the debate, which is on a seriously contested amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska is recognized.

Mr. STEVENS. Thank you, Mr. President.

LABOR, HEALTH AND HUMAN SERVICES AND EDUCATION APPROPRIATIONS ACT AND OTHER APPROPRIATIONS BILLS

Mr. STEVENS. Mr. President, I want to take just a few minutes of the Senate's time to comment upon the passage of Senate bill 1061, the Labor, Health and Human Services, and Education Appropriations Act.

During the 104th Congress, the bill from this subcommittee was the center of political controversy between the Congress and the White House, and within the Senate itself. We did not succeed in passing a bill as a separate measure for these functions in the 104th Congress.

Thursday's vote of 91 to 8 sent a clear signal of the Senate's support for the leadership shown by Senators SPECTER and HARKIN. They crafted a bill that emerged from our Appropriations Committee unanimously.

The statement of administration policy raised a few differences, but it indicated strong bipartisan support for this bill. The most contentious votes we have faced this year on appropriations bills were on the Labor, Health and Human Services bill.

Despite the strong feelings generated by those issues, the debate was fair. The entire Senate came together to pass the bill, and sent the unambiguous message that I referred to—we want to see this bill enacted this year.

Supporting the work of the subcommittee has been an extremely experienced and effective staff. Craig Higgins serves as clerk of the subcommittee. He is joined by Marsha Simon, who assists Senator HARKIN as the minority clerk. Bettilou Taylor, Dale Cabaniss, Lula Edwards, and Carole Geagley round out the subcommittee staff.

I commend not only the chairman and ranking member but all of the staff for the hard work and the effort they put into preparing the bill in a fashion that received such strong, strong support in the committee, and from the Senate.

We eagerly now await the passage of that bill by the House, so we can have the conference commence and get the bill to the President prior to September 30, I hope.

I also report to the Senate that the Agriculture and legislative conferences are proceeding. We should have those bills from conference today.

We have just passed a military construction bill.

We have in conference the Department of Defense conference which had its first meeting yesterday.

The VA–HUD bill, the Energy bill, the foreign ops bill, and Transportation—we expect, Mr. President, all of those will be out of conference early next week.

That will leave us five bills to still finish.

The District of Columbia bill has not passed the Senate yet, nor the House.

We have before us now, under the guidance of the Senator from Washington [Mr. GORTON], the Interior bill. We expect it to be finished here this week and go to conference and, hopefully, come back to the Senate next week.

As I have said, the Labor, Health and Human Services bill, the House needs to pass that. We hope it will get to it soon. That will leave us the Commerce, State, Justice bill, and the Treasury bill—all of which, Mr. President, it is still our goal to try and get them to the President by the 30th of September.

Mr. President, it will mean perhaps, though, we will have to have still a continuing resolution to give the President the time that he needs to review all of these bills. I am hopeful that the House will send us a continuing resolution—a clean continuing resolution—sometime early next week.

I commend the Senator from Washington on this bill. I am hopeful the Senate will work with us to make sure that this bill is finished here today, if it is at all possible.

I thank the Chair.

The PRESIDING OFFICER. Who seeks time?

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRYAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the unanimous-consent agreement, there will be 90 minutes, equally divided, on the pending business before the Senate. In addition, there are no second-degree amendments to be in order.

The Senator is recognized.

Mr. BRYAN. Mr. President, may I inquire, does it require a unanimous consent to set aside the pending amendment for purposes of consideration of this proposed amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. BRYAN. Mr. President, I ask unanimous consent that the pending amendment be laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRYAN. I thank the Chair.

AMENDMENT NO. 1205

(Purpose: To reduce funding for Forest Service road construction and eliminate the purchaser credit program)

Mr. BRYAN. Mr. President, I offer an amendment and submit it for immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. BRYAN], for himself, Mrs. BOXER, and Mr. TORRICELLI, proposes an amendment numbered 1205.

Mr. BRYAN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 65, line 18, strike ''$160,269,000'' and insert ''$150,269,000''.

On page 65, line 23, after ''205'' insert '', none of which amount shall be available for purchaser credits in connection with timber sales advertised after September 30, 1997, unless the credits were earned in connection with sales advertised on or before that date (and no purchaser credits shall be earned for the construction or reconstruction of roads on the National Forest transportation system in connection with timber sales advertised after that date (but the foregoing disallowance of purchaser credits shall not affect the availability of the purchaser election under section 14(i) of the National Forest Management Act of 1976 (16 U.S.C. 472a(i)))''.

On page 127, between lines 15 and 16, insert the following:

SEC. . TREATMENT OF ROAD CONSTRUCTION COSTS ESTIMATED FOR TIMBER SALES AS MONEY RECEIVED FOR THE PURPOSE OF PAYMENTS TO THE STATES FOR SCHOOLS AND ROADS.

During fiscal year 1998, the term ''money received'', for the purposes of the Act entitled ''An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine'', approved May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), and section 13 of the act of March 1, 1911 (36 Stat. 963, chapter 186; 16 U.S.C. 500), shall include—

(1) the amount of purchaser credits earned in connection with timber sales advertised on or before September 30, 1997; and

(2) the amount of specified road construction costs estimated in the agency appraisal process in connection with timber sales advertised after that date.

Mr. BRYAN. Mr. President, I am always pleased, when I have the opportunity, as I do this afternoon, to support, and in this instance actually propose, legislation that benefits both the American taxpayer and the environment.

The amendment I am offering today eliminates a subsidy used primarily by large timber companies that not only has negative consequences for the taxpayers but also a detrimental effect on the environment.

Each year, American taxpayers spend millions of dollars to subsidize the construction of roads needed for logging on national forest lands.

The appropriations bill before us today contains a $47.4 million appropriation for the Forest Service to assist in the construction and reconstruction of timber roads in our national forests. In addition, the bill, and accompanying report, provide affirmative direction to the Forest Service instructing them to continue the purchaser credit program without limitation.

The purchaser credit program allows the Forest Service to subsidize the road construction costs of timber companies by granting credits to them equal to the estimated cost of the roads that they need in order to access their timber. The timber purchasers can then use the credits to pay for the timber being harvested. Last year these purchaser credits were valued at nearly $50 million.

In the House-passed version of the Interior appropriations bill a limit of $25 billion was placed on the value of purchaser credits that may be offered by the Forest Service in fiscal year 1998. The bill before the Senate today eliminates this cap completely, and the report accompanying the bill makes it clear that ''The committee has not specified a ceiling for the amount of purchaser credits which can be offered'' to timber companies. The result of this language is an open-ended subsidy for the timber industry.

My amendment stands for a very simple proposition. If a timber purchaser needs to build a road to harvest timber, the timber purchaser should have to pay for it. The amendment which I am offering eliminates the purchaser credit program and cuts $10 million from the Forest Service timber road construction and reconstruction account.

In addition, my amendment provides that road construction costs incurred by timber purchasers are to be treated as timber revenues for the purpose of payment to States for use on roads and schools in the counties where national forests are located. The result of this latter provision is that counties will be held harmless as a result of the elimination of the purchaser credit program.

For those of my colleagues who are not familiar with this program, let me give a brief description of how the purchaser credit program operates. When the Forest Service wants to use purchaser credits to build the road to a planned timber sale, and parenthetically that is about 90 percent of the time, it must estimate the cost to build the road, the value of the timber in the sale area, and the road right-of-way. Prospective purchasers go through a similar process of estimating their roadbuilding costs and their estimated value of the timber they must pay for to the Forest Service.

Considering all of these factors, the prospective purchasers submit their bids accordingly. When a purchaser is awarded the contract for the timber sale the Forest Service establishes the dollar value of the purchaser road credit attached to that sale and credits the account in that amount to the timber contract holder as the road is constructed. The contractor, therefore, has immediate access to the credits to be used in place of cash deposits and the agency, the purchaser, is also given discretion to use the credit on any timber sale contract that it holds in the forest. The Forest Service allows the transfer of purchaser credits between timber sales located within the same national forest.

Now the ability to transfer credits aids a purchaser's ability to manage its timber sale portfolio cash flow. Since road construction often delays timber harvest, purchasers who can rapidly transfer road credits to another sale from their portfolio can attain lower portfolio management costs. The result is analogous to an interest-free loan for timber purchasers.

The opponents of this amendment contend eliminating the purchaser road credit will devastate the timber industry. Their claim could not be further from the truth. The Bureau of Land Management in several States is successful at selling timber and getting the necessary roads constructed without the use of the purchaser road credit that is exclusive to the Forest Service. The effects on the Forest Service timber sale program of eliminating the purchaser credit program and requiring that roads be constructed pursuant to specified standards as the BLM and the States require would be environmentally and economically beneficial.

Eliminating road credits will force purchasers to internalize the cost of road construction into their bid price for the timber. The result is a more balanced system that provides equal treatment for all purchasers of publicly owned timber, BLM and Forest Service lands. Without the purchaser credit program it is likely that fewer roads would be built and less habitat would be fragmented. Purchasers are less likely to want to build extensive road networks if they have to pay cash for them.

Consequently, timber sales with high road building costs will be less attractive to purchasers than timber sales with low or no road building costs.

Another important aspect of eliminating the purchaser credit program is that it will shift responsibility for estimating road costs from the Forest Service to purchasers. If markets are competitive, such a shift should provide a more accurate and an efficient road cost accounting system.

An independent study of timber sales in the Pacific Northwest found that the Forest Service estimates for road construction costs can be as much as 30 percent higher than actual costs for the industry to build those roads. A recent report from the General Accounting Office discovered that Forest Service estimates of road costs include a profit margin for purchasers. It also found that the Forest Service lacked accountability for the accuracy of their road cost estimates because purchasers are not required to report actual costs of construction and reconstruction. So if actual road costs are overestimated, the extra purchaser credits awarded and subsequently traded for timber represent a windfall profit for the purchaser, a profit that comes at the public's expense. This inefficient situation would be eliminated if purchaser credits were abolished.

Contrary to what you will hear from my opponents of this proposal, my amendment will not end logging in the national forests. Requiring timber purchasers to pay for road construction costs will likely reduce timber sales in roadless areas where the environmental and economic costs of logging are the greatest. I believe this is sound public policy. Roadless areas are not good places to produce commercial timber because they tend to be a high elevation, steep, and inaccessible. The timber sales in these areas are the ones that cause by far the most environmental problems and the ones which are the biggest money losers because of the high cost of road building.

Let me invite my colleagues' attention to an excellent article entitled ''Quiet Roads Bring in Thundering Protests,'' an article that ran earlier this year in the New York Times that illustrated the environmental damage caused by road construction. A biologist with the Idaho Fish and Game Department, Chip Corsi, notes in the article that researchers have found that as little as 1.7 miles of road per square mile forest have the effect of reducing the complement of fish species in an area. Mr. Corsi added that in Idaho, in Coeur d'Alene National Forest we have from 4 to 10 to 15, up to 20 miles of road per square mile, so it is extreme. That is his direct quote.

Many scientists have found that road building threatens wildlife because it causes erosions of soils, fragments intact forest ecosystems, encourages the spread of noxious weeds and invasive species and reduces habitat for many animals needing a refuge from man.

It has been found that when the roads wash out they dump rocks and soil on lower slopes into stream beds and even when they remain intact, roads act as channels for water and contribute further to the erosion of lands and streams.

Let me invite my colleagues' attention to one example of that. This is the Clearwater National Forest in Idaho. At the top of the picture one can see a road cut through the forest. This is the erosion that has occurred as a result of a road having been logged and the runoff sedimentation that has occurred as a consequence of that. That is a major contributing problem to the environmental degradation that is occurring in our national forests.

Scientists say the overall effect is that the streams and rivers fill with silt, and the shallower waters mean degraded fish habitat and more flooding. Many of my colleagues are aware that

the declining water quality of lakes, rivers, and streams in our national forests is a serious problem.

The USDA Undersecretary Jim Lyons has stated that our No. 1 water quality problem in the national forest system is roads. According to the Forest Service, 922 communities get their drinking waters from national forest streams that are frequently adversely affected by building logging roads. In Idaho, over 960 streams are rated as water-quality limited by the EPA because of contamination. Over half of these streams are degraded by logging and roadbuilding. In addition, after the winter storms of 1995 and 1996 in the Pacific Northwest, the Forest Service found that in Idaho 70 percent of the 422 landslides were associated with logging.

In my home State of Nevada, the road network through Lake Tahoe has been identified as a major contributor to the degradation of water quality and decline in the clarity of the lake. Mr. President, I know this firsthand, having spent a decade of my life as a resident of northern Nevada and having over the last 50 years visited the Lake Tahoe basin frequently.

During the President and Vice President's recent visit to Lake Tahoe the President announced that the Forest Service would decommission or obliterate roughly 290 miles of old logging roads in the basin over the next 10 years.

At Lake Tahoe, Mr. President, we have seen a rapid and radical decline in water clarity. One of the most pristine lakes in North America and the entire world, marveled at by Mark Twain and all of the early pioneers at one time, a little more than a decade ago, you could see 100 feet into the bottom of parts of that lake. In less than 30 years there has been an environmental degradation of more than a third. So today you can actually see, in terms of clarity of the water, less than 70 feet. A primary cause is the logging of that basin, initially during the Comstock Lode and the mining discoveries of the mid-to-late 19th century.

I observed firsthand, not as a scientist but as a layman, looking at the roads and seeing the runoff that occurs. The siltation that occurs, that goes into the lake, has been a serious environmental problem. It has been estimated that it will require several hundred millions of dollars in order for this clarity and the environmental degradation that is occurring on an ongoing basis to be reversed. There are no guarantees, even at that.

My point, Mr. President, is we may have been ignorant in the past as to what caused the problems. Those of our forebears a century ago were less knowledgeable than we are of the environmental consequences. But it certainly cannot be an excuse for our generation because we know what the costs are, and the costs are not just in the new road construction itself. The costs lasts for generations thereafter as we pay as American taxpayers to try to abate or minimize or mitigate the damage that will occur.

Now, opponents of this amendment will claim that forest roads need money to be maintained and that the cuts contained in my amendment will allow roads to deteriorate, causing further environmental damage. I want to speak to this point. The amendment which I offer does not affect the Forest Service road maintenance budget. I want to repeat that: The amendment which is offered this afternoon does not affect the Forest Service road maintenance budget. This amendment only eliminates the subsidy of new timber roads. These are entirely separately funded accounts within the Forest System.

As a matter of public policy, I would argue it makes more sense to maintain roads that we already have than spending a great deal of money building new roads. Forest Service Chief Michael Dombeck has stated that there is a $440 million backlog of maintenance needed on 232,000 miles of national forest roads. Addressing this need would have considerable environmental benefits such as reducing erosion from roads and stormproofing existing culverts. It is important to remember that the timber industry's responsibility for maintaining logging roads ends with the sale of timber and its subsequent harvest, leaving all future maintenance costs to the American taxpayer.

I want to emphasize once again, as I did a moment ago, the distinction between road reconstruction and road maintenance. Opponents of this amendment will seek to measure the distinction but road construction means starting with an abandoned road which may have trees growing in it and may be partly contoured and rebuilding it for the purpose of entering an area to conduct logging activities.

Reconstruction is only undertaken for access to timber sales. Maintenance is keeping any forest road, timber, recreation, or general purpose, in good repair. The average cost of maintaining a mile of road is about $543. The average cost of reconstructing a mile of road is more than $12,000 a mile. Consequently, cutting funds for reconstruction will not hurt road maintenance.

Now, another erroneous claim I want to address involves whether logging roads are needed for recreational activities in the national forest. The answer, Mr. President, is no. According to the Forest Service, logging roads are built at a lower standard and cost less than recreation and general purpose roads. Logging roads are usually unpaved dirt and are often usable only by high-clearance vehicles, while recreation and general purpose roads generally are either paved or gravel and are usable by all passenger cars.

On average, purchaser credit logging roads cost $15,000 per mile in 1996, while recreation roads cost $63,000, and general purpose roads cost $65,000 per mile. The Forest Service plans to construct over 130 miles of recreation and general purpose roads in fiscal year 1998. My amendment would not reduce funding for either of these two accounts.

Mr. President, let me be perfectly clear on what my amendment does not do. It does not—I repeat, it does not—prohibit logging or road construction in roadless areas. There is no provision in this amendment that even references roadless areas. Many interest groups opposed to this amendment have circulated erroneous information claiming that road construction would be prohibited in roadless areas. I can assure my colleagues that is not the case. In any event, roadless areas are only a small portion of the timber base in our national forests, and the national forests provide only 4 percent of the Nation's overall wood for paper products.

Let me illustrate that point, if I may, Mr. President. One can see what has occurred in terms of the timber harvest in the country and on the national forests. This chart begins in 1950 and continues through 1995. We can see that the overall U.S. timber harvest, both national forests and otherwise, has by and large increased over the last 45 years. It would appear to be in the area of about 18 billion cubic feet a year. You can also see what happened with respect to the national forests. The amount that is harvested there has been declining in recent years, and I believe that is because there is a recognition that there are other important values that the National Forest Service provides to the American people: recreational opportunities, esthetic values, habitat protection, all of which seem to be reflected in this trend line.

So my point is that the National Forest Service timber harvest represents about 4 percent of the Nation's overall harvest and, in my view, will not have an economic consequence that will, in any way, make it impossible for the United States to meet its harvest requirements.

Now, my amendment does not eliminate all funding for timber road construction either. A similar amendment was offered in the House by Congressman PORTER and Congressman KENNEDY, which would have eliminated virtually all funding for timber road construction. That amendment, incidentally, was very, very narrowly defeated on a vote of 211 to 209. Let me make the point again. The Porter-Kennedy amendment would have eliminated virtually all funding for new timber road construction.

My amendment would reduce the amount of the current appropriation, as proposed, by $10 million, reducing it from a $47.4 million budget. Opponents of this amendment are somewhat disingenuous when they claim that it will decimate the timber road construction program.

Finally, Mr. President, I want to make my colleagues aware that this

amendment has the strong support of the Clinton administration. I want to introduce into the RECORD a copy of the letter from the Secretary of the Department of Agriculture, Mr. Dan Glickman.

I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. RICHARD H. BRYAN,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR DICK: As we discussed on the phone last night, the Administration strongly supports the amendment you plan to offer to the fiscal year (FY) 1998 Interior appropriations bill to eliminate the Forest Service's purchaser road credit program and reduce funding for road construction in the national forests.

There are nearly 380,000 miles of roads on the national forests. Roads represent one of the greatest environmental problems on the forests because of the extensive damage they cause to soils, water quality, and fish and wildlife habitat. A recent Forest Service study indicated that forest roads increase the likelihood of landslides, thus creating a public safety problem in urbanizing areas in the West. For these reasons, rather than building new roads, the Administration is refocusing its efforts on repairing damage from the existing road network, eliminating thousands of miles of unneeded roads, and proposing the policies reflected in your amendment.

The President's FY 1998 budget proposed elimination of the purchaser credit program because it reflects an outdated policy that permits timber purchasers to exchange national forest timber for road construction costs, providing them an unwarranted subsidy, thus facilitating entry into roadless areas and causing the environmental problems noted above.

Consistent with the Administration's policy, we support the provisions in your amendment to protect payments to counties and small businesses. Purchaser road credits are now included in the calculation of payments to counties associated with timber sales. Your amendment ensures that there is no net loss of payments to counties despite elimination of purchaser credits. In addition, through protection of the purchaser elect program, your amendment ensures that small businesses which may not have the capital to pay for road construction can continue to compete with larger companies for Forest Service timber sales.

Although the $10 million reduction in road construction funding proposed in your amendment is below the Administration's budget request, through efficiencies and the expanded use of existing road infrastructure the Forest Service can still achieve the fundamental objectives of its management plans. Recent Administration budgets have reflected this trend in reducing road construction funding, and your amendment is consistent with this trend.

Thank you for your leadership in seeking to reduce unnecessary road building on the national forests and your support for eliminating the purchaser credit program. I look forward to working with you to achieve passage of the amendment.

Sincerely,

DAN GLICKMAN,
Secretary.

Mr. BRYAN. Mr. President, Secretary Glickman's letter is in strong support of the amendment that I am offering this afternoon. I also add, Mr. President, that the amendment is also strongly supported by a broad coalition of environmental and taxpayer organizations, including the Wilderness Society, Sierra Club, Friends of Earth, U.S. PERG, Taxpayers for Common Sense, and Citizens Against Government Waste. In addition, more than 60 newspapers across the country have editorialized in support of the amendment.

I simply close by making this observation, and I ask my colleagues to consider this one important point. If the purchaser credit program is not a subsidy for the timber purchasers, as the opponents of this amendment claim, then why are they fighting so hard to preserve it?

Mr. President, I hope my colleagues can join with those advocates of the environment, those advocates of responsible governmental fiscal practices and support this amendment, because it is a win for the environment and a win for the American taxpayers.

Mr. President, I reserve the remainder of the time. I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, the Senator from Nevada states that it is not the purpose of this amendment to terminate harvesting in our national forests. He also states that it is the intent of the amendment to reduce harvesting in our national forests. He recognizes that the impact of the amendment will be to lower the gross income of the Forest Service from timber sales because, obviously, bids will reflect the cost of constructing roads. He says that the amendment will not terminate the construction of roads in roadless areas, but that the construction of roads in roadless areas is wrong.

Now, I guess the question that one must ask of the Senator from Nevada, and the outside organizations that back his amendment, is, what is their view toward the harvesting of forest products in our national forests? The Senator from Nevada has graced us with a set of graphs and a chart that indicates increasing harvests on private lands and rapidly decreasing harvests on public lands. In the 1980's, nearly 12 billion board feet a year were harvested from Forest Service lands—a harvest smaller in board feet than the regeneration of those lands. Today, that level is below 4 million board feet. In other words, harvests on those lands have been reduced by more than two-thirds. How much more reduction does the Senator from Nevada propose?

The organizations that he proudly announced are supporting his amendment, by and large, have as their articulated policy that there should be no harvest on public lands anywhere, at any time, under any circumstances. And while this amendment, standing alone, will not have that effect, it is clearly designed as a part of a campaign to end all such harvests.

At the present time, again, as indicated by the chart that the Senator from Nevada has there, only about 5 percent of the Nation's softwood comes from Forest Service lands, but 50 percent of the volume is located on those lands. Since the policies that have resulted in that dramatic decrease have taken place, the average price of an 1,800-square-foot new home has gone up about $2,000. Almost $3 billion from the pockets of American home purchasers is the result of those efforts to save the spotted owl and to meet other of the priorities so eloquently set out by the Senator from Nevada.

Interestingly enough, when an outside organization—Price Waterhouse—filed a report entitled ''Financing Roads on the National Forests,'' it reached this conclusion:

> The forest roads program does not contain a subsidy for timber purchasers. It provides an efficient and effective mechanism for financing road construction and reconstruction.

Interestingly enough, the administration, at least as recently as January and February, agreed totally with that position, and it indicates no savings associated with the elimination of the forest roads program.

Moreover, the appropriation for forest roads that we are defending here today is the administration's own proposal. This is not a budget that increases that appropriation; it is a budget that reflects that appropriation. Is the Senator from Nevada seriously presenting to us the proposition that this Clinton administration is engaged in irresponsible forest harvest contracting, that it is ignoring environmental and fiscal concerns and causing our forests to be harvested at an unsustainable or environmentally harmful rate? He must be making that proposition. He wants the two-thirds reduction that has taken place over the course of the last decade to be a more-than-two-thirds reduction. He wants this administration to stop what he considers irresponsible contracting for forest harvesting in our national forests.

Mr. President, no one who is concerned with any kind of balance in the management of our national forests can possibly reach the conclusion that the Clinton administration's Forest Service management and supervision is recklessly and irresponsibly harvesting our national forests. Almost all of the criticism is on the other side, except for the organizations that are backing this amendment, whose position is that the only good harvest is no harvest at all.

Now, if the Senator from Nevada believes that, I think it would be more forthright simply to propose that and see whether or not the Members of the Senate agree. But this forest roads program, the way in which it was set up, is designed to see to it that the roads are built efficiently and well, according to Forest Service standards, and appropriately paid for. Simply to take money out of one pocket and put it into another will not, in any way, enhance the Federal Treasury. Bids will

be lower—probably considerably lower—as the risk of costs have shifted from one side to another and the quality of roads will be lower. But let's look at the entire program that we are talking about here.

In fact, of this entire appropriation for 1996, only a very modest amount is for the construction of roads; the great bulk is for reconstruction. From the credit system, from the appropriation, practically none is for construction, and a modest amount is for reconstruction. But three-quarters of the amount is for the obliteration of roads, about which the Senator from Nevada spoke so eloquently. Eighty percent of all of the reconstruction that is so important is paid for by purchaser credit, not by appropriations on the part of this body. In fact, Mr. President, the net result of passing this amendment will not only be a further reduction in harvest, it will be a dramatic reduction in the availability of our forests from a wide range of recreational activity. It will be the de facto creation of more tens of billions of acres that cannot effectively be enjoyed by the vast majority of the people of the United States.

