwest Sports Fishing Association; the Association of Northwest Steelheaders; Idaho Rivers United; Puget Sound Gill Netters; Washington Trout. They support this amendment because they know that this amendment is good for recreaters.

My region has been plagued by catastrophic floods that triggered hundreds of mud slides. Study after study found that the majority of these slides were associated with logging roads and the clear cuts they accessed.

Mud slides also cause job loss. They destroy the habitat of our imperiled salmon runs. These fisheries once provided more than 60,000 jobs and revenues to my region annually. But the runs have gone belly up because, amongst other things, we have very destructive road-building activity.

According to the National Marine Fisheries, and I quote, ''Road construction has been a primary source of salmonid habitat decline.'' And the American Fisheries Society, the professional society of fishery scientists reports, ''Only rarely can roads be built that have no negative effects on streams.''

So that is why the sports and commercial fishery interests support this amendment, the same groups that I have spoken of before, the Pacific Coast Federation of Fishermen's Associations. That is the largest group of commercial fishers in the West.

Again, let us look at recreational use of roads. Seventy percent of logging roads are closed to vehicles that are not high vehicles, 70 percent, so the recreational use is not there. It is limited to logging.

This amendment allows logging roads to be built. Want to repeat that. This amendment allows logging roads to be built. What it does not allow is for the taxpayer to pay so that a company can go in, take public timber, take the profit, and we pay for the roads.

Do we pay just once? No. The taxpayer pays three times for these roads. The taxpayer pays to build the road, the subsidy. The taxpayer pays to maintain the road, another subsidy. And then the taxpayer comes along and pays for the flood damage. Do the timber companies pay for the flood damage? No. The taxpayer pays for the flood damage. We already have 380,000 miles of road in our national forests.

So I say that for the sake of fishers, for the sake of the fish, for the sake of the taxpayer, for the sake of the environment, I say it is time to stop the subsidy.

And I would like to comment, at the end, by telling my colleagues that I am in an area which has lots of timber companies. I have heard from not one timber company that has said they cannot afford to build a road. If they are not telling us that, if they are willing to go in and build a road, it is the cost of doing business. We do not build a road inside a company and say, ''Gee, in order for you to do business, we are going to build you a road within your company headquarters.''

So let us stop the subsidy. Let us listen to the thousands and thousands of our constituents who have said, ''We are sick of paying subsidies to companies who can well afford to pay them.'' Let us listen to the user groups. Let us listen to the fishers. Let us listen to the recreational users. Let us say, let us save some money. Let us stop subsidizing. Let us, in fact, give the taxpayer a break. Let us support the environment. Let us stop the subsidy. Let us support the Porter-Kennedy amendment.

Mr. NETHERCUTT. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado, Mr. BOB SCHAFFER.

Mr. BOB SCHAFFER of Colorado. Mr. Chairman, I thank the gentleman for yielding.

The real problem here is that the Federal Government owns an awful lot of land. All of us conservatives and those who have kind of a libertarian perspective on government need to deal with that. The real issue is that the Government owns so much land.

Now we are not going to resolve that debate here tonight. But given the fact that the Federal Government owns so much land, the next question is, since we are part of that Government, since we are, in fact, Members of Congress who preside over that body, that entity, how do we manage properly the land that we own?

These issues are not big issues for private land owners. They manage their forests properly. In my county back in Colorado, the county I live in, 70 percent of the land in my county is owned by the Government. Seventy percent. These are critical issues for us.

Now think about that. I think those of my colleagues who are proposing this amendment might really understand this if the Federal Government thought about taking over and occupying more of their State. But this seems to be an issue that is of great concern out in the West.

Now what about those forest areas and those lands where the timber sale may not cover the cost of roads? Those are rare occasions, but they do occur. But I would submit that we still need to be concerned about logging those areas, for the following reason: The timber industry and timber harvest is an integral part to sound forest management.

Let me show my colleagues what happens when you do not properly manage a forest. Now the gentleman over here showed a black-and-white picture of something he believed to be a hazard. This is a color picture. This picture is in color. It just looks black-and-white because there is no life left here. Everything is dead.

This is what happens when you do not get in and thin a forest. The trees get crowded. They compete with one another for water. They get stressed. The bugs and disease move in. The trees die. They become brittle. They will catch on fire, and it burns to the ground and there is nothing left there for anybody, no wildlife, no valuable timber, no recreation, nothing. It is going to rain here and all of it is going to wash into the river and kill the fish.

Mr. KENNEDY of Massachusetts. Mr. Chairman, how much time does each side have, please?

The CHAIRMAN. The gentleman from Washington [Mr. DICKS] has 8¾ minutes, the gentleman from Massachusetts [Mr. KENNEDY] has 7½ minutes, The gentleman from Ohio [Mr. REGULA] has 7 minutes, and the gentleman from Illinois [Mr. PORTER] has 9½ minutes.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong support of the amendment offered by my colleagues, the gentleman from Illinois [Mr. PORTER] and the gentleman from Massachusetts [Mr. KENNEDY].

This amendment would help protect the last frontier of our national forest. The United States does not need this wood. In fact, in 1995 timber companies exported the equivalent of 500,000 logging truck loads of logs to foreign countries. These companies were bypassing American jobs by exporting the wood raw.

Our national forests represent a major portion of the last remaining untouched forest in our country. If we cannot completely protect this small remaining percentage of our forests from the chain saws, the least we can do is prevent the American taxpayers from having to pay some of the bills for that logging.

Let us remember that these American treasures belong to all the American people, not the timber industry or

foreign countries. End this wasteful handout.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. OBERSTAR], the distinguished ranking member of the Committee on Transportation, a noted expert on these matters.

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

I rise in opposition to the Porter amendment and in support of the Dicks amendment, and might add that my colleague from across the water in northern Wisconsin [Mr. OBEY] joins me in that position.

We sure heard a lot of hyperbole and imagery tonight. Paul Bunyan, you left out his ox Babe, and corporate giants. Let me introduce my colleagues to Tony Vukelich, logger from northern Minnesota, 3 or 4 pulp cutters, maybe 10 or 15 in his little sawmill. Let me introduce my colleagues to Howard Hedstrom up in the Gunflint Trail up in northeastern Minnesota in a small sawmill, and about 10 or 15 loggers. Let me introduce my colleagues to Toivo Maki, a Finnish pulp cutter from northern Minnesota. I do not think their income, their gross revenue, is $100,000.

□ 2200

We are talking about small operators, heart and soul of northern Minnesota, the heart and soul of rural America, people who try to make an honest living in the woods.

A logger has to bid on these sales that are offered by the U.S. Forest Service and has to include in the bid the price of the road that he has to build. That road is there available for snowmobilers in the wintertime and for the hikers and the campers and for the people going out fishing, all sorts of recreational uses on that road. They do not get charged for it. But it is there for everybody's use. We used to call them tote roads in northern Minnesota.

The annual allowable cut in our two forests of the Chippewa and the Superior is way down to about half of what it was. Yet we are still cutting timber that was harvested on sales that was harvested first in the 1930's and then in the 1960's and now it is being harvested in the 1990's. This is a renewable resource. This is not an issue between corporate giants and little guys. This is silk stocking urban environmentalists against us rural hicks from the sticks, and I am fed up with it.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. PETERSON].

Mr. PETERSON of Pennsylvania. Mr. Chairman, I appreciate the gentleman yielding me this time.

Mr. Chairman, I find it very frustrating this evening, it is the first time I have heard this debate personally. I come from rural Pennsylvania, where the Allegheny National Forest is in my district, 520,000 acres. I happen to know the person that runs the forest, manages the forest. He talked this morning with the man that does the contracts. I know the design engineer that designs the roads. I understand how the system works. The gentlemen may not like the system, but what they are doing is not the way to fix it.

The Porter-Kennedy amendment is like an MX missile on rural Pennsylvania's economy and our rural road system. It is devastating. It will harm parts, and even more so in the west, that have 15 and 20 percent unemployment. We have a group of urban legislators who in my view of listening to all of their testimony know very little about this issue and how it really works. I mean that sincerely.

We are playing with the rural economy of this country and the parts of the country that are most struggling economically. We are really cutting $91 million out of rural road maintenance when we take $50 million out of the credit program and $41 million out of the maintenance program because that is what the majority of it is used for. We are trying to change policy through the appropriations process.

It is unfortunate that we have an urban group who does not understand the rural economy and are trying to devastate it in behalf of the people who do not want to cut timber in this country. It is not a fiscal issue. If it was a fiscal issue, we would be talking about cutting Amtrak, which has $783 million. That is a subsidy. We would be talking about $4.3 billion that we spend for mass transit. That is a subsidy. And $91 million, if you want to call it a subsidy, it is for rural America, it is for roads that campers use, that tourists use, the hikers use, the fishermen use.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. BLUMENAUER].

Mr. BLUMENAUER. Mr. Chairman, I thank the gentleman for yielding me this time, and I thank the gentleman for the patience that he and his staff have demonstrated in helping work through some of these issues, because these issues, Mr. Chairman, are complex. I think the American people who have listened to the debate so far this evening may be a little confused. Earlier in the evening I had one of my new colleagues confess that he was confused and in fact last year I confessed that since there were two votes, I actually ended up voting on both sides of this issue. I voted because I was attempting to determine what was in fact in the best interests of the areas that I represent but, most importantly, what would make the most difference in terms of the environment of our forests.

I hope that this debate will spark a serious analysis and real action on the problems related to roads in our national forests. For people who care deeply about the environment and look beyond the rhetoric, it is sometimes hard to know the best way to protect that environment.

In part, this confusion evidenced this evening shows why we should not attempt to legislate or set policy via the appropriations process. It is the blunt instrument that people have referenced. While the passage of this amendment may in fact slow or stop some roadwork, it will not achieve what some advocates claim. It will not stop logging roads, and it is not clear how much, if any, money this will save.

What we need to do is focus on policy solutions that make sense for the environment and the economy. We do need, in fact, additional protections for roadless areas. We do need to use our resources more carefully. We do need to reduce the number of road miles and their impact on our national forests while we adequately maintain roads to avoid degradation of stream and wildlife habitat. We need to take this opportunity to bring the Forest Service, the administration, the industry and environmental advocates together to develop a plan that meets everybody's needs. This vote is a signal for Congress to provide the leadership and guidance to provide a road policy.

Congress needs to provide leadership and guidance through the legislative process. I would like to work with my colleagues involved in this debate to help move that effort forward to create sound road policy in the next year—a policy that improves the environment and saves money—a policy that can be understood—and, importantly, a policy that allows us to monitor our progress toward an environmentally sound National Forest System.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, many of the speakers in opposition to this amendment are from the West. The only thing west about West Virginia is its name, but we have got national forests and we have got loggers and we have got timber people and we have got folks working in the woods, too, 20,000 of them, and, no, they are not all working in the national forest doing logging. There are going to be thousands more that are in the national forests who are the hunters, people who want to go fishing, people on recreation, people going hiking, a wide range of people.

How do you get into the national forest? Unless you have got some real desire to go see the primeval forest you go in on a road, you go in on a road to fight the fire, for recreation, for forest management. Yes, you go in on a road for logging. And yes, loggers pay for those roads. They pay to build them. It is reflected in the bid for the property.

Some people say, ''Well, they don't pay to maintain them.'' They do not use them after they build them. They leave a road there that many others use. Loggers are the only ones who actually pay to build the roads into the forests in the first place. Price Waterhouse analyzes this and says there is no subsidy here. There is no subsidy because they are actually paying for the road that they build and that later many others will use, many others that need access to these forests.

I guess I am really concerned about this debate, because I think it misses the point altogether, that in rural areas this is not a subsidy, it is a way of life. It is an important way for our economies to grow and that indeed there is no subsidy here, that thousands indeed across the country, indeed millions of people derive benefit from these roads that never have anything to do with logging.

I would urge the House to accept the Dicks amendment and to reject a perhaps well-intentioned but ill-founded Kennedy-Porter amendment.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon [Ms. HOOLEY].

Ms. HOOLEY of Oregon. Mr. Chairman, I rise today to express my views on the Porter-Kennedy amendment.

I have come to Congress to find solutions, to find ways to use the legislative process to help us resolve our differences. I know firsthand that forest issues can be extremely divisive. To be honest, I am very frustrated with the polarized options we are being asked to consider today. We need to work to find commonsense solutions, that balance conservation concerns with the tremendous need for road reconstruction and maintenance.

What I find most troubling is that we do not have the means to maintain the massive road network that we have created. According to the U.S. Forest Service, this Nation has a forest road maintenance backlog of $440 million. In my district alone, it is a $20 million backlog. When we fail to maintain necessary road and decommissioned roads which have long been out of use, we create serious environmental hazards and threats to public safety. There is simply no sense in allocating scarce dollars to construct the new roads when we need to be repairing and reconstructing existing roads.

While I plan to vote for the Porter-Kennedy amendment, I want to make it very clear that I do not think this amendment is the ultimate solution to our forest road dilemmas. I am supportive of the amendment's emphasis on not spending Federal Government moneys on new road construction. I think that eliminating purchaser road credits is a move in the right direction.

The Bureau of Land Management timber purchasers have never used the purchaser road credits and have been able to build roads and access timber in an affordable and efficient manner. Forest Service purchasers should do the same. However, I find it disturbing that this amendment takes funding away from forest road reconstruction. In the forests in my district, reconstruction funds go to flood repair in damaged areas and roads that are badly in need of maintenance.

While I commend this amendment for defunding new roads, I think that this amendment does not, take, as broad a view of the problems confronting our forests as it should.

What we really need is comprehensive forest legislation which takes funds earmarked for new road construction and puts that money into road maintenance.

I plan to do everything I can in the coming days to make sure our existing roads are safe and I hope my colleagues will join me in this effort.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

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

Mr. Chairman, as a member of the committee on resources and a cosponsor of this amendment, I am pleased that tonight in a single vote this Congress can both protect the taxpayers pocketbook and do something to enhance our precious natural resources. With this bipartisan amendment, we seek to end yet another form of corporate welfare, in this case essentially food stamps for timber companies.

The roads that are being constructed at public expense in our national forests are of course too rough for most people to drive a car over, but in many ways they are very similar to the tollways near you. Tolls are charged for these timber roads across our forests. It is just that the taxpayer is the one who has to pay the tolls while corporate timber interests get a free ride at taxpayer expense. As we continue to try to balance the Federal budget, this is exactly the kind of corporate welfare we need to get rid of.

I voted last year to end certain types of welfare to individuals, and it is time to apply the same reasoning to corporate interests. Groups as diverse as the Sierra Club and the National Taxpayers Union agree that this is the type of taxpayer financed corporate freebie that we need to eliminate.

This amendment does not prevent private logging companies from building roads at their own expense. If a company is allowed to log, they can build whatever roads they need. The only difference would be that the timber companies, the people who benefit from the roads, will pay for it, not the taxpayer. If these roads do not make economic sense for the timber companies, then why in the world should the taxpayers of America be asked to pay for them?

We have over 379,000 miles of roads in our national forests, almost 9 times the mileage of the national highway system. If we need to build one more mile, let the logging companies pay for it themselves. This is not a small amount. It is $91 million of waste that ought to be eliminated as we balance the Federal budget.

Mr. REGULA. Mr. Chairman, I yield 1½ minutes to the gentleman from South Dakota [Mr. THUNE].

Mr. THUNE. Mr. Chairman, I thank the gentleman from Ohio for yielding me this time.

Mr. Chairman, the proponents of the Kennedy–Porter amendment make it sound very simple. If it sounds too good to be true, it probably is. The fact of the matter is that the Federal Government gets paid for the timber. I think we all know that the agenda by those who oppose logging is to eliminate all timber sales on Federal lands. If that happens, the Federal Government gets no revenue. Let CBO score that. Plus you will have killed a part of an industry that is predominantly small businesses.

When we talk about some parts of the country, I can tell my colleagues for a fact that the people who are in the logging business in South Dakota are small businesses. Small logging businesses will be out of business. Furthermore, it is the local governments who will suffer. Sixteen percent of the land in South Dakota is Federal lands. That is 16 percent that is off the tax rolls. Timber sales help offset that loss of tax revenue.

The proponents think they are helping the taxpayer. They are just sticking it to the taxpayer in another way, because all we are simply doing here is having a taxpayer pay the Government but they are paying it in a different government pocket.

The taxpayer is supposed to feel good about this amendment. I think the only people who benefit from this, it looks like to me, and are the only ones who are going to come out ahead in this are the special interests who are trying to kill the logging industry.

□ 2215

I think that we need to defeat the Porter-Kennedy amendment.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. KLUG], one the sponsors of the amendment.

Mr. KLUG. Mr. Chairman, I thank my colleague from Illinois for yielding this time to me.

Let me just ask one simple question in this room. If there is no subsidy involved in this program, why are they fighting so hard to preserve it? And if there is no implication whatsoever if we eliminate it, then they should not be fighting to eliminate it. That is the bottom line in this whole debate. And let us make the very point that the Dicks amendment, which is before us as well, essentially cuts the savings in the Porter amendment in half.

So, if one person is trying to save double and we cut it in half, then obviously there is somehow money involved in this program in the first place, and that is the simple mistake.

Now my friend from South Dakota made the point to say that essentially the mission of many of us who are in support of the Porter amendment is to eliminate timber sales in national forests. That is simply not true. My fundamental point of view is not to eliminate timber sales, but it is to make money on timber sales in national forests, which it seems to me a very fundamental Republican principle.

Mr. Chairman, there are 380,000 miles of roads in the national forest system, and three-quarters of them are closed to the American public at large. Three-

quarters of them are essentially exclusively for the use of the timber industry.

Again, I have got no objections if the timber industry harvests in those forests, I have no objections if the timber industry builds more roads. There is nothing in this amendment that says they cannot build as many roads as they want. What it simply says is the roads will not be built with a subsidy in for the taxpayers.

I understand it is not dollars they are getting; instead they are getting trees. But trees have value; when they sell them they make money on them. So it is a barter system which is, frankly, even older than money.

And finally let me make the point again we have been criticized continually this evening, saying, ''If you eliminate this, there won't be money left for a number of Forest Service opportunities and programs that are needed.'' That is not true. There is money still left after this rescission for firefighting roads, for road maintenance, to build more roads to be available to tourism and the recreational industry, and additionally there is $5.9 million left in this program specifically to oversee the construction of new roads by the timber companies.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. TURNER].

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

Mr. Chairman, I want to speak out tonight on behalf of the loggers and the small sawmill owners in my district in east Texas, who just about an hour ago made it back to the house and probably are on the front porch right now trying to work on their chain saws and get ready for tomorrow. Those folks would certainly disagree with the Washington Post if the Washington Post said that the road credit is a subsidy.

The truth of the matter is that we, in order to protect the national forests, require higher quality of roads in areas of the forest or logs than are required in the private sector; and to offset that increased cost of building the kind of roads we want in our national forests to protect the public interests, we offer a road credit. That is to say the road that is built there by the loggers is going to be a road that lasts for many, many years.

Mr. Chairman, I can assure any of my colleagues who have ever been on a track of land that was logged in the private sector that I know that the roads that are built in the private sector do not last 15 or 20 years.

So it is a good program, it is environmentally sound, and it does not cost the taxpayer one cent because we, as taxpayers, are getting a quality road, and the taxpayers are getting every benefit that was intended for them to get in the road credit program. It is not a subsidy. It is good environmental policy, it protects the national forests, and it allows the Forest Service to control the type of road that is built.

Secondly, this Kennedy amendment is environmentally unsound because it cuts $42 million out of road maintenance in the national forest. If my colleagues believe in the environment, they want those bar ditches and those culverts to be maintained, they want that erosion controlled. That is what the $42 million is all about; that is why it is there. The amendment of the gentleman from Washington [Mr. DICKS] returns this bill to the administration's proposal that cuts only $5.6 million.

Mr. Chairman, I urge my colleagues to support the Dicks amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the Porter-Kennedy amendment.

Mr. Chairman, the Porter-Kennedy amendment is a commonsense amendment. Unlike the National Endowment for the Arts which benefits many—and was recklessly eliminated in this bill, this timber subsidy benefits very few. The U.S. Forest Service cannot even maintain the existing roads reporting in March that it had a $440 million backlog of road maintenance needs. Why should new logging roads, giving a subsidy to private companies, when there is no money available to maintain the ones already there? This makes little sense and spends taxpayers dollars foolishly without a measurable benefit.

Besides being unnecessarily expensive because of the steep slopes and rough terrain, these new logging roads will hurt our national forests which already have extensive road systems which result in road density that brings about a decline in many species in our wildlife population.

Vote Common Sense. Vote for our environment—vote for the Porter-Kennedy amendment.

Mr. Chairman, I rise in support of the Porter-Kennedy amendment to H.R. 2107, the Interior Appropriations Act of 1998. This important measure would prevent the further destruction of our Nation's Federal forest and especially the few old growth forest which remain on public land.

The Porter-Kennedy amendment to H.R. 2107 would reduce by $42 million the Forest Service's $160 million in the funding for reconstruction and construction. The amendment also reduces the bill's limitation—from $50 million to $1—on the Forest Service's Purchaser Credit Program. Both changes are intended to eliminate support for the construction of new logging roads into roadless areas. Under the Purchaser Credit Program, timber companies may build roads into national forest for logging purposes, and, in return, receive up to $50 million in credits against the amount they owe the Federal Government for timber sales.

The stewardship of our Nation's Federal lands should and must be of the greatest priority of this Congress—it is a public trust which we cannot fail.

This amendment would protect Federal lands from the destruction created by logging roads which harm the forest environment by degrading and polluting nearby streams, dividing wildlife habitats into small fragments, and allowing the spread of exotic plants and animal species.

A thousand communities depend on national forest watersheds for clean water supplies which are threatened by silt and runoff from lands with road construction.

Road into national forest degrade forest even before any trees are cut. They cause erosion and sedimentation—and massive mudslides—are inescapable byproducts of roadbuilding in steep terrain. In Idaho, for example 70 percent of last year's 422 mudslides were associated with national forest roads.

This amendment would not affect funding for building recreation and general purpose roads which are funded separately. The Porter-Kennedy amendment would allow routine road maintenance for necessary upkeep and repair of roads which includes timber, recreation and general purpose roads.

According to the Forest Service there are over 380,000 miles of forest roads in the existing road system that are in need of repair. There is a backlog of maintenance on the 232,000 miles with a cost $440 million.

The Interior appropriations bill will retain $85 million for maintenance of existing roads.

I would like to urge my colleagues to join me in support of the Porter-Kennedy amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOOLEY].

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

Mr. DOOLEY of California. Mr. Chairman, I rise in support of the Kennedy-Porter amendment, in opposition to the Dicks amendment, and I do so not to engage in a lot of the rhetoric and whether or not there is, in fact, a subsidy that is being provided to the timber industry; I rise in support of this amendment because I think that if we are going to be trying to refashion government in the manner in which we are sending the appropriate signals to the timber industry, that this is an approach to take.

What we are talking about now is how do we design a system so that we have more market forces coming to bear? I do not think there is going to be an overall change in the level of revenue which the Federal Government is going to achieve, because I, quite frankly, agree with some of the opponents' amendments in that the bids that timber companies are going to be offering for these tracts of timber are actually going to be lower. But what is going to change by accepting Kennedy-Porter is that we are no longer going to be insulating the determination in terms of what is going to be the cost for building a road from the market forces. We are no longer going to be, in effect, having a cost-based reimbursement, and that is what is important.

We are now going to be putting in place a more market-based mechanism which is going to ensure that the timber companies which are bidding on these tracts of land are going to have a financial incentive to build these roads

in the most cost-effective manner, and that is what is in the taxpayers' interest. Unfortunately, while some of the rhetoric is based upon what is going to generate, whether or not it is a subsidy or not, my interest in supporting Kennedy-Porter is how can we put in place a system which is going to ensure that the market forces are going to ensure that taxpayers are going to be getting the greatest return on their investment.

And that, I think, is the most compelling reason, and why those who are most interested in ensuring that taxpayers of this country are getting the greatest return on their investment should support the Kennedy-Porter amendment, and I urge my colleagues to support it.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON], one of the major sponsors of this amendment. I wish I had more time to give him.

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

As my colleagues know, in the narrow scope of an appropriation bill and the accompanying rules, the substitute, which I stand in support of, works out a good compromise.

No. 1, the Porter-Kennedy amendment eliminates a very important maintenance account, maintenance for fire, maintenance for recreational purposes. This restores it but does not increase it except for to the President's level, No. 1.

No. 2, it puts in $25 million, reducing the amount for purchase credits by half. Now $25 million, and listen to this, listen to this very carefully, is less than the NEA allocations for California and New York. That is what it is; yes, very, very important for small timber purchases. What this money will do is if there are two roads, but they need to build a third road to get to the trees, what happens is when the logger builds that road, the money also goes to the first and second road, and so three roads are maintained by, as our jobs, as are the forests.

Vote for the substitute; it is a very good compromise.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Chairman, I am appalled by the incredible misinformation that we are hearing this evening.

I represent a district in northern California that is probably one of the most productive tree-growing areas in the world, and we have eight national forests in our district. I would like to state a few facts and compare it with policy, if I could.

As the gentleman from Ohio [Mr. REGULA] pointed out earlier, this is a 2-by-4. This very 2-by-4 we could buy for 22 cents in 1989. Now this builds homes in each of our districts, those of my colleagues who have homes in the big cities that are out trying to support the Kennedy amendment now. In 1997 this same 2-by-4 sells for 44 cents, double the price. Double the price it was.

Now let us go through some facts. We have heard a number of points that were mentioned tonight. One was that only 5 percent of the timber comes off Federal land. Well, guess what? Here is a fact: 50 percent of all soft wood grown in the United States today is grown on Federal land, but because of present policy we have the doubling of wood price.

Oppose the Kennedy amendment.

Mr. PORTER. Mr. Chairman, I yield 1½ minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I too rise in strong support of the Porter-Kennedy amendment.

When I came to Washington after the election in 1992, one of my goals was to work to eliminate unnecessary and wasteful government programs, and I believe many of my colleagues, if not most of them, came here with this very same goal.

Well, today presents to us a golden opportunity. I am a cosponsor of the Porter-Kennedy amendment to eliminate logging roads subsidies because of a very simple reason. Federal construction of logging roads is a wasteful, unnecessary program that is a bad deal for the taxpayers and the environment. It is such a bad deal that a unique coalition has formed in support of this amendment. Republicans and Democrats from across the entire political spectrum have joined forces in support of this reasonable amendment.

Let me make something very clear. I do support responsible logging in our national forests, but saying that does not mean I support asking the American taxpayers to spend millions and millions each year so that big-profit timber companies do not have to pay for their own roads.

Mr. Chairman, this amendment will not affect recreation or general purpose roads for fire safety or affect jobs. But what it will affect is the American people's confidence in this Congress' ability to cut wasteful Federal spending as we work to balance the budget and make the tough decisions on which programs receive Federal funding and which should not. It makes good sense to target subsidy programs that waste taxpayer dollars and harm the environment.

I ask my colleagues to support the bipartisan timber roads amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there has been a lot of rhetoric that we have heard on this floor over the course of the last couple of hours. I have heard this amendment accused of fire, I have heard it accused of taxes, I have heard it accused of running up the cost of 2-by-4's, I have heard it accused of floods. The only thing left is pestilence, and I am sure in the next few minutes we will hear that, too.

But the truth of the matter is that for those that say some guy from Massachusetts does not know a lot about the forest, they may be right, but I did take the time yesterday to meet with the National Forest Service. I met with them for a couple of hours in my office to try to understand exactly what this amendment would do and exactly what the program that is in place currently does.

□ 2230

Mr. Chairman, this amendment, this amendment in no way cuts this country's capability of fighting fires. It in no way cuts this country's ability to build recreational roads. It in no way cuts this country's ability to build trails. It in no way cuts the maintenance of existing roads. It in no way cuts roads needed for forest health.

Anyone who has stood up on the House floor in the last couple of hours and made a speech saying that that is what the Porter-Kennedy amendment does is just plain wrong. They have not read it. That is not what this amendment does.

All it does is say that for the funds that are going to be utilized for the sole purposes of building roads for the purposes of harvesting timber, they cannot get a subsidy from the people of this country. If a lumber company wants to go build those roads and harvest those trees, we say, have at it. Just pay for the roads yourself. You do not need a taxpayer subsidy to go out and pay for the roads.

People that say that the purchaser credit program does not require a subsidy, of course it does. Instead of paying them in dollars, we pay them in trees. That is what this is all about. If the program did not need a subsidy, why are we dealing with it in an appropriations bill? The program does not pay for itself. This program costs the American taxpayer over $1 billion a year; that is, $1 billion over 3 years. That is the GAO report.

The gentleman from Washington [Mr. DICKS] is going to stand up there and tell us how many trees we have not cut down. I do not know how many of those are in the Alaskan wilderness, but I will tell Members one thing, the truth of the matter is if we want to harvest trees, we cannot do this solely by going after national Forest Service roads. We only cut 4 percent of the trees from the national forest.

Support the Porter-Kennedy amendment and defeat the Dicks amendment.

Mr. REGULA. Mr. Chairman, I yield 1½ minutes to the gentleman from Montana [Mr. HILL].

Mr. HILL. Mr. Chairman, the one thing I have learned this evening is how little the proponents of the Porter amendment understand about timber sales. What people have to understand is that when the Federal Government sells timber, in some instances it is necessary to construct a road and in other instances it is necessary to reconstruct an existing road in order to provide access to the timber.

The standing practice is that the Forest Service will either construct

the road, or allow credit against the timber sale for the cost of the construction. Why is that not a subsidy? It is not a subsidy because the timber sale anticipates or takes into consideration access. Therefore, the Government receives a higher price for the timber because access is provided. If the bidder had to provide that access, then the bid price would simply be lower.