I want to emphasize that in this case we are defending the recommendations in the budget of the President and of the Forest Service—a Forest Service that has designed the reduction and harvest as far as it has gone. And I believe that the most appropriate points for the proponents of this amendment to make are having reduced our Forest Service harvest by two-thirds, having shifted almost 95 percent of all of the harvesting of forest products onto private lands that contain 50 percent of the resource. How much further do they wish to go? Their supporters say no harvest at all. This amendment is one dramatic step toward that goal.

Mr. President, I yield such time as the Senator from Idaho may wish to take.

The PRESIDING OFFICER (Mr. COATS). The Senator from Idaho.

Mr. CRAIG. Mr. President, let me thank my chairman for yielding. Let me also congratulate him for the clarity with which he spoke to this issue.

Mr. President, I rise in opposition today to the amendment of the Senator from Nevada. I hope that in the course of what I have to say, Mr. President, that my opposition is clear. This comes to the issue the chairman and the Senator from Washington put so clearly.

The Sierra Club some months ago, the Inland Empire Public Lands Council from the inner Pacific Northwest some weeks ago, and other organizations have come out with a policy for zero cut of timber on public lands. This is a national position that is well articulated by some of the more extreme environmental groups.

I think the Senator from Washington is absolutely correct. I believe this is step 1 in a 5- or 6-year plan. This amendment cuts about one-fifth of the resource for road building. If this is accomplished, then next year they will try for a little more, and the next year even more, and the incremental game that has been played over the last several decades that has significantly changed the character of public land use is accomplished—in this instance, the elimination of timber harvest on public lands.

The Senator from Nevada spoke of subsidies. Let me say as loudly and as clearly as I can that there are no subsidies. He is wrong. He talks about saving the taxpayers' money. He is wrong. The Price Waterhouse study that I have in my hand says so. Many others who have analyzed the program of purchaser credit also agree. The rhetoric of purchaser credits being subsidies may sound good when you suggest larger timber companies get money—taxpayer money. If this were the case, then that is subsidy, and that is wrong. It has no intent, and it doesn't improve in this instance the environment, or the ability of our forested lands to be ongoing and productive in their production of fiber for the citizens of our country.

So let me say very clearly that Senator BRYAN's amendment does not speak to subsidy because it does not exist. And it does not speak to saving money because it would not happen.

In addition, the amendment would eliminate beyond an actual cut of 20 percent of the $47 million that is in this budget for proposed new timber roads. It would cut, of course, the purchaser credit. And that is where the argument on subsidies rests. This program was crafted by a Democrat Congress in 1964. It doesn't mean they were right. It doesn't mean they were wrong. At the time using the best analysis they could and an appropriate decision as it relates to how stumpage fees could best be utilized for the benefit of the taxpayer, they came up with this method. It was thoughtful legislating at that time, and I think it remains so today. It is a good policy. Let me try to explain why it is good policy and not a subsidy. Let me also explain why I challenge the Senator from Nevada on his arguments, because if I make a challenge I ought to be able to prove it. It is only fair and right that I do so.

The purchaser road credit system has been utilized for more than 20 years. It allows purchasers to earn credits equal to the estimated cost of constructing roads specified in a timber sale contract. The purchaser can then use the credit to pay for the timber harvest. As with the regular forest road program which utilizes appropriated funds, the purchaser road credit program primarily supports the reconstruction of existing roads. The Senator from Washington has already very clearly spoken to that diagram effectively in the chart that he has before us. Of the total number of miles of timber sales roads built nationwide in fiscal 1995, about 90 percent were done with purchaser road credits. Approximately 80 percent of the purchaser road credits were used for the purpose of reconstructing.

I thought it was important to mention this because the Senator from Nevada spoke passionately about the Tahoe Basin, an area which I am very familiar with the way it has been harvested or rather not harvested. This lack of harvest has attributed to the fuel buildup that goes on in that region, affected the wellness of the trees, and most importantly created a potential catastrophic environment that could exist in a drought situation causing massive fire. He speaks of roads, road conditions, and road maintenance. Purchaser credits have gone toward maintaining and improving, through reconstruction, more roads than hard dollars do. Every one of those roads is built to environmental standards which actually improves the environmental situation.

In my State of Idaho last year—an exceptionally wet year—we had road blowouts; land and hillside blowouts in our national forests where man had never been. But the biggest problem occurred in areas where roads had not been reconstructed or effectively maintained.

So, if the Senator from Nevada wants to talk about maintaining roads and improving road environments that create less sedimentation and a better water quality in Lake Tahoe, then he ought to be coming with more money. Because money does not exist in the budget, money does not exist to improve road conditions. Therefore, environmental conditions is the very thing that he is trying to eliminate.

But back to the issue of subsidy. I brought this chart along to demonstrate the point. The point is really quite simple. If you are going to log the trees off the land, you have to get to the trees. There are Federal trees on Federal land. Who ought to build the road? The Senator and I come from large ranching States. You have cattle out in the corral in the back of the ranch, and you want to sell them to a cattle buyer. He has to get the trucks to the corral. You say, ''Build the roads to the corral, cattle buyer, and you can have the cattle.''

He will say, ''OK. And I will bid you $5 less a head because I have to spend money to build the road.''

Or, you can say, ''No. I will get the road built. I will pay for the road. Therefore, bid me the market price on my cattle.''

That is the same scenario that goes on with public timberlands because, as the Senator from Nevada said, the timber company leaves and the road is still there. Yes, it is. It is a Federal road paid for by Federal money, owned by the Forest Service, utilized by the citizens once it is used for logging.

Here is a good example. If the market value of the timber on a timber sale is $100, and you use the purchaser credit, it costs you $40 to build the road. You have a purchaser credit of $40. So you bid the market price for the timber. You bid $100. The net receipts are $60 because the purchaser road credit was

constructed. If you do not have purchaser road credits it is still going to cost $40 to build the road. The logging contractor bid to the Forest Service less money because he is going to sell the trees to pay for the road he will build. So the purchaser credit is zero. He bids $60. He doesn't bid $100. He bids $60, and the net receipt is $60.

Is that a subsidy, or is that a method of building roads that in 1964 this Congress and this Senate decided was appropriate? Call it a subsidy? I don't think you can. Try it, if you might. Price Waterhouse says no. Economists say no. The reason they say no is because of this exact chart.

The Senator from Nevada says, ''Well, BLM does it differently. They just sell the timber, and the logger builds the road.'' Yes. They do. Price Waterhouse would analyze that, and every economist would analyze that and say on the ONC—Oregon and California—lands in Oregon, where the BLM has the bulk of the timber from all of their landholding across the country, they do as the Senator from Nevada suggests. But the economists would say the quality of that timber value is depressed in stumpage because the logger takes the price of the road out of the sale.

Why is that important for Idaho, then? Why am I standing here concerned? Well, the Senator knows why. The Senator knows that in current law a share of the stumpage value is returned to local counties for schools and for roads. In his State of Nevada, down on the Toiyabe, it looks like they get a few dollars. They do not get anywhere the amount of money that Idaho, Oregon, Washington, or northern California gets. Why? If you are from Nevada, you know why. It isn't a timbered State, in large part. It is a high desert State—not a lot of trees, except in very few areas; primarily in the north, where the Senator is from, and down on the tip in the south.

The bottom line is when you bid a timber sale you and bid $60 rather than $100 because you are taking $40 out for the road. The Federal Treasury receives the same amount of money but payments to counties decrease.

What the Senator knows is that by this action, he is dramatically cutting the money that flows to counties for schools and for road construction—their own road construction, not this road construction, not Federal road construction. Why have we payed the counties over the years? I tell you why we have done it—because my State is 63 percent federally owned, and those are landlocked communities. They have no tax base from which to fund their schools and their local roads.

The Senator from Nevada knows from which I speak. His State is much more owned by the Federal Government than is my State. Nevada is 84 percent.

It is interesting that the Senator from Nevada hasn't mentioned a thing about the annual net proceeds tax that his State gets from Federal mineral resources. Last year, the State of Nevada got $613 million in severance tax from Federal mineral resources.

I say to the Senator from Nevada. Why does he work so intently to destroy the money that my schools, the schools in Montana, Washington, and Oregon get, and speaks nothing about that intent in his State, masked in the name of the environment? Let me suggest to you that it is not so masked. It is open. It is direct, and the impact would be dramatic. In many of my counties, school funding is 60 to 70 percent funded by this base, and he would take, in many instances, 25 or 30 percent of it away immediately. If the plan of national environmental radical groups, the kind that advocate zero logging on timber forested lands, had their way the remaining funds would soon be wiped out altogether.

I guess another thing that clearly is worth discussing, and it is terribly frustrating to me, the Senator mentioned that he had letters from Secretary Glickman as it relates to the position of this administration when it comes to their support of his amendment. The Secretary before the House of Representatives said, interestingly enough, not very long ago that the elimination of purchaser road credits would hurt mostly small timber purchasers who have less access to credit.

Now, the Senator from Nevada talked about sticking it to the big boys. I think in reverse, if he studied it with some intent, he would find that this is not quite the case.

I have another chart here that speaks to what Secretary Glickman was talking about—purchaser credit use: ''Who buys the Federal timber?'' The dark blue represents small business, the red represents large business by definition. As we can see by the chart itself, in almost every instance, they are buying better than 50 to 60 percent of the timber.

Small business timber purchasers would be adversely affected because the potential financing problem they would encounter if they had to operate by doing exactly what the Senator said, going out up front and getting the money to construct the roads before they could harvest the trees, take them to market and get their return. The alternative is the purchaser-elect program which does not protect the small business that are have the most threat. According to Price Waterhouse, a small business still has to pay cash for the full amount of the timber. This would explain why the purchaser-elect program has been rarely used by small business timber purchasers. Of course, that is what the Senator is advocating.

Mr. President, I recently noticed that the administration is having a bit of difficulty with what they tell us here in the Congress, and that is why I wonder about the letter the Senator has that he put in the RECORD. I have a copy of that letter. I say that because last year I asked about potential legal and financial liabilities associated with canceled timber sale contracts. The Forest Service provided a response, and the Department rescinded that response within just a few days. Earlier this year the Department properly rejected a position for a new policy on qualifications for timber purchasers, and 2 days later the Under Secretary claimed that an unauthorized individual had used an autosigning machine and the letter should never have been sent.

Well, it seems as if the Secretary had tried to place himself squarely on both sides of this issue. I suggest that he put greater control on his autosigning pen. Maybe we would more clearly understand what the Department of Agriculture is all about here—whiplashed by an environmental interest that does not serve this program well, does not serve the rural forested communities of our States well and, most importantly, does not address this issue in a fair and balanced way.

During the summer of 1966, there were several incidents where impassable roads resulting from washouts and wind-thrown trees hampered firefighters' ability to respond to fire emergencies, requiring fire crews to turn around and find other access to fires.

Why do I just instantly bring fires into this argument? Because the affected responsive maintenance of roads that is done through this program is what allows the Forest Service to manage our forests and fight fires. There are also roads that are used by off-road-vehicle people of the Senator from Nevada and the Senator from Idaho. There are our hunters, our fishermen, our berry pickers, our recreationists, our tourists. Those are the roads that were initially built to harvest timber. I would suggest to the chief of the Forest Service that if he has $440 million worth of road maintenance and backlog, he is achieving most of it today through the program that the Senator from Nevada is trying to eliminate.

So I hope that my colleagues this afternoon, recognizing the importance of this program, the way it is used effectively—it is not a subsidy. It benefits the taxpayer. It certainly benefits the small community that is the recipient of stumpage fees that fund schools and roads. It is a program well balanced and considered by the Congress over these years, and I hope they will reject the amendment of the Senator from Nevada. I do believe it is not well thought out. It certainly does not meet the arguments that he himself made as it results to the need for effective road maintenance to provide environmental quality, water quality and the kinds of things that we appreciate from our public land.

I yield the floor.

Mr. KERRY. Mr. President, I am pleased once again to join my distinguished colleague from Nevada, Senator BRYAN, in identifying another egregious expenditure which is a perennial waste of the taxpayer's money: the

timber road subsidy. Several years ago, my able friend and I joined forces to eliminate the wool and mohair subsidies. And in the last Congress, together we jettisoned the subsidies for the mink industry in the market access program. In fact, Mr. President, I think our opposition to the entire market access program has become quite well known in this body.

Mr. President, the amendment we introduce today calls for the most modest reduction of a flagrantly wasteful subsidy which is helping denude our national forests and providing an outrageous taxpayer-funded give-away to the private sector. The Senator from Nevada and I are asking for the Senate to reduce this timber subsidy by $10 million. This money would come from the $47 million budget of the U.S. Forest Service's logging and construction program. Our amendment also prevents the Forest Service from using ''purchaser road credits'' to trade valuable Federal forest resources for environmentally destructive and costly timber roads. In essence, Mr. President, this amendment will put an end to the practice of awarding free trees in exchange for the industry paying its own road construction costs. This amendment also holds harmless counties that receive Federal payments from the sale value of federally owned timber, so it contains a mechanism to maintain a neutral fiscal impact on those counties. There is clearly much to complain about when it comes to timber sales—which routinely cost the Treasury and the taxpayers hundreds of millions of dollar each year—but the issue before us is much narrower.

Under current U.S. Forest Service management, logging access roads are built in national forests using either taxpayer funds or assets to subsidize logging companies harvesting timber. The taxpayer subsidizes the construction and reconstruction of logging access roads by the Government either paying directly for the building of the roads or by trading trees when the timber company builds the road. The system known as the Purchaser Credit Program essentially gives timber purchasers ''free trees'' and, according to the GAO, includes a profit margin for purchasers. In both instances, timber companies receive subsidies at the expense of taxpayers for activities that should be incorporated as a cost of doing business.

Mr. President, this amendment does not reduce funding for road maintenance and it does not affect the construction or maintenance of recreation and general purpose roads. This amendment does not alter the infrastructure management budget or the reconstruction and construction budget of the Forest Service. This amendment contains no rider or any other language dealing with roadless areas of our national forests. This amendment does not prohibit timber companies from building their own roads in the national forests where that is permissible under existing laws and regulations, nor does it deter timber sales and harvesting. It merely eliminates taxpayer-funded logging road construction which should be the responsibility of the timber companies. It is a specific, concise amendment which will not only allow us to reduce our deficit but also prevent pollution of municipal water supplies and save fish and wildlife habitats.

Originally, Mr. President, road building was subsidized by the U.S. Forest Service to encourage economic and community development. There was a time, especially after World War II, when the nation was rapidly expanding, that the government help for the Northwest timber industry made sense. But those days are over. We have learned that once areas are logged and logging companies move to new areas, communities cannot survive. Indeed they become ghost towns. There are no long term economic and community benefits to the public—only to private industry. If economic development is still the justification for this program, it flies in the face of some basic economic data. Mr. President, between 1950 and 1994, timber harvests increased by 64 percent, while employment in the wood and paper industry fell 4 percent. Other factors are at play in this subsidy. The fact is, Mr. President, the road-building subsidy—like the mink subsidy and the wool and mohair subsidy—is an anachronism.

The degradation of forests over the last few decades has led to a wide variety of environmental and health problems, including dramatic increases in species extinctions, global warming—due in part to deforestation in both tropical and temperate zones—and the deterioration of water quality. Jim Lyons, Undersecretary of Agriculture, admits as much. He has told us, Mr. President, ''Our number one water-quality problem in the National Forest System is roads.'' In northern California, road building creates silt which clogs our State reservoirs and lessens water quality. Logging roads in national forests increase environmental degradation by contributing to the destruction and fragmentation of species, habitat, water pollution and landslides. In addition, Mr. President, since the 1940's, studies by the Forest Service and other fire scientists have found that more than 90 percent of all wildfires in the United States are human-caused, and 75 percent of these start within 265 feet of a road.

We have a tremendous backlog of unmaintained forest logging roads that are now unsafe. Maintenance of these roads is expensive—if there is no money to maintain existing roads, how will we take care of new roads? The Forest Service reported in March 1997 that there is a $440 million backlog of road maintenance needs for its existing roads. Where is the fiscal sense in constructing new roads?

Mr. President, there are currently 378,000 miles of roads throughout the national forest system, which is eight times the mileage of the U.S. interstate highway system. That's enough to circle the earth nearly 15 times. In some parts of our Pacific Northwest, one square mile is laced with up to 20 miles of road. Supporters say these roads open the forest to recreation. But, Mr. President, I can assure you many of these roads are not passable—I have seen studies on this issue which show that these roads are built for truck use with little concern for passenger vehicles or travel comfort. These are not recreation roads. In any case, Mr. President, the General Accounting Office has found that 70 percent of the Nation's subsidized logging roads are used almost exclusively by private timber companies and their contractors.

Mr. President, while the environment suffers and the timber industry enriches itself, the taxpayer picks up the tab. In fact, the taxpayer pays toward the costs of each road three times: first to build the road, second to maintain it, and third to fix the environmental damage caused by road-induced fires and flood.

This proposal to reduce the account by $10 million and eliminate the purchaser road credit is modest, rational common sense by any measure. I urge our colleagues to support it.

Mr. HUTCHINSON. Mr. President, I rise today in opposition to the Bryan amendment. I rise because this program has proven very successful over the years that it has been in existence. This is a positive program that promotes cooperation between public and private enterprises, which are the types of agreements we should be supporting on the Senate floor and not opposing.

In addition, this program has been found that it costs the government no money. Price-Waterhouse did an economic analysis and determined that ''the Forest Roads program does not contain a subsidy for timber purchasers.'' This program is an efficient and effective mechanism for financing forest road construction. And, since net payments to the Treasury will remain the same, Price-Waterhouse concluded there is no subsidy to the timber purchaser.

Finally, I want to stress a point that I feel is of utmost importance. Many do not realize that 25 percent of the proceeds from timber sales go directly to the counties to be used for roads and schools. In Arkansas, where the per capita expenditures on students rank 46 out of 51 states and the District of Columbia, our children cannot afford to lose this vital source of funding.

Mr. President, I want to reiterate my strong opposition to this amendment to strike funding for the Forest Roads Program.

Mr. LEVIN. Mr. President, I will oppose the Bryan amendment to reduce funding for Forest Service road construction, reconstruction and obliteration, and to eliminate the purchaser

credit program, because the amendment will make two activities more difficult to accomplish in the pursuit of the goal of ending new road construction in inappropriate areas. These two activities are obliteration of improperly placed, environmentally damaging or unused roads and reconstruction of those roads that serve regenerated stands. The administration has indicated that this amendment would cause the Forest Service to construct fewer new roads, yet the administration already has the power to construct fewer new roads without this amendment.

Eliminating the purchaser credit program may make sense. Certainly, the public lands management agencies of the Federal Government should have consistent policies on appropriately allocating the costs of building roads for timber access and other uses. But, the program's elimination will not necessarily save taxpayers' money. There are many policy and budget issues that should be sorted out at a Committee hearing on the matter before Congress acts on this.

Mr. President, I could support an amendment written to limit the number of miles of new roads in environmentally sensitive areas, however, the flaws in the Bryan amendment make its impact on this objection uncertain.

Mr. SPECTER. Mr. President, I have sought recognition to address my views on the Bryan amendment regarding timber road construction in our National Forests. I am very concerned about environmental protection and safeguarding our Nation's forests, providing there is an appropriate balance for economic development and job opportunities.

On Senate floor votes in 1986 and 1989, I supported reductions in the direct Federal spending no road construction by the Forest Service. If this amendment had been limited to road construction, I would have voted for it.

However, I am concerned about the impact of the elimination of all funding for the purchaser road credit program. From what I have seen and heard, during my August visits to the Allegheny National Forest in Elk, Forest, McKean and Warren counties, elimination of the purchaser road credits would constitute a significant hardship.

Accordingly, that provision of the amendment causes me to vote against it.

I do so on the assurances which I have received that the administration is currently reviewing the timber road construction program and may make substantial revisions which would provide for appropriate environmental safeguards.

This vote, for me, is a close call. If there is not adequate environmental protection from changes in the purchaser road credit program in the administrations continuing review, I would be prepared to reconsider my vote on this issue on next year's Interior appropriations bill.

The PRESIDING OFFICER. Who yields time?

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I would ask unanimous consent that the Senate resume the debate on the Ashcroft amendment following the expiration of the debate on the pending amendment offered by Senator BRYAN.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BURNS. I make that request because we are going to go over the time when we are supposed to be back on that amendment.

Mr. President, I rise today to speak against the amendment from the junior senator from Nevada. I urge my colleagues to oppose a drastically reduced forest road budget, an end of purchaser road credits, and a change in the county payments formula. This amendment is unworkable and unnecessary in the face of a road construction budget that is already declining.

The amendment offered by Senator BRYAN would reduce the proposed budget for new timber road construction by $10 million. This amendment does nothing more than carry out the extreme agenda of certain radical environmental groups. As they have acknowledged, their objective is to shut down the Forest Service Timber Program.

Mr. President, Forest Service timber sales are sold using an open, competitive auction system process. All sales are sold at fair market value, with costs associated with the timber sales, including road work, apportioned and built into a minimum bid price, which sets the floor. There is no subsidy associated with timber sales or road construction.

According to a recent economic analysis released by the Price Waterhouse accounting firm, ''the forest roads program does not contain a subsidy for timber purchasers—it provides an efficient and effective mechanism for financing road construction and reconstruction.''

Owners of private lands often provide access to their lands to purchasers of their timber. They can either construct the roads themselves and then charge more for the timber, or they can require the timber purchaser to construct roads and thereby receive less money for their timber. Landowners who require the timber purchaser to construct roads have developed many systems to compensate the purchaser for road construction activities.

Purchaser road credits are a fairly common method for building roads. Many private landowners, as well as the State forestry agencies of Idaho and Oregon, have similar systems to build roads on their lands. No matter which system is chosen, the value of the timber sold will be reduced by the cost incurred by the purchasing party.

The Bryan amendment, however, calls for the elimination of the Forest Service purchaser road credits program. Eliminating purchaser road credits would have serious implications.

Under the purchaser credit program, timber sale contracts require the purchaser to reconstruct or construct roads and bridges. Purchaser credit is an off-budget means for the Forest Service to rebuild and repair existing roads and occasionally to build new roads at a significant savings to the taxpayer when compared with appropriated funds.

There are many costs associated with the purchase and harvest of a timber sale, including bonding, road construction, road maintenance, logging, and trucking. When a company analyzes what it can bid for a particular timber sale, it considers all the costs and values associated with manufacturing forest products from the trees to be purchased. If the company is given credits for the road work, the bids will be higher because it is not a cost.

As with the regular forest road program which uses appropriated funds, the purchaser road credit program primarily supports the reconstruction of existing roads. Of the total number of miles of the timber sales roads built or rebuilt nationwide in fiscal year 1995, about 90 percent were done with purchaser road credits.

As funds for road construction have been reduced in recent years, purchaser credit has become a vital tool to accomplish road work in all regions of the country, especially reconstruction. About 80 percent of the program used each year for reconstruction on roads, especially for safety and environmental improvements. Congress and the administration must reject all efforts to eliminate or reduce purchaser road credits.

Mr. President, Federal timber sales have declined precipitously, primarily from limitations placed on the Forest Service by environmental considerations and species protection efforts for spotted owls, marbled murrelets, and various species of salmon. In 1987, the timber sales program provided nearly 12 billion board feet of timber. Ten years later, less than 4 billion board feet were sold.

It does not take rocket science to understand the dangerous consequences the Bryan amendment has for local communities. Small businesses account for two-thirds of all timber harvested in national forests. Those small operations are located in the rural areas, providing jobs and stability to their communities.

The Bryan amendment would dramatically limit the forest road program, putting additional pressures on the timber sale program. Most supporters of the Bryan amendment are unaware that the Forest Service will spend many times more on reconstruction and repair of existing roads as they will on the construction of new forest roads.

Most of the roads in the national forests are single-lane, dirt roads which

are open to all forest users. Each year these roads allow millions of Americans to visit the national forests. Access is provided to wild and scenic rivers, national scenic byways, wilderness areas, and recreational facilities, including campgrounds, boat ramps, and picnic areas. These roads provide access for cutting firewood and Christmas trees, berry picking, hunting, fishing, and camping.

The primary use of the national forest road system is recreation. All told, about 97 percent of the road system in any given national forest is open to recreational use. Ten years ago, recreation use on the national forests was less than 250 million visits. Today, recreation use is approaching 350 million visits, an increase of 40 percent.

The Bryan amendment would also reduce the construction of roads in roadless areas. Road construction in roadless areas of the national forests is for the most part limited to emergency situations. Indeed, few if any miles of roads have been built in roadless areas of the national forests in recent years. However, building some roads in roadless areas is necessary on occasion to allow access to treat insect and disease outbreaks, to monitor forest health, or for wildfire management.

Mr. President, the Bryan amendment would have a debilitating effect on the management of the national forest. I urge my colleagues to defeat this effort to further limit logging in roadless areas, to terminate the purchaser credit program, and to cut an already reduced forest road budget. This amendment is simply bad forest policy.

The environmental groups who have drafted this amendment have only one purpose. It is to shut down the Forest Service Timber Program. I urge my colleagues to defeat the amendment.

Before I yield to my friend from Oregon—we are running down on time here—I just want to put my little plug in here.

Mr. President, we have set records on recycling in this Senate. This old debate has been recycled every year since I have been here. We tend to forget in this country that we are dealing with a renewable resource. It is just like corn flakes on your table or the shirt on your back. All of these come from renewable resources.

There has been one group of persons who have been left out of this debate, and it is the consumers of America. Has anybody priced any lumber lately, what it costs to build a house? Does anybody deal with the homeless in their States on how do we find housing and what it costs for affordable housing?

There are people in this country who are in charge of producing not only food and fiber but also the shelter for America. That is what we are talking about here. You can mask it any way you want, but the way that we make a sale is pretty much time tested. It has worked, and it works every day, not only for the harvesting or the growing of a renewable resource. We see that great miracle of renewal every spring and every year.

However, we also see the economic backbone of the economy of rural America being eroded by people who have forgotten what it takes to produce food, fiber and shelter. I tell you, you can go out there and look at that mountain all you want and, if it is a religious experience and you do not want it touched, that is fine and dandy. But at the end of the day you are going to go get a hamburger because you are hungry. It is the basic of life in this country. That is the first thing, or the second thing, we do every day when we get up.

So I ask my colleagues just one question. In promoting what some think of as a ''green world,'' is that going to feed us and sustain us? Probably for a lot of us around here it fed us a little too good. Maybe we are caring a little too much. But I ask those who are not hands-on natural resource providers to just pay heed to what you are doing here, because everything we enjoy —our standard of living, our quality of life—starts with a little seed in the ground. That is where it starts. Every one of us goes about our way every day in feeding and in clothing—every one of us without exception. Yet we want to make that tougher because we do not think it is important. So after housing and shelter, I think we are talking about a bona fide serious problem here, and it is not fair to change the rules. It is not even right to those who grow and those who are in charge of the harvest. It is not fair to those who have to take a raw product and add value to it so that it serves all of us in this great country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

The Chair advises the Senator from Montana that there remains 10 minutes on his time.

Mr. SMITH of Oregon. I thank the Chair.

I thank my colleague from Montana and my colleagues from Washington and Idaho who have joined me in resisting the Bryan amendment. The Senator from Nevada is my friend, but I believe on this issue he is very wrong. If he were to prevail, this would force great injury on my State.

Mr. President, I would like to take just a couple of minutes to speak against the amendment from the junior Senator from Nevada. This amendment calls for a $10 million reduction in funds for new road building, the elimination of the purchaser credit program, and a further reduction on logging in roadless areas. I strongly oppose these provisions.

Timber sales are vital to the long-term viability of local communities throughout the West. Under existing law, 25 percent of the gross receipts from Federal timber sales go to local communities. These funds are used for local schools and roads programs. Without a viable forest road maintenance, repair, and construction program, the timber sale program would be significantly limited. The big losers will be local communities.

Shared receipts are an integral part of local government revenues in the West. There is no practical way to separate these payments from the other payment programs without having dramatic negative consequences on local communities. The necessary dollars to offset the loss of revenue caused from the reduction in timber sales would not be forthcoming.

Mr. President, Federal timber sales have declined precipitously, primarily from limitations placed on the Forest Service by environmental considerations and species protection efforts for spotted owls, marbled murrelets, and various species of salmon. In 1987, the timber sale program provided more than 12 billion board feet of timber; 10 years later, less than 4 billion board feet were sold.

It does not take an accountant to determine the serious implications this has had for the budgets of rural communities. Two-thirds of all timber harvested in national forests come from small businesses. Those small operations are generally headquartered in the rural areas, providing jobs and stability to their communities, not to mention needed revenues to sustain local programs and services.

The Bryan amendment would dramatically limit forest road construction, putting additional pressures on the timber sale program. Since 1991, total new road construction built by the Forest Service or by timber purchasers has declined by two-thirds. Spending on both new road construction and reconstruction has been cut in half over this same period.

Most supporters of the Bryan amendment are unaware that the Forest Service will spend many times more on reconstruction and repair of existing roads than they will on the construction of new forest roads. Indeed, most of the funding appropriated by Congress each year goes toward the reconstruction of existing roads. In 1996, more than 2,800 miles of roads were reconstructed, while only about 450 miles of new roads were constructed.

Reconstruction activities protect watersheds through improved road design, road placement, and sediment control. Road construction funds are being used for watershed protection as part of the President's forest plan for the Pacific Northwest. According to the Forest Service, forest roads allow critical access needed for the suppression of up to 10,000 wildfires per year and reforestation of the burned-over lands.

The Bryan amendment will quite simply prevent the President from keeping the environmental and economic commitments made in the Northwest forest plan.

The Forest Service has invested significantly in technology transfer applications for road building. Examples

cited in this year's Forest Service budget proposal are: wetland development and riparian restoration through modification of culverts and other drainage structures, retaining soil through innovative design of gravity walls, and lower water crossings for roads to minimize disturbance, provide fish passage, and avoid damming and channeling during peak flows.

Mr. President, the Forest Service is continuing its efforts to reduce the number of roads. In recent years, the Forest Service has annually reduced more than three times as much road mileage as compared to new construction. In 1996, the Forest Service reduced 1,400 miles of roads. For the past 6 years combined, the Forest Service has reduced over 18,000 miles of roads.

The Bryan amendment also calls for the elimination of purchaser road credits program. Eliminating purchaser road credits would have serious implications for local communities.

Under the purchaser credit program, timber sale contracts require the purchaser to reconstruct or construct roads and bridges. Purchaser credit is an off-budget means for the Forest Service to rebuild and repair existing roads and occasionally to build new roads at a significant savings to the taxpayer when compared appropriated funds.

Timber companies receive credits equal to the value of the road work required under a timber contract. The credit can be applied against the price paid to the Government for the timber harvested. These companies reflect the cost of building roads in their submitted bids.

As funds for road construction have been reduced in recent years, purchaser credit has become a vital tool to accomplish road work in all regions of the country, especially reconstruction. About 80 percent of the program is used each year for reconstruction on roads, especially for safety and environmental improvements.

Proponents of this amendment project positive Federal budget effects from the elimination of purchaser road credits. Elementary economics tells us that purchasers will simply bid less for the timber than they would of the credit were in place in order to offset their increased costs, while the Federal Government will net virtually the same amount.

The Bryan amendment would further restrict the construction of roads in roadless areas. Road construction in roadless areas of the national forests are, for the most part, limited to emergency situations. Indeed, few if any miles of roads have been built in roadless areas of the national forests in recent years. However, building some roads in roadless areas is necessary on occasion to allow access to treat insect and disease outbreaks, to monitor forest health, or for wildfire management.

Finally, Mr. President, there is no subsidy associated with timber sales or road construction. For new road construction and reconstruction associated with timber sales, costs are fairly apportioned. These costs are fully offset by timber revenues, resulting in net profits averaging more than $400 million per year over the last 6 years.

According to a recent economic analysis released by the Price Waterhouse accounting firm, ''the forest roads program does not contain a subsidy for timber purchasers—it provides an efficient and effective mechanism for financing road construction and reconstruction.''

Forest Service timber sales are sold using an open, competitive auction system process. All sales are sold at fair market value, with costs associated with the timber sales, including road work, apportioned and built into a minimum bid price, which sets the floor on the value of the timber sale.

Mr. President, I would like to close by quoting from a September 9 editorial in Oregonian which addresses the merit of Senator BYRAN's amendment.

> We think timber sales should be based on good plans and sound scientific analysis of their effects. This amendment, however, more closely fits the agenda of those environmentalists opposing all commercial timber sales in the national forests than it does the interest of good planning.

Mr. President, I urge my colleagues to vote against the Byran amendment.

In the interest of time, I will summarize so we will leave to Senator KEMPTHORNE some time. I am reminded of the statement I heard from one Senator—everything that can be said has been said but not everyone has said it. So I guess it is my turn. I would like to let Senator KEMPTHORNE have a chance to be on record also.

I could focus on the many points Senator CRAIG laid out very well as to why this is not a subsidy, why this all nets out in the end for the advantage of the forest, for the advantage of the taxpayer and for the advantage of local communities in the rural Northwest. I suggest to you that President Clinton came to my State, held a big timber conference, made some promises as to the level of historic timber harvest that would occur, along with a whole lot of environmental protection.

Part of that promise was that inclusion of these purchaser road credits would continue, that roads would be maintained so that there are not big blowouts, that there would be the ability to suppress fires, that there would be the ability to continue to harvest where it is economically and environmentally responsible to do so.

I was very heartened the other day to find two of my State's leading newspapers—these are not conservative newspapers; these are liberal voices in my State, the Oregonian and the Register-Guard out of Eugene—said the Senate should maintain the funds on these roads.

Well, let me quote from the Oregonian. They said Forest Service road funding, ''which consists of road resurfacing, culvert replacement and other environmentally vital drainage improvements, these environmentally responsible activities are badly underfunded. It would be perverse to cut these budgets in the name of stopping new roads.''

I agree. If you just focus on the economics, this washes out to the taxpayer. If you focus on the environment, we are not talking about much new road building. We are talking about maintenance of roads for people to use, for forest health to be provided, for the environment to be protected against washouts of these roads. We are talking about people who want to hunt in our national forests. All of these things are critical to this debate.

But, in the end I want to emphasize what the Senator from Montana said. There is a human element here, for crying out loud. There are people who breathe air and have blood in their veins and have children and have dreams and who want a future, who love to live in the country, who understand what it means to be stewards of the land and who also understand that this is a chain saw at their way of life. This is a chain saw aimed at the heart of Northwestern rural communities. It has to be stopped.

I care about protecting the environment. I just happen to believe that people like wood products, too. I happen to believe there can be a balance between the environment and our economy; between providing for animal and human needs. This goes at the heart of stopping that kind of balance.

I plead with my colleagues. You have interests in your States where I need to learn. I want to know what it is that helps your people, your human element. But if you want to know what affects mine, this does.

Even the leading liberal papers of my State agree with me. The New York Times doesn't understand the issue. They are on the other side. Today I stand with the people of Oregon, who understand the balance of the environment and our economy.

I yield the remainder of my time.

The PRESIDING OFFICER. Who yields time? The Senator from Nevada.

Mr. BRYAN. Mr. President, I yield the Senator from New Jersey 10 minutes.

The PRESIDING OFFICER. The Senator from New Jersey is recognized to speak for 10 minutes.

Mr. TORRICELLI. Mr. President, I thank Senator BRYAN for yielding this time. I rise in support of the amendment of the Senator from Nevada.

There is not a Member of the Senate who has not shared with our colleagues, or their constituents, the extraordinary need to end both waste in this Government and corporate welfare in particular. This is the moment for those Members to give meaning to all those speeches, all those comments, and all those interviews, because the Bryan amendment is to corporate welfare what welfare reform in the last Congress was to social welfare. This is the moment.

The scale of corporate welfare in the Federal budget is extraordinary. The Cato Institute estimates some $86 billion in expenditures. The Progressive Policy Institute estimates the number at $265 billion. This new age of fiscal discipline in which we live, when the Federal budget is being balanced, requires some sacrifice from everybody. In the last Congress it was people and families on welfare. In this Congress, at long last, it is time to have corporate welfare make its own contribution.

The Bryan amendment deals with one specific part of this network of corporate welfare, the construction of timber roads. The Green Scissors Coalition estimates that, over a 5-year period, the Federal Government will spend $36 billion, not only on these expensive and potentially wasteful construction projects, but projects which at the same time have an extraordinary cost in environmental terms. The simple truth is, even if we could afford this construction, which we cannot, the environmental costs are enormous.

These roads through our Nation's forests remove ground cover, create a channel for water to flow through—a cause of major soil erosion. Hillsides are weakened, streams are fouled, destroying the foundation of our recreational fishing industry—extraordinary—and some of the most important vistas and recreational properties in our Nation. It is believed that many of the channels created by these roads and the runoff are a major nonpoint source of pollution. According to the National Forest Service, 922 different communities in our country rely for their drinking water directly on streams that are impacted by the runoff of these roads in our national forests.

The Bryan amendment is a chance to end this corporate welfare, preserve the quality of the water, and end the damage to these forests. It is a subsidy that may be $100 million to individual corporations, but that underestimates the true scale of the problem. Over the last 15 years, direct Government expenditures for construction and reconstruction of forest roads may total $3.2 billion. It is estimated that for the national forest road system alone, over the years, this has resulted in the construction of 380,000 miles in forest roads. For any citizens of America who have marveled at our Interstate Highway System, they can only understand the scale of this construction by recognizing there is enough mileage through our national forests to circle the globe 15 times. Indeed, we have built 8 miles of road through pristine national forests for every 1 mile that has been constructed in the National Interstate Highway System.

The result of all these years of construction is that now we face $440 million worth of backlog of road maintenance. So we are continuing in the construction of millions of dollars' worth of new highways through new forests while the old highways are not maintained. They fall into disrepair with further erosion, damaging more streams, more drinking water—erosion of more forest.

For those who are serious about the deficit, corporate welfare, and environmental protection, in a single vote for the Bryan amendment you are given a chance to make a statement about each. This is not a question of ending the foresting of trees. It is not a question of not making our resources available. It is a question about industry, like every other American, paying their own way. If these roads make sense, then they make sense for corporations to pay for them themselves. If they are to be built, then they should be built properly and maintained by the companies who want access to the resources. If companies want access to the resources, and it makes economic sense, then it should be reflected in the product, not by the taxpayers. It is that simple. The logic and the economics is no different than when we face individual spending programs for citizens, students, or senior citizens. At some point these programs need to be evaluated on their own merits, on their own economics. That is what Senator BRYAN challenges us to do today.

I enthusiastically support his amendment on budgetary grounds, because of the economic logic of his argument and, finally, and in my own judgment most compellingly, on environmental grounds. We preserve these lands for a reason. We should open them up, provide access to them for their destruction, judiciously and carefully. We failed to do so in the past. Senator BRYAN gives us a last chance to make a proper judgment once again.

Mr. President, I yield the remainder of my time to Senator BRYAN.

The PRESIDING OFFICER. Who yields time?

Mr. BURNS. I yield 5 minutes to my friend from Idaho, Senator KEMPTHORNE.

The PRESIDING OFFICER. The Senator from Idaho is recognize for 5 minutes.

Mr. KEMPTHORNE. Mr. President, has it become politically incorrect to cut a tree, or even to walk in the woods? I don't think we want to go down that path. But then, if this amendment passes, we may not have a path to go down at all. My State of Idaho is 63 percent Federal land, and the majority of that is Forest Service. Not surprisingly, timber is a major industry in the State, and outdoor recreation is growing. Both depend on access to these Federal lands.

Mr. President, 97 percent of the roads on Federal forest land are open for recreational use. That includes camping, hiking, hunting, fishing—activities which a recent study by the administration found make up three-fourths of all the use of Federal land. Take away the roads and you take away the public's ability to access their Federal lands, and the economic diversity that recreation provides to rural western communities.

Besides recreation, those roads provide access for environmental management—to, among other things, monitor wildlife, and bring wildlife under control. Without the budget to construct or reconstruct these roads, managers will lose vital access. There is also the danger that these roads will become unstable, and pose an environmental threat to watersheds.

Do we have too many roads on Federal land? That is a good question—how many is too many? Compared to other road systems, the Forest Service does not even come close, with a mile and a half of road per square mile, compared to 8 miles per square mile on private timber land.

This is the crux of the point: there are many demands placed on Federal forest land, only one of which is to provide the solitude that true wilderness offers. No one will dispute the importance of wilderness, and that is why so many States have passed wilderness bills.

We have designated wilderness for a reason—so that some areas meet the public's expectation of a solitude experience, and allow the rest of Federal timber land to serve the public's other needs: to provide timber to build our homes, and to allow for other types of recreation that include access on some type of vehicle.

My State of Idaho is already home to the largest continuous wilderness area in the continental U.S.—the Frank Church-River of No Return Wilderness.

The administration's own study of the Interior Columbia Basin found that the majority of Americans using Federal land in the Pacific Northwest like to be able to access it using a car or some other type of vehicle. My colleagues, we need a safe, accessible road system.

This amendment would undermine that goal. And because it would also increase the cost of timber activities, and decrease revenue to rural counties, the amendment would pull the rug out from struggling, resource dependent communities. These rural communities are the base for the values that we hold dear—where the work ethic is taught as a part of daily life to kids who learn to respect the world around them. We can't afford to force these communities into oblivion, because we will lose what is best about ourselves.

These cuts will hurt the very people we are working for back here. I am talking about the small business owner, the laborer and even the firefighter. Groups such as the International Association of Fire Fighters, the Pulp & Paper Workers Resource Council, the United Paper Workers International Union, the United Brotherhood of Carpenters & Joiners of America, and many others have all come out against this amendment.

The Forest Service designed the purchaser credit program to be an off-

budget means to provide the access Americans expect. It does so at a significant savings to the taxpayer when compared to how much it would cost to use appropriated funds. In return for providing a public service, the bidder on timber contracts receives a credit applied to that or another sale.

Seventy-five percent of these bidders are small businesses. I fail to see a subsidy for big business—what I see is the Forest Service finding a way to do its job and save taxpayer dollars, an advantage for small companies, and jobs in small communities. Is this what we want to eliminate?

I urge colleagues to vote against this amendment. It is not about wise management of our Federal lands—it is about making those lands available for only one use, and that is unacceptable.

The PRESIDING OFFICER. Who yields time?

Mr. BURNS. How much time do we have?

The PRESIDING OFFICER. The Senator has 2 minutes 10 seconds.

Mr. BURNS. Mr. President, I ask unanimous consent, if I could be granted 5 more minutes in order to accommodate the chairman of the Energy and Natural Resource Committee.

Mr. BRYAN. I do not object to that, I suggest to the distinguished acting floor manager, if I can get an additional 5 minutes as well?

Mr. BURNS. That's perfectly all right.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURNS. I yield Senator MURKOWSKI from Alaska 5 minutes.

The PRESIDING OFFICER. The Senator is recognized to speak for 5 minutes.

Mr. MURKOWSKI. Mr. President, I think there has been a little misunderstanding on the concept of road purchaser credits and the allegation that somehow this is corporate welfare. Logic will dictate that if we don't have purchaser credits for the construction of roads, those who are going to log in the forests, the Federal forests of this country, are simply going to bid less for the timber because they have to offset the costs of getting the timber out. They basically have to build the roads themselves.

When the Government in this case builds the roads, as it has through the purchaser credit program, the Government has been benefiting by getting higher bids for its timber. Take this away and the Government will simply get less. That is the reality. That is the economics. It is not a matter of corporate welfare. It's a matter that the Federal Government owns the forest and has traditionally dictated the terms and conditions that the roads will be built on, so they are built to their standards. And the benefit of those roads to the States, for recreational purposes, is obvious.

I rise to speak against the amendment of the junior Senator from Nevada. Not only does the amendment eliminate the purchaser road credit program, but it transfers $10 million out of road construction. I must strongly oppose the provisions. I think the amendment is bad policy. It would have a catastrophic impact on the management of the national forests. I urge my colleagues to defeat it.

The Forest Service in my State has finally completed a land management plan for the Tongass. It took 10 years and $13 million to do it. I am, frankly, less than enthusiastic about the plan, and most of my colleagues are aware of my distress.

It reduces timber sales by half. The two largest manufacturing employers in the pulp business in my State have closed their doors in the last 2 years. They have gone out of business. We have closed their doors. We have lost thousands of jobs in the last 2 years, and these have had a dramatic effect on our small communities in the southeast. Nevertheless, I have decided to set my lack of enthusiasm aside and focus my oversight responsibilities on implementation.

At the September 10 hearing, I asked the Forest Service if it could achieve even the severely reduced allowable timber sale quantity in the Tongass if the Bryan plan were adopted. The answer was:

> If we don't have the money to support the roads program, we will not be able to deliver the economic sale program.

They further stated that the Tongass depends heavily on the construction of new roads to deliver timber to the communities in southeastern Alaska. One might say, ''Why don't you go to the private sector?'' We don't have private timber. The Federal Government and the Forest Service own southeastern Alaska. There are cities and people there: Ketchikan, Wrangell, Petersburg, Juneau, Skagway, on and on and on.

The theory was, through multiple use, those interests would be protected with a balanced timber industry. Therefore, according to the Forest Service, the Bryan amendment would render null and void the goals of the Tongass plan.

It is kind of interesting, in a letter sent to the Senate only one day before the testimony, Secretary of Agriculture Dan Glickman supported the Bryan amendment because roads pose the ''greatest environmental problems on the forests.'' You can't have it two ways. The roads provide recreation in the forest, they provide environmental benefits by providing access to stop fires, and I could go on and on and on. It is fairly inconsistent with the administration support for implementation of the Forest Service's final Tongass land management plan, but I have grown accustomed to the flip-flops of the administration on these issues. But Secretary Glickman isn't holding a position long enough to make it warm.

Finally, the Bryan amendment is nothing more than an attempt to eliminate sales on the national forests. At least we have seen some of the groups like the Sierra Club come out in opposition to any harvesting of the national forest. That is basically what this administration is attempting to do, and this is how they are attempting to do it.

The amendment isn't about subsidies, the amendment isn't about saving money, the amendment does nothing more than carry out the agenda of the extremists.

I will conclude by pointing to this chart, Mr. President, which simply shows where the money has gone and the decline in road miles. In 1985, we had 8,000; in 1998, 2,652. It shows reconstruction taking up the major portions. We maintain the roads that we have previously built. There is very little for new construction, roughly 18 percent.

So there is the picture, Mr. President. It says it better than I could relative to what is happening with this program with the necessity of maintaining it and maintaining the forest products industry as we know it today and the appropriate role of the national forest in providing a renewable resource in the timber that grows so profusely, particularly in the Pacific Northwest.

I thank the Chair, and I thank the floor managers. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GORTON. Mr. President, I yield 1 minute to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Chair informs the Senator from Washington that there is 1 minute 46 seconds time remaining on this watch.

Mr. SANTORUM. Mr. President, I rise in opposition to the Bryan amendment for a lot of reasons. But the one I want to focus on is what I believe is the fiscally irresponsible nature of this amendment.

This is being put out as a budget-cutting measure. But the fact of the matter is, by having a fund that says we are going to hold the counties harmless—and I appreciate being held harmless. We have a national forest in Pennsylvania and our counties rely upon that money. That is going to cost money in the sense that by reducing the amount of roads built, you are going to reduce the revenues in the fund. That money is no longer going to be there to fund those counties in the money that they traditionally have received, and the Federal Government is going to have to come up with that money in exchange to fund the counties.

That is, in a sense, almost a welfare payment from the Federal Government because we have eliminated the funding source of timber harvesting from those counties and those communities. So not only have we hurt them economically, hurt their counties economically, but we are now creating welfare for those counties by giving Federal dollars to them in place of the

jobs they have. This is not only bad, I think, from a policy perspective, but also bad from a fiscal perspective.

Despite the assertions of the amendment's sponsors, the timber sales program and the purchaser credit program are not subsidies. Since 1964, roads needed for timber harvest have been built by timber purchasers and the U.S. Forest Service has permitted the use of purchaser credit for road building. In fact, this program is entirely off-budget and this appropriations bill contains no funding for it. In President Clinton's budget request to Congress, elimination of the program results is no savings to the Federal government. Rather, the costs of the credits are explicitly absorbed by timber purchasers in the contracting and bidding process. According to a report by Price Waterhouse, ''Economic analysis shows that the forest roads program does not contain a subsidy for timber purchasers; it provides an efficient and effective mechanism for financing road construction and reconstruction.''

Second, eliminating the Purchaser Credit Program would harm local communities near national forests—including Warren, Forest, McKean, and Elk Counties in Pennsylvania. Counties containing forest lands receive 25 percent of gross Forest Service receipts. In 1996, these counties received a total of $6.2 million, three quarters of which went directly to local school districts.

Finally, the amendment would effectively cripple efforts to meet the stewardship needs of our national forest land by cutting the funding by which we maintain its infrastructure. Eliminating this program would not only cut funding for road construction, it would cut funding for road reconstruction and maintenance to fix environmental and safety problems remaining from an era when construction standards were far less rigorous. A well-developed road system is indispensable to forest plan implementation, fire suppression and forest health.

As many of my colleagues know, the General Accounting Office has just released a report which identifies questionable policies and practices that nearly caused the Forest Service to default on revenue sharing payments to rural counties in fiscal year 1996. The report raises fundamental accountability issues for both Congress and the Forest Service, and I believe that these issues will be exacerbated by the Bryan amendment.

Specifically, the GAO found that reductions in Federal timber sale receipts, coupled with increased obligations to spotted owl counties, and an apparent lack of sound financial controls over the National Forest Fund resulted in a shortfall in revenue-sharing funds available to rural counties.