The problem with all this for me and my folks in Montana is that by eliminating the prepaid credit, it is going to hurt local governments. The reason for that is that 25 percent of the proceeds of the timber sales, including the road credits, is given to local governments. It goes to counties and it goes to school districts. This amendment, pure and simple, will take $10 million out of the budgets of local governments. It is important to understand that in recent years there have been dramatic reductions in the timber harvest on these Federal lands. The result has been large reductions in payments to these communities already. The reduction in harvest has been accompanied with plant layoffs.

So at a time when there are fewer jobs, high unemployment, considerable disruptions in these communities, the authors of this amendment want to make the problem in those communities worse. By lowering the value of timber and therefore reducing the revenues from these timber sales, they will destroy these communities. Please oppose this amendment.

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

Mr. Chairman, I rise tonight in opposition to the Kennedy-Porter amendment, and ask Members to vote for the Dicks-Kingston-Hansen amendment.

Our amendment basically does this. It is a compromise. Instead of cutting $50 million out of timber purchaser credit, our amendment would only cut $25 million. Instead of cutting $41.5 million out of appropriated funds for timber roads, we would only cut $5.6 million, which takes it back to the administration's budget request.

Look at what happened here in timber sales in our country. In the 1980's, we were up at around 12 billion board feet. Now we are down to 3.7 billion board feet. What has that done? That has driven up the cost of timber. It has made our homes more expensive. If we are going to have access even to the 3.7 billion board feet we have to have some additional new roads. That is where the Kennedy amendment really does hurts us.

Second, recreation. Let me just read the Members what these roads are all about: Access for over 300 million visitor days of recreation use a year, access to over 121,000 miles of trail, access to more than 34 million acres of designated wilderness, access to 19 national recreation areas, access to over 18,000 recreation facilities, access to about 7,000 miles of scenic byways, access to 50 major visitors centers, and major ski resorts.

So I am telling the Members that this amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from Illinois [Mr. PORTER] will have a devastating effect. It will reduce the timber harvest by 3.7, down to about 1.7. It will probably cost us somewhere between $200 million and $300 million in revenue lost to the Treasury.

So please vote for the Dixon amendment and against the Porter-Kennedy amendment.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have heard a lot of Chicken Little this evening, but believe me, the sky is not falling. We have heard from the gentleman from Georgia and many others that we are going to be cutting out the maintenance of roads and the obliteration of roads. That is simply not true. We have heard that the recreation roads are going to be cut. Not true. It does not affect them at all. Fire control, not true. It does not affect them at all.

We have heard from the gentleman from Oregon that land management and the engineering process is going to be undermined. Not true. There is $5.9 million remaining in the account for management and oversight by the Forest Service. We have heard that this amendment involves $89.5 million. It does not, it is $41.5 million. It is a subsidy. If it is not a subsidy, why are the Members worried about it? Obviously it is a subsidy.

Finally, let me say also that the question of small businesses was raised. The chairman protected this entire account for only small business, and a point of order was offered and sustained to put Weyerhauser and Georgia-Pacific back in the subsidy.

No, this is about subsidizing the timber companies, and believe me, Mr. Chairman, it is time that they simply have to pay their own way in a free enterprise society. This amendment is quintessentially Republican. Seven of the nine sponsors of the amendment are Republican. We believe in free markets and competition, not in captive markets and subsidies.

Mr. Chairman, the Bureau of Land Management does not work this way. The Bureau of Indian Affairs does not work this way. It is time we let the free market system dictate timber sales in our national forests as well.

Mr. Chairman, we have reformed welfare, we have reformed agriculture in this Congress and in the previous one. Now is the time to reform and eliminate subsidies of this type. They are an anachronism. I urge Members to support the Porter amendment and oppose the Dicks amendment.

Mr. REGULA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me say to all of the Members who are watching us on C-SPAN and coming over here to vote, the right vote is to vote for the amendment of the gentleman from Washington [Mr. DICKS]. Why do I say that? Let me quote from the Secretary of Agriculture, one of our former colleagues, who understands it, who is responsible for the management of our forests.

Secretary Glickman says in his letter, ''However, the $41.5 million reduction the amendment proposes,'' that is the Porter-Kennedy amendment, ''goes too far in eliminating important construction and reconstruction efforts that provide public safety and environmental benefits.'' It says it all. It says it all.

If Members care about people, if they care about the 76 million people that take their families to the national forests for recreation, if they care about their safety, if they care about the environment, Members will vote for the Dicks amendment, because it does not go too far, as does the Porter amendment.

Mrs. EMERSON. Mr. Chairman, I rise in strong opposition to the Kennedy-Porter amendment, which would undermine the health of our national forests and effectively shut them down to recreation, industry, and sportsmen. This amendment is completely contrary to the wise and effective management of our national forests. The International Association of Firefighters says that the programs targeted by the Kennedy/Porter amendment are ''essential to providing safe passage for firefighters and protecting our national forest and surrounding communities from catastrophic wildfires.''

One of the most misunderstood aspects of the forest roads program is how the money is actually spent. The fact of the matter is that new road construction accounts for a very small portion of the funding. In fact, the forest service intends to build only 8 miles of new roads in the entire 190 million acre national forest system, and just 1 mile of this is a timber road. The essential point here is that almost all of the road construction funds provided to our 122 national forests goes for reconstruction of existing roads.

I would also like to address the issue of how county governments and local communities would be affected by the Kennedy/Porter amendment. Each year, 25 percent of all revenues collected by national forests are returned to the States where those national forests are located. This is money that pays for bedrock community projects, such as public schools and county roads. In addition, counties also receive payments in lieu of taxes [PILT], which can supplement school and roads funding or go toward other important community needs. In many of the counties in my district, this can mean more than $100,000 annually. In fact, the residents of Oregon County in my district would stand to lose as much as $140,000 were the Kennedy/Porter amendment to pass.

The damaging effects of this amendment are made even more evident when you consider the loss in jobs and economic activity. The timber industry in the State of Missouri accounts for approximately 20,000 jobs and $3 billion dollars in economic activity. These are family owned businesses, hard-working folks. Their work is an important part of our local economy and a key element in the wise management of our national forests.

Finally, let us make no mistake about the special interests and the real agenda of this amendment. Its chief proponent is the Sierra

Club, which is bent on halting all logging in our national forests. If the Sierra Club had its way, the lives and livelihoods of good people would be disregarded in favor of its own extremist agenda. I urge a strong ''no'' vote on this amendment.

Ms. PRYCE of Ohio. I am not a Westerner and I have no vested interest in this issue. But last year when this was debated I looked at it closely.

Mr. Chairman, I rise again in opposition to the amendment. Last year, we witnessed a devastating fire season with more than six million acres burned by catastrophic wildfire. While fire is an important part of mother nature's cycle, these un-natural, slow-moving, hot-burning fires are the by-product of dense fuel loading in our forests, which often kills healthy trees and sterilizes the soil from future growth.

The timber forest road program, which this amendment seeks to reduce, provides important access for our wildlife firefighters in their effort to protect our natural resources. A member of my staff understands this fact first-hand, having spent two weeks last summer fighting fires in the Umatilla National Forest in eastern Oregon. The forest roads provided their sole access over land to get to the fire and, more importantly, a safe means to evacuate personnel when the fire got out of control.

But, it's not just access for our wildlife firefighters that is important. These roads also provide important access for resource managers, foresters, hunters, fishermen, campers, hikers, and yes, even those who just want to take a walk in the woods.

Mr. Chairman, I urge my colleagues to look past the political rhetoric that many groups would have them believe. If you support promoting long-term forest health and sound environmental stewardship, I urge you to support the forest roads program and defeat this amendment.

The CHAIRMAN. All time has expired.

Under the unanimous-consent agreement, the question is on the amendment offered by the gentleman from Washington [Mr. DICKS] to the amendment offered by the gentleman from Illinois [Mr. PORTER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 211, noes 209, not voting 14, as follows:

[Roll No. 262]

AYES—211

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cooksey
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Goode
Goodlatte
Goodling
Graham
Granger
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hobson
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (WI)
Johnson, E. B.
Jones
Kaptur
Kim
King (NY)
Kingston
Klink
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lucas
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Parker
Paxon
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Radanovich
Rahall
Redmond
Regula
Riggs
Riley
Rodriguez
Rogers
Ryun
Salmon
Sandlin
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shimkus
Sisisky
Skeen
Skelton
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wise
Wynn
Young (AK)
Young (FL)

NOES—209

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bentsen
Bilbray
Bilirakis
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clyburn
Condit
Conyers
Cook
Costello
Cox
Coyne
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dixon
Doggett
Dooley
Ehlers
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Furse
Ganske
Gejdenson
Gephardt
Gillmor
Gilman
Gonzalez
Gordon
Goss
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoekstra
Hooley
Horn
Houghton
Hoyer
Hulshof
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, Sam
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klug
Knollenberg
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntosh
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (VA)
Morella
Nadler
Neal
Olver
Owens
Pallone
Pappas
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Porter
Portman
Poshard
Price (NC)
Quinn
Ramstad
Rangel
Reyes
Rivers
Roemer
Rogan
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Skaggs
Smith (NJ)
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Tauscher
Tierney
Torres
Towns
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
Wolf
Woolsey

NOT VOTING—14

Becerra
Berman
Boucher
Clement
Fowler
Martinez
Molinari
Pryce (OH)
Ros-Lehtinen
Sanchez
Schiff
Shuster
Slaughter
Yates

□ 2257

Mr. GREEN and Mrs. MALONEY of New York changed their vote from ''aye'' to ''no.''

Messrs. CRAPO, BONILLA, and NEY changed their vote from ''no'' to ''aye.''

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. PRYCE of Ohio. Mr. Chairman, on rollcall No. 262, I was unavoidably detained. Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

Ms. SANCHEZ. Mr. Chairman, I was unavoidably detained on rollcall vote No. 262, the Dicks amendment. Had I been present, I would have voted ''no.''

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER], as amended.

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

RECORDED VOTE

Mr. KENNEDY of Massachusetts. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 179, not voting 9, as follows:

[Roll No. 263]

AYES—246

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Bentsen
Bilbray
Bilirakis
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Chabot
Christensen
Clay
Clayton
Clyburn
Condit
Conyers
Cook
Costello
Cox
Coyne
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks

Dingell
Dixon
Doggett
Dooley
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hinchey
Hinojosa
Hoekstra
Hooley
Horn
Hoyer
Hulshof
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
Kingston
Kleczka
Klug
Kolbe
Kucinich
LaFalce
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (VA)
Morella
Nadler
Neal
Neumann
Ney
Northup
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Petri
Pomeroy
Porter
Portman
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Skaggs
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Tanner
Tauscher
Thornberry
Thurman
Tierney
Torres
Towns
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
White
Wolf
Woolsey
Wynn
Young (FL)

NOES—179

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cooksey
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Fowler
Gallegly
Gekas
Gibbons
Goode
Goodlatte
Graham
Granger
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kaptur
King (NY)
Klink
Knollenberg
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
Mascara
McCrery
McDade
McInnis
McIntosh
McIntyre
McKeon
Mica
Molinari
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Norwood
Nussle
Oberstar
Oxley
Packard
Parker
Paxon
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pryce (OH)
Radanovich
Redmond
Regula
Reyes
Riggs
Riley
Rogers
Ros-Lehtinen
Ryun
Sandlin
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shimkus
Sisisky
Skeen
Skelton
Smith (OR)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thune
Tiahrt
Traficant
Turner
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wise
Young (AK)

NOT VOTING—9

Becerra
Berman
Boucher
Clement
Martinez
Schiff
Shuster
Slaughter
Yates

□ 2315

Mr. SUNUNU and Mr. REYES changed their vote from ''aye'' to ''no.''

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

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I rise to advise the Members that there will be no more votes tonight. We are going to have two more amendments, one by the gentleman from Wisconsin [Mr. KLUG] on the clean coal, and possibly another energy.

But any votes that will be called for will be rolled over until tomorrow. I would reiterate that it is our goal to finish by 2 o'clock tomorrow, and we will try to get time agreements if necessary to meet that target.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water conservation Fund Act of 1965, as amended (16 U.S.C. 4601–4–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $45,000,000, 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, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

Mr. RIGGS. Mr. Chairman, I move to strike the last word to engage in a colloquy with the gentleman from Ohio [Mr. REGULA], the distinguished subcommittee chairman.

Mr. Chairman, on September 28th last year representatives of the Federal Government, representatives of the State of California government, and the Pacific Lumber Co. headquartered in Humboldt County, California, signed an agreement providing for the Federal acquisition of 75,000 acres of timberland in Humboldt County, in my congressional district.

This land includes 3,000 acres known as the Headwaters Forest, which is the largest privately-owned old-growth redwood forest in the world. This is an un-entered tract of redwood timberland that is zoned for timber production. It is the highest and best use of the land.

The funds for the Headwaters agreement would come from a combination of State and Federal accounts. The Federal share of the total acquisition cost is $250 million. The budget agreement, as I think the distinguished subcommittee chairman knows, between the Congress and the White House anticipates a $700 million increase in the Land and Water Conservation Fund for priority Federal land acquisitions and land exchanges.

Of this, I believe it is understood that $250 million would be earmarked for the completion of the Headwaters Forest agreement. However, none of these funds were included in the fiscal year 1998 Interior appropriations bill before us on the floor at this time.

I am a signatory to the Headwaters Forest agreement, but I have always been concerned about the impact that agreement could have on Humboldt County. My district, as the chairman probably knows, is home to all or part of four Federal forests as well as the national redwood park and the State redwood parks. Unemployment is high and the local economy is suffering as a result of the current restrictions on timber harvesting on both private and public lands.

With the removal of the Headwaters Forest from private ownership, the transfer of the Headwaters Forest and the 7,500 acres of forest land from private ownership to public ownership, Humboldt County stands to lose potential millions of dollars in future tax revenues.

Mr. Chairman, I did submit to the committee several proposals that would let the Headwaters Forest agreement go forward while providing economic mitigation for Humboldt County. I had intended to offer an amendment prohibiting the Land and Water Conservation Fund to be used to acquire the Headwaters until two conditions have been met.

First, all of the terms and conditions of the Headwaters Forest agreement itself must by satisfied or fulfilled by the

parties to that agreement. Second, legislation must be enacted or an appropriation approved providing economic assistance to Humboldt County, California, to mitigate the loss of tax revenues incurred because of the Headwaters Forest agreement and, again, the transfer of this land from private to public ownership.

Mr. Chairman, section 205 of the joint House-Senate budget resolution, again negotiated between the Congress and the White House, includes the money for the Land and Water Conservation Fund and, as I mentioned earlier, $250 million for the Federal Government to acquire this timberland in question.

Again, I reiterate my concerns, Mr. Chairman, about the potential impact of this agreement and this land acquisition on Humboldt County, and bring to your attention the fact that Humboldt County again stands to lose potentially millions of dollars in future tax revenues.

I am seeking your assurance, Mr. Chairman, that any money for the acquisition of the Headwaters Forest agreement through the Land and Water Conservation Fund or through the fiscal year 1998 Interior appropriations bill will not be approved, will not be appropriated unless there is adequate mitigation for Humboldt County.