Receipts from the resource sales are deposited in the National Forest Fund, which is a receipts-holding account from which the Forest Service obligations are distributed. After normal county payments were paid, the Forest Service used the National Forest Fund in fiscal years 1994 and 1995 to make additional spotted owl guarantee payments in certain counties in California, Oregon, and Washington. This caused two problems. First, there were insufficient moneys in the fund to pay counties because of the dramatic drop in timber sales receipts. Then, the Forest Service was forced to borrow from other funds and the Treasury to pay the obligations to the counties in a fashion that GAO found ''was an unauthorized use of the funds.''

It is my understanding that Congressman BOB SMITH, chairman of the House Agriculture Committee, has written Secretary of Agriculture Dan Glickman requesting a full accounting of the specific steps he will take to ensure that the Forest Service advises Congress when such shortfalls occur and properly manages these funds in the future.

Mr. President, the amendment before us will only make this dire financial situation worse for the Forest Service. Senator BRYAN's amendment will again modify the formula for sharing Forest Service receipts with the counties. I understand that it is the sponsors' intent to protect counties from fiscal harm as the result of this amendment. Included in the amendment is a provision to make up for the inevitable shortfall in payments to counties that will occur as the direct result of a $10 million reduction in spending for new forest road construction and the elimination of the purchaser road credits. Since Pennsylvania has four counties that benefit from timber sale receipts, I commend Senator BRYAN for his concern about the effects of his amendment. But I must point out, Mr. President, that the concern of the Senator from Nevada betrays the folly of this amendment. You see, should this amendment be enacted into law, timber sale receipts will go down sharply at the same time that our payments to counties will be held constant or even increase. This is the very same tortured accounting formula that helped to lead the Forest Service to brink of default recently over the spotted owl payments.

In fact, let me point out for the benefit of my colleagues that the GAO found the Forest Service had shifted money originally intended for trust funds for reforestation and forest health in order to cover the deficit in the National Forest Fund. While I hope the Forest Service will be successful in addressing the serious accounting shortcoming that led to the crisis, I must caution my colleagues that passage of the Bryan amendment makes it more likely that the National Forest Fund check will bounce again during fiscal year 1998.

The amendment directs the Forest Service to compute the costs associated with road construction by timber purchasers and give the counties an equivalent of 25 percent of these costs from the National Forest Fund. This is ludicrously impractical. First, we do not have enough money in the National Forest Fund to meet our current obligations to the counties. Second, the task of calculating private sector costs is a complex accounting task for an agency. Further, the amendment directs the Forest Service to collect private sector costs, that in many cases, are proprietary.

In view of the GAO's very critical report, this is not the time to add to our obligations to the counties. Nor is it appropriate to burden the Forest Service with additional financial responsibilities. I urge my colleagues to defeat this fiscally irresponsible amendment. It is imperative that we maintain funding for Forest Service road construction and maintenance and the Forest Service's Purchaser Credit Program. It remains the most efficient and cost-effective method we have to help maintain our national forests and serve the needs of the surrounding populations.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BRYAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Mr. President, I yield myself such time that I might have. I was somewhat astounded by the debate because those who oppose the amendment try to frame an issue that is not part of our discussion or our amendment today. I think in so doing they are trying to obfuscate the issues we are dealing with. This amendment is not about eliminating all timber harvests on the national forests. That may be an appropriate subject for a debate on another day. But there is not one word in this amendment that would have that effect or seeks to accomplish that purpose.

The other argument that has been made to obfuscate the issues is somehow a suggestion that there is an attempt here to eliminate all new road construction in the national forests. That is not true as well.

Let me just respond to the comments that the distinguished Senator from Pennsylvania just made. We have crafted this amendment to protect and to hold the counties who receive revenue from this program to hold them harmless. We do so by saying, look, in the bid that is offered by the prospective timber harvest bidder, that we factor a separate amount that would be attributable to the construction component and use that, as well as the bid price, in the calculation to determine what moneys will go to the individual counties that will be affected. So we were sensitive to the needs of the individual counties that would be affected and this amendment holds them harmless.

Let me talk about what the thrust of this amendment is. The thrust of this amendment is to eliminate a subsidy. It is to eliminate corporate welfare. It is to eliminate food stamps for the timber industry. That is not just an assertion the Senator from Nevada makes.

That is why groups such as Citizens Against Government Waste, which have identified this as a costly subsidy to the American taxpayer, support the Bryan amendment. That is why Taxpayers for Common Sense, also a taxpayer watchdog group, has supported the Bryan amendment, because they recognize that this is a subsidy. That is why 60 leading newspapers across America from coast to coast—the only two notable exceptions that I am familiar with are the two that were referenced by the Senator from Oregon in his comments—all recognize this to be a subsidy and have urged its elimination.

Why is it a subsidy? It is a subsidy because individuals who have analyzed it and see how the Purchaser Credit Program worked finds that a windfall tax break occurs in terms of the profits that are permitted under this. Let me describe that in more detail, if I may.

The Forest Service makes a determination as to what they estimate the road costs are to be when a bidder bids on a tract of timber that requires road construction, and that is made available immediately to the successful bidder—immediately. That is a credit that is made available.

Those who have looked at the way the Forest Service calculates that have indicated, No. 1, the Forest Service is calculating a profit into that estimate and, No. 2, those who have focused on it independently found that in some instances, the purchaser road credit exceeds by 30 percent the actual cost that the timber harvester incurs in building the roads. Because, Mr. President, there is no accounting or accountability, the amount of money that is saved by the timber harvester that would be substantially less cost to him than the purchaser credit makes available is retained by the timber bidder, and that becomes a windfall profit. That is what the various groups, the taxpayer groups, as well as the 60 or more editorial writers across the country, have focused on—that it is a subsidy and a subsidy that ought to be eliminated.

Third, let me talk for a moment about the environmental consequences. We have 380,000 miles of roads in the National Forest System. That is about eight times the length of the interstate system. We have an enormous backlog of maintenance on existing roads. It is clear that new road construction, particularly in those environmentally sensitive areas that are steep, that have serious drainage and grading problems, cost the American taxpayer not just the initial cost for the road construction, but in some instances for generations thereafter. We deal with the problems of erosion, sedimentation and siltation into the rivers, streams, and lakes in the national forests. That is why the Assistant Secretary has commented that the greatest threat to the water resource in the national forest system is roads and new construction which is a major factor in that.

Finally, let me set at rest the notion that somehow these forest roads that will be built for new timber harvests are somehow a great benefit to the outdoor recreationalists. There are different categories of roads.

Typically, a road that is involved in a construction to access harvest timber is a dirt road. It is accessible only by all-terrain vehicles. It is not accessible by passenger vehicles. It is unpaved. It is ungraded. It doesn't have gravel on it. Whereas, recreational roads are roads of a higher quality that are accessible by passenger and general recreational vehicles.

Let me say that one of the groups that is a watchguard for outdoor recreational users is the Sporting Goods Manufacturers Association, which is part of the Outdoor Products Council. Mr. President, here is what they have to say about this subsidy and the purchaser road credit and the Bryan amendment:

> Our national forests are a recreational attraction because of their wild unspoiled areas. We feel that taxpayer subsidies for logging road construction has led to an extensive logging road network that can actually place at risk the very resources upon which recreational users of our national forests depend.

The recreational users and their interest groups support the Bryan amendment because they recognize that the Purchaser Credit Program is, in fact, a corporate subsidy, corporate welfare and they recognize the environmental consequences of senseless and unnecessary new road construction.

Finally, if I may, to clarify the point that in the Forest Service accounts there is a separate category for maintenance of existing roads. The Bryan amendment, which could reduce by $10 million the amount of money appropriated for new road construction, does not—does not—in any way affect or reduce those moneys that are set aside for the maintenance accounts. So no one ought to be misled that in some way the reduction that we are talking about would in any way impact those ongoing activities of erosion control and maintenance of existing roads.

To conclude, Mr. President, this is a win-win. It is a win for the American taxpayers because we eliminate a costly subsidy that simply cannot be justified and to provide windfall profits for some of the largest timber harvesters in America. Common sense suggests that, indeed, it must be a very powerful and a very substantial subsidy, or why else would we have the opposition to the Purchaser Road Credit Program if it did not provide such a subsidy? If it has been suggested by those who oppose the amendment it is a wash and an offset, I do not see why they would be raising the concerns and objections they have.

Second, it is a great win for the environment, because we know one of the leading causes of environmental degradation is the kind of erosion and runoff that we have as a result of these roads that have been cut through our national forests, and we ought to be very, very careful and sensitive when we construct new roads.

Mr. President, for the American taxpayer, for the American people, this is sound policy. Your vote will be appreciated.

May I inquire of the Chair whether or not the amendment reflects the cosponsorship of JOHN KERRY, BARBARA BOXER, and Senator BOB TORRICELLI? If it does not, I ask unanimous consent that they be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I commend Senator BRYAN for introducing this important amendment. This amendment does three critical things: helps to protect our environment, eliminates an unnecessary Government subsidy, and reduces our Federal deficit.

The Bryan amendment will reduce road construction funding by $10 million, eliminate the Purchaser Credit Program which gives timber companies trees in payment for road construction costs.

The amendment will not affect recreation and general purpose roads, and it will not reduce the money for maintenance and road obliteration. Under this amendment, if timber companies want to build logging roads with their own money, they can continue to do so. They simply won't be paid by the American taxpayers.

Year after year, American taxpayers have spent millions of dollars to subsidize the construction of roads needed for logging in our national forests. This is millions of dollars that could have been spent on cleaning our air and water.

Road building wreaks havoc on our national forests. Currently, there are nearly 380,000 miles of roads dissecting our national forests—that's eight times the length of the Interstate Highway System. My State of California has 44,000 miles of logging roads in its national forests. Each mile of road can have a devastating impact on water quality, stream ecosystems, fish habitat, and wildlife. Roads lead to sediment loading in streams and destroy habitat for fish and other aquatic species. Furthermore, the Forest Service has determined that 922 communities get drinking water from National Forests streams that are adversely affected by logging roads.

I would like to raise an additional point. Earlier this year, the Forest Service began the Recreation Fee Demonstration Project. Under this Congressionally mandated pilot project, the Forest Service is now charging recreational visitors a fee to enter national forests. Now I ask my colleagues, how can we continue to any timber companies to enter and harm our national forests, while at the same time we require recreational visitors—who come to hike, picnic and enjoy our national forests—how can we require them to pay for their visit? Does that seem like a wise-use of taxpayer money—I think not.

Under the Recreation Fee Demonstration Program there is no charge for those individuals and companies who come to harvest timber. Quite the opposit—we pay them to do so. In California, there is now a $5-per-day fee for recreational use of the Angeles, Cleveland, or Los Padres National Forests. These forests used to be open and free to recreational visitors. The Forest Service estimates that this new Fee Program will raise between $8 to $10 million this year, and somewhere between $15 to $20 million in future years. This is $10 to $20 million from the American public to visit their own national forests while the Federal Government pays over $47 million for timber companies to construct roads which are destroying those very locations the public comes to enjoy.

As U.S. Senators we have the responsibility of priortizing—making decisions about how best to spend our taxpayer dollars in a way that will maximize benefits to the American people. We all know that there are times when that can be a very difficult task—choosing between many projects and activities that all seem equally worthy. This is not one of those times.

I urge my colleagues to support Senator BRYAN's amendment.

Mr. BRYAN. If there is time remaining, I yield back the remainder of my time.

Mr. GORTON. Would the Senator withhold that?

Mr. BRYAN. I withhold.

Mr. GORTON. The Senator from Wyoming has been waiting patiently and wanted 2 minutes. I do not have quite 2 minutes. Would the Senator from Nevada mind yielding his opponent that 2 minutes?

Mr. BRYAN. The Senator from Nevada will do so. I think the RECORD will reflect that I have been generous beyond measure to accord to my opponents more time than the time agreement we entered into. But I will accord the Senator from Wyoming 2 minutes.

Mr. GORTON. The Senator from Nevada has been indeed generous.

The PRESIDING OFFICER (Mr. KYL). The Senator from Wyoming is recognized.

Mr. THOMAS. Thank you very much. I appreciate that.

The business of timber and timber harvest is very important to my State. I rise in opposition to the amendment offered by the Senator from Nevada. I think the amendment is not about subsidies; it is about the elimination of the timber program in our national forests.

The timber program is part of a healthy forest. Somehow there has to be some changes made in a forest that either burns or is harvested or is eaten by insects. This would terminate that kind of thing.

Furthermore, this is a policy issue that I believe ought to be talked about in our committee of jurisdiction, ought to be talked about in the forest plan, not one that ought to be talked about here in terms of doing it on an appropriations bill.

Let me just say, the Senator has suggested there are winners and winners. There are losers. Those losers happen to be schools, school districts, counties, small family businesses, and recreationists.

This, I think, has been called a subsidy. It is actually not a subsidy. Purchaser credits are an accounting method used by the Forest Service. If the cost of the road was not in there, the bid, of course, for the timber would be less. If the cost that they have appropriated and allocated to it is more than it should be, that ought to be fixed by the Forest Service.

But, Mr. President, let me just say finally, because I know there is not much time, that this amendment really does not have anything to do with the critical issues facing the Forest Service. It is just the opposite, by depleting desperately needed road funding while reducing essential money to county road programs and school districts, as well as thousands of jobs and recreational opportunities for all Americans.

I urge my colleagues not to support this amendment.

I thank you very much for your time.

Mr. GORTON. Mr. President, I do have a letter by the National Association of Counties that I ask unanimous consent to be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NACO, *September 12, 1997.*

The Bryan Amendment Hurts Timber Counties and their economies!!

The National Association of Counties opposes the Bryan Amendment on forest roads to the Interior Appropriations bill (H.R. 2107). Eliminating the purchaser road credit system, and reducing funding for the forest roads program can have only one purpose—weaken the viability of the Forest Service's timber sale program. A viable timber sale program is vital to America's timber counties and the forest road program is an important part of such a program. Reducing the ability to access timber not only hurts counties, but the thousands of families that rely upon the income from their timber jobs. In FY 1995 a total of $257 million was returned to local communities adjacent to national forests throughout the United States. Two-thirds of all timber harvested in national forests come from small businesses—those small operations are generally headquartered in the rural counties, providing jobs and stability to their communities, not to mention needed revenues to sustain county programs and services for the citizens. It does not take an accountant to determine the serious implications this has for the economies of rural timber counties.

Proposed provisions to lessen the impact of these cuts on these rural communities and counties do not meet their stated objective. Attempting to hold county governments harmless from these cuts, discounts the other significant economic impacts on the people in the counties' communities. A significantly better way to address the needs of natural resource dependent counties is to support increases to the Payments In Lieu of Taxes (PILT) program. This program in combination with timber revenues, help public land counties provide such vital services as law enforcement, solid waste disposal, search and rescue and fire fighting on public lands. This is considered a major ''underfunded mandate'' and it is extremely important to the 1,789 public land counties in 49 states that rely upon the PILT program to provide some equity for the services they provide.

Please oppose efforts to eliminate the purchaser road credit program and reduce the forest roads program by attempting to hold counties harmless. It does not achieve its goal. Instead, support efforts that really help public land counties—support the PILT program.

Thank you for your attention.

Sincerely,

RANDY JOHNSON,
President.

Mr. BRYAN. May I inquire of the Chair how much time the Senator from Nevada has?

The PRESIDING OFFICER. The Senator has 6½ minutes remaining.

Mr. BRYAN. I assure my colleagues I will not take the full 6 minutes. But let me respond to the concern that the Senator from Wyoming has voiced with respect to the county schooling.

We have crafted into the amendment a hold-harmless provision that recognizes that indeed this is an important revenue source for local governments. I can assure my colleagues that the purpose of this amendment, or its effect, will in no way affect that program. We specifically incorporated that in there.

Let me just again return to the issue of the subsidy because I think that is central to the issue. I mean, if this is not a subsidy, why do we go through all of the incantation of calculating a separate purchaser credit, making that available? Why don't we simply just eliminate that and say, as do BLM harvesters, and in some State forest programs, the individual who is bidding on a tract of timber would factor into his or her, or its or their, costs what their road construction cost would be. That creates a competitive market, a level playing field. Why go through all of this incantation of developing the purchaser road credits?

Mr. President, I think the answer is clear. This has conferred an enormous benefit to the timber harvester. For one, the GAO has indicated that the Forest Service itself, in calculating the purchaser road credit, factors in a profit—factors in a profit. That is not a wash. That is not a recovery of costs. That is cost plus a profit.

If we are advocates of truth in budgeting, let us just eliminate that gimmick and simply say to all who harvest in the national forests, submit your bids, and included in your bid will be the cost that you will incur in accessing the tract of timber, or for those that involve new road constructions, you will factor that in.

Second, with the exception of the Forest Service industry itself, virtually every outside analyst, the taxpayer groups, editorial writers across the country, those who have been commissioned to do independent surveys, have all concluded that, indeed, when one examines the cost of the credit

that is provided to the timber harvester and examines the cost incurred by the timber harvester, in some instances the timber harvester's costs are 30 percent less than the credit that is provided to the timber harvester.

Those are taxpayer resources. Those are taxpayer assets. That is clearly the definition of a subsidy. It goes far beyond what the cost incurred by the timber harvester is and provides him or her, it or them, with a costly subsidy at taxpayer expense.

That is why from the west coast to the east coast, from north to south, editorial writers, commenters, and analysts have looked at this and said, ''This is a program that we cannot support.'' If we are talking about being fair and honest with the taxpayers' money, how can we support a program that is under a very convoluted, difficult-to-explain and, I am sure, difficult-to-understand purchaser credit program where in effect what we are doing, however we disguise it, is providing additional profits to a timber harvester?

That simply is not right. I believe any responsible budgetary analysis reveals that that is in fact what has occurred. The Forest Service itself recognizes that practice. That is why they support the amendment.

Mr. President, I urge my colleagues to support the Bryan amendment. I yield the remainder of my time.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. That concludes debate on the Bryan amendment.

AMENDMENT NO. 1188

Mr. GORTON. Mr. President, we now have 145 minutes on the Ashcroft amendment. I think I can announce, on behalf of the majority leader, that there will be a vote on the Ashcroft amendment at the end of that 145 minutes or whenever time has been yielded back.

We will also plan to have a vote on the Bryan amendment immediately after the Ashcroft amendment, probably with the usual 1 minute per side for summary. But that has not been shopped to all Members to the point at which it can be the subject of a unanimous-consent request yet.

Mr. BRYAN. Mr. President, if I might inquire of the floor leader, the floor leader indicated that there would be time since we are going to have an intervening debate?

Mr. GORTON. Yes. The usual way is 1 minute for each side.

Mr. BRYAN. Fine. That will be acceptable.

Mr. GORTON. When we clear it, we will ask for it. That will be the plan.

After that, Mr. President, there are three other amendments that have been debated on the National Endowment for the Arts—Abraham, Sessions-Hutchinson of Arkansas, Hutchison of Texas. We are going to attempt to get 30 minutes equally divided additional debate on those amendments, as Members have been able to speak to them previously, and, of course, Members during this period of time can speak to them. That is not in concrete yet, but from the perspective of planning for the afternoon and early evening, this would be the intention of the managers.

Mrs. BOXER. Mr. President, I ask unanimous consent that after Senator ASHCROFT completes at least the first part of his presentation, that I be immediately recognized to use the time on our side up to 20 minutes.

The PRESIDING OFFICER. If there is no objection. Without objection, it is so ordered.

Mrs. BOXER. Thank you very much.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, thank you very much.

Mr. President, I am pleased to have this opportunity to address an important issue before the American people.

It is an issue about the nature of Government, the purpose for Government, what we have Government for and alternative uses of resources of the taxpayers in this country.

Data this year announced, not by Government itself but by independent studies including the best of the business journals, that the American people this year are paying more in taxes than any other year in the history of this Republic. The gross tax load is gross.

As a matter of fact, the Second World War, First World War, the Korean war, and the war in Vietnam did not cause us to have to pay the kind of elevated tax rates that we pay today, nor did previous wars of previous centuries.

The average U.S. citizen now pays the highest tax load, the biggest portion of his or her income that we have ever paid.

One of the questions that we must face, and which we must answer, is the question of whether or not we should take the hard-earned resources of American citizens, people who get up early, work hard all day, go home late seeking to help their families, whether we should take that resource to spend it on what the Government identifies as art or calls art or wants to encourage as art.

There will be some who say that this will be a debate about whether or not we support art or do not support art. I think it is important to note that art as an aspect of our culture has flourished since the very beginning of the United States as a nation and prior to that time.

Since the time we began our culture, from Plymouth Rock forward, we have had an expression of art in the United States—great literature, we have had great paintings, we have had tremendous capacity on the part of the American people to express themselves and to communicate noble ideas and high aspirations through our artistic devices.

But the debate which we are about to embark upon is a debate about whether the Federal Government should subsidize art and should identify in the art community some things for subsidy and some things for special treatment and some things to be singled out for approval while other things have to survive or fall based on their quality in the marketplace.

So it is with that in mind that I rise to say, in regard to the appropriations bill that is now before the Senate, that we should not spend the resources earned by taxpayers to encourage one artist over another artist, to say that some art is good and other art is bad, and particularly given the record of the National Endowment for the Arts. For the National Endowment for the Arts has a questionable record of fostering artistic expression which has countered the expression of values that most Americans cherish and the values which have provided the basis for the greatness and character of these United States of America.

The first point that I make is that the arts have plenty of money without the National Endowment for the Arts.

Let me just point to a set of statistics reflected in this particular chart. This compares NEA spending to private, State, and local arts funding.

Here you have private funding, the orange portion of the chart; local contributions, the green portion; the State contributions is the purple portion; and the NEA as proposed is the yellow portion.

It is pretty clear that that withdrawal of this very small portion of funding, 1 percent of the funding, is not going to cause a collapse in the arts. As a matter of fact, there are many individuals who are part of the arts community who feel this is an incentive to the wrong things in art.

So, first of all, we need to understand that the arts will survive. This is not a death knell for the arts. It is, in some respects, a contaminant to the arts to the extent that we continue to fund artistic endeavors of specific kinds, especially those things which are concededly politically correct or drive the agenda of the National Endowment. That is where the small yellow wedge comes in.

Just take a look again. Private giving to the arts and cultures and humanities is up. We have had some reduction. We have moved in the right direction. We used to give more to the arts through the National Endowment for the Arts than we do now. As we have had a reduction in the dollars that are spent by Government for art, we have had this substantial increase, especially recently, in private giving to the arts so that the private sector is totally capable of sustaining the arts.

I just add at this point that the kind of art that sometimes gets funded here is not the art of the great masses.

I tend not to be an individual who has invested a great deal of my life in the opera.

Now, the opera gets a subsidy from the National Endowment for the Arts,

but by and large, Willie Nelson and Garth Brooks don't. Those of us that drive our pickups to those concerts don't get a subsidy; but the people who drive their Mercedes to the opera get a subsidy.

Now, it seems to me what is clear here is that the folks who patronize the opera don't deserve a subsidy any more than those of us who enjoy the Ozark opera instead of the other kind of opera—although I don't purport to say I couldn't enjoy both kinds.

The first point I am making here is that the arts are not in trouble. Second, the arts funding from the Federal Government is 1 percent or so. Third, the private share of contribution to the arts is up dramatically. State and local governments dominate giving to the arts. The Federal Government contributes a low portion of that.

Employment in the arts in the 1990's is up. So we have a vigorous arts community and it is an arts community which continues to grow. This has been an upward trend at a time when we had a decline in the amount of Federal funding for the arts. If people are interested in more people coming into the arts, they could say that as we have decreased the funding, we have had more people going in. We are not threatening the arts.

Median household income for artists is up. It exceeds the income for the rest of the labor force. It seems to me we are not threatening the art community or questioning whether the United States is going to have art.

Art attendance is up in every category, from jazz, classical music, opera, musicals, plays, ballet, art museums. We had more people participating in the arts in 1992 than in 1982. I don't believe that is a trend that will be reversed. These things are a function of the fact that people have leisure time and the people have disposable net income and are not dependent on whether or not we have a National Endowment for the Arts. Artists are increasingly college educated as well.

Total receipts for performance arts events are up and are approaching the receipts for spectator sports. This gap is narrowing. The arts, indeed, are flourishing in the United States. They are getting closer and closer to matching the same kind of receipts as for spectator sports.

The point I make is that the arts have an abundance of funding. They don't need to take the resources from families that the families need to spend on themselves. We are now taxed at the highest rate since the onset of this Republic, since we have been in existence. We frequently have both parents in the work force, one to pay for Government, the other to support the family. We have governmental programming that is taking resources, saying we can spend this money better on your family than you can spend it on yourself. My own view is that is not something that we need to support. The arts do not require it, and I believe people are entitled to additional tax relief.

The second point is whether the arts and the NEA need the money. According to the sponsors, this kind of an appropriation is not an issue. The arts do not need the money. They say what is needed here is sort of—the Federal Government telling people what is good and what is not good in the arts community. They call this the Good Housekeeping Seal of Approval argument. On several occasions individuals have come to the floor of the U.S. Senate here and said whenever the NEA comes in and puts its so-called stamp of approval on items that it somehow makes it possible for those artists to survive because people need the NEA to develop a way of helping people understand what is good art and what is bad art.

I don't think the NEA has been very good at developing good art. They have some good art, they have some art that is atrocious. It is clear to me that whether it has the NEA stamp of approval on it does not make a difference.

I go back to an earlier example. This is an item of art which the NEA has paid for in the past. It is a poem, or so we are told it is a poem. It was part of an anthology. This was an anthology for which money was paid, hundreds of dollars paid, to support this ''L-I-G-H-G-H-T'' as a poem in the anthology. Now I suppose you might say most people would not recognize this as great art just looking at these letters. I was not extremely well educated. I went to the public schools, and, frankly, I have to confess I did not see that this was great art when I first saw this. As a matter of fact, I thought it was a misspelling—but it could be great art.

The argument is if you put the seal of approval on it by the NEA, somehow it will make it possible for everyone to agree it is great art, so if you somehow tack the Good Housekeeping Seal of Approval on it—it has Good Housekeeping and here is the National Endowment for the Arts, a combination of what proponents of this legislation say—the National Endowment symbol becomes the Good Housekeeping Seal of Approval for this, I suppose folks around the country will now recognize this word as great art, that this is great poetry. I hardly think so.

The truth of the matter is you do not convert art into great art by putting some governmental seal of approval on it. It doesn't change the character of it. As a matter of fact, it doesn't help us at all in many respects.

One of the individuals that I talked to earlier pointed out to me that in regard to this poem a Congressman called the author of the anthology, the one who had developed the book that included this and for which the Government paid, and asked the developer of the anthology to explain it. The author of the anthology said, ''You are from the Midwest. You are culturally deprived, so you would not understand it, anyway,'' no use to explain to you why this misspelled word or apparently misspelled word is great art.

Well, I suppose people could say that we need the NEA so this sort of Good Housekeeping Seal of Approval could convert misspellings into great art and people would know how to invest their money. I hardly think so. I have to make that argument with my tongue in my cheek. I wonder how those who made the argument kept their tongue out of their cheek in that respect?

The mere fact that something has the National Endowment for the Arts on it—and this particular stamp of approval is there—doesn't make it good art or doesn't make it bad art. The American people are still left to make their own judgments. The Good Housekeeping Seal of Approval doesn't really tell us much, although it does tell us something about the theory of Government that people have.

Some people think that the American people can't make good judgments about value themselves and they need Government to identify those things which are worthy of their support, and our Government's absence of an identifying seal would be something that is not worthy of your support. I think they have inverted what is important to understand about democracy in that the genius of democracy is not that the Government would identify the great values of the world and impose them on the people. That is the idea of the monarchy, where somebody up high in some remote place would tell everybody what to think and do. The genius of a democracy is just the opposite of that. It is not that someone up high in some remote place tells everybody what to do. It is that the people, together, have a set of values, and instead of having values imposed on them by the Government, the people impose their values on the system. That is the genius of a democracy. The idea that somehow we need the National Endowment for the Arts to impose values on this culture is a bankrupt idea, in my judgment.

Of course part of the argument that says we need the National Endowment for the Arts is that it identifies where people should invest in the arts. You don't have to tell people what they should like and not like, but this helps artists who are fledgling going around and saying you should invest in me as an artist because I have the seal of approval from the National Endowment for the Arts—sort of the idea you could have a central planning agency for the allocation of artistic resources.

Now, central planning for the allocation of resources is not a novel idea. As a matter of fact, some countries tried it, not just for art. Some countries have tried it for all of their economic endeavors. That is really the definition of communism or socialism, that you have some head of planning in the economy that tells you what is good, bad, where you should invest and where you shouldn't invest as a culture. So you decide to grow this many acres of

potatoes, this many acres of corn, and you make this much steel, and it is all planned at the center of things. It is supposed to be a good system, in theory.

It took about 80 years around the world to figure out what the theory was, but it was a theory of collapse. We only have two fully confessed Communist regimes left in the world now, North Korea—and most of the rest of the world is trying to send them aid so their children don't starve to death—and Cuba, which is teetering on the edge of its own demise. The truth of the matter is central government planning to allocate the resources in the arts community isn't any more effective or any more to be desired than central governmental planning and allocation of resources in the industrial communities, the manufacturing community or the agricultural communities.

The genius of the marketplace is that it rewards those things which are valuable in the absence of planning in Government, not that it gets signals from Government or some planning agency or some guru in some bureaucracy that says, ''This is my beloved artist in whom I am well pleased, put all your money here.'' As a matter of fact, some of the things that have been designated as those things to be supported like this poem—this is not the title for the poem, Mr. President, this is the poem. This is it, the whole nine yards. This is it.

There is a dispute about whether the actual payment was $1,500 or $750. You can do the quick math. It is $107 a letter if it was $750, and $214 a letter if it was $1,500. I make this copy as a bargain to you, and just give you the $107 rate if you think your marketplace would sustain it. Of course, I am not sure whether this is the French version of the poem, the English or the German version of the poem, because I have looked in the dictionaries and I don't find it in the English dictionary, the French dictionary or the German dictionary, but who knows. I know one thing, putting the seal of approval on this would not increase its value to me, and I don't think it does for the culture.

The truth of the matter is there are other reasons why we shouldn't be wanting to subsidize speech. Those reasons include the fact that the subsidization of speech results in the corruption of the arts. Jan Breslauer of the Los Angeles Times wrote eloquently that the National Endowment for the Arts results in the corrosive effect on the arts, that as a matter of fact that effect on the arts was prompted by the fact that National Endowment rewards politically correct art and art expression. She says, ''The Endowment has quietly pursued policies rooted in identity politics.'' The National Endowment for the Arts is conducting a political effort, ''a kind of separatism that emphasizes racial, sexual and cultural differences above all else.''

This is art subsidized by Government and specifically designed to separate us one from another based on racial differences, sexual differences and cultural differences. She says these policies have not ''excited much controversy, but they have had a profoundly corrosive effect on the American arts.'' Here is a clear indication by an art critic that the subsidy of arts, based on political preference, based on subject matter that is designed to divide the American people based on sexual, cultural and racial lines, pulls us apart rather than unifies us, has a corrosive effect on the arts. Not only a corrosive effect on the arts, it has a corrosive effect on the culture.

I wonder if we ought to spend our resources on something which produces that kind of an impact on the culture?

Mr. President, there are a number of other reasons and things I would like to say about this. We will have debate on both sides. I know the Senator from California is eager to speak. I want to give her an opportunity. So I sum up by saying there is no crisis in funding for the arts. People of America are taxed at their highest rates in history.

There is no reason to require that there be a Good Housekeeping Seal of Approval from the Government to try to dignify art that is not art, or to make decent those things which are indecent and unacceptable. Good art will be good art whether or not you label it with an NEA seal. An artistic statement, as a matter of fact, that came before the onset of the NEA, and will survive long after it, is that ''A rose is nothing but a rose no matter what you call it, and by any other name, it is still a rose.''

With that in mind, I think it is time for us to say we have spent more than enough in subsidizing politically correct activities under the guise of promoting the arts.

I reserve the balance of my time.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Thank you so much, Mr. President. Now, I have heard the Senator from Ohio very eloquently express his views. I think it is time that we hear from the other side.

I am very pleased to be a member of this Subcommittee on Interior Appropriations, and I was very pleased that we were able to resolve the question of the native Americans. I felt very strongly that had we not done that, we were going to do a grave injustice to native Americans and turn our backs on history, justice, fairness, and the Constitution. So I was very pleased to support Senators MCCAIN, CAMPBELL, and the others. They convinced the chairman of our subcommittee to put that fight off until another time.

I thought we were going to be OK on the National Endowment for the Arts. It comes to the floor of the U.S. Senate funded at about the same level as last year, and here we are faced with an array of amendments to wipe out the National Endowment for the Arts. Now, this is the most extreme one. It would totally do away with the National Endowment for the Arts. I think it is a very radical and very serious step for us to take.

I want to comment, because I think it is important to correct the Record, or at least straighten it out a little bit, on the poem that the Senator from Ohio continues to hold up in this debate. It is a one-word poem. I agree, it doesn't make much sense to me either. And, yes, the NEA has made some mistakes. I'm sorry, I mean the Senator from Missouri, not Ohio. What the Senator from Missouri, Senator ASHCROFT, does not tell us in his eloquent debate is that the one-word poem he holds up was funded 30 years ago; it was funded in 1968. He holds it up on the floor of the U.S. Senate as if these are the kinds of grants that are being made today.

Now, if we are going to have an honest debate, why don't we be honest with each other? I saw that poem and I said, ''That doesn't make much sense.'' Then I found out it was funded 30 years ago. Now, there are many reforms that have been put into place in the National Endowment for the Arts. Does it mean there might not be a mistake or two in the future? No. There may be some out of the thousands and thousands of grants. But to hold up a poem funded 30 years ago, when I was just a kid—as a matter of fact, 30 years ago, I became a mother for the first time, and now my kids are having kids. So, yes, there was a mistake made, I agree. You know, there are mistakes made in life, but we don't just take a meat ax to the problem. And we didn't; we have made reforms.

The other point that I think is interesting for the Senator from Missouri to imply is that the music funded by the National Endowment for the Arts is all for the elite, the upper crust, and he talked about the opera and how he doesn't go to the opera much, and yet, the opera is funded. Well, I tell the Senator from Missouri that many groups across the country are funded by the NEA: The Carter Family Memorial Music Center in Hiltons, VA, supporting a weekly series and annual festival of old-time traditional music, played on acoustic instruments. There is the Western Folklife Center in Nevada, dedicated to the preservation and presentation of the cultural traditions of the American West. There is the Folk Arts Apprenticeship Program, fostering the growth and evolution of Mississippi's traditional arts by bringing master traditional artists together with promising apprentices.

So, again, we have a misleading presentation here that doesn't square with the facts. This is 1997, not 1968. Mistakes were made, but many revisions have taken place and reforms have been implemented to straighten out the problems.

In 1993, the NEA initiated a complete overhaul of the agency's grant review

and monitoring process. All subgrants to private nonapproved groups have been eliminated. Since 1996, all fine arts grants to individual artists have been eliminated. Since 1996, all grants to organizations must be for projects specifically described in the application, further increasing accountability of grantees. Since 1994, all grantees must file interim and final project reports. The final one-third of all grant payments are withheld pending the NEA's approval of grantees' interim reports. In addition, grantees must now seek written permission in advance to change grant activities proposed in the organization's application. The National Foundation on the Arts and the Humanities Act of 1965 requires a rigorous multistep review process of all applications. Diverse panels of citizens, representing wide geographic, ethnic, and cultural points of view, review all applications. Following panel consideration, all applications are then reviewed by the National Council on the Arts, which is a body of 26 private citizens nominated by the President and, yes, confirmed by the U.S. Senate to 6-year terms. Do we have so little faith in what we have already done to straighten out some of the problems with the NEA that we would, with one vote, do away with the NEA? I hope not. By the way, applications recommended by the council for support are forwarded to the chairman of NEA for a final decision. The chairman may not approve an application with respect to which the council has made a negative evaluation. So we have even put a rein on the chairman.

Some of my colleagues have spoken on this floor expressing concerns that projects receiving funding from the NEA are obscene. Anybody who says that should know that Federal law ensures that artistic excellence and artistic merit are the criteria used to evaluate applications. The law expressly prohibits the award of financial assistance to any project or program determined to be obscene. If a mistake is made in judgment, yes, we should ensure that it is corrected, just as we must do in any Federal agency or just as we must do in our own lives. If one postman is obnoxious as he or she delivers the mail, we don't stop delivering the mail. We get rid of that person. If one military officer sexually harasses another, we don't shut down the military; we hold a hearing and we hold the perpetrator accountable.

We have had an extraordinary number of military planes crashing, and not one person would suggest that we don't build any more military planes. Clearly, we are going to take the problems as they come to us and deal with them. And, surely, we are capable of doing that with the National Endowment for the Arts. This body ought to be very pleased that it has made tremendous progress.

Now, speaking of the military, we spend more on military bands than we spend on the National Endowment for the Arts. I support spending money on military bands. I also support spending money on the National Endowment for the Arts. We spent $176.2 million on military bands in 1997, which is almost twice the $99.4 million spent on the NEA. Let me tell you something. If a military band played an inappropriate song, or someone was dressed inappropriately or, in any way, degraded that cultural event, we would address the situation. By the way, it is very important to our country that we keep the culture of the U.S. military and that we keep the music of patriotism that fills our souls every time we hear from it. But if there is a mistake made and an inappropriate song chosen, or someone is acting in an inappropriate way, we don't walk away from funding the military band. Do you know what we spend per person for the NEA? When this Senate voted $10 billion more for the military than the military asked for, I stood on this floor in disbelief, because I heard all these speeches about how much money we are spending in taxes. I agree, I don't want to spend money we don't need to spend. I want to give the military what it needs—not $10 billion more. But now we are going to save the Federal budget because we are going to cut out less than $100 million, 38 cents per person in this United States of America?

I was called to a meeting in San Diego. In terms of politics, I would say you would call it a Republican county. I had people there from the business community, I had people there from the arts community, I had people there from nonprofit organizations, and we had elected officials there of both political parties. Do you know what their message to me was? Go and fight this thing, because every time we get a dollar from the NEA, we get matched $12. ''It is important,'' they said to me, ''for our community.'' As a matter of fact, they said to me, ''Can't you fight so that we can spend 50 cents per person in a year? If we spend 50 cents per person a year, we would get that much more leverage, that much more job creation, that much more tourism, and it would help us.'' So it is very interesting. In San Diego, CA, I get called to a meeting and I am told to fight for more. Here I find myself fighting just to keep what we have.

So when we talk about tax load, don't be fooled about that. Don't be fooled. In essence, what we have here is a grant program that is far lower than it was under George Bush and Ronald Reagan who, by the way, signed all those bills for the NEA—and it costs 38 cents per person.

Public funding of the arts is good for the economy. Now, there was a recent study by McKinsey Consultants for New York City and they said in their study that funding of the arts generates taxes, which brings down the deficit, jobs and economic growth far in excess of the amounts invested.

I used to be a stockbroker. When you look at recommending a stock, you look at whether or not it is a good investment. Does it bring back dividends? When you put in a dollar, what do you get out? This is clear. Republicans in my State, Democrats in my State, Independent voters in my State—this is the place where they cross over party lines. They want us to save the NEA. They think it is good. They know mistakes will happen, yes, when you give thousands of grants. I think they are willing to forgive a grant made in 1968. An investment of $100 million in the NEA is relatively small. We are talking about less than one one-hundredth of 1 percent of the nearly $1.5 trillion Federal budget.

Now, I want to share with you some pictures because I think they are worth many times a thousand words. Let me talk about Leon Bates, a world-class, highly respected concert pianist, who has appeared with major orchestras throughout the United States, Europe and Africa. By the way, my colleagues have talked about Communist countries and have somehow linked what we are doing here to communism. You know, if you look at every capitalist country in the world, every democracy and capitalist country in the world, they spend a far greater proportion of their budgets on the arts than we do. So I don't get how communism, socialism and capitalism comes in here, because in fact every capitalist democracy in the world spends more on the arts than we do. So I don't see how that gets into the debate.

Well, here is Leon Bates. He has traveled in Europe, Africa, and the United States. He was hired by the Long Beach Symphony Orchestra to perform a piano concerto in January of 1996.

As part of this week-long residency of rehearsals and public appearances, Mr. Bates performed for an audience of 250 members of the Long Beach Boys and Girls Club.

Everyone in here stands up and talks about the children—everyone of us. And we should.

I wish you could see the faces on these kids at the Boys and Girls Clubs watching this creative genius perform his work with an NEA grant enabling him to go to the Boys and Girls Clubs, be a role model, and give them a love of music. He is the perfect ambassador for classical music to an audience of children, parents, and counselors who are not exposed to the world of performing arts that often. He brought with him a full-sized concert grand piano, and in between anecdotes from his life as a musician he answered questions and played excerpts from several classical composers. The event was a spectacular success.

He was supported in part by the NEA. Without continued support of the NEA, the Long Beach Symphony Orchestra would not be able to bring in top-quality artists like Mr. Bates.

I want to show you another photograph which I think is wonderful. The Senator from Missouri holds up a poem from 1968. I am talking about what is

going on now. This is a group called We Tell Stories. It is a performance group based in Los Angeles—a troop of actors which travels to museums, parks, schools, and libraries to perform stories for children. Its goal is to enhance cultural awareness, communication, and awaken a taste for theater and children of all cultures.

We Tell Stories received an NEA grant to support the creation and presentation throughout the United States of work by Carl Sandburg, a great American.

We Tell Stories began in cooperation with the Los Angeles County Museum of Art in 1981. Now in partnership with several organizations and agencies, including the Los Angeles Unified School District, and the troupe has performed for over 2 million people. In 1996, the troupe presented performances for 270,000 children.

I am coming to the conclusion of my remarks, much to the delight of several of my colleagues who are here to speak. But I want to show you one last photograph. This is one of the audience members who was watching a recent performance in Westwood, CA, by We Tell Stories. Look at her face. It captures the promise of the arts. The great expectations of the arts, the creativity, the imagination.

Will there be art without the NEA? Of course. I say to my colleague from Missouri, there will always be the arts. Why wouldn't there be? One of the things we do in this country is to give a very small amount—38 cents per person in this country to be matched 12 times by the private sector, the nonprofit communities, the State governments. Why would we do that? To bring these opportunities to the people of our country—and, yes; to the children of our country—because that is what the NEA has been focusing on recently.

I just want to say that I know we have disagreements in this body. I respect those disagreements, and I respect my colleagues who come at it from a different way. But I think for the sake of this debate the American people—and I know the people in my State of every political persuasion—again, in my State, there are three issues that unite people along party lines. This is California, and I can't speak for Missouri, and I can't speak for any other State, but there are three issues that make people cross over party lines.

One of them is the environment. People cross over, and they say, ''You know, I don't care if you are a Democrat or Republican. I want clean air. I want clean water. And I want my kid to grow up without getting environmental cancer.''

So there are no politics in that issue, in my opinion, in my State.

Another issue is a woman's right to choose. It's the same thing—people from both parties come to me, and they say, ''Please. This is a private personal matter, and it has nothing to do with Government. Stay out of our lives.''

And the third issue is funding for the arts. I have letters. I have phone calls. I have gone to meetings. I have never seen such bipartisan audiences as I have with those three issues.

On this issue, they all agree that we need to put the facts on the table. This isn't some political issue. This is a really important issue for our people. Will we stand up and say, ''For a modest amount per person, 38 cents a year, we will work with the States, the local groups, the local symphonies, the local Girl Scouts, the groups that benefit from this to bring the arts to our people, to help them leverage that investment?''

I can't imagine why anyone would think that it is dangerous for us to have this very modest program that sparks such enthusiasm. Are there mistakes? Yes. Are there mistakes in everything we do in life? Absolutely. But that doesn't mean we destroy the idea of the spark.

Senator KENNEDY and Senator JEFFORDS across party lines have worked out an agreement on this. They would block grant up to 40 percent of the NEA funds and send it back to the States. That is a good compromise. That would be up from 35 percent.

I hope we can come together across party lines because we need to do that.

I hope we will reject this amendment. I hope that we will support the Jeffords-Kennedy attempt to resolve this matter. And let's make sure that we fulfill our responsibilities, it seems to me, to have a small, dynamic, flexible program that responds to criticism but continues to give a modicum of support—let's use it to support dance and the arts in this Nation.

Thank you, very much, Mr. President.

I yield the floor.

I reserve the remainder of our side's time.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I yield myself such time as I may consume.

I thank the Senator from California for correcting the fact that I am not from Ohio. I didn't want people from Ohio to be too upset. It reminds me of my having been introduced as having been an individual from Missouri but who was born in Illinois. I say, ''Yes, both States claim me. Missouri claims I am from Illinois, and Illinois claims I am from Missouri.''

The truth of the matter is that I would like to address some of the issues which the Senator from California has talked about.

She mentions the fact of a poem—for which we paid $214 a letter—which was paid for earlier in the history of the National Endowment. She is correct. But it is incorrect to suggest that there are not abuses now that are even more egregious.

This is one of the more decent egregious abuses of National Endowment money.

I have excerpts from a book in my hand which very proudly bears the imprint, the so-called good seal of approval, of the National Endowment for the Arts. This book was published in 1996 after all the supposed improvements, after all of these wonderful safeguards to make sure that our money is well spent. I think it is instructive to read just what the authors say about their own book. This isn't some attack upon the book. This is the bragging of the authors.

I read:

> The blood of the Mugwump clan of Catholic gender-shifting vampires has become infected by decadent words and confused memories.

It talks about a man trapped inside a body that is always changing from male to female, and dealing with his polysexual sister.

I asked my staff to just take a couple of pages of the book. And this book was written because the National Endowment for the Arts felt that the American people needed to have this capacity to identify good art so they could invest in it under the ''Good Housekeeping'' or ''good art'' seal. I asked them just to get a couple of pages of the book and Xerox them. But I said, ''Be sure to mark out the things that would be not suitable to be shown on C-SPAN in the middle of the day.''

This is what a typical set of pages looks like. This is what the American people are paying for. This isn't something from 30 years ago. This is something from 30 minutes ago. This is something that is current. This is something from 1996.

No. 1, the so-called reforms have been ineffective. And, if we had an abuse which was at least not obscene—our abuses have not gone uphill. They have gone downhill.

I have a list of current abusive things funded by the National Endowment for the Arts. I could go through them time after time. I will not bother to give them to you. Hundreds of thousands—hundreds and hundreds and hundreds of thousands of dollars wasted in the current selection of grantees. They are not as easy to describe, and they are not as suitable for television as the 30-year-old abuses are. Unfortunately, they are not as easy to use on television.

The Senator from California pled for honesty and integrity in talking about whether or not we would have any funding—that somehow there is a matching grant program. There is no matching program. We are not talking about matching funds here. We are just talking about other money spent on the arts—most of it in the private sector. And when they have that kind of an expenditure, sure enough, they could say, ''For every dollar we have in Federal money we have $12 in private money.'' That doesn't mean the private money wouldn't have been spent anyhow. After all, what happened before 1965 when Lyndon JOHNSON concluded in the Great Society that we had to have funding for the arts? For several

hundred years America had great artists, and we weren't devoid of expenditure. We had great museums. We had tremendous collections. We had artists who thrived. We had novelists, and poets.

So it is pretty clear to me that art is not dependent upon some matching fund system.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

The Senator from Iowa.

Mr. HARKIN. How much time do we have?

The PRESIDING OFFICER. The Senator from Iowa has 40 minutes and 41 seconds.

Mr. HARKIN. Mr. President, I yield myself such time as I may consume.

Mr. President, first of all, the Senator from Missouri has repeatedly talked about the poem ''Lighght.'' He has held up this little piece of paper, and he has talked about this poem and castigated it as one of the great spending holes of the U.S. Government, we spent money on the poem ''Lighght.''

Well, I saw that and I recognized it. Believe it or not, I recognized that poem. And so I thought I would take some time since I have a history in this to shed a little light on ''Lighght''.

Now, again, I am glad that the Senator from California brought this up because the Senator from Missouri never did mention this until the Senator from California, Mrs BOXER, brought it up. This poem ''Lighght'' was published in 1969. The Senator from Missouri did not say that. He admitted it after the Senator from California pointed that out. But in listening in the last couple of days to the Senator from Missouri, one would have assumed that this grant was just made, not in fact made in 1969, when it was.

Mr. President, the debate on the NEA, National Endowment for the Arts, has set a new standard for debate in the Senate. First of all, suggesting that we should eliminate the National Endowment for the Arts in 1997 because of a grant that was made in 1969 begs incredulity. That would be like saying the State of Missouri, since it had laws on its books that allowed segregated schools until the 1960's, will not be eligible for Federal education programs. Or saying that the University of Alabama will be prohibited from participating in Federal student aid programs because it was segregated prior to June 1963, or the schools in Little Rock, AR.

Times change. Conditions change. Well, now, the Senator from Missouri said, oh, OK, fine. ''Lighght,'' this was 1969, but then he held up a piece of paper which he was reading something from—I didn't catch it all, but it was from a book called ''Blood of Mugwump,'' which I never heard of until today, but I remembered someone had said something to me about it and I looked it up. My staff gave me this. Lo and behold, the Senator from Missouri is wrong again. ''Blood of Mugwump'' did not receive any NEA funding. How many of these misrepresentations will we hear from the Senator from Missouri in debate on funding of the National Endowment for the Arts?