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

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

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

The gentleman from California has repeatedly made his concerns for Humboldt County, California, known to me. I fully understand how important an issue this is to the gentleman from California [Mr. RIGGS] and the people of Humboldt County.

The $700 million was not included in the bill reported from the committee. However, it is possible that the Senate will include all or part of these funds. I assure the gentleman from California [Mr. RIGGS] that I will raise his concerns for the need of economic mitigation for Humboldt County if the funds are an issue with the House-Senate conference on the Interior appropriations bill.

Mr. RIGGS. Mr. Chairman, reclaiming my time, I would like to thank the gentleman for his attention to this very important matter and point out to him that I am eager to work with him and the other House-Senate conferees on this particular issue, not only to secure the funding for the Headwaters Forest acquisition but also the equally important funding to provide economic assistance to Humboldt County to compensate for the loss of future tax revenues.

Again, I appreciate the assurance of the chairman that he will work with me and his fellow House-Senate conferees to resolve this issue of economic mitigation for Humboldt County. Given that assurance, I will not offer my amendment later today or tomorrow.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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.

MIDEWIN NATIONAL TALLGRASS PRAIRIE RESTORATION FUND

All funds collected for admission, occupancy, and use of the Midewin National Tallgrass Prairie, and the salvage value proceeds from sale of any facilities and improvements pursuant to sections 2915 (d) and (e) of Public Law 104–106, are hereby appropriated and made available until expended for the necessary expenses of restoring and administering the Midewin National Tallgrass Prairie in accordance with section 2915(f) of the Act.

COOPERATIVE WORK, FOREST SERVICE

For restoring the balances borrowed for previous years firefighting, $128,000,000, to remain available until expended: *Provided,* That the appropriation shall be merged with and made a part of the designated fund authorized by Public Law 71–319, as amended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 159 passenger motor vehicles of which 22 will be used primarily for law enforcement purposes and of which 156 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed 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 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 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) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (g) 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.

Any appropriations or funds available to the Forest Service may be advanced to the Wildland Fire Management appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction.

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 the report accompanying this bill.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in the report accompanying this bill.

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 the 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.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $2,000,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $500,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a recipient of Federal financial assistance for a project at the same rate that the recipient has obtained the non-Federal matching funds: *Provided further*, That hereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of enactment of this Act) on Federal funds to carry out the purposes of Public Law 101–593: *Provided further*, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

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

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

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

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

Any funds available to the Forest Service may be used for retrofitting the Commanding Officer's Building (S–2), to accommodate the relocation of the Forest Supervisor's Office for the San Bernardino National Forest: *Provided*, That funds for the move must come from funds otherwise available to Region 5: *Provided further*, That any funds to be provided for such purposes shall only be available upon approval of the House and Senate Committees on Appropriations.

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

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

For purposes of the Southeast Alaska Economic Disaster Fund as set forth in section 101(c) of Public Law 104–134, the direct grants provided in subsection (c) shall be considered direct payments for purposes of all applicable law except that these direct grants may not be used for lobbying activities.

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

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading for obligation in fiscal year 1997 or prior years, $100,000,000 are rescinded: *Provided*, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

AMENDMENT NO. 5 OFFERED BY MR. KLUG

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. Klug: Page 58, line 18, after the dollar amount, insert the following: ''(increased by $292,000,000)''.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 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 time will be 15 minutes for the gentleman from Ohio [Mr. REGULA] and 15 minutes for the gentleman from Wisconsin [Mr. KLUG].

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

What we have before us tonight, Mr. Chairman, is I think a very clear debate over the subject of corporate welfare, corporate in the sense that the money we are talking about this evening to do coal research benefits a number of major corporations across the country and across the world, corporations like Alcoa, worth $2.5 billion, or GE, $70 billion, and welfare in the sense that we have been subsidizing research for an industry to essentially make leaps forward in industrial technology since the 1930's.

□ 2330

In fact we have been funding coal programs since Franklin Roosevelt was President. We have to ask ourselves after 60 years if the program has not paid back dividends to this point, why do we have any reasonable expectation that it will pay back dividends in the future, either in the near future or in the long-term future whatsoever?

The program is fundamentally unnecessary because financial incentives already exist for private industry to develop cleaner burning coal technologies under the 1990 Clean Air Act Amendments. The 1991 General Accounting Office report concluded that the program has been plagued by chronic cost overruns and scheduling problems, it funds technologies already commercially developed, those unlikely to be used because they fail to reduce emissions as much as existing technologies and many in fact within the industry have already been developed without any kind of Federal assistance or Federal financing.

In fact at this point, Mr. Chairman, we have already spent $2.75 billion on clean air technology research, nearly $3 billion aimed at large multinational corporations and at this point the government has recovered only $400,000 on its investment. While recognizing the need for Federal assistance with high risk research, the Department of Energy testified before Congress that these type of demonstration projects are not the wisest use of taxpayer dollars, and I could not agree more.

The other thing, Mr. Chairman, to point out is the fact that this program

has been absolutely overrun with abuses and failures since the beginning. Since the first projects were initiated 10 years ago, there were 51 initial projects included in essentially 5 rounds of proposals and competition. Fifteen have been withdrawn, 6 are still in the books, never to get to the construction stage, one of the project sponsors has already been forced into bankruptcy, and one of the projects is now on its fifth site in 10 years unable to find any kind of financial backing for the technology. I think any of my colleagues who look at this objectively as well as a number of outside groups like Citizens against Government Waste, Friends of the Earth, Taxpayers for Common Sense, the National Taxpayers Union, Citizens for a Sound Economy, the Competitive Enterprise Institute, all fundamentally recognize that this is a corporate welfare program that has to be eliminated if we are ever going to get this Nation's books in order and if we are ever to end up actually running in the black.

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

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. BROWN], ranking member of the Committee on Science.

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

Mr. BROWN of California. Mr. Chairman, first of all, let me commend the committee for the excellent job that it has done with regard to the legislation before us. I think they have been moderate in proposing cuts in the various programs that required cuts and they have maintained those programs which have the prospect of providing lasting improvements in the efficiency of our fossil energy economy in future years.

I think it is well that we should understand that despite all of the efforts that we have made in supporting research in alternative forms of energy other than fossil, we are still going to be highly dependent upon fossil energy for as far as we can determine into the future. It is by far our largest reserve of energy, and we are going to have to use it.

Much of the program that is being attacked by this amendment supports research that will provide for the utilization of this huge resource in more efficient ways; that is, it will produce more energy more efficiently and it will also provide that this energy meets the environmental standards which we have set for this country.

The fact of the matter is we very badly need this continued research. As I remarked in earlier remarks today, it seems a long time ago now, in opposing another effort to cut into energy research in order to support other worthy programs, energy research and energy in this country, the ability to use energy efficiently and to develop new energy sources is the backbone of our economic growth. We recognize that there are limits on how much of this we can do. The committee, as the chairman has pointed out, has taken steps to make very large rescissions in many of these fossil energy programs. But the criticism that is being made of the programs that remain are largely unwarranted.

I and one of my colleagues have made this point over and over again, that we need to complete these programs. They will be terminated in the relatively near future, but we need the results that we will obtain from them. The attacks made on them, that they represent corporate welfare to large corporations, is simply not the case. Most of these programs are operated by small and medium sized organizations.

I urge a ''no'' vote on this amendment. The program is working well. The committee is supervising it closely.

Mr. KLUG. Mr. Chairman, I yield myself such time as I may consume to make a couple of quick points.

What we have just heard is the fundamental argument we always get on any science program, that we cannot cancel it because they just started it and there might be potential, or we cannot cancel it because they have invested so much money they might as well finish the project to see if it pays dividends.

There is never an optimal point to terminate a science project according to many people in this Chamber, but I will say fundamentally that if the program is going to be terminated in the near future, we might as well save the money today.

Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. I thank the gentleman for yielding me this time.

Mr. Chairman, as a new member of the Subcommittee on Interior, it is two amendments in a row that I stand up in disagreement with my chairman. My chairman is one of the great Members of this body and it is with a certain amount of reluctance that I do that, but as someone who has been a fiscal conservative and opposed to corporate welfare since I came here, this is a classic case of corporate welfare.

What we are talking about doing is saving the American people $292 million, $292 million that our taxpayers have to send to Washington for us to pay back and give to large corporations to build power plants. What this program is about, starting back in 1986, was to test the new technology on power plants. There were approximately 45 projects around the United States that received millions of dollars. In fact, over $2 billion has been spent on this program to date.

What we are talking about doing is saying, wait a minute, wisely we decided to stop creating these new projects back in 1993, but there are still some projects in the design phase. We can stop them now. That is how we can save the $292 million. We do not need these programs. One of the programs that is being talked about is in bankruptcy right now. Another one is on its fifth location and cannot even find a site. Another one DOE says they may cancel because the sponsor could not guarantee the technology would survive. Another program is on a second site location because the initial backers decided the technology was not economically viable. That was a $183 million program. I think our taxpayers in this country deserve to keep their own money rather than taking $292 million and sending it back for these projects.

I support basic research as a responsibility of the Federal Government. I am a strong supporter of NIH. I think the National Science Foundation is an appropriate place for basic research. But this is applied research. This is building power plants to provide energy power. This program was created back in 1986. The Clean Air Act changed the rules back in 1990. That is the reason we do not need this right now.

This has the strong support of fiscal conservative organizations, supported by the Citizens Against Government Waste, the Taxpayers for Common Sense, Citizens for a Sound Economy, the National Taxpayers Union, Americans for Tax Reform, and the Competitive Enterprise Institute. It has got wide support by the conservative organizations because this is an effort to save money.

It is misnamed by calling it clean coal. It is clean coal in name only because the environmental community supports this amendment, because what the environmental community is saying, coal is not the best type of energy source we have. We have organizations like the Sierra Club supporting this amendment. This is a program that I think has outlived its usefulness. We have a chance to save the American taxpayers money. It is corporate welfare, and I think it is time that we end it.

Mr. Chairman, I urge support for the Klug amendment.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. DOYLE].

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

Mr. DOYLE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wisconsin. This amendment claims to save money while helping clean up our environment. What we have in fact here, Mr. Chairman, is a case of false advertising. Will this amendment save taxpayers money? The simplistic view is yes, but the truth of the matter is that it will end up costing more than it purports to save.

The clean coal technology program is comprised of a number of cooperative agreements between government and industry. These agreements are legally binding contracts. Maybe some Members do not understand what a contract

is, but the Federal Government is going to remain liable for its share of these agreements regardless of what action we take here in this bill. So if we pass this amendment, not only will we likely end up paying for the cost of the programs, but we are going to saddle the American taxpayer with the cost of the Federal Government defending itself against litigation.

Let us look at whether this amendment really does much for environmental protection. It is all well and good to support R&D in areas such as solar and biomass, which is something I have fought for, but it is not realistic to expect that these options will be a significant segment of our energy supply for the foreseeable future.

The Energy Information Agency in its examination of trends in the energy sector has determined that in the year 2010, 88 percent of our energy is going to come from fossil resources. Consider this while taking into account the likelihood that the United States is going to commit to emissions reduction targets later this year in Kyoto.

How are we going to meet these limits? The answer is through technological innovation in areas where emission reductions can be realized. Since coal is our most abundant domestic resource, it makes sense to try and develop methods to burn it cleaner. The type of large-scale efforts we need to do are too risky for the private sector to assume on their own. That is why Congress came up with the Clean Coal Technology Program to meet this challenge, to find ways to make use of a secure and plentiful energy resource in a clean and efficient manner.

The clean coal program is exploring methods that have made burning coal as clean as natural gas and are sound investments. Clean coal technologies can cut acid rain emissions by 98 percent, fly ash emissions by 99 percent and CO_2 emissions by over 40 percent. Obviously, continuing with this effort is the better environmental alternative and cutting it would be shortsighted.

Let us look further at some of the arguments put forward by the proponents of this amendment. They criticize the Clean Coal Technology Program because some of the projects have failed. Of course some of the projects are going to fail. These are high risk endeavors. That is why the government is involved, to leverage an investment that the private sector would not otherwise make. If their success were guaranteed, there would be no need for government participation. Keep in mind, when a project fails, the industrial partner also does not profit.

Mr. Chairman, I urge defeat of this amendment.

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

If I could for a moment quote from a study that was done by the Department of Energy in 1985 at part of the time this program was first being considered. It says:

> Given the size and availability of U.S. coal reserves, the security of the domestic coal supply and the comparative economics of coal as a fuel, free market forces are operating to select and commercialize the most efficient and environmentally effective clean coal technologies. Federal subsidies could alter these market forces and adversely affect the development of competing technologies both within and outside the coal industry.

In other words, if there are innovations to be made in the coal industry, they are much more likely to be made without the Federal Government's involvement.

Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. ROYCE] to further support that point.

□ 2345

Mr. ROYCE. Mr. Chairman, I rise in support of this amendment.

The clean coal technology program is unnecessary. Financial incentives already exist for private industry to develop cleaner burning technologies; the recipients of these funds represent several corporations that do have billions of dollars in revenues a year; and, lastly, even the Department of Energy has stated that demonstration projects such as those supported by the clean coal technology program are not, quote, ''the proper place or certainly in these fiscally constrained times the wisest place for Federal funding.'' This is from the Department of Energy.

The clean coal program has a history of waste and mismanagement. According to a General Accounting Office Report, almost half of the program's ongoing projects have exceeded their budgets, fallen behind schedule or scaled back their scope. If the program proceeds as planned, taxpayers will hand out a total of $2.3 billion to the private coal industry and receive little in return. According to the General Accounting Office and the Department of Energy, it is unlikely that we will ever be able to recover taxpayers' investment in clean coal projects.

Join with me and Citizens Against Government Waste in ending this unnecessary program and take a step towards balancing the budget. Vote ''yes'' on this amendment offered by the gentleman from Wisconsin [Mr. KLUG].

Mr. REGULA. Mr. Chairman, I yield myself 30 seconds, and I would point out that the GAO report of 1994, the most recent report, and I quote, ''the program has shown that the government and the private sector can work together effectively to develop and demonstrate new technologies. The lessons learned from DOE's experience with the program should be useful for similar programs in which costs are shared.''

Mr. Chairman, I yield 15 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I would simply note that I am going to vote for this amendment because it does not do nothing to nobody. The outlay savings from this amendment are exactly zero. This money is never going to be spent, it is there simply as a cushion against contractual obligations, and so vote for it because this budget authority reduction will result in not one dollar of outlay savings.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. POSHARD].

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

Mr. Chairman, I represent southern Illinois which is part of the Illinois coal basin, and it is part of the coal that we have in this country, 300 years of coal supply in this country to supply energy needs for America. The problem is much of it is high sulfur coal; we cannot sell it.

The Clean Air Act cost us nearly 15,000 jobs in the Illinois coal basin alone when it was passed, and I guess the question that I would ask of our colleagues is where do we think that we are going to go in the future for supplying the energy needs of this country? We have barely 30 years of proven oil and gas reserves left in the entire world right now, we are decommissioning our nuclear power plants all over this country, and that is going to rapidly expand as their life runs out. We are kidding ourselves if we think we are going to go to solar or wind or some of the other things.