Now, I have here a letter, Mr. President, from People For The American Way. It said:

> In a letter to Congressional Members dated June 25, 1997, the Christian Coalition urged Members to ''vote against any amendments to increase NEA funding'' and asserted that the NEA is now ''funding the proliferation of pornography,'' citing specifically two films, ''Sick'' and ''Age 12,'' and one book, ''Blood of Mugwump.''
>
> Fact 5: The Christian Coalition is wrong. The NEA did not fund any of the three examples used.

Mr. President, I ask unanimous consent that this material from the People For The American Way be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

> Claim: In a letter to Congressional members dated June 25, 1997, the Christian Coalition urged members to ''vote against any amendments to increase NEA funding'' and asserted that the NEA is now ''funding the proliferation of pornography,'' citing specifically two films, ''Sick'' and ''Age 12'' and one book, ''Blood of Mugwump.''
>
> Fact: The Christian Coalition was wrong. The NEA did not fund any of the three examples used.

Mr. HARKIN. If the Senator from Missouri would like, I am sure that we could sign him up for People For the American Way, and he could get the correct information as to what is going on and not the false information that he got from the so-called Christian Coalition.

And so again the Senator from Missouri has brought up something that simply has no basis in fact. And I have here again, Mr. President, a letter dated March 17, 1997, from Karen Christensen, general counsel of the National Endowment for the Arts. It is written to Mr. Curtis White. I will not read the whole thing. It just said here:

> The progress report which you filed with this agency erroneously included ''Blood of Mugwump'' as among those volumes partially supported by a grant from the National Endowment for the Arts; this is not the case.
>
> In any future publications, including promotional materials and reprints of FC2 volumes, please remove any reference to the National Endowment for the Arts from any publication which is not supported by an NEA grant.
>
> I would appreciate prompt attention to this matter.

Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> THE NANCY HANKS CENTER,
> *Washington, DC, March 17, 1997.*
>
> Re Grant #96–5223–0091.
>
> Mr. CURTIS WHITE,
> *Co-Director, Fiction Collective 2, Unit for Contemporary Literature, Illinois State University, Normal, IL.*
>
> DEAR MR. WHITE: It has come to my attention that the National Endowment for the Arts has been credited with supporting a number of books published by FC2 that were not funded by a grant from this agency. As you know and as the Endowment's grant letter makes clear, funds are released for the specific project described in the grant letter and specified in the grant application. The Endowment's logo should be used only on those publications for which a grant was received.
>
> Grant #96–5223–0091, which will conclude on June 30, 1997, awarded funds for the following books: S&M, by Jeffrey DeShell; Mexico Trilogy, by D.M. Stuefloten; A Spell for the Fulfillment of Desire, by Don Webb; Memory Wax, by Alan Singer; and Aviary Slag, by Jacques Servin. The progress report which you filed with this agency erroneously included Blood of Mugwump as among those volumes partially supported by a grant from the National Endowment for the Arts; this is not the case.
>
> In any future publications, including promotional materials and reprints of FC2 volumes, please remove any reference to the National Endowment for the Arts from any publication which is not supported by an NEA grant.
>
> I would appreciate your prompt attention to this matter.
>
> Sincerely,
>
> KAREN CHRISTENSEN,
> *General Counsel.*

Mr. HARKIN. Again, Mr. President, if the Senator from Missouri was really serious, I am sure that he could have found out that in March of this year the National Endowment for the Arts wrote a letter to the director, who put out this book, I guess, under this grant, that it wasn't supported by the NEA. And the Senator from Missouri would not have stood in this Chamber today and said that ''Blood of Mugwump'' was another example of bad taxpayer spending by the National Endowment for the Arts.

I caution my friend from Missouri that he simply check his facts. That is all. And I am certain that if he just wanted to check his facts, if the Senator from Missouri just simply wanted to check whether or not what he was saying was factual, a simple call to the National Endowment for the Arts—they are not hard to get hold of. They are right down here in Washington, DC. Their phone number is 682–5400. I would suggest to my friend from Missouri that he simply pick up the phone and call them, ask them: Is it so that ''Blood of Mugwump'' was funded by an NEA grant? And he would have been told the facts.

So I think we have an obligation when we debate here on the Senate floor to be, at least, somewhat careful. I know we make mistakes around here. But, at least, try to check our facts out.

In that regard, Mr. President, I would like to talk a little bit more about the poem ''Lighght.'' Now, the reason this came to my attention is because this was an issue in my first campaign for public office in 1974 when then incumbent Congressman Bill Scherle in the House had gone after the National Endowment for the Arts on the same basis, that they had funded this word, one-word poem ''Lighght.''

And so I want to set the record straight, and I want to talk a little bit about it to get the facts out, the latest facts out. Mr. President, here are the facts. The National Endowment for the Arts sponsored a three-part series entitled ''American Literary Anthology.'' This was the idea of George Plimpton and also Roger Stevens, that they would seek out writers, poets around the country who were not well known, who maybe had published in small literary journals that had small circulation, to have a contest to put them together and to pick what judges decided were the best of these new writers and to put them in an American anthology to give them a wider berth so that more people could read them.

The purpose again was to support small literary magazines and their contributors. After all, most writers, Mr. President, don't start writing for Esquire or the New Yorker or the big magazines. They start with small literary journals around the country. And so that was the idea of George Plimpton and Roger Stevens, to get some of these new writers out there and bring them in and give them a wider circulation.

I spoke just the other evening with George Plimpton about this. He and Peter Ardery were the directors of the ''American Literary Anthology.'' He told me that the NEA grant in 1966 had three goals. First, to provide wider distribution for literary works which first appeared in magazines with limited circulation. Second, to supplement the small stipend the magazines used to provide to the authors.

As Mr. Plimpton told me, in many cases these writers got nothing except four or five copies of the magazine in which they were published.

So, it was to supplement it. And here was the supplement: $1,000 for prose material, $500 for poems. That was to the contributor, the writer. And, third, to reward the magazines which published the literary works in the first place: $500 for prose, $250 for poems. The total was $60,000 for the second volume. So the Senator from Missouri is wrong again. Again, I ask the Senator from Missouri, please check your facts. The amount of grant for this one-word poem was not $1,500, it was $750: $500 to the writer, $250 to the magazine.

I am certain the Senator will say that $750 is still too much for this poem, but nonetheless I thought it important to set the record straight, that it is not $1,500, it was $750.

I got a copy of the American Literary Anthology, volume II. Actually I read some of the poems in it. It is interesting that the Senator from Missouri picked out a poem written by Aram Saroyan, the son of William Saroyan, by the way. I don't know Aram Saroyan. I have never read his poetry before and I have not since. But I looked in volume II of the American Literary Anthology to see who else was published: people like Robert Penn Warren, John Ashberry, Jim Harrison—I say to the Senator from Missouri, Jim Harrison, who later wrote ''Legends of the Fall,'' which has been made into a movie, I guess; W.S. Merwyn, Pulitzer Prize-winning poet who also attended the Writers Workshop at the University of Iowa, and I will say more about that in a second; James Tate, one of our foremost poets in America; Joyce Carol Oates, also in volume II.

That is just a sampling. Why didn't he pick out some of those? No; he picked out this one-word poem, just to show people how it appeared in the book. Here it is, volume II, a one-word poem, on one page.

This is called calligraphic poetry. Calligraphic poetry is poetry where it's not just the content of the poem, but it is how it is laid out on the page that also sends a message, or conveys a thought or a feeling. I might point out to the Senator from Missouri that calligraphic poetry is not new; it is very old. In fact, some calligraphic poetry goes back to the 18th century, some in religious poetry. These religious poetry might be shaped in the form of pulpits, crosses, churches, saints, icons, things like that, to convey a religious image by the way the poem looked as well as the words that the poem contained.

I must say, I think the Senator from Missouri, if I might just say—I think the Senator from Missouri picked the wrong poem. There is a poem, it starts on page 273 of the second volume of the American Literary Anthology. It is ''The Last Will And Testimony of Art Evergreen,'' and it goes on for 17 pages. If the Senator had picked that poem, he might have a little more sympathy from this Senator. I say that tongue in cheek.

But why did the Senator not also pick the poem on page 339 by James Tate called ''Stray Animals''? No; he picked this one-word poem because, obviously, he doesn't like it. Frankly, I am not certain I like it either. It doesn't say much to me. But some calligraphic poetry I like, in the way the words are shaped and put on a page. That one doesn't say much to me at all. But, nonetheless, it is legitimate poetry. And there are a lot of other poems in there.

Again, the Senator may not care for this type of poetry, but that is no reason to abolish the National Endowment for the Arts. Over its 32-year history, the NEA has made 112,000 grants. To date, about 40 that we have been able to find have caused people some problems—about 40 out of 112,000. I think that is a pretty good record. Again, the Senator did not mention all of the other people who have gotten grants from NEA.

A little while ago I spoke on the phone with Jorie Graham. She is at the Writers Workshop at the University of Iowa. Last year, 1996, she won the Pulitzer Prize for poetry. I had a long talk with her. Here is an individual who received an NEA grant, and she told me without that she would not have been able to take the year off and write poetry because she had a young child. So that grant enabled her to do that.

I might also point out with some sense of pride that in 1996, last year, the three nominees for the Pulitzer Prize in poetry, Charles Wright, Donald Justice and Jorie Graham, were all from the Writers Workshop at the University of Iowa. It is interesting to note that it was the student, Jorie Graham, who won the prize. All three were recipients of NEA grants.

Why does the Senator from Missouri not talk about that? Why doesn't he go after the Writers Workshop at the University of Iowa?

Here, I will be glad to give it to my friend from Missouri. Here is a whole packet of pages, going clear back to 1970, of writers and poets who have received grants, who were at the Writers Workshop. Who will the Senator find in here? People like Robert Penn Warren, he'll find people like Kurt Vonnegut, he'll find people like Tennessee Williams—he may not like Tennessee Williams.

Mr. ASHCROFT. Will the Senator yield? The Senator asked me a question.

Mr. HARKIN. I will be glad to yield to the Senator in just a second. He'll find people like John Irving, Kurt Vonnegut, Tennessee Williams, Flannery O'Connor, Jane Smiley, who just wrote the wonderful book ''A Thousand Acres'' and won a Pulitzer Prize for it. It is now being made into a movie. Writers Workshop. NEA recipients.

No, he didn't mention those.

Mr. ASHCROFT. Will the Senator yield?

Mr. HARKIN. Now I will be glad to yield for a question.

Mr. ASHCROFT. The Senator has asked why I didn't cite all these others. Is it the Senator's position that none of these people would have been writers absent these grants? That absent the ability to have the Federal subsidies we could not have literature like this in the United States?

Mr. HARKIN. I will just answer my friend from Missouri. I just had a long conversation on the phone with Jorie Graham, the poet from the University of Iowa Writers Workshop, who won the Pulitzer Prize last year. She told me without that NEA grant—she had a little child—she would not have been able to take the year off to develop her talents as a poet that enabled her to win the Pulitzer Prize. Yes, she absolutely stated that to me.

Some of these, maybe not. But I can tell you some people like Kurt Vonnegut and some people, when they first started out—no. They needed these grants to get up to a level.

Mr. ASHCROFT. Did Kurt Vonnegut start out with an NEA grant?

Mr. HARKIN. I don't know. He got an NEA grant at one point, I believe.

Mr. ASHCROFT. I see. It seems to me, will the Senator concede we had a lot of great poets and a lot of great artists in America between the time of the

founding of this culture and the time in the mid-1960's when we started NEA grants.

Mr. HARKIN. I will respond to my friend this way. That is true. We have had a lot of great poets and writers who received no NEA grants. How many more, though, were out there in the little towns of Missouri, in the fields of Iowa, around the coal mines of Kentucky and in the hills of Kentucky, who wanted to develop their writing skills and their talents but did not have the support to do so? How many were left lying fallow in the ground because we wouldn't even come up with the two pennies, the two pennies per taxpayer per year, to help them to develop their talent?

I think that is the appropriate question to ask, is how many were out there who didn't get the nourishment who, if they had the nourishment, could have been great writers and poets in our society today?

Mr. ASHCROFT. I can name——

Mr. HARKIN. I will yield for a question.

Mr. ASHCROFT. In response to that question, I can name at least one who didn't have that kind of grant, who was a poor fellow from a small town in Missouri. His name was Samuel Clemens. He wrote under the name of Mark Twain. He seemed to do pretty well. In the name of artists whose works are arrayed in this Capitol, George Caleb Bingham, who is considered to be the American Rembrandt, who was a Missouri State treasurer, who did not have a public subsidy to do it. We could go through the list. Obviously you could always say there may have been lots more. There may have been some who would have been great artists in the last 25 years but, because they didn't get the seal of approval, weren't able to market as successfully their artwork, now that the arts community has been so oriented to the Federal approval or disapproval.

It seems to me, how many would be here or how many would be there is not a question that would be very productive in leading us to good policy.

Mr. HARKIN. I only responded because the Senator raised the issue. He was saying, questioning me, that was I saying all these great ones all received NEA grants. I would say no. But I think the question I asked was how many more were out there that could have risen up?

He mentioned Samuel Clemens. That was the last century and of course, again, we had great musicians and we had great artists and poets in the past. But again, I challenge my friend from Missouri to think about this. The few that we talk about in the past century were so few in number. I mean, they were absolutely the pinnacle, absolutely the best. How many more who didn't quite make it up there could have been very good? Maybe they wouldn't have been the top echelon, but they might have been very good writers and purveyors of senses of the esthetics of different regions of this country that weren't there.

Sure, you can point to Samuel Clemens and a few others. But how many more might have come along, might have been great, might have been maybe not at that pinnacle, but maybe up in that level who died aborning because they had no support whatsoever?

I might also, tongue in cheek, ask my friend from Missouri, who has gone after some writings that he claims are not quite appropriate for readers to read—you know, old Samuel Clemens wrote some things that were pretty risque. I wonder if the Senator from Missouri has ever read ''Letters From Heaven''? If the Senator from Missouri has never read ''Letters From Heaven'' by Samuel Clemens, I ask him to read it and bring it on the floor and read it. I doubt he would want to read ''Letters From Heaven'' on the floor of the Senate.

Mr. ASHCROFT. Will the Senator yield?

Mr. HARKIN. I will be glad to.

Mr. ASHCROFT. I thank you for raising the extent to which I have read Samuel Clemens' work, Mark Twain. I find him to be an interesting author, and I think some of his works are better than others and some of them are very helpful and some of them moved society in the right direction—I think move us all and inspire us all.

The point is not whether or not a writer has the ability to write things that might be appropriate in one setting or not appropriate in another setting. The point is, what do you do by way of subsidy and whether the Government decides to endow any particular writer with a special stamp of approval and discriminate in favor of that writer and thereby discriminate against every other writer? Had Samuel Clemens been a writer 100 years ago and had there been the current NEA and had the fellow from down the river in St. Louis gotten the grant and Samuel Clemens been discriminated against and shunned by the arts community because the other guy had gotten the grant, we might never have known about Samuel Clemens.

The point is, when you start with Government identifying and establishing the value for one artist over another, picking and choosing between the levels of free expression, free expression in the free society, pushing people toward politically correct expression, there are risks involved there that might result in stifling other people who are not favored by the Government. So, it seems to me there are equally—it's equally possible that there are great writers who are being stifled by the current system—there are art critics who say there are—just as much as there might have been people in previous years who didn't rise to the level of being able to write because they lacked the Federal subsidy.

Mr. HARKIN. I say to my friend from Missouri, he couldn't be further from the truth. This is the American Literary Anthology in which the poem ''Lighght'' appears. No Government agent or employee decided what went into this book. I can't for the life of me figure out what the Senator from Missouri is talking about.

For example, who decides whether a writer gets published? It is the editor of a magazine, the publisher of the magazine. Who decided what poems and what fiction, essays, went into this anthology? Editors and publishers of magazines. They all got together and went through all of their different magazines and decided who they thought ought to be in here. It wasn't Government. No Government agent did this. No Government employee did that.

Does the Senator think that writers just sort of spring up and, because they are so good in the beginning, that right away they appear in the New Yorker Magazine? Of course not.

They appear in these small literary magazines around the country, and it is the editors of those magazines and the publishers who decide what gets published. They were the ones who decided what went into this anthology. There is no Government agency. I don't know of one Government agent who decided on an NEA grant. It has all been done in a peer review process.

That would be like saying, I say to my friend from Missouri, that we should cut out research at the National Institutes of Health because it is Government money, and why should the Government pick which research to do, whether it is cancer or heart, whether it is diabetes or Alzheimer's? The present occupant of the chair knows a lot about this. Should the Government be picking the researchers because we put the money into the NIH? We put a lot of money, as the occupant of the chair knows, into NIH. We don't tell them what to pick. They do it through the peer review process, through scientists in the field who decide what is legitimate, good research to do.

The same is done in the National Endowment for the Arts. We don't sit there. No one in the Government sits there and says we pick this and we pick that. They set up boards, commissions, they set up peer review entities that decide what is going to be. You can disagree with them, and sometimes I have disagreed with them, too, but that is no reason to end the National Endowment for the Arts.

So I repeat, Mr. President, I had a lengthy conversation yesterday with Mr. George Plimpton and today, again, with Jorie Graham, who, I repeat to my friend from Missouri, won the 1996 Pulitzer Prize for poetry. She was emphatic that she and so many of her colleagues would not have been able to develop their talents were it not for the NEA grants they received, and then go on to win the Pulitzer Prize.

She said the NEA took a risk, I say to my friend from Missouri. She said it was a gamble. They didn't know if she

was going to be a good writer, poet or not. But she said the cost to the taxpayers for the creative fellowship was 2 cents, two pennies. That is what we are putting into supporting writers and poets around the country—2 cents per taxpayer.

Again, if I may use the analogy of the National Institutes of Health, we don't expect that all $13.5 billion that we have put in every year at NIH is going to produce a medical miracle. Not at all. A lot of that research is dead end and nothing ever happens, but we believe in doing the research.

So, again, NIH is not right 100 percent of the time, and we shouldn't expect the National Endowment for the Arts to be right 100 percent of the time and that every writer that is picked through this process is going to be a Pulitzer Prize winner or another Samuel Clemens or another Jorie Graham. No, some of them won't make it, but at least we are getting them out.

As Jorie Graham told me, she said, ''You know, there is a market out there. The American people aren't stupid. If they read the poetry and they read the literature, like cream on milk, the best will rise to the top.'' But until you put that milk together and put it in the bottle, forget it. That is what we are doing through the NEA grants; we are bringing these people together and giving them an outlet for their creative abilities. Some will make it, some won't. Some will write a one-word poem that is calligraphic. It may mean something to somebody. It doesn't particularly to me. Or some people like the poet I just pointed out will write a 17-page poem, which also didn't mean much to me either.

But I can tell you that there are some writers in here that have meant a lot to me and a lot to a lot of other people. People like Robert Penn Warren, John Ashberry, Jim Harrison, W. S. Merwyn, who, by the way, was also at the Writers Workshop and received the Pulitzer Prize in poetry, and James Tate, Joyce Carol Oates. They were in this anthology, too. So I guess that is what we are saying. It is not an elitist institution. The creative writer fellowships are made to writers with no other means to support themselves. These grants don't go to the wealthy; they don't even go to the middle class.

Second, I might point out to my friend from Missouri, these grants also are awarded geographically, not just to a few areas. Since these grants are awarded on a geographical basis, the writings that we get reflect the regional and aesthetic values of those regions. How else could we get the flavor of what it means to be born and raised in Iowa on a farm unless perhaps we read something by Jane Smiley, ''A Thousand Acres,'' and what it means today about what is happening to the farmers in Iowa. Or what would it mean if we didn't have a flavor of what was happening in the West or in the South with writers who can understand, who feel and are sensitive to the aesthetics of that State or that region or that area? That is why NEA grants go out to regions and geographically so it doesn't just go to one certain area of America.

The critics many times focus only on those from the cities, but as I have just pointed out, many, many, many rural writers have also received awards and many have gone on to do great things.

So, the Senator from Missouri can get up all he wants. I just wish he would be straight with the facts. First of all, he or his staff should have checked and let us know—let everyone know—that this poem was awarded a grant in 1969.

Second, I wish the Senator from Missouri had further checked his facts and found out that the book ''Blood of Mugwump'' received no NEA grant. A letter from NEA March 17, 1997, points out that ''Blood of Mugwump'' did not receive an NEA grant.

As I said to my friend from Missouri, all he has to do, if ever he has a doubt about what NEA is doing, is pick up the phone and call them—they are here in Washington—and ask them and they will be glad to set you straight on what they are doing.

I will wind up by saying, Mr. President, for 2 cents from every taxpayer in America—just 2 pennies—we can go out and lift up some of these young writers and poets all over America, artists who may be like Jorie Graham and have a young child but they have innate talent, to be able to get across to people, as she did with poetry, what it is like in small rural towns or small communities of rural Iowa. She said without those 2 cents and with a small child, she wouldn't have been able to do it.

The Senator can get up and say he doesn't like ''Lighght''; that is fine. There is a lot of poetry I don't like either. As I said, I am not partial to this particular poem, although there is a lot of calligraphic poetry I do like.

I will say one other thing. I was looking at some information that came out from Mr. Frank Luntz. I don't know Mr. Frank Luntz, but he has been in the news a lot lately. He wrote a book on how the GOP can use language to manipulate people. His book is called ''The Language of the 21st Century.'' I guess it was presented to the Republican conference before the August recess. I was looking at some excerpts from Mr. Luntz' book. He is saying how people should talk about things. Oh, there is addressing the gender gap. There is health care. How to talk about Clinton. Education. And then he has here, ''Prolog: Luntz's 12 step program to make Republican language more soothing to voters.''

Here is a quote from his book:

> Every time Republicans get into a conflict with the President, you begin to shout, mistakenly believing that if you speak loud enough, your message will get through. But the American people aren't deaf. They simply don't understand what you're saying, nor understand its relevance to their day-to-day lives. Linguistically, you're out of touch with the American people.

So he has 12 principles. I will not read them all, obviously, but I will read the seventh principle of Mr. Frank Luntz, who is writing this for the GOP: ''Abolish the National Endowment for the Arts.'' That is what he is saying Republicans should say: ''Abolish the National Endowment for the Arts.''

''This makes sense,'' Mr. Luntz says, ''for strategic reasons as well as on principle.'' I will give him that benefit. ''Napoleon spoke of the importance of feeding your army if you expect the soldiers to go off to battle. You must deliver some nourishment to the true believers. You need a symbol that both differentiates the two parties and stirs up the troops.''

No. 7 in his book of the 12 principles.

If you want to stir up the troops, that is fine. Again, I hope they will be clear on the facts and that we understand what this is about. I don't believe it is really valid, and, again, I happen to like the Senator from Missouri, he is a good guy and I like him, but I think he has gotten mixed up on his facts. But then, again, we all do periodically around here. But I just wish that he would be a little bit more careful in looking at what the National Endowment for the Arts really does and how it operates in Missouri and Iowa and the Midwest and to think about whether or not we would want to throw out all funding for the National Institutes of Health because some of the money we gave them might have gone for bad research or something we didn't like. I don't think so.

We may not like all the things the NEA does, but on the whole, out of 112,000 grants in its history, this Senator only knows of 40 that has been raised as issues on the floor of the Senate or the House in the 22 years I have been privileged to serve here.

So, again, Mr. President, the National Endowment for the Arts is much too important to us as a nation, much too important for America, for our diversity, for understanding who we are and where we have come from and perhaps even where we are going to have maybe one example of one poem disliked by one or two or three Senators be the cause of not funding the entire National Endowment for the Arts. It has done an outstanding job. We should make sure we continue to fund it, not so that Government can pick winners and losers and all that, but to make sure that those who are out there in the field, those budding writers and poets will at least have some hope that they, too, can become the next Jorie Graham at the Writers Workshop in Iowa and win a Nobel Prize for her or his poetry. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I wish to speak for a few minutes also in support of the National Endowment for the Arts and a strong Federal role in

supporting the arts. I am honored to follow the eloquent Senator from Iowa. I think he has made a very strong case for continued Federal support in this area. I also believe the Senator from Utah, Senator BENNETT, made a very eloquent statement in support of the NEA and demonstrated great common sense in much of what he said there.

Over the past few days, several of my colleagues have attacked the NEA, and one of the attacks has been that NEA funds are concentrated too much in big cities—six big cities in particular. I want to make it clear at the beginning of my comments that none of those big cities are in New Mexico, but still the NEA does support a very wide spectrum of arts in my State of New Mexico.

NEA funds come to my State and support everything from opera to cowboy poets. In my hometown of Silver City where I grew up, we have an annual event where cowboy poets come from all over the country to participate. It is my understanding—and I can be corrected on this—but it is my understanding that the first cowboy poetry convention or conference that occurred in this country was in Elko, NV, and was sponsored by the NEA. And they have continued with that tradition in Elko, NV, ever since.

So clearly the funds go to a broad range of arts. There have been more than 20 national competitive grants in my State in 1996.

NEA National Heritage awards have gone to individuals in my State. NEA has supported the arts in education strongly in my State.