Mr. Chairman, coal is the single greatest energy supply we have, and we simply have to find a way to clean it with either pre- or post-combustion technology so that we can use it to supply the energy needs of this country, and that is what the clean coal technology program has done for us.

Already more than $9 billion in sales of advanced U.S. technology in the United States and overseas can be traced back to the achievements of the clean coal technology program. One-quarter of the coal-fired capacity in the United States now uses technology pioneered in this program. Twenty-five percent, 25 percent of all of the coal-fired capacity, again I repeat, in this country uses technology pioneered in this program, accounting for almost $1 billion in domestic sales, and by the year 2000 this will have increased to 75 percent.

Let us vote against this amendment, keep our technology afoot, clean our coal up, save our jobs.

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

Let me point out a few facts to rebut points made by my colleague from Illinois. This is what the Congressional Budget Office has to say about this argument:

Since the passage of the Clean Air Act amendments of 1990 the private sector has faced a clear legislative mandate for lowering coal emissions. Electric utilities and large industrial users of coal now have a clear economic motive for selecting among current practices and new technologies the lowest cost option for reducing emissions.

In other words, the passage of the Clean Air Act has led ultimately to the cleanup as private industries have used their own brain power to develop innovative technologies. It is not the DOE clean coal program which that same congressional office report argues has, in fact, been a waste of money because there has been very little payback scientifically, and there has been very little payback in terms of commercial technology.

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

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. HOLDEN].

Mr. HOLDEN. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise tonight in strong opposition to the amendment offered by my friend from Wisconsin, [Mr. KLUG] which seeks to rescind an additional $292 million from the clean coal technology program.

I recognize that these are tough budgetary times. Therefore, we must prioritize, and I believe that one of our priorities should be to reduce our dependence on foreign oil.

Coal is the largest domestic source of energy produced in the United States. Current estimates demonstrate a 250-to-300-year coal resource base in the United States. We have more coal than the rest of the world has recoverable oil. Think about that, more coal than the rest of the world has in recoverable oil. Therefore, it is important that we invest in the research and development that will allow Americans to continue benefiting from this abundant, secure, and affordable fuel source without compromising the environment.

I am proud to represent an area in Pennsylvania that sits on the largest anthracite coal deposit in the country. Anthracite is considered the cleanest burning solid fuel on the commercial market today. With continued research of anthracite coal, the potential of the United States becoming energy self-sufficient in an environmentally friendly manner is enhanced.

The clean coal technology program is important for several reasons: cleaning up the environment by burning waste coal. In my home County of Schuylkill alone there is an excess of 1 billion, with a B, billion, tons of waste coal that has accumulated over the years.

Reducing emissions of nitrogen oxides and air toxics.

Developing cleaner, more efficient power systems.

Sponsoring promising technologies that are too risky for private industry to undertake alone.

Providing a model for future government-industry technology partnerships.

And providing tremendous job opportunities in this country, not in the Middle East.

Coal research and development will provide huge benefits for the Nation and pay for itself many times over through taxes flowing back to the Treasury from expanded economic activity. Let us not curtail the research that will help us achieve energy self-sufficiency in this country.

This amendment presents a clear choice between investing in the future or just giving up and remaining dependent on foreign oil. I urge a ''no'' vote on my friend's amendment.

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

Mr. Chairman, I am going to close at this point in the hopes that we can get out of here a little bit earlier this evening. I want to essentially take a look at three arguments in support of continuing to fund clean coal and then three arguments that I think will instead argue for the continued rescission of this program and to knock it down to zero.

First of all, we heard my colleague from Illinois argue that clean coal technology was supposed to reduce acid rain. The fact is according to the Department of Energy and according to the Congressional Budget Office EPA regulations, the Clean Air Act passed by this Congress, is the primary cause of improvements in air quality and contained incentives to further control emissions. We are going to set targets and let private industry reach those targets through its own set of innovations, not by technology developed by the Government and essentially set down.

Now again the idea of the clean coal technology program argument No. 2 is that it was going to result in commercial technologies. Let me reemphasize that we have invested $3½ billion and at this point only had $400,000 come back to the Department of Energy. Any company that was running that kind of return on its investment would long ago be out of business, and frankly this program should have long ago been out of business.

The other argument is that it supports the coal industry and that somehow without this research the coal industry could not exist, and the fact of the matter is the coal industry has done very well over the years, but more and more technology, frankly, is shifting to natural gas. There is more use in natural gas, there are more applications of natural gas, it burns cleaner, it sells for cheaper prices, and when the marketplace essentially has these targets out there that industry is supposed to hit, it hits those targets, but it does through again through industry innovation as folks shift to clean, natural gas away from coal and some of the coal problems.

And again one of the fundamental arguments we have been beating on tonight, and I will say it one more time, this is corporate welfare. This money is going to Alcoa, a $2½ billion company; Daimler Benz, $12 billion; GE, $70 billion. If there is research to be done, clearly these corporations can afford to do it themselves. It is unlikely that this program in any form and fashion is going to be able to generate profits that are going to go back to the Federal Government or go back to the Department of Energy period.

It has not worked in terms of cleaning the air; other government programs have done that. It has not resulted in wide scale commercial technologies. In fact the marketplace has already moved in other directions. And it is industry, quite frankly, and it is welfare, quite frankly, that those large multinational corporations can afford to do on their own.

I urge my colleagues when they return in the morning to vote for the Klug-Miller-Foley-Royce amendment.

Mr. REGULA. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Ohio is recognized for 4 minutes.

Mr. REGULA. Mr. Chairman, Corporate Welfare has taken a real beating tonight, and the truth of the matter is that that term is badly abused. This is not corporate welfare, this is people welfare. This program is designed to help the people of this Nation.

How does it help them? It provides an ability to burn a resource where we have 250 years of supply. It means they can have low cost fuel for their lights, for their appliances; more and more we use electricity. It means they can have jobs because the costs of energy will be competitive for our industries.

Does it work? It certainly does. As was pointed out earlier, one quarter of the coal fired capacity in the United States now uses technology pioneered in the clean coal program.

Do people believe in it? The private sector has committed 60 percent of the cost of this program. This says very clearly that they believe that it is an efficient and a very effective program, and there is very few programs that have a 60 percent private/ 40 percent public cost share of an experimental nature.

Does it help us otherwise? Sales of clean coal technology already exceed $9 billion both here and abroad.

What does it mean? China, as I mentioned earlier in the evening, is consuming even more coal then the United States and with the growth of their economy that will probably double. The market for clean coal technology is enormous and will help our balance of payments, it will create jobs for Americans, it will help to clean up the environment worldwide. Other nations are concerned about their emissions because they do go into the atmosphere that ultimately all of us breathe.

This program is a success.

Now we have been practical about it. In this bill we rescind $100 million of clean coal technology because a couple of programs that were on line decided that they did not want to go forward.

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Mr. Chairman, we have been trying to manage this with good judgment in a very responsible way. But speaking of responsibility, I would point out that there are contracts pending that will

require a commitment of this available funding to meet the fact that the private sector is willing to go forward on other types of technology.

This is a successful program. It is a good program. It means jobs for the future. It means clean air. It means energy independence. We do not have to send a team of soldiers to protect coal that is in the United States of America. We do not have to build underground facilities to store it. It is there. Clean coal technology will enable us to use this source of energy to improve the quality of life and maintain our economic leadership in the world.

Mr. Chairman, I strongly urge a ''no'' vote on this amendment.

The CHAIRMAN. All time has expired.

Pursuant to the unanimous-consent agreement, the question is on the amendment offered by the gentleman from Wisconsin [Mr. KLUG].

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

Mr. KLUG. Mr. Chairman, I demand a recorded vote, and pending that I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 181, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. KLUG] will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, $312,153,000, 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.

AMENDMENT OFFERED BY MR. ROYCE

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

The Clerk read as follows:

Amendment offered by Mr. ROYCE: Page 59, line 10, insert after the dollar amount ''(reduced by $21,014,000)''.

Mr. ROYCE. Mr. Chairman, my amendment simply cuts funding appropriated above the administration's request for five fossil energy research and development programs, programs earmarked for coal, natural gas, and the oil industries, programs that have been discussed at some length tonight.

Mr. Chairman, I believe none of these programs merit Federal funding. U.S. private industry does not need these programs, period, but my amendment at least saves the American taxpayer some $21 million, about 7 percent of the total spending, for the many fossil energy research programs contained in the appropriations bill.

This savings is why this amendment is endorsed by Citizens Against Government Waste, the Competitive Enterprise Institute, the National Taxpayers' Union, and Americans for Tax Reform, among several other organizations.

Why do American corporations not need these programs? Let me refer to a report done by the Congressional Budget Office that looks at the Department of Energy's fossil fuel programs. It reports, and I quote from that report, ''The major new technologies for enhanced oil recovery have come from private industry, not the Department of Energy.'' The Energy Department says, ''This has little in the way of commercial applications to show for its investment.''

The fact that technological innovation and new commercial applications is found in the private sector, not the government, comes as no surprise. A Brookings Institute study found that Federal energy R&D has been an abject failure. It reported, ''The overriding lesson is that the goal of economic efficiency is so severely constrained by political forces that an effective, coherent national commercial R&D program has never been put in place.''

As we have heard tonight, the 1997 budget resolution reached a similar finding about DOE energy R&D programs. No, these corporate research subsidies, and subsidies is what they are, going to large corporations, some of the largest multinationals in the world, as a matter of fact, is not the direction we should be going.

We praise the American economy for being the most productive economy in the world. I will tell Members one thing, our economy was not built on government subsidies like the one this amendment modestly cuts, and those economies in the world that are built on subsidies, think of the European countries, those are economies that are hurting.

Mr. Chairman, let me close with this argument. I want to make the point that tonight we have heard a lot about the importance of research to our economy. We have heard a lot about the importance of energy to our economy. No one doubts this. It is obvious, but that does not mean that every DOE research program deserves immunity. These five programs certainly do not.

I ask Members to consider that these five programs targeted by this amendment are administered by the Department of Energy. That alone should give Members of this body pause. We have been hearing about waste and inefficiency in the DOE for years now. Many Members in this body as well as former Energy secretaries have supported abolishing the Energy Department.

They are right, the Department of Energy was founded in 1976 on a dubious idea; that this country needs a national energy policy coordinated by Washington. It has since grown into a multi-billion dollar bureaucracy with numerous wasteful missions. We do not have a national energy policy today, thankfully. By the way, the price of gas at the pump is at an historic low. This is due to market forces, not government research programs. But we are stuck with the DOE and its many wasteful programs.

The Department of Energy itself has not asked us to spend this money. It does not request these funds. Yet, we are going to go ahead and spend it anyway? What kind of sense does that make? There is no reason to plus up these subsidies. I urge my colleagues, even those who support government-supported fossil fuel programs, to support this fiscally responsible amendment.

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

Mr. Chairman, we have been responsible. We have reduced the research programs by 30 percent over the past few years, but we have tried to keep the good ones. Does anyone believe we did not send soldiers to Saudi Arabia and Desert Storm to not protect an energy source that is overseas? Of course we did. We spent billions of dollars doing it.

That illustrates how important fossil fuel sources are to this Nation, and makes a very powerful case to continue research programs that will do a number of things; that will allow us to use fossil fuels in a more efficient way, to get more Btus that are useful in the energy stream of this Nation. Fossil fuel is going to be the choice that we have to depend on for many, many years to come. These programs are designed to make our use of fossil sources more efficient.

Obviously, the private sector believes in them because they put up a good part of the money to do the research. As I said earlier, we do not fund commercialization. We have carefully guarded against any programs that get beyond the development of technology. But we think it is very important for the future of this Nation to ensure that we have adequate energy sources from fossil sources, that we use these energy sources in an effective way so we do not deprive future generations of the same quality of life we have had, and to use these sources in a way that will keep us competitive in the world marketplace.

Mr. Chairman, I think at this point it would be a serious mistake to violate contracts that are already in place, to stop programs that are shown to have potential in midstream, and to cut at this juncture would not be a good management on the part of our fossil program.

Mr. Chairman, I have to say to all of the Members that we as a committee have been very careful in determining what programs work and what do not, and to make sure that we manage the

taxpayers' money efficiently on behalf of their future in the fossil energy resource programs. I strongly urge a no vote on this amendment. Let us keep these programs going so we can ensure that we have energy independence as a Nation in the future, and we can insure that those who follow us will have the same quality of life and opportunities that result from having an adequate supply of fossil-generated energy.

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

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California [Mr. ROYCE]. This is one of many amendments that foolishly looks for savings in energy security, an area of great importance to our national security.

Our economic well-being depends on a secure and reliable energy supply. The Energy Information Agency has predicted that for the foreseeable future, we will be getting over 85 percent of our energy from fossil sources. So if Members are looking to adjust the Federal investment in R&D in this area, then Members had better understand the ramifications of what they are trying to do.

The Royce amendment is a textbook example of how not to interfere with a program. After hearing hours and hours of testimony, the Subcommittee on Interior of the Committee on Appropriations decided to alter the administration's budget. Some programs were increased in order to more effectively meet their missions. In order to pay for these increases, the Committee on the Interior has acted responsibly by finding offsets for these cuts.

The Royce amendment takes a simplistic approach to deficit reduction. It simply looks at any line item which the Committee on Interior increased, ignores the fact that the plus-ups were offset, and eliminates the increase. So the point of this amendment is to cut any program that the committee determined to be of the highest priority.

Let us look at the programs it cuts: The low emission boiler system, a cleaner-burning, high-efficiency technology that is moving into its final stage of development. This is exactly the type of technology our country is going to need to meet the requirements of the Clean Air Act and international emission reduction requirements.

This stage requires the construction of an actual plant, an undertaking that requires more funding than did the planning and design phase of earlier years. The committee recognized this, found an offset, and provided the necessary funding.

The Royce amendment also cuts research on particulate matter monitoring. Any Member who is concerned about the Clean Air Act compliance should care about this. Our current monitoring capability is insufficient, and an effective understanding of our air quality situation requires an improved monitoring expertise.

The committee recognized this as a high priority area, but once again, this amendment seeks to ignore the priorities of those who best understand these programs. Mr. Chairman, in this era, where we must emphasize domestic solutions to the challenge of meeting our ever-increasing energy needs, the Royce amendment is a decisive step backwards. I urge its defeat.

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

Mr. Chairman, briefly, I rise in support of the Royce amendment. Let me, if I can, put this in context. Again, we hear from opponents of the amendment that sense that somehow if we go back to the levels originally requested by the administration, that energy research in this country stops in its tracks. But the Department of Energy spends $3.2 billion a year on a variety of applied and basic research projects. This amendment simply says, in 5 areas where we have done fossil research for 60 years, and again, we have told welfare recipients they have to be off the dole for 2 years, but these research programs can go on for 60 years, and in five very specific programs we simply roll back $21 million back to what the administration requested. I think it is very clear the Department of Energy still has a lot of money to spend on programs it wants to fund, but I think we ought to let the Department of Energy, the experts, set the parameters.

I think, first of all, we need to keep in mind in this entire debate that I think private industry is much better, much better suited to identify and target technologies that are commercially viable than DOE. According to our own Congressional Budget Office, listen to this, ''The major new technologies for advanced oil recovery, for example, have come from private industry, not from DOE. In other instances, DOE continues to develop technologies in which the market clearly has no interest.''

So the bottom line is we have thousands of dollars in excess government subsidies flowing to programs that have delivered very little results; frankly, in this case, in the Committee on Appropriations, more money than the Department of Energy wants to fund technology that, frankly, has already been the subject of billions of dollars in Federal grants.

I urge my colleagues to support the Royce amendment, and to put an end to corporate welfare as we know it.

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

Mr. Chairman, I rise in support of the Royce amendment. While this may be only $21 million, every million dollars counts. What we are only talking about is going back to what the Department of Energy requested in this particular appropriation process.

Mr. Chairman, when I first got elected and campaigned back in 1992, I had a basic question I kept saying, and I have been asking it every year for the past 4 years I have been here. It is, is this a Federal responsibility? Do we really have to have the Federal Government doing this program?

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I am not convinced this is one. This is why it is called corporate welfare. The private sector can do that. We have a lot of strengths in the private sector. We have a lot of belief in the private sector. While we have made great progress along the past couple years in the spending on this particular appropriations subcommittee, this is one that, do we really need to keep spending this money? Why cannot the private sector?

I go along with the gentleman from California [Mr. ROYCE] and the gentleman from Wisconsin [Mr. KLUG], and I think this is an appropriate way to cut spending and to get some more sensibility back into the total amount of money spent at the Department of Energy.

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

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

Mr. BROWN of California. Mr. Chairman, there are several aspects of this debate which trouble me a little bit. I think we have all paid tribute to the work that the Committee on Appropriations has done in examining these programs and making recommendations which will protect the public interest and give us the most value for the taxpayers' dollars that are being spent here.

I am also informed that we are not above the President's request in these items, that we are below the President's request so we are not loading this up excessively.

But the thing that really troubles me is that the subject matter of this debate has been before the committee, which I have the pleasure to serve on, the Committee on Science, the authorizing committee, over the years. We have conducted extensive research on these programs. We have tried to monitor the Defense Department. We have not found any department, including the Energy Department, we have not found any department, including energy, which is free from mistakes. And we make an honest effort to correct those wherever it is possible to do so. We think we have a sound program here which is in the best interest of this country.

I have a sense, however, that those who are arguing against these programs have certain fundamental ideological objections to the government participating in these. They do not like the idea that this country can benefit from a partnership between the government and the business community of this country.

This for a long time produced an atmosphere in which the government and industry were fighting each other. We have worked very hard to overcome

that, to find ways in which government could play a role, the private sector could play a role, appropriate to each, and in most cases this means that we cooperate in developing the basic research.

The private sector then carries that research on through applications and commercialization. This is what we are trying to achieve. It is a delicate balance. We admit that it is a delicate balance. But there are some Members who persist in insisting that this is government subsidy or government welfare. I see some nods coming from my good friend on the other side. I deny that this is the case.

Those countries which pose the greatest threat to our economy are those which have achieved the most effective balance and cooperation between government and industry. There is nothing perfect in these arrangements. They have to be constantly scrutinized. There has to be a sense of really what is in the best interest by people who have an understanding of the problems that face the Nation and the problems that face the private sector in achieving solutions to those problems.

I guarantee Members that there is not a corporation in this country that will invest money in a program in which there is no payoff for 10 years. There is just no incentive for them to do so. They would prefer to muck up the environment or do whatever else is necessary to avoid spending money that does not have a payoff within 10 years.

This is that area in which cooperation is essential. We have to leverage the interest of the private sector. We have to provide an incentive for them to spend their money in the hopes of making a profit and moving forward into a commercially viable activity. That is the whole thrust of this program.

There are those here on this floor who deny that that is a proper role for government. I think we need to face this realistically. We can nitpick the particular projects. We can do anything we want. It will be easy to find cases in which we misjudge, both the industry and the government misjudged what the results might be. But in the long run, what we are doing is basically aimed at preserving our energy independence in this country, producing a viable, growing, healthy economy and providing for the welfare of our children and our children's children and the future. I think that after the scrutiny that we have given these programs over the years, we are approaching an understanding of what that proper balance is.

I think it is contained, as closely as we can get, in the report that the subcommittee has made here. I commend the chairman and the members of that committee for the hard work and the analysis that they have put into this.

I can assure my colleagues that we have done the same thing in the Committee on Science for a large number of years, and it is my fond belief, my strong belief that this is the only way this country is going to succeed in maintaining its economic priority in the world before us.

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

Mr. Chairman, I rise in total support of the Royce amendment to bring some sanity to the spending of taxpayer dollars when it comes to shelling out taxpayers' dollars to huge corporations that make billions of dollars worth of profit.

I would, first of all, like to say that I have deep admiration for the speaker who just presented his case before us. The gentleman from California [Mr. BROWN] had been the distinguished chairman of the Committee on Science for many years. He is the ranking member now. But over the years he was fair to every Republican that ever worked on the Committee on Science, and he is an honest and fair man. And what we have here is an honest and fair disagreement as to a basic philosophy of what government should do and what government should not do.

What we have here is the gentleman from California [Mr. ROYCE] who stands for a philosophy, a more conservative free enterprise philosophy, versus the gentleman from California [Mr. BROWN] who has presented more of a philosophy of government intervention in the name of benefit to the community and to the country as a whole.

I think this is an honest disagreement. I think it is. I respect the opinion of the gentleman from California [Mr. BROWN], and I respect his motivation.

Let me say I believe that he is wrong. I believe the philosophy that he is talking about has been an utter failure over and over and over again. The partnership between powerful government and powerful interest groups like big business and big labor has never worked for the benefit of the average person. Instead these partnerships have tended to freeze out the little guy, have tended to use the taxpayers' money for the benefit wealthy interests and the taxpayers end up footing the bill for all of this.

This is no different. What we are arguing about tonight is a $21 million add-on that goes beyond what the Department of Energy has requested from the Congress. That is $21 million extra from what has been requested from the Department of Energy. I even question some of the projects the Department of Energy has proposed.

But here we are just talking about, should the Federal Government rush into relationships with companies that they themselves can afford the research and development of the new products or of the new technologies that are being discussed?

My friend from Pennsylvania discussed boiler technology. Why should we, for example, support millions of dollars for boiler technology so that some company can make a big profit on it? Why should we do that, when other companies and other people in our society are investing in wind technology for energy, they are investing in solar technology?

I just had a conversation with a company that has invested, unlike what the gentleman from California [Mr. BROWN] has suggested, invested millions of dollars over two decades, not just one decade but two decades, to come up with new solar technology. We are undercutting the entrepreneurs in our society who know best by shoveling government money, scarce government money to people who we, as politicians, think they should succeed as compared to other people in the private sector who are investing their own money, other people who may have just as good a chance of succeeding in developing technology.

Quite often we know that the money is going for people who are developing technology who have special connections politically. My friend from Pennsylvania comes from a coal-burning State or a coal-producing State. Is there any question he is looking out for his constituents? He should. But this is not the way to make decisions that will be in the best interest of the people in the long run, especially of the people of the United States of America.

In France they have tried this, where you have a partnership between big business and big government. What they have is they have massive unemployment in France that would never be acceptable in the United States. In Japan, Japan has gone through an economic catastrophe in the last few years. Why is that? It is because you have government planning the economy and so when things go wrong, it is not just one company that has miscalculated, it is an entire industrial plan that has gone wrong.

We should run away as far as possible from this idea that there should be a partnership between government and the private sector. Although I will say that it is motivated, those who advocate this plan, they have the best of motivations, the best of motivations. They want what is right for America.

I do not think it is going to take us in the right direction. It has not taken France in the right direction, did not take Japan in the right direction. I will tell my colleagues, it certainly did not take the socialist countries in the right direction. The socialist countries that were all basically one big industrial plan failed in a big way.

So I would ask support of the Royce amendment and a tough stand for the taxpayers.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment, and I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by gentleman from California [Mr. ROYCE].

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

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

The CHAIRMAN. Pursuant to House Resolution 181, further proceedings on the amendment offered by the gentleman from California [Mr. ROYCE] will be postponed.

The Clerk will read.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 76, line 7, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There is no objection.

The text of the remainder of the bill through page 76, line 7 is as follows:

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, 1997, shall be deposited in this account and immediately transferred to the General Fund of the Treasury. Monies received as revenue sharing from 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, $115,000,000, and such sums as are necessary to operate Naval Petroleum Reserve Numbered 1 between May 16, 1998 and September 30, 1998, to remain available until expended: *Provided,* That notwithstanding any other provision of law, revenues received from use and operation of Naval Petroleum Reserve Numbered 1 in excess of $163,000,000 shall be used to offset the costs of operating Naval Petroleum Reserve Numbered 1 between May 16, 1998 and September 30, 1998: *Provided further,* That revenues retained pursuant to the first proviso under this head in Public Law 102–381 (106 Stat. 1404) shall be immediately transferred to the General Fund of the Treasury: *Provided further,* That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 1998.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $636,766,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1998 determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502): *Provided,* That $149,845,000 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: $120,845,000 for weatherization assistance grants and $29,000,000 for State energy conservation grants.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $2,725,000, 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.), $209,000,000, to remain available until expended, of which $209,000,000 shall be repaid from the ''SPR Operating Fund'' from amounts made available from the sale of oil from the Reserve: *Provided,* That notwithstanding section 161 of the Energy Policy and Conservation Act, the Secretary shall draw down and sell in fiscal year 1998 $209,000,000 worth of oil from the Strategic Petroleum Reserve: *Provided further,* That the proceeds from the sale shall be deposited into the ''SPR Operating Fund'', and shall, upon receipt, be transferred to the Strategic Petroleum Reserve account for operations of 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 1998 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, $66,800,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

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

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

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

The Secretary is authorized to accept funds from other Federal agencies in return for assisting agencies in achieving energy efficiency in Federal facilities and operations by the use of privately financed, energy saving performance contracts and other private financing mechanisms. The funds may be provided after agencies begin to realize energy cost savings; may be retained by the Secretary until expended; and may be used only for the purpose of assisting Federal agencies in achieving greater efficiency, water conservation, and use of renewable energy by means of privately financed mechanisms, including energy savings performance contracts. Any such privately financed contracts shall meet the provisions of the Energy Policy Act of 1992, Public Law 102–496 (42 U.S.C. 8287).

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, $1,829,008,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: *Provided,* That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That $12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further,* That $359,348,000 for contract medical care shall remain available for obligation until September 30, 1999: *Provided further,* That of the funds provided, not less than $11,889,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further,* That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further,* That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further,* That 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, compacts, 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, 1999: *Provided further,* That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $257,310,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided,* That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–53) 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 notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further,* That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further,* That funds received from any source, including tribal contractors and compactors for previously transferred functions which tribal contractors and compactors no longer wish to retain, for services, goods, or training and technical assistance, shall be retained by the Indian Health Service and shall remain available until expended by the Indian Health Service: *Provided further,* That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further,* That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

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, $18,345,000, 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, as amended (20 U.S.C. 56, Part A), $3,000,000.

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; $334,557,000, of which not to exceed $32,718,000 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, $3,850,000, 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, $50,000,000, 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.

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, $55,837,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $6,442,000, 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, $11,375,000.

CONSTRUCTION

For necessary expenses for capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $9,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For necessary expenses of the Woodrow Wilson International Center for Scholars, $1,000,000.

The CHAIRMAN. Are there further amendments to the bill from pages 59, line 14, through page 76, line 7?

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. MILLER of Florida) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

□ 0028

HOUR OF MEETING ON FRIDAY, JULY 11, 1997

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 a.m. today.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from California?

There was no objection.

TAX CUTS

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. SMITH of Michigan. Mr. Speaker, I think it is very disingenuous when our friends from the other side of the aisle say they want tax cuts. First of all, I think Republicans are making a mistake because what is happening now is the liberals spend 10 percent effort on developing policy and 90 percent on spinning it. Republicans spend 90 percent on developing policy but only spend 10 percent on spinning it. So there is a great deal of misunderstanding out there.

Mr. Speaker, I will include as part of my remarks Jim Glassman's article in yesterday's Washington Post that spells out some of the differences between the Republicans and the Democrats.

I would like to simply conclude that we have a tax system that punishes our businesses to the extent that they have to move out of this country. The cost of labor is 10 to 12 percent of the cost of producing an item. The taxes run up to 39 percent in this country. We need to be looking at the kind of tax policy that is going to expand the economy.

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[From the Washington Post, July 8, 1997]

THEN THERE'S PLAN B

(By James K. Glassman)

The new Labor government of Tony Blair last week passed its first budget, and the main feature was a tax cut that gives British businesses the lowest rates in the industrialized West. ''The central purpose,'' said Chancellor of the Exchequer Gordon Brown, ''is to insure that Britain is equipped to rise to the challenge of the new and fast-changing global economy.''

Contrast those sophisticated sentiments with what President Clinton was doing at the same time in Washington—making noises that he'll veto an extremely modest tax-relief bill if it doesn't meet his own specifications. Clinton may be just bluffing, but he's taking delight in fanning the flames of class warfare just as Britain's Socialists are eschewing such nonsense.

But what if the president does veto the bill that emerges from a House-Senate conference? Then, Republican leaders—notably, Speaker Newt Gingrich—should tell him, in the immortal words of Clint Eastwood, ''Go ahead. Make my day.''

They should make it clear that if Clinton rejects the puny cuts in the current bills (amounting to one percent of projected tax revenues over the next five years), then the budget deal is off forever, and Plan B will swing into effect. I'll describe Plan B below, but, first, let's look at what divides the antagonists:

Child credit. Under GOP bills, families that earn less than $110,000 will be able to knock $400 to $500 per child off their final tax bills. The median two-earner family (making $53,000 a year) with three kids would see taxes fall from $5,100 to $3,600—a huge cut. Clinton wants the credit to apply as well to many families that don't make enough to pay income taxes, and he starts phasing out the break for couples making $60,000.

Capital gains. Under the House and Senate bills, the top rate would fall from 28 percent to 20 percent on the sale of assets such as stocks and bonds. Clinton wants a 30 percent ''exclusion'' from ordinary income, which means that, for top earners, the rate would fall to just 27.7 percent—a nose-thumbing mockery. The House wouldn't tax profits boosted by inflation.

Democratic critics of the GOP plan say that it reduces taxes more for those with high incomes than those with low. Maybe so, but it's nearly impossible for a cut in income taxes to do anything else. That's because low-income Americans pay little or nothing.

The figures are astonishing. According to the IRS, the top 5 percent of earners pay 47 percent of the nation's income taxes. The top 10 percent pay 59 percent, and the bottom 50 percent of earners pay only a 5 percent share.