This year, the NEA provided the New Mexico State arts agency with a $380,000 block grant. So some of the Federal funds that come from the NEA do come in block grant form so that the State can make the judgment. Those funds are matched on a 2-to-1 basis with State funding. They enable our State agency to make 125 awards, both small awards and large awards.

NEA's goal is to support the arts that enrich the lives of everyone in our country. I have seen that in my own State of New Mexico over the 14, 15 years that I have served here in the Senate, Mr. President. I have seen arts councils established and grow in virtually every community in New Mexico.

There was a time in my State when the arts were essentially Santa Fe and Taos. If you started talking about the arts, whether they were paintings or chamber music or the opera or any of a variety of arts, you talked about Santa Fe and Taos. But that is no longer true in my home State of New Mexico.

At the present time in New Mexico there is an arts council in virtually every community, every community of any size in the State. And those arts councils are bringing into those communities artists who contribute a tremendous amount to the lives of the people who live there. I am very proud of the rich tradition of arts that we have in my State and in the Southwest in general.

New Mexico has a wealth of artists and musicians, museums and arts centers. NEA support over the last several years has strengthened the arts and strengthened arts education in New Mexico in very important ways. It has benefited the children in my State.

Research has shown that art and music education is extremely important to the development, the proper development of a child. Healthy brain development in very young children is aided by arts education and by exposure to art and to music. Problem-solving skills are enhanced. There is improvement even on math tests as a result of exposure to music. That has been demonstrated in various tests in recent years.

I recently attended a program in Albuquerque which was inspirational. It was called ''Starts with the Arts.'' It was a conference for children with exceptional needs at the Very Special Arts Center in Albuquerque. Clearly, this is making a great contribution to the lives of those children.

In 1997, $90,000 from the National Endowment for the Arts came through our State arts agency to assist with that type of program.

This has benefited not only children, young children, but it benefits students, programs like the Working Classroom in Albuquerque. This is a free year-round art and theater instruction program in the Broadway section of Albuquerque in southeast Albuquerque.

Disadvantaged, at-risk children starting in their early teenage years participate in this. There is reduced dropout rates as a result of this work. There is substantial beautification of some areas of downtown Albuquerque through the painting of murals. That program has been supported by NEA funding as well.

In 1997, they received $15,000 from the NEA through a State block grant. So the decision was made by the State to put that money into the Working Classroom Program, but it was funding that came through the National Endowment for the Arts.

There have been benefits to many of the communities in our State, as I indicated, that not only benefits to the cultural lives of those communities but also to tourism, to economic development, to job creation.

Mr. President, I do not have exact figures to provide to the Senate today, but I can tell you that the arts are a substantial part of the reason why tourists come to my State. Whatever we do to strengthen the arts also strengthens our economy and helps to strengthen the economy of all those communities. It benefits a wide audience.

We benefit a wide audience by giving recognition to local artists, artists such as Ramon Jose Lopez, who is a santero and is a master metalsmith. He won an NEA National Heritage Fellowship last year. He was involved with the Smithsonian Institution in an exhibit that attracted national attention. And this type of recognition enriches the lives of many of our artists and of visitors that come to our State.

I fought very hard in the last Congress to maintain the program of heritage grants to outstanding individuals. But despite all these benefits that I have gone through here we have Members of Congress, Members of the Senate, who continue to campaign to eliminate the National Endowment for the Arts. I believe we need to resist that. We need to also resist turning this into a block grant program.

On July 23 of this year the Labor Committee marked up and passed the NEA's reauthorization. Even though the measure has not come to the Senate floor, people here in the Senate need to know the outcome of the committee's deliberations.

Like most of us in the committee, I concluded that the NEA now strikes the right balance, the right balance between national involvement, State and local involvement.

NEA has been criticized as inefficient. But under the leadership of its present chairman, the NEA has established numerous accountability and streamlining measures that ensure responsible use of Federal funds—consolidating administrative operations of the NEA and the NEH, the National Endowment for the Humanities; reducing administrative costs of both.

There are peer review panels that are chosen from all sections of the country under this language that we adopted in this reauthorization bill. We ensured that all sections of the country would be represented. We ensured also that on the peer review panels that no State would be unduly represented.

Some groups continue to spread what I believe are misrepresentations about NEA support for obscene art projects. Most of those stories turn out to be half-stories. Many of those stories involve subgranting of NEA dollars for objectionable projects. It is my understanding that the chairman, the present chairman of the NEA, has eliminated the practice of subgranting NEA awards except to State arts councils.

I am convinced that the arts and arts education contribute enormously to the cultural life of our country. I strongly believe we should maintain it.

I had the good fortune, Mr. President, last night to attend a reception and dinner at the Library of Congress and to see there the program that they have developed and put on the Internet for anyone in this country to dial up who wants to dial up Thomas—''www.Thomas.org'' I believe is how. But you can get into Thomas. And when you do, you can get access to all of the photographs that were taken in this country during the 1930's under the Federal Writers Project which was part of the Works Progress Administration, the WPA, at that time. That was money well spent.

We are not here through the NEA having the Government choose who to support and who not to support. That is done by peer review panels. But I think it is anomalous to suggest that the Federal Government has no interest in this issue or to suggest that Federal Government should not be able to lend its support to a richer cultural life for this country.

So I very much hope that we will resist all efforts to eliminate the NEA and to drastically change its structure.

Ms. MIKULSKI. Mr. President, I rise today in opposition to the Ashcroft amendment. This amendment would eliminate the National Endowment for the Arts [NEA], an organization which has come under unfair attack in the past few years.

Funding for the NEA has consistently dropped. Funding last year was $99.5 million, a 39-percent decrease in 2 years. Now, many of my colleagues want to abolish the endowment completely. I disagree with this approach.

For every Federal dollar invested in the arts, our citizens receive an enormous return. My state of Maryland received $1.4 million in arts funding last year. This means that the Baltimore Childrens Theater Association is able to thrive. It means that the Baltimore Museum of Art can bring world renown exhibits to the citizens of my State. And it means that local communities throughout Maryland have access to community festivals, arts centers, and galleries.

There is a myth that the arts are for the elite. However, I believe the arts are about three things: Jobs, economic development, and families. The arts attract jobs. The arts help create economic development in communities. The arts are family first.

The cost of Federal funding for the arts is 35 cents for every citizen. The arts are a sound investment. The rewards are great.

Federal funding for the NEA has led to the flourishing of arts organizations in small cities and rural areas across the country. In my State of Maryland, local arts agencies are able to leverage Federal dollars for their fundraising efforts.

Without Federal support, Marylanders wouldn't have the Puppet Co. in Glen Echo, the Bluebird Blues Festival at Prince George's Community College, the Writers Center in Bethesda, or the University of Maryland music programs.

I am committed to protecting the Federal role in the arts. We should not become the only civilized country in the world that does not support the arts.

I urge my colleagues to join me in opposing the Ashcroft amendment.

Mr. CHAFEE. Mr. President, for years during consideration of the Interior appropriations bill, the Senate has debated the fate of the National Endowment for the Arts. Those debates have had mixed results. On one hand, NEA funding has been severely reduced. On the other hand, the NEA has made changes in its policies and operation to safeguard against providing Federal dollars to distasteful and, yes, perhaps, inappropriate projects. So, some bad and some good has come from our discussions here.

Now, we are in the midst of another such debate. The House voted to eliminate funding for the NEA. It even rejected a proposal to provide $10 million in close down costs. There are Senators who support the House and have offered amendments to eliminate funding for the NEA altogether. Others would eliminate the Endowment by providing all of the appropriated dollars directly to the States in the form of block grants based on State populations. Still others would allow the Endowment to continue but would vastly diminish its role by sending the lion's share of funding to the States as block grants.

Earlier this summer, I introduced legislation with Senators JEFFORDS and KENNEDY to reauthorize both the National Endowment for the Arts and the National Endowment for the Humanities for 5 years. The Labor and Human Resources Committee marked up the bill and reported it from the committee on a bipartisan basis. According to our bill, 40 percent of funds would go to State arts agencies, 40 percent would be used by the Endowment to support projects of national significance, 10 percent would be for direct grants, and the remaining 10 percent would go to arts education in underserved communities. All funds appropriated beyond the current level of $99 million also would go to arts education.

My colleagues might wonder: Why this emphasis on arts education? All across the Nation, arts education is being integrated into the core curriculum of schools. This integration is the result of the realization that an arts education can help students to develop better skills in analysis, problem solving, and just plain thinking. This is in addition to nurturing and developing the child's imagination and creativity.

A study by the College Entrance Examination Board found that students who have studied the arts regularly outperform students who do not have an arts background on SAT exams. According to the study, students who have studied the arts for 4 years score 53 points higher on the verbal SAT exam and 35 points higher in math than do students who lack arts education.

Senator GORTON recognizes the importance of continuing to fund the National Endowment for the Arts. The bill he has brought before us even provides a small increase to the NEA, from $99 to $100 million. The NEA costs each American less than 38 cents per year. My colleagues might be interested to know that a recent Lou Harris poll showed overwhelming support among the American people for arts funding, even if it meant a tax increase. For this minute investment of 38 cents per year, the American people get orchestras, chamber music ensembles, children's festivals, operas, poetry readings, concerts in the parks, music festivals, Shakespeare festivals, artists visiting schools, museum and gallery exhibits, dance troupes, and much more. For this tiny investment, local communities in rural areas far from our Nation's cultural centers are able to experience our rich artistic traditions.

According to BusinessWeek magazine, the arts support 1.3 million jobs. The arts contribute $36.8 billion annually to our economy, and 6 percent of the GNP is attributable to nonprofit arts activities.

In Rhode Island, we count our artists among our State's natural resources, among the resources that are contributing to a wonderful revitalization, particularly evident in Providence. We are very fortunate to be home to one of the most prestigious art schools in the Nation, Rhode Island School of Design. RISD draws young artists to Rhode Island from around the globe. Perhaps because of our State's marvelous quality of life or perhaps because of the efforts of community leaders and State officials to develop an atmosphere in which the arts can flourish, many of these fine art students stay and contribute to our community and to our economy.

Let me share a few excerpts from a letter I received earlier this summer from Roger Mandle, President of RISD. Mr Mandle writes:

> Federal support for the arts and humanities is more than a symbolic matter, and helps to leverage strong state and local private sector support for operas, dance companies, symphonies and museums. Students of schools and colleges gain access, some for the first time, as performers or audiences for these cultural activities. Cities and towns benefit from the tourism generated by the institutions and events they sponsor. Federal inspiration to maintain and support America's cultural heritage comes at a small price to every citizen. The existence of these Endowments helps to compare ourselves favorably to other nations whose governmental support for the arts exceeds that of the United States by many times.

Some critics of the NEA suggest that supporting the arts should be left up to the private sector. They contend that there is no purpose for Federal support and that the arts would do just fine without it. Mr. President, you may be interested to know that since the creation of the NEA 30 years ago, the number of nonprofit theaters has grown from 56 to more than 400; the number of orchestras has quadrupled to more than 200; the number of opera companies has grown from 27 to more than 100; the number of dance companies has increased from 30 to about 250; and today there are more than 3,000 public arts agencies in small cities and towns throughout the United States. There is no doubt in my mind that the NEA, whose budget is seven-tenths of 1 percent of federal spending, has had a

sizable contribution in making the arts accessible to all Americans, rather than to an elite few.

I was curious about the idea of providing block grants to the States. Surely, that would mean more money to the State arts agencies, and they would be all for it. But, of course, that is not the case at all. I asked Randall Rosenbaum, executive director of the Rhode Island State Council on the Arts, what he thought of either providing the entire appropriated amount for the NEA directly to the States in the form of block grants, or increasing the size of the State block grants by scaling back NEA grants to projects of national significance. Here is what Mr. Rosenbaum had to say:

> While the Rhode Island State Council on the Arts might, on appearance, benefit from such a move (we would not), the Nation as a whole would suffer immeasurably. The Federal Government's leadership in arts funding has been critical to State and local efforts to raise matching dollars from public and private sources to support the arts. Stacks of research support this point . . .
>
> More to the point, if the money is just block granted to the States, we will lose one of the most precious things the NEA has to offer, leadership in development of public policy in support of the arts. A strong federal presence through the arts endowment has changed the nature of an arts field I have worked in since 1976. Through its consensus building, policy making, and yes, financial support, I have seen more emphasis on access for all Americans to the arts. NEA-supported projects in Rhode Island ensure that everyone, from toddlers to seniors, experiences the arts on a personal level.

The NEA supports the Rhode Island Philharmonic Orchestra, and I have heard from many of its musicians writing in strong support of continued funding. It provides funds to the Trinity Repertoire Co., to RISD and to Brown University. But it also provides funds to smaller, less well known theater and dance companies, such as ''Lydia Perez and Ensemble'' whom I was privileged to hear at a gathering in Providence in July. Ms. Perez specializes in bomba'' music. Grants have gone to the All Children's Theater Ensemble in Providence, to the Blackstone Valley Tourism Council, to the Capeverdean American Community Development Center in Pawtucket, to the Children's Museum of Rhode Island, to the Festival Ballet of Rhode Island, to the Island Arts Center in Newport, to the Ocean State Light Opera, and to literally dozens of other community arts groups.

Mr. President, I wholeheartedly support Senator GORTON's efforts to continue to fund the National Endowment for the Arts and the National Endowment for the Humanities, and I support Senator JEFFORDS as he works to reauthorize both Endowments for 5 years. I urge my colleagues to reject efforts to eliminate the Endowments, either by cutting funding or by creating block grants to the States.

Mrs. FEINSTEIN. Mr. President, the Senate today is considering the Ashcroft amendment to eliminate the National Endowment for the Arts. I oppose the amendment. There are also several amendments that seek to restrict, censor, or block grant the NEA.

Mr. President, in my view, the arts play an enormously important role in shaping our national culture and our local communities. The question is what is the best way for the Federal Government to fund the arts, if at all.

NEA IS A SUCCESS

Since the NEA's creation in 1966, there has been an explosion of community arts in local communities throughout the country. There are 8 times more nonprofit theaters, 7 times more dance companies, and 4 times more orchestras and opera companies. The impact of the National Endowment is far reaching. Through sponsorship of the arts, the NEA can stimulate expressions of our national character in many localities and guide our young people and pump hundreds of millions of dollars into local economies. Mr. President, if it were not for the strong leadership of the NEA, many rural areas and impoverished communities would be denied the opportunity to experience artistic presentations, performances, and education.

ACADEMIC BENEFITS

Exposure to the arts has academic benefits. According to College Entrance Examination Board, students with more than four years of course work in the arts score 59 points higher on the verbal and 44 points higher on the math portions of the SAT. Children with a background in piano have also scored better in math.

ECONOMIC BENEFITS

The National Endowment for the Arts contributes to our national economy. For every $1 spent by the NEA, $34 are returned to the U.S. Treasury. Because of the Endowment's support of the arts, the arts industry has boomed. Every $1 spent by the NEA attracts $12 to the arts from other sources. The nonprofit are industry now generates $37 billion annually in economic activity. The nonprofit arts industry also employs nearly 1.3 million Americans and represents nearly one percent of the entire U.S. work force.

BLOCK GRANTS

Some of my colleagues believe that all of the NEA's funds should go to the states in the form of block grants. Under current law, states have direct control over 35% of NEA funds in the form of block grants and state arts agencies believe this is the appropriate federal-state balance.

LOSSES UNDER BLOCK GRANTS

If further block granting is successful, states will lose hundreds of national grants that benefit all Americans. For example, according to the NEA, under block granting shows on public television like Great Performances, Dance in America, American Playhouse, and American Masters will be lost. 98% of American homes have access to public television—a great example of one grant having a huge national impact. Programs of this large scale are best run, are most efficiently run, on a national level. Most states cannot take on a project of this magnitude. Another national program that the NEA says will be eliminated under block granting is the Mayor's Institute on City Design, in which over 300 of the nation's mayors have had the opportunity to meet with planners and architects to discuss urban design issues. This single grant benefited over 300 American communities.

PRIVATIZATION OF NEA

Other members of this body would like to privatize the National Endowment for the Arts. I believe this would be a grave mistake. According to Independent Sector's 1996 Giving and Volunteering survey, households giving to the arts, culture, and humanities has decreased by 29 percent since 1987. ''Giving USA'' found that total donations to the arts and humanities declined by $270 million between 1992 and 1995 and private donations to the arts and humanities decreased by 7.7 percent in 1992 and to 6.9 in 1995. These statistics do not bode well for arts without the support of a federal endowment.

CONTROVERSIAL NEA GRANTS

I have heard some Senators criticize the questionable content of past NEA grants. I agree there have been mistakes. Yet, throughout the NEA's 30-year history, ''objectionable'' grants have amounted to only 45 out of more than 112,000 grants. This figure translates to approximately four-one-hundredths of 1 percent of all grants. Few other federal agencies can claim the same small proportion of error or high rate of success.

NEW REFORMS

NEA grantees must now adhere to strict guidelines to ensure quality content: all grants to individual artists have been eliminated, all grants to organizations must be for grants specifically described in the application, all grantees must file interim and final project reports, and all grantees must seek written permission in advance to change grant activities proposed in the organizational application.

In conclusion, Mr. President, I remind my colleagues that most great civilizations are remembered primarily for their arts. Already, the United States spends nearly fifty times less on the arts than any of its major allies. The National Endowment for the Arts represents a national commitment to our nation's culture, history, and people. If the NEA were to be privatized, block granted, or eliminated, not only would we suffer a great economic loss, but more importantly Americans, particularly those living in rural and low-income areas, would suffer a great loss. The NEA benefits our young people, our communities, and our economy. We cannot deny our citizens this national treasure.

Ms. LANDRIEU. Mr. President, I rise before you today to express my support

for the NEA and to articulate the importance of preserving the arts in America. I would like to take this opportunity to briefly describe to my colleagues how the NEA, in it's unique capacity, has strengthened the values and cultural education of the people in my state. Specifically, it has played a critical role in enhancing the local talent and in funding community education activities for all Louisiana families and children. Mr. President, not only has the NEA provided access to the arts for the less advantaged in all of the 64 parishes, reaching a total audience of 7.5 million Louisianians by funding programs like philharmonics, ballets and training for young talented inner-city artists, but NEA has also played a vital role in supporting cultural tourism. The NEA-funded arts programs have remained a consistent source of economic revenue for Louisiana with our rich musical and cultural history. We have a brilliant history of talented local artists and renowned musicians that people from all over the world come to Louisiana to experience. Mr. President, as a nation that values the promotion of individual creative talent and these contributions to our cultural fabric, I encourage and respectfully ask my colleagues not to abandon our national responsibility and to support an equitable balance of grant distribution to the NEA. We have all seen the NEA adhere to the valid concerns of my colleagues, Senator HELMS and Senator SESSIONS. I give Jane Alexander her due credit for putting in place a new organizational structure—including the elimination of all sub-grants and grants to individual artists. Yes, there are clear examples in the past where the NEA should have used better judgment, but I ask my colleagues to concur that this is by no means grounds to deny our children the right to access the arts—and not just on the state level in the form of block grants—but with a national commitment. Mr. President, I do not want to debate the past nor do I think I can define what is art and what is not art. However, there are clear examples across the nation where NEA funding has supported the very talented and worthy people we all represent. I support my colleagues' efforts to continue to fund the NEA and to establish a permanent endowment fund that, matched with private funds, would continue the successful private/public partnerships the NEA has created. I look forward to the opportunity to work with my colleagues to find an agreeable funding formula that will show the American people that this Congress values and supports American culture, our creative talent and the arts.

Mr. BINGAMAN. Mr. President, how much time remains if there is time allocated on my side on this issue?

The PRESIDING OFFICER (Mr. FAIRCLOTH). All the time in opposition to the amendment has expired.

Mr. BINGAMAN. Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Mr. President, I yield myself so much time as I might consume.

I do want to be responsive to some of the comments that were made by those in opposition to this amendment.

They have suggested over and over again that difficulties are isolated, that they are misrepresented. And I want to bring some sense of authentication to the kinds of things in which I have been involved.

In talking about the poem ''Lighght,'' if that is what this poem is, the one-word poem, there was a question about the documentation for the payment of $1,500 for the poem. The documentation we have is from Policy Analysis, August 8, 1990, No. 137, ''Subsidies to the Arts: Cultivating Mediocrity,'' by Bill Kauffman. And I quote:

> The NEA has been more patronizing than patron to the towns and villages of Middle America.

So that is interesting to me, and especially in light of the remarks of the Senator from Iowa as if the NEA has been a savior to middle America.

An example: In 1969, NEA grantee George Plimpton, editor of the American Literary Anthology/2, confounded observers by paying $1,500 for a poem by Aram Saroyan consisting of a single misspelled word, ''lighght.''

That is interesting. We have been through this particular poem. This is the entirety of the poem for which taxpayers paid. I suppose you can say it is a better poem if you put it on a bigger piece of paper so that you have a sense of the calligraphy involved. I will be willing to concede that, although I think the Senator from Iowa says it did not mean much to him anyhow.

But it is kind of an interesting thing, when an assistant to an Iowa Congressman asked this grantee about the meaning of the poem, here is what the person to whom we gave the Federal funds for the distribution among other authors in the assemblage of this work said. The editor replied, ''You are from the Midwest. You are culturally deprived, so you would not understand it anyway.''

When the representative of the agency that is doling out grants treats American people who ask that kind of question, about whether or not this is an effective expenditure of tax dollars, that way, I do not think that is really such an enriching experience for our culture so that we need to continue that kind of subsidy.

There has been a persistent stream of suggestions additionally from those in opposition to this amendment that there is no problem in the way the grants are awarded, and that as a matter of fact these are done by independent groups and they do not have any particular slant. That is simply not the way the world looks at it when the world reviews these things.

From an article by Jan Breslauer, in a special to the Washington Post—and certainly the Washington Post is not some sort of conservative journal. Jan Breslauer is from Los Angeles and I believe is normally a critic for the Los Angeles Times in their arts department. She puts it this way, that the NEA has had a bad impact on art. It has—according to her—''. . . quietly pursued policies rooted in identity politics—a kind of separatism that emphasizes racial, sexual and cultural differences above all else.''

So in choosing people to assemble anthologies or in choosing publishers to favor or in choosing artists to favor, here is an independent individual who writes for the Los Angeles Times, writing in the Washington Post, and here is what she says about it on March 16, 1997.

Perhaps this poem that I used as an example is a poem from years gone by. It happens to be a lot cleaner than any of the other examples which are objectionable now. There are a lot of materials that I simply could not bring to the floor in good conscience. I held one up a moment ago that showed what we had to mark out in order to bring it to the floor.

But she puts it this way, that what has happened here is that the NEA ''. . . has quietly pursued policies rooted in identity politics—a kind of separatism that emphasizes racial, sexual and cultural difference above all else.''

I would expect that to be something that hurts the culture. When the Government spends $100 million to favor people who will emphasize racial, sexual and cultural differences, that is bad for America. My colleague and friend from Iowa can hold up 2 pennies and say this is what it costs. Well, he can show me the line on the appropriations, if he chooses, that says it costs 2 cents, but the truth of the matter is we are debating $100 million in expenditures here, $100 million in expenditure that, according to this independent observer, says it emphasizes our racial divisions. We don't need anyone to emphasize the divisions in this country racially, our divisions sexually, or our cultural differences.

America needs to get beyond our differences. We need to be one nation united. We don't need to be a place where we emphasize these differences.

She says, ''The art world's version of affirmative action, these policies haven't excited much controversy, but they have had a profoundly corrosive effect on the American arts.'' Now, here is the real trigger. She states a condition which would make this very serious and adverse to our culture, and then she says, the truth of the matter is this hurts the arts. Then she goes on to say how it hurts the arts, ''pigeonholing artists and pressuring them to produce work that satisfies a politically correct agenda rather than their best creative instincts.''

You have a situation where an independent observer says, all of what the

NEA says aside, she says they emphasize things that divide us in race, culture, and sexual matters, and that they pigeonhole artists by getting them to know, if you want a grant from whomever it is that the NEA allows to make these designations, you have to satisfy a politically correct agenda.

It is interesting to note that there are those who are eager to satisfy a politically correct agenda, and in a list of projects that was favored with funds just this year, $60,000 was given to the American Conservatory Theatre Foundation in San Francisco in order to put on a play by Tony Kushner. Here is what Tony Kushner said about art: Art should be used to ''punish Republicans.'' I suppose you can say that the funding of his plays is not a problem. You might say that more eagerly if you sat on the other side of the aisle than if you sat here, but frankly, I don't think anybody on any side of the aisle should want a Government subsidy that goes to people who say one of the purposes of art—and especially a subsidy for their art—is to punish any political party.

I would be ashamed if I were hearing arguments in favor of a subsidy for some sort of literature which was designed to punish Democrats. I disagree with Democrats, but I don't think they are to be punished because they don't agree with me. I don't think we need a subsidy for artists or authors or poets who would punish them or otherwise speak against them.