Apparently unaware of such numbers, the Democratic Policy Committee recently sent an outraged fax to talk-radio hosts around the country: ''Under the current GOP proposals, the top 1 percent of Americans would receive more benefits than the combined bottom 60 percent in tax cuts.''

But the IRS reports that the top one percent of Americans pay 29 percent of the nation's income tax bill; the bottom 60 percent pay just 9 percent. So, to be fair, the top one percent should get triple the cuts of the bottom 60 percent.

Teh resourceful administration has a way to give tax cuts to people who don't owe taxes. It wants to send checks—welfare benefits to inspire breeding—to millions of families that don't qualify for tax breaks because their income tax bills amount to zero.

Will Republican leaders compromise with the White House before going to conference? If they do, they should be laughed out of office. Economic consultant Jude Wanniski told clients last week that the president's ''tax proposal is clearly at the level of fun and games, with Clinton trying to steal Newt's underwear after talking him out of his outer garments in the 104th Congress.''

What happens if Gingrich stands firm and Clinton issues his veto? That triggers what I call Plan B:

(1) The budget deal negotiated in good faith in May is null and void. (2) In its place, Congress passes a stripped-down spending plan for the federal government with none of the president's $30 billion-plus in new and expanded programs. (3) Congress passes a back-up resolution that sets spending at 1997 levels for departments covered by any appropriations bills the president vetoes.

Finally, (4) Medicare won't be touched. Instead, reductions needed for a balanced budget by 2002—or, preferably, sooner—will come from cuts in spending growth and postponement of tax relief. Congress will then get down to the real work of reforming entitlements and the tax code, not the silly hodgepodge of the current budget.

Tax relief, 1997-style, wouldn't be a great loss. (The lack of capital gains cuts could trigger a stock market crash, but shares would likely recover.) Indeed, in many ways, the tax bills are abominable. They further complicate the code and include Clinton's latest steps to nationalize health care and establish new education subsidies for a favored few, plus breaks for consumers of hard apple cider, for speedboaters, Oklahoma oil-well owners, sellers of archery products and whaling captains.

These payoffs to interest groups—including the religious right, which is backing the child credits—are just business as usual for tax writers. They're also a serious detour from the road to a far more sensible goal, a flat-rate income tax, which, according to a poll last month for Fox News, has the support of 57 percent of Americans and the opposition of just 27 percent.

As it stands, the GOP tax plan is barely acceptable. If the president insists on any changes, he'll tip the balance. Like Eastwood, I'm half-hoping he does.

FREEDOM FROM RELIGIOUS PERSECUTION ACT

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

Mr. WOLF. Mr. Speaker, I have a bill which about 80 Members have cosponsored on both sides of the aisle, called the Freedom From Religious Persecution Act. It is H.R. 1685. Now that the MFN debate has gone, I will now ask Members from both sides to join us.

This is not a trade bill. This is a bill which would, among other things, create a new White House position, the director of Office of Religious Persecution Monitoring, who would do a country-by-country report every year on the different persecutions.

Mr. Speaker, there is more persecution of people of faith taking place today than any other time in history of our country.

It is H.R. 1658, and I would ask Members on both sides to cosponsor the bill so we can pass it before 100,000 churches of all denominations have a prayer service some time in the month of November to pray for the persecuted church around the world.

WOLF-SPECTER ''FREEDOM FROM RELIGIOUS PERSECUTION ACT''

CREATES NEW WHITE HOUSE POSITION—DIRECTOR OF THE OFFICE OF RELIGIOUS PERSECUTION MONITORING

The Director would issue an annual report assessing whether Category 1 or Category 2 religious persecution exists in a country.

Sanctions—Sanctions would be automatic upon a positive finding by the Director. They would be waivable by the President, subject to a detailed written explanation to Congress and a 45-day notice of the intent to waive.

1. Degree of religious persecution

Category One Activity—Religious persecution is ongoing and widespread and includes killing, rape, imprisonment, abduction, torture, enslavement or forced mass resettlement. Persecution is carried out by the government or with the government's support.

Category Two Activity—Religious persecution, as defined above, that is not carried out with government support but where the government fails to take serious and sustained efforts to eliminate the persecution.

2. Imposition of sanctions

Immediate Sanctions—The bill would ban all exports to foreign government entities that directly carry out acts of religious persecution. There would also be a ban on all goods, products and services that are being used or intended for use directly to facilitate religious persecution. These sanctions would take effect immediately upon identification of the relevant entities and products. Products and entities banned under this legislation are to be defined as narrowly as is practical.

Sanctions Subject to Findings—Additional sanctions would also take effect after either 90 days (Category One activity) or 1 year (Category Two activity).

U.S. Assistance—The U.S. would cut off all non-humanitarian aid to the persecuting country.

Multilateral Assistance—U.S. representatives would be instructed to vote against any multilateral development banks loans to the offending country and to take all necessary steps to ensure that such loans are not forthcoming.

WTO Membership—In deciding whether to support a country's membership in the World Trade Organization, the President would be instructed to consider a significant factor whether a country had engaged in religious persecution.

Visa Ban—Ban on visas individuals who carry out, order or oversee religious persecution.

Asylum for Persecuted Religious Minorities—Asylum proceedings would be improved to ensure expedited, priority consideration for victims of religious persecution.

Full Asylum Hearing—Amends ''credible fear'' standard in asylum proceedings to ensure asylum applicants from persecuted communities in Category 1 and 2 countries receive a full asylum hearing.

Priority Status—Provides refugees from persecuted communities in Category 1 and 2 countries priority processing status equal to that given to all groups of ''special humanitarian concern'' to the United States.

Training—Requires asylum officers and refugee claims adjudicators to undergo training on the nature, severity and location of religious persecution.

Sudan Sanctions—The legislation includes immediate sanctions against Sudan, a country where * * *.

THE REPUBLICAN TAX BILL IS BAD FOR EDUCATION

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

Mr. MCGOVERN. Mr. Speaker, if the United States is to be the economic superpower in the 21st century, then Congress must make education its No. 1 priority. Any tax bill that passes this Congress must expand educational opportunity for working families.

Unfortunately, the tax bill that passed the House recently fails that test. The Republican tax bill fails to provide the full HOPE scholarship requested by the President, and it does virtually nothing for students in their third and fourth year in college.

Furthermore, the Republican tax bill contains provisions to actually raise taxes on students, faculty, and staff in higher education institutions. It is both cynical and dishonest for Congress to claim to be committed to tax relief while raising taxes on those hard-working members of our academic community.

Democrats have offered a tax alternative that includes the full $500 HOPE scholarship, and provides significant tax relief for college students in their junior and senior years. I urge my Republican colleagues to remove the anti-education measures in their tax bill. Let us give tax relief to hard-working families struggling to send their kids to college.

Mr. Speaker, I include for the RECORD a letter I sent to President Clinton yesterday urging his continued support for initiatives to expand educational opportunities for working families:

The material referred to is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 9, 1997.

WILLIAM JEFFERSON CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT, I would like to express again my support for the leadership you have demonstrated this year on education initiatives. Education, however, is once again under attack: this time in the form of H.R. 2014, the so-called Taxpayer Relief Act, that has been approved by the House of Representatives and is now facing negotiations in a House-Senate Conference Committee on the budget reconciliation and tax bills. Mr. President, your leadership is needed again to prevent our students, faculty, and higher education institutions from unfairly becoming targets of tax increases. Specifically, I urge you to:

Support the provision in the Senate version of the tax bill to retain the tax-exempt status of the TIAA–CREF retirement program. Revoking the tax exemption for the pension system of TIAA–CREF, granted by the IRS in 1920, would cause irreparable harm to the employees, higher education institutions, and the Massachusetts and New England education and research community as a whole. The Senate has recognized this fact and has not included this provision in its tax bill. TIAA–CREF's pension assets are exclusively and irrevocably used for the benefit of its pension participants. And unlike the reserves of other insurance companies, TIAA's pension reserves can be used for no other purpose than to support participants' retirement benefits. TIAA is already subject to taxes, imposed in 1986, on its non-pension

insurance business. The net effect of revoking TIAA-CREF's tax exemption after seventy-five years would be to significantly reduce the earnings of current employee's retirement accumulation as well as the pension income of retired employees. By imposing this unprecedented tax, the House measure would not only undermine the recruitment and retention of men and women in teaching professions and assault the financial security of higher education employees' retirement, it would summarily undercut your efforts, Mr. President, to improve educational opportunities for all of America's youth. On behalf of the current and retired employees of New England's 260 tax-exempt colleges and universities, I urge you to use your special offices to guarantee the continuation of the tax exempt status of TIAA–CREF'S pension program.

In a similar contrast between the House and Senate tax bills, I urge you to use your good offices to retain Section 117(d) of the tax code so that graduate students engaged in teaching and research would continue to receive tuition waivers that would exclude this income from federal taxes. The tuition waiver for graduate teaching and research assistance is what makes graduate school a financially viable opportunity for many students. The effect of the House provision to transform this tuition assistance into taxable income will no doubt be to drive out of graduate school and away from careers in research and teaching many of our most promising young Americans, especially those of modest means and middle income families. The changes proposed in the House version of the tax bills would make graduate school unaffordable to millions of Americans throughout the next decade, require dramatic increases in college costs so that institutions might increase the pay to graduate teaching and research assistants, and cause dramatic cut-backs in America's university research programs precisely at the moment when the nation as a whole is attempting to become more competitive internationally. Mr. President, the House proposal runs contrary to the goals you have established for our nation and I urge you to oppose it and to support the Senate bill's retention of section 117(d) of the IRS tax code.

This same subsection also ensures that the children of employees of higher education institutions might also receive tuition waivers. This provision has allowed the children of faculty and staff—from the families of janitors, food service workers, administrative staff and modestly paid faculty—to live out their parents' dreams and attain a college education. Mr. President, please fight on behalf of these families' hopes and aspirations.

I want you to know, Mr. President, that I am a strong supporter of your efforts to save the HOPE Scholarship tax credit, to allow the interest on student loans to be tax deductible, and to permanently extend Section 127 of the tax code on employer provided education assistance not just to undergraduate students, but to graduate students as well, where it is most needed.

I assure you, Mr. President, that I will also convey these concerns directly to the House and Senate conferees, but it will need your leadership and commitment to ensure that our higher education community do not suffer under the terms of these congressional tax bills.

Thank you for your attention to these requests. I look forward to working with you on this fight for America's future.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MANTON (at the request of Mr. GEPHARDT) for today before 1 p.m. on account of medical reasons.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DOYLE) and to include extraneous matter:)

Mr. ACKERMAN.
Mr. SANDERS.
Mr. MANTON.
Mr. KUCINICH.
Mr. EVANS.
Mr. MCGOVERN.
Mr. SKELTON.
Mr. VISCLOSKY.
Mr. HILLIARD.
Mr. VENTO.
Mr. FRANK of Massachusetts.
Mr. BARCIA.
Ms. HARMAN.
Mr. SMITH of Washington.
Mr. DAVIS of Florida.
Mr. KANJORSKI.
Mr. KILDEE.
Ms. WOOLSEY.
Mr. FILNER.

(The following Members (at the request of Mr. ROYCE) and to include extraneous matter:)

Mr. SHUSTER.
Mr. LOBIONDO.
Mr. GILMAN.
Mr. PORTMAN.
Mr. FOX of Pennsylvania.
Mr. SOLOMON.
Mr. BOB SCHAFFER of Colorado.
Mr. EVERETT.
Mr. PORTER.
Mr. BEREUTER.
Mr. COLLINS.

ADJOURNMENT

Mr. ROYCE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 30 minutes a.m.), under its previous order, the House adjourned until today, Friday, July 11, 1997, at 9:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4152. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Tuberculosis in Cattle and Bison; State Designation; Hawaii [Docket No. 97–063–1] received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4153. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Fenpropathrin; Pesticide Tolerances for Emergency Exemptions [OPP–300515; FRL–5731–3] (RIN: 2070–AB78) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4154. A letter from the Secretary of the Interior, transmitting the annual report on the Youth Conservation Corps program in the Department for Fiscal Year 1996, pursuant to 16 U.S.C. 1705; to the Committee on Agriculture.

4155. A letter from the Secretary of Defense, transmitting a report on the evaluation of TRICARE; to the Committee on National Security.

4156. A letter from the Assistant Secretary, Department of Education, transmitting notice of Final Funding Priorities for Fiscal Year 1997–1998 for a Rehabilitation Research and Training Center, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

4157. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the Notice of Final Funding Priorities for Fiscal Years 1997–1998 for a Rehabilitation Research and Training Center, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

4158. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29 CFR Part 4044] received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4159. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Number under the Paperwork Reduction Act; National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins; National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins [AD-FRL–5858–1] (RIN: 2060–AD–56 and RIN: 2060–AE–37) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4160. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware—General Conformity Rule [DE030–1008a; FRL–5856–1] received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4161. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Land Disposal Restrictions Phase III—Emergency Extension of the K088 National Capacity Variance [EPA#–530–Z–96–P33F–FFFFF; FRL–5857–7] received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4162. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of Revisions to the Mississippi State Implementation Plan (SIP) [MS21–1–9718a; MS22–1–9719a: FRL–5857–5] received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4163. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan; Minnesota; Correction [MN43–02–7268; FRL–5855–8] received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4164. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting notification of a proposed manufacturing license agreement for production of major military equipment with the United Kingdom (Transmittal No. DTC–73–97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

4165. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Germany (Transmittal No. DTC–72–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4166. A letter from the District of Columbia Auditor, transmitting a copy of a report entitled ''Fiscal Year 1996 Annual Report on Advisory Neighborhood Commissions,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform and Oversight.

4167. A letter from the Executive Director, Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List [I.D. 97–013] received July 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4168. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmopheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska, Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No. 961126334–7025–02; I.D. 070397A] received July 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4169. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands [Docket No. 961107312–7021–02; I.D. 070197C] received July 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4170. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 961126334–7025–02; I.D. 070397B] received July 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4171. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden, Calendar Year 1996, pursuant to Public Law 88–449, section 10(b) (78 Stat. 498); to the Committee on the Judiciary.

4172. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Ayres Corporation S2R Series Airplanes (Federal Aviation Administration) [Docket No. 97–CE–44–AD; Amdt. 39–10071; AD 97–13–11] (RIN: 2120–AA64) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4173. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Model 172R Airplanes (Federal Aviation Administration) [Docket No. 97–CE–35–AD; Amdt. 39–10070; AD 97–12–06] (RIN: 2120–AA64) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4174. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Industrie Aeronautiche E Meccaniche Model Piaggio P–180 Airplanes (Federal Aviation Administration) [Docket No. 96–CE–62–AD; Amdt. 39–10072; AD 97–14–14] (RIN: 2120–AA64) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4175. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Britten-Norman Ltd. BN–2A and BN–2A Mk 111 Series Airplanes (Federal Aviation Administration) [Docket No. 96–CE–24–AD; Amdt. 39–10058; AD 97–14–01] (RIN: 2120–AA64) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4176. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare Program; Schedule of Limits on Home Health Agency Costs Per Visit for Cost Reporting Periods Beginning on or After July 1, 1997 (Health Care Financing Administration) [BPD–889–NC] (RIN: 0938–AH88) received June 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

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:

By Mr. CRANE (for himself and Mr. MATSUI):

H.R. 2132. A bill to extend nondiscriminatory treatment—most-favored-nation treatment—to the products of the Lao People's Democratic Republic, and for other purposes; to the Committee on Ways and Means.

H.R. 2133. A bill to authorize the extension of nondiscriminatory treatment—most-favored-nation treatment—to the products of Mongolia; to the Committee on Ways and Means.

By Mr. MCCOLLUM:

H.R. 2134. A bill to amend the Federal Rules of Criminal Procedure with respect to bail bond forfeitures; to the Committee on the Judiciary.

By Mr. DOGGETT (for himself, Mr. WAXMAN, Mr. HANSEN, Mr. MEEHAN, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. CAPPS, Ms. DEGETTE, Mr. DELLUMS, Mr. HINCHEY, Mr. KIND of Wisconsin, Mr. LEWIS of Georgia, Mr. LUTHER, Mr. MILLER of California, Mr. OLVER, Ms. PELOSI, and Ms. WOOLSEY):

H.R. 2135. A bill to make exports of tobacco products and the advertising of tobacco products abroad subject to the restrictions on labeling and advertising applicable to tobacco products in the United States, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENSIGN (for himself and Mr. GIBBONS):

H.R. 2136. A bill to direct the Secretary of the Interior to convey, at fair market value, certain properties in Clark County, NV, to persons who purchased adjacent properties in good faith reliance on land surveys that were subsequently determined to be inaccurate; to the Committee on Resources.

By Mr. FOX of Pennsylvania:

H.R. 2137. A bill to require the review of all Federal departments and agencies and their programs, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on Rules, for 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. HEFLEY (for himself, Mr. PASTOR, and Mr. GALLEGLY):

H.R. 2138. A bill to amend the Federal Water Pollution Control Act to provide for the use of biological monitoring and whole effluent toxicity tests in connection with publicly owned treatment works, municipal separate storm sewer systems, and municipal combined sewer overflows, including control facilities, and other wet weather control facilities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. JOHNSON of Wisconsin:

H.R. 2139. A bill to amend the Dairy Production Stabilization Act of 1983 to ensure that all persons who benefit from the dairy promotion and research program contribute to the cost of the program; to the Committee on Agriculture.

By Mr. KLINK (for himself, Mr. FOX of Pennsylvania, Mr. KILDEE, Mr. ENGLISH of Pennsylvania, Mr. MASCARA, Ms. DELAURO, Ms. WOOLSEY, Mr. ANDREWS, Mr. DOYLE, Mr. HOLDEN, and Mr. COYNE):

H.R. 2140. A bill to amend the Higher Education Act of 1965 to improve accountability and reform certain programs; to the Committee on Education and the Workforce.

By Mr. MCCOLLUM (for himself, Mr. SHAW, and Mr. SPENCE):

H.R. 2141. A bill to provide for a judicial remedy for U.S. persons injured as a result of violations by foreign states of their arbitral obligations under international law; to the Committee on the Judiciary.

By Mr. MCNULTY:

H.R. 2142. A bill to amend title 38, United States Code, to extend eligibility to receive dependency and indemnity compensation to veterans' surviving spouses whose subsequent marriages have terminated; to the Committee on Veterans' Affairs.

By Mr. MILLER of California:

H.R. 2143. A bill to provide that certain escrowed oil and gas revenues be available for improving National Park System visitor facilities, and for other purposes; to the Committee on Resources.

By Mrs. MINK of Hawaii (for herself and Mr. ABERCROMBIE):

H.R. 2144. A bill to authorize appropriations for the expansion of the columbarium of the National Memorial Cemetery of the Pacific; to the Committee on Veterans' Affairs.

By Mr. PICKERING:

H.R. 2145. A bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to make guaranteed farm ownership loans and guaranteed farm operating loans of up to $600,000, and to increase such maximum loan amounts with inflation; to the Committee on Agriculture.

H.R. 2146. A bill to designate the U.S. Post Office building located at 750 Highway 28 East in Taylorsville, MS, as the ''Blaine H. Eaton Post Office Building''; to the Committee on Government Reform and Oversight.

By Mrs. LINDA SMITH of Washington (for herself, Mr. SANFORD, and Mr. WAMP):

H.R. 2147. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the use of soft money by political parties and to require annual written authorization for the use of amounts withheld from an individual's wages or salary for political activities, and

for other purposes; to the Committee on House Oversight.

By Mr. SPENCE (for himself and Mr. SISISKY):

H.R. 2148. A bill to suspend temporarily the duty of certain other single viscose rayon yarn; to the Committee on Ways and Means.

By Mr. VENTO:

H.R. 2149. A bill to enhance the conservation and protection of the Boundary Waters Canoe Area Wilderness; to the Committee on Resources.

By Ms. SLAUGHTER (for herself, Mr. YATES, Mr. ROHRABACHER, Mr. ABERCROMBIE, Mr. PAYNE, Mr. UNDERWOOD, Mr. BROWN of California, Mr. MILLER of California, Ms. WATERS, Mr. MCNULTY, Mr. PASTOR, and Ms. DANNER):

H. Con. Res. 114. Concurrent resolution expressing the sense of the Congress concerning the world-wide trafficking of women and girls, whereby women and girls are coerced, abducted, or deceived into migrating within or across national borders, and particularly the trafficking of Burmese women and girls in Thailand for the purposes of forced prostitution; to the Committee on International Relations.

By Mr. RANGEL:

H. Res. 183. Resolution honoring the life of Betty Shabazz; to the Committee on Government Reform and Oversight.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

148. The SPEAKER presented a memorial of the Legislature of the Territory of Guam, relative to Resolution No. 130 calling upon the members of the United States Congress to rebuke the current policy of the U.S. Department of Defense regarding the return of excess lands in Guam to its original landowners, and to express the outrage of the people of Guam over this unjust policy; to the Committee on National Security.

149. Also, a memorial of the Legislature of the Territory of Guam, relative to Resolution No. 94 requesting Congressman Robert A. Underwood to desist from introducing a measure to amend the Organic Act of Guam before Congress relative to the Office of the Governor and Lieutenant Governor; to the Committee on Resources.

150. Also, a memorial of the General Assembly of the Commonwealth of Massachusetts, relative to Resolutions memorializing the Congress of the United States to include the town of Bellingham, Massachusetts within the Blackstone River Valley National Heritage Corridor; to the Committee on Resources.

151. Also, a memorial of the General Assembly of the Commonwealth of Massachusetts, relative to Resolutions memorializing the Congress of the United States to include the towns of Charlton, Dudley, Oxford, Southbridge, Sturbridge, and Webster within the Quinebaug and Shetucket Rivers Valley National Heritage Corridor; to the Committee on Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. MCNULTY introduced a bill (H.R. 2150) for the relief of Mrs. Lorraine Barde; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 51: Mr. HALL of Texas.
H.R. 81: Mr. BUYER.
H.R. 96: Mr. LAZIO of New York.
H.R. 113: Mr. PORTMAN.
H.R. 145: Mrs. MCCARTHY of New York, Ms. NORTON, Mr. CONDUIT, and Mr. SMITH of New Jersey.
H.R. 203: Mr. DELLUMS and Mr. LUCAS of Oklahoma.
H.R. 216: Mr. BERRY.
H.R. 230: Mr. DAVIS of Florida.
H.R. 306: Mr. ROEMER, Mr. GILCHREST, Mr. CLEMENT, and Mr. VENTO.
H.R. 404: Mr. MATSUI, Mr. CONDIT, Mr. GREEN, and Mr. SESSIONS.
H.R. 438: Mr. GOODLATTE, Mr. KLECZKA, and Mr. FRANK of Massachusetts.
H.R. 475: Mr. JENKINS and Mr. CRAMER.
H.R. 505: Mr. DOYLE.
H.R. 586: Mrs. NORTHUP.
H.R. 630: Mr. DOOLITTLE.
H.R. 633: Mr. WOLF.
H.R. 676: Ms. MCKINNEY and Mrs. MINK of Hawaii.
H.R. 681: Ms. SANCHEZ.
H.R. 695: Ms. PRYCE of Ohio, Mr. LEWIS of Kentucky, Mr. KASICH, Mr. ARCHER, Mr. HANSEN, Mr. HERGER, Mr. RILEY, Mr. HILL, Mr. TAUZIN, Mr. MORAN of Kansas, Mr. BURR of North Carolina, Mr. BLUMENAUER, Mr. POMEROY, Mr. RIGGS, and Mr. KINGSTON.
H.R. 758: Mr. BARTLETT of Maryland, Mr. PARKER, and Mr. WAMP.
H.R. 805: Mr. KIM.
H.R. 859: Mr. CAMPBELL.
H.R. 900: Ms. BROWN of Florida.
H.R. 901: Mr. NUSSLE and Mr. HOEKSTRA.
H.R. 906: Mr. EWING, Mr. GILLMOR, Mr. BLILEY, Mr. DELLUMS, and Mr. GORDON.
H.R. 953: Mr. HINCHEY.
H.R. 979: Mr. PRICE of North Carolina, Mr. CLEMENT, Mr. GUTKNECHT, Mr. KLUG, Ms. MCCARTHY of Missouri, and Mr. OBERSTAR.
H.R. 1002: Mr. BROWN of California.
H.R. 1009: Mr. PICKETT and Mr. KIM.
H.R. 1054: Mr. LARGENT and Mr. ENGEL.
H.R. 1063: Mr. WATTS of Oklahoma, Mr. MICA, and Mr. LUCAS of Oklahoma.
H.R. 1114: Mr. BENTSEN.
H.R. 1120: Mr. FAZIO of California.
H.R. 1124: Mr. GRAHAM.
H.R. 1126: Mr. HUNTER and Mr. PETERSON of Pennsylvania.
H.R. 1180: Mr. LOBIONDO.
H.R. 1231: Mr. HINCHEY.
H.R. 1281: Mr. MORAN of Virginia.
H.R. 1296: Mr. MCGOVERN.
H.R. 1329: Mrs. MORELLA, and Mr. FILNER.
H.R. 1355: Mr. GRAHAM and Mr. FATTAH.
H.R. 1371: Ms. LOFGREN, Mr. BONO, Mr. TIAHRT, Mr. ETHERIDE, and Mr. SOUDER.
H.R. 1390: Mr. LEVIN.
H.R. 1515: Mr. WHITFIELD, Mr. BUNNING of Kentucky, and Mr. JONES.
H.R. 1518: Mr. MCHUGH.
H.R. 1524: Mr. GIBBONS, Mr. HAYWORTH, and Ms. PRYCE of Ohio.
H.R. 1531: Mr. ROTHMAN and Mr. WATTS of Oklahoma.
H.R. 1542: Mr. COLLINS.
H.R. 1573: Mr. VENTO and Mr. SYNDER.
H.R. 1609: Mr. SAXTON.
H.R. 1631: Mr. GOODLING and Mr. STUPAK.
H.R. 1670: Mr. MCGOVERN.
H.R. 1711: Mr. UPTON.
H.R. 1748: Mr. SANDERS and Mr. CAMPBELL.
H.R. 1764: Mr. GIBBONS.
H.R. 1733: Mr. FALEOMAVAEGA.
H.R. 1787: Mr. GUTIERREZ, Mr. SANDERS, Mr. SHAYS, Mr. ACKERMAN, and Ms. DEGETTE.
H.R. 1788: Mr. SCHUMER and Mr. ACKERMAN.
H.R. 1802: Mr. TORRES and Mr. DOOLITTLE.
H.R. 1836: Mr. SESSIONS, Mr. SHAYS, and Mr. CUMMINGS.
H.R. 1839: Mr. SKEEN.
H.R. 1842: Mr. CRAPO.
H.R. 1854: Ms. STABENOW, Mr. GREEN, and Mr. COSTELLO.
H.R. 1904: Mr. EVANS, Mr. STRICKLAND, Mr. LIPINSKI, and Mr. PETERSON of Minnesota.
H.R. 1908: Mr. BEREUTER.
H.R. 1917: Mrs. CUBIN.
H.R. 1951: Mr. REYES, Mr. MARTINEZ, Mr. ABERCROMBIE, Mr. CLAY, Mr. RUSH, Mr. BLUMENAUER, Ms. MCKINNEY, Mr. FRANK of Massachusetts, Mr. TIERNEY, and Mr. DAVIS of Illinois.
H.R. 1955: Mr. NORWOOD.
H.R. 1993: Mr. GREEN and Mr. GONZALEZ.
H.R. 2005: Mr. LAZIO of New York and Mr. FOX of Pennsylvania.
H.R. 2006: Mrs. JOHNSON of Connecticut.
H.R. 2007: Mr. STENHOLM.
H.R. 2022: Mr. OXLEY, Mr. UNDERWOOD, Mr. KLECZKA, Mr. GOODLATTE, and Ms. LOFGREN.
H.R. 2064: Mr. FALEOMAVAEGA.
H.R. 2092: Mr. BURTON of Indiana.
H.R. 2101: Ms. DUNN of Washington and Mr. HUTCHINSON.
H.R. 2120: Mr. GREEN.
H.R. 2122: Ms. LOFGREN.
H. Con. Res. 12: Mr. MEEHAN.
H. Con. Res. 13: Mr. SERRANO.
H. Con. Res. 38: Mr. CUMMINGS, Mr. KING of New York, Mr. GEJDENSON, and Mr. DAVIS of Virginia.
H. Con. Res. 65: Mr. PALLONE, Mr. NETHERCUTT, Mr. VENTO, and Mr. LEVIN.
H. Con. Res. 80: Ms. NORTON, Mrs. THURMAN, Mr. EVERETT, Mr. FOLEY, and Mr. MCHUGH.
H. Con. Res. 107: Mr. DICKEY and Mr. ABERCROMBIE.
H. Con. Res. 109: Mrs. MORELLA, Mr. HOSTETTLER, Mr. SCHUMER, Mr. BLUNT, Mr. TALENT, Mr. MCINNIS, Mr. SPRATT, and Mr. SENSENBRENNER.
H. Res. 16: Mr. GUTKNECHT.
H. Res. 37: Mr. DREIER, Mr. MANZULLO, Mr. DIXON, Mr. BOSWELL, Mr. MCGOVERN, Mr. HINCHEY, Mr. HEFNER, Mr. SAWYER, Mr. MURTHA, Mr. KENNEDY of Rhode Island, Mr. WEYGAND, Mr. HINOJOSA, Mr. KLECZKA, and Mr. TORRES.
H. Res. 122: Mr. METCALF.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2107

OFFERED BY: MR. STUPAK

AMENDMENT NO. 15: Page 89, after line 15, insert the following:

SEC. 325. None of the funds made available by this Act may be used for the eviction of any person from real property in Sleeping Bear Dunes National Lakeshore that the person was authorized, on July 10, 1997, to occupy under a lease by the Department of the Interior or a special use permit issued by the Department of the Interior.