I think that is what Jan Breslauer was talking about when she said we are driving artists into a politically correct agenda. If you want to get the grant, you have to say things like the playwright whose plays are being subsidized in San Francisco, that art should be used to ''punish Republicans.''

Incidentally, there is a list of things here of similar sorts of grants, the kinds of things that I don't think any of us would really want to support.

I should mention that Jan Breslauer, in her special to the Washington Post, of the Los Angeles Times, is not the only art critic who says we have been wasting money on politically correct art. William Craig Rice, from Harvard University, put it this way: ''The marketplace, with its potential for democratic engagement and dissemination, is hardly the enemy of the arts. The burgeoning American theater of the 19th century owed nothing to Washington. In fact, any system of selective, expert-dictated Federal support for the arts would have been anathema to the rollicking impresarios of that era.''

Here you have a poet who says, ''Wait a minute, we had great art. We had great poetry. We had great drama. And we had a system of selecting and supporting on a selective basis art during that era. It would have been an anathema, an enemy, a corrosive impact on those who were involved in the art community; creative people expressing, and audiences receiving, without the independence or the confidence to pit their taste against those critics, performers, and artists.''

The point I am making, is the U.S. Government has no business spending $100 million—you can talk about it being 2 cents if you want; I guess you can talk about it being 2 cents. The truth is $100 million is $100 million. To me that is significant. Most people in my State realize $100 million is significant.

More important is the fact that Government should not be favoring one kind of speech or one kind of expression over another kind of speech or another kind of expression. We should not be highlighting someone's idea of what is good or what is bad.

I move to another individual, Hilton Kramer. This was published in the Indianapolis Star, in 1993. Kramer believes that the NEA has ''gutted the initiative of private patronage.'' He says that private donors lack the confidence of their own taste. Now they ''wait to piggyback on NEA certification before they commit.'' So they wait to see who the Government says ought to be favored and who the Government says shouldn't be favored, and then the private donors pile on. I think that is inverted. We have distorted the marketplace by putting Government funding into the marketplace.

Now, back again, to the first question of the Senator from Iowa about the one-word poem. He says we only paid $107 a letter for this poem. I say we paid $214 a letter for this poem based on the article in the Policy Analysis, but let's just reduce the price. I will give it to you cheap, Mr. President, $107 a letter for this poem. Yes, it was 30 years ago, but have the abuses been corrected? Absolutely not.

I talked about a book, ''Blood of Mugwump.'' He says it was disavowed by the National Endowment for the Arts. Here is what the National Endowment for the Arts says in its letter to the publisher, massively subsidized in publishing this book: ''The progress report which you filed with this agency erroneously included 'Blood of Mugwump' as among those volumes partially supported by a grant from the National Endowment for the Arts; this is not the case.'' I want to know who knows what book was supported when they got the grant. Would the publisher know? If you were the businessman running the printing press, would you know how you spent the money? Apparently the people who publish the book thought they spent the money that came from the Government on the ''Blood of Mugwump'' book.

That is why on the book itself they put the seal of the National Endowment for the Arts. That is what the publisher thinks the money went for. It may be that the National Endowment for the Arts decided they didn't want to claim credit for the book when they saw what they had gotten, although I am puzzled by that, too, because of a letter I have seen from Jane Alexander, the Chairman for the National Endowment for the Arts, to the U.S. House of Representatives some 2 months after disavowing this book. In March they say we don't want to claim credit for ''Blood of Mugwump,'' and we think you have mistakenly or illegally or inappropriately—in a letter from the general counsel—we think you have mistakenly, illegally, or inappropriately included the fact that you spent the money.

It looks to me like the author or publisher knew where they spent the money. What do they say about a publisher who does this later on? Here is what Ms. Alexander says about that publisher. She says, ''The [American Family Association] also criticized the agency for supporting Fiction Collective 2 (FC–2), a small publisher at the University of Illinois, which has introduced some of our newest minority writers of quality to the American public. Over the years, FC–2 has sustained a commitment to intellectual challenge, and some of America's greatest writers have supported it.''

She goes on to endorse the publisher. We provide the funding for which the publisher says part of what we got for it was ''Blood of Mugwump.'' Here is a letter saying you better not say we helped publish ''Blood of Mugwump,'' and then they endorse the publisher and say what a fine group they are.

You don't have to read too far between the lines to find out what is going on.

Incidentally, the ''Blood of Mugwump'' volume is one which is frankly so repugnant to the values of America—it talks about a clan of Catholic, gender-shifting vampires who get infections, viruses, by reading prayer books. The virus comes in through the eyes. I really cannot imagine this is the kind of thing we want to suggest to the American people, that the way you get the kind of fatal diseases or the way you really get involved in things that are counterproductive is to somehow be involved with religious artifacts or read a prayer book that will get you infected so you start eating your own flesh or the flesh of others.

I had my staff look at the book and just Xerox a couple pages. I told them I didn't want anything that would offend the conscience of the American people if I showed it on television, to mark out that which should not be shown on Senate TV, and that is what came from the book. It carries the so-called Good Housekeeping Seal of Approval of the National Endowment for the Arts.

It is kind of interesting, though. Here is another set of individuals who have been careful about their statements, and I think they are appropriate. There have been a lot of suggestions here that this is important or we will not have anybody who is not well to do who can appreciate art or participate in art. I think that is nonsense.

They talked about Robert Penn Warren having been included in the anthology of poetry. The truth of the matter

is Robert Penn Warren wrote his famous ''All the King's Men'' in 1945, 20 years before the National Endowment for the Arts came into existence. He was a nationally known, world-renowned author.

The truth of the matter is we have had great individuals who have not received NEA grants. The suggestion that because a few people have succeeded or a number of people have succeeded after they have received a Federal subsidy and that they somehow could not have succeeded without a Federal subsidy, I can't really follow that logic.

America has been full of good people who have written well and have produced well artistically. I don't think there has been any suggestion they have all been born to rich parents or even predominantly born to wealth. I don't think the ability to express one's self correlates to whether or not you have wealthy parents. It certainly doesn't correlate to whether or not you have been favored with a Federal grant.

One thing that does correlate is the fact that most Federal grants, or a large portion of them, go to support institutions that the wealthy patronize far more than the poor do.

I am quoting again from Policy Analysis in an article by Mr. Kauffman, No. 137, ''Take art museums, a favorite NEA beneficiary. Eighty-four percent of art museum visitors have attended college; less than a third of the entire population has.'' So people who are getting that subsidy are people who are very well educated. He said ''Blue-collar workers constitute 47 percent of the workforce but just 7 percent of the art museum audience.''

So you have basically one-seventh of the art museum audience that is blue collar.

I am not saying we should not have art museums, but I am saying we ought to be careful, when we talk about subsidies, that we don't suggest to people we are subsidizing things for people who cannot afford them when in fact we are subsidizing programs for people who can very well afford them.

Robert J. Samuelson, a well-known, outstanding economist and commentator, put it this way, calling subvention of the arts ''highbrow pork barrel,'' and ''an income transfer from middle-class taxpayers to affluent museum goers.''

Now, I think the point is that to suggest that the National Endowment for the Arts is some way that we somehow open a door for everyone who is poor to become a great artist is simply to misinterpret what is happening here. All too frequently, the National Endowment for the Arts is subsidy for well-to-do individuals to be able to do what they would do anyhow. I believe that our responsibility to tax Americans is not related to providing subsidies for people to do what they can do on their own. Maybe Abraham Lincoln said it better than anybody else, when he said that ''The role of Government is to do for people what they cannot do well for themselves.'' I think these are things that can be done well.

There has been some suggestion on the part of those who would oppose this amendment, also, that the existence of good authors who have received help shows that we should have been subsidizing the program. I don't think that proves anything at all. You can have a good baseball player who got some help from the Government; does that mean we should have a program to subsidize baseball? You have to look at what happens in the absence of a subsidy and what happens in the presence of a subsidy. I think if you look at the first 200 years of this Nation's existence, basically where we had no subsidy, the quality of art was very good. As a matter of fact, it may have been better than it is today.

In many respects, whenever you provide a subsidy, you pay for something that the public would not pay for. Now, usually the public won't pay for things that are not as good. In business, for example, if you have a subsidy for something and it won't exist unless you subsidize it, it means that the market doesn't really believe that it is worth what people would be asked to pay for it and it simply doesn't survive. So that subsidies themselves become a way for picking up things, in many respects, at the bottom end of quality. I won't deny that there may be fledgling artists who may be beginning and might want to try and find somebody to provide them a stake so that they can get started. But people who find their way into other professions don't have a means of getting started in their writing, in their music, and in their paintings. For my music and for my writing, I have never had that kind of subsidy. I have done it on my own. It is not that I resent those who do. But I think it is important for us to understand that when the Government chooses one and denies another, it expresses a special set of values. In my view, that special set of values is something that we ought to be careful about, especially when that special set of values is found in books like ''Blood of Mugwump,'' where you have people who are sexual deviants and vampires, who involve themselves in cannibalism and other things as a result of their problems, which come to them because they were involved in religious experiences. I think that is an affront. I am not a Catholic. I am grateful for my Catholic friends and for the influence of the Catholic Church in this culture. But if I were, as a Catholic, to look at the book ''Blood of Mugwump,'' about a Catholic family group of vampires with all this deviance and were to learn that it suggested in the book that many of their problems come as a result of a virus that infects them because they are involved in prayer, I don't know if I would think that was a very appropriate book. I don't think the Government needs to be in the business of approaching this culture of literature and subsidizing this literature, if it is going to pull the spiritual underpinnings of America from beneath us.

I know there is a dispute about whether this publisher was the one that got the assistance, or whether this specific book got the assistance. The publisher seems to be representing the fact that he used the money to publish this book. The National Endowment for the Arts, having learned that people are distressed about this, now wants to say that the publisher should not have used the money for the book. But then, later on, the Chairman of the National Endowment for the Arts indicates that this is one fine publisher and it ought to be credited for what it has done to bring on line exciting new authors who would have novel approaches to the world. Some of those novel approaches would certainly be best left without a Federal subsidy, in my judgment.

I observe the presence in the Chamber of other individuals, such as the senior Senator from North Carolina. I reserve the balance of my time at this moment and suggest the absence——

Mr. GORTON. Will the Senator withhold that?

Mr. ASHCROFT. Yes.

Mr. GORTON. Mr. President, I believe the senior Senator from North Carolina wishes to speak. I understand that the senior Senator from Illinois would like to speak and doesn't have any time left on her side. I ask, how long does she wish to speak?

Ms. MOSELEY-BRAUN. Thank you very much. I was going to ask my colleague if it was possible to have 5 minutes to speak, obviously, in opposition to the amendment. I know there is no time for the opponents left. If my colleagues would so indulge me, I would be grateful.

UNANIMOUS-CONSENT AGREEMENT

Mr. GORTON. I am certainly not going to have any objection to that request. I wanted to find out where we are in order to announce what I can announce, and this would not be inconsistent with the request of the Senator from Illinois.

It looks like this debate will be concluded at about 4:45. There will then be a vote, I believe, on the amendment. I certainly do not propose to table the amendment.

I now, with the permission of the minority leader, ask unanimous consent that immediately following the vote on the Ashcroft amendment, there be 2 minutes of debate, equally divided between Senator BRYAN and myself, to be followed by a vote on or in relation to the Bryan amendment No. 1205.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ASHCROFT. May I inquire as to the current state of business in the Senate then? What has been done? Has the Senator from Illinois been granted time to speak?

Mr. GORTON. I don't think the request has been formally made yet.

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Ms. MOSELEY-BRAUN. Reserving the right to object, and I will not object, necessarily. I wanted to know if the Senator from Washington would be prepared to allow me to speak.

Mr. GORTON. The Senator from Washington is not going to object to a request by the Senator from Illinois.

Ms. MOSELEY-BRAUN. Could the unanimous-consent request be amended to provide 5 minutes for the Senator from Illinois before the vote?

The PRESIDING OFFICER. Is there objection?

Mr. ASHCROFT. Mr. President, reserving the right to object. May I inquire as to how much time is left for debate on this?

The PRESIDING OFFICER. There are 18 minutes 14 seconds for the Senator from Missouri and 5 minutes for the Senator from Washington.

Mr. ASHCROFT. Is it my understanding that the Senator from Washington is yielding his 5 minutes to the Senator from Illinois?

Mr. GORTON. That understanding would not be correct.

The PRESIDING OFFICER. That is not the case.

Mr. ASHCROFT. Then is it my understanding that the Senator from Illinois is asking that the proponents of this amendment, who have 18 minutes left, yield to the opponents an additional 5 minutes from their time?

The PRESIDING OFFICER. No. The request, as I understand it, of the Senator from Illinois was simply for an extra 5 minutes—to delay the voting time 5 minutes to give her an additional 5 minutes.

Ms. MOSELEY-BRAUN. Mr. President, again, as a matter of deference to my colleagues, if they are prepared to give 5 minutes of debate to the opponent, I would be grateful to accept that. Alternatively, if the proponents of the amendment would agree to add an additional 5 minutes, I would be grateful for that. Really, I am not concerned as to the source of the time. I would like to have some time to speak to this before a vote takes place.

Mr. ASHCROFT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection to the request of the Senator from Illinois?

Without objection, it is so ordered.

Mr. GORTON. Mr. President, is my unanimous-consent agreement on the stacked votes agreed to?

The PRESIDING OFFICER. That has already been agreed to.

Mr. GORTON. One other point, for the convenience of colleagues. When those 2 stacked votes have been completed, we will go to the Abraham amendment and, after that, on the other two amendments that have already been extensively debated on the National Endowment for the Arts, I believe there will be 30 minutes equally divided agreed to on each of those. Whether or not those votes will be stacked to occur all at the same time or not is yet undecided. But there will be more votes this afternoon. There will be more debate on the National Endowment for the Arts.

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Ms. MOSELEY-BRAUN. I thank the Chair. I am going to try to be brief. I have a lot to say and I will try to summarize. Some friends of mine were having a conversation over dinner, and their 5-year-old was sitting at the table. They were talking about this issue, the funding for the National Endowment for the Arts. And midconversation, the baby looked up and said, ''Mommy, do Republicans hate Big Bird?'' The answer is obviously that Republicans don't hate Big Bird and, in any event, ''Sesame Street'' is only indirectly supported by the National Endowment for the Arts. But there is little question but that some have made this issue one of those wedge issues to inflame passions about cultural values and the role of Government, to pit people against each other and, again, to make us angry at each other as Americans, and focus in on those things that make us different from one another, on the things that separate us instead of the things that bring us together.

Public support of the arts ought to be one of those points around which we as Americans can come together, because it is one of the ways in which we define ourselves as Americans and in which we communicate the richness of our American culture.

The NEA follows in a noble tradition of publicly supported art initiatives. Just last night, we were over at the Library of Congress, and there we had an opportunity to see firsthand what public support of the arts can do. That building is one of the more magnificent treasures of this country. I hope every American can have the opportunity to see it. I was particularly impressed by the room in which we held our meeting, which had been built by American craftsmen—publicly supported, following the end of the Columbian Exposition in my hometown of Chicago—who brought a variety of skills to bear on its creation, the woodworking, plaster work, painting, ceramics—some so beautifully done that it lifted spirits just to look at them.

Some of them were so refined that, frankly, the talents, skills, and art involved are in danger of being lost to us forever.

Then in another part of the Library of Congress, there is a wonderful exhibit of the Works Progress Administration that was started, as you know, during the Depression, by President Roosevelt. President Roosevelt started WPA to hire starving artists, and, frankly, every American should be grateful that he did. The work that they did, preserved for us the indigenous music out of the Delta of Mississippi, folk music and blues—and oral histories that would have been lost to us forever. We would not have the value of the photographs and the paintings and the music and the original art that had been created all over this country had it not been for the activities and intercession of the WPA. And so they did all of this wonderful stuff and left it as a legacy to all of us.

By and through the arts, the cultural fabric of our country was reinforced during some of its darkest days. Now the National Endowment for the Arts, which was created in 1965, is under attack again. I point out what their charter says. It says: ''To foster excellence, diversity and vitality of art and broaden public access to the arts.''

That is the charter; that is what NEA is supposed to do, and that is what it in fact has done. Has it followed tradition? A look at the good things it does for our country resoundingly answers that question. In Illinois, it has supported the YMCA of Chicago, The Lyric Opera, the Art Institute, and other large institutions that might have private support, but then it also, most importantly, supports those smaller institutions that would not have the help otherwise.

We have in Illinois received NEA grants for the Peoria Symphony and the Little City Foundation, Glenn Ellyn Children's Choir—activities that would not have the support and would not be able to leverage private dollars were it not for the NEA.

These community initiatives educate children, provide adults with the tools to socialize our young people, help communities to build on positive values which art inspires.

I would like to quote from Tolstoy for a moment who defines art ''as a human activity having for its purpose the transmission to others of the highest and best feelings to which men have risen.''

Obviously, this amendment, I think, takes the position that if you do not have private money, those positive values won't be available to you or to your community.

Have there been embarrassments among the projects supported? Of course there have. As with any art, some of it will at all times be repugnant to somebody. There is 16th century art around that some of my colleagues will find offensive. That is a matter of their personal taste. But the truth is that in any republic such as ours the freedom we enjoy starts with the proposition that individual expression is a positive value. Instead of allowing for the fact that expression will be of all kinds, the sponsors of this

amendment would shut down all expression because they don't like some of it.

I urge my colleagues to reject this attempt to divide us as Americans, and I urge their support of the NEA.

I thank my colleagues for their indulgence and thank the Chair.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The distinguished senior Senator from North Carolina, Senator HELMS, is recognized.

Mr. HELMS. I thank the Chair. I hope the Senator will yield to me 5 or 6 minutes.

Mr. ASHCROFT. The Senator from Missouri is pleased to yield as much time as the distinguished Senator from North Carolina desires.

Mr. HELMS. I certainly appreciate it. I would have been here earlier but we had a meeting on China in the Foreign Relations Committee. I couldn't leave. The witnesses were long-winded, as well as some others.

But I compliment the distinguished Senator from Missouri. I have been in the same position that he has been in for several years. It is pretty lonely. But the people all across this country will admire the Senator from Missouri for it, and the Senator will hear from them—people who believe in high principles and morality. I just want the Senator to know that he is not being overlooked.

I want a few minutes this afternoon to reflect upon an Associated Press report published Tuesday morning quoting NEA spokeswoman Cherie Simon as claiming that ''legislative restrictions'' and ''internal reforms'' have solved the NEA problem and that the NEA ''didn't fund some of the programs as HELMS condemned''.

Mr. President, isn't it interesting? You have a little lady —and I know she is a nice lady because she is somebody's daughter, but I never heard of her—make this statement, which is not true in the first place, that the NEA is not furnishing taxpayers' money for a whole plethora of rotten material. No other word will fit. This dissembling has been going on, but every year they come up, and say, ''Oh, no. Not us. We just fund nice things.''

It is sort of like the farmer who heard some noise in his chicken house. He said, ''Who is out there?'' He heard a voice say, ''Just us chickens.'' And that is all the NEA says. I like Jane Alexander. I have met with her. But they are evading the issue every year. They are getting money that they ought not to get every year.

If spokeswoman Cherie Simon, whoever she is, believes that ''legislative restrictions,'' as she put it, and ''internal reforms,'' as she put it, have, as she put it, ''solved'' the problem, she needs to wake up and smell the coffee because she obviously didn't understand the problem in the first place. The truth is that legislative restrictions and internal reforms mean simply that the NEA has been using subterfuge and sophistry to spend the taxpayers' money on programs that every year outrage the taxpayers.

So the NEA wants to deny funding this filthy book, with all of their double talk about who is paying for it, or who has paid for it. This book, called ''Blood of Mugwump'' by a fellow named Doug Rice—the saints have been good to me; I have never heard of him before—the most filthy thing I believe I have ever read. And I have not read but about half a page of it. But down here it says—what do you guess? The National Endowment for the Arts. Up here it says that the National Endowment for the Arts is furnishing the money through the English Department for Contemporary Literature of Illinois State University, Illinois Arts Center.

That is the way it always is—subterfuge about what is going on with the taxpayers' money.

I am informed that while I was over in the Dirksen Building presiding in the Foreign Relations Committee, Senator HARKIN inserted a letter from the NEA disavowing NEA connection with the book. Yet, even the letter acknowledges that it was published by FC2. That is the publishing company, FC2. And FC2 put the NEA seal of approval on the copyright page of this book. All I am doing is reading it to you.

The point, Mr. President, is this: The NEA and the FC2 can cook the books all they want to, but they know what this publishing company is all about, and they know about the filth that they have published, particularly in this book. There is not a Senator in this body who will take this book home and show it to his wife, or her husband, let alone their children. It is filth. And the taxpayers paid for it. No matter what Cherie Simon says about it, the taxpayers of America paid for this book.

On June 24 of this year—long after the Senator from Iowa claimed that the NEA disavowed ''Blood of Mugwump''—Jane Alexander wrote that FC2—get this—''FC2 has sustained a commitment to intellectual challenge. . .'' That is the lady who heads the agency. That is the lady whom I like personally. She is a nice lady. But I don't know where she is when all of these decisions are made. This book sure is an intellectual challenge, isn't it?. I wish every citizen of America would take a look at it; they'd want to throw it in the furnace.

Perhaps we should examine another example of how these legislative restrictions and internal reforms work.

The other day on this floor I mentioned a grant—for fiscal year 1997—for a project by choreographer Mark Morris. This is the same guy who once staged a version of The Nutcracker Suite complete with cross-dressing and other unsavory themes.

If the folks at the NEA want to say that the taxpayers didn't fund that piece of work, they might be accurate. But, knowing this fellow Morris and his background, the NEA will nevertheless—nevertheless—funnel $150,000 of the taxpayers' money this year to support his future work.

That is what is going on. They come forth with obfuscation and confusion, Mr. President, and they hoodwink a lot of Senators. They didn't hoodwink them over in the House of Representatives.

The amendment of the Senator from Missouri deserves to be approved on a unanimous vote. It won't be, because there are enough weak sisters sitting around that will find some excuse for not voting for it.

But I commend the Senator, and I praise him for taking the time to address this subject.

One final note. I think it is time to end the charade at the NEA and just acknowledge to the taxpayers once and for all that Congress will no longer waste money on this Federal agency. So the Senate of the United States ought to do the right thing today by adopting the amendment of the Senator from Missouri.

Thank you, Mr. President.

I yield back such time as I may have.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Washington.

Mr. GORTON. Mr. President, this should be charged to my own time on this amendment.

Mr. President, I recommend to my colleagues the rejection of the Ashcroft amendment with a degree of sympathy and understanding of the purity and the sincerity of his motives. I don't intend to go into great detail on it. Personally, I think there has been too much detail spent on this amendment and this bill already.

Fundamentally, however, there are large numbers of people in the United States who believe passionately in the mission of the National Endowment for the Arts. There are millions more who benefit from it directly or indirectly through the various institutions, musical and otherwise, that it supports and the outreach in educational benefits that they provide. At the same time, there is not the slightest doubt but that the National Endowment for the Arts frequently follows the most recent politically correct trends, that it has wasted some of the money that has been granted to it and has financed other exhibits under the broad definition of ''art'' that are fundamentally offensive to large numbers—often to a majority of the American people.

I believe that the reforms of the last few years have to a significant degree corrected that shortcoming but that no set of reforms could correct them forever, simply because we have grants at two different levels. The first are the direct grants from the National Endowment itself over which we should exercise at least a degree of control that we already have and about which the National Endowment should be even more sensitive than it has been in the past.

The second level, of course, are what grantees do with grants that they get from the National Endowment for the Arts. The process is more difficult for us to control and often presents some difficulty to the Endowment itself.

I have little doubt that there are those at the extremes of the art community who deliberately go out of their way to use money to offend a majority of Americans. But I want them to control the ultimate outcome of this debate no more than I want it controlled by those who would remove all limits from the National Endowment and spend far more money on it than we are doing at the present time.

I believe that on balance it is a healthy influence in American society and, therefore, I think agreeing with the House in abolishing it, as this amendment would do, is inappropriate.

I have a somewhat greater degree of sympathy with those proposals that would decentralize it and give more to State art entities, although I must say I am not at all sure they are going to be less politically correct than is the National Endowment itself. My own opinion is that it is likely that we will come out of the conference committee with a somewhat more decentralized system than we have at the present time.

But, for the purposes of this debate, I don't believe that the Senate is going to accept the Ashcroft amendment. There was no sentiment for it on the 15-member subcommittee that I headed that reported this bill, and I do believe this is a case in which we should strive for greater improvement and greater public acceptability rather than destroy the entity in its entirety.

I yield the remainder of my time.

I believe it is appropriate for the proponent of the amendment to have the last word.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Missouri.

Mr. ASHCROFT. I thank the Chair. I thank the Senator from Washington. I believe the 8 minutes that I have remaining will be sufficient for me.

I want to begin by thanking Senator HELMS for his understanding of the fact that subsidized speech, the process of identifying for Americans what they should value and what they should not in terms of ideas, somehow selecting between one author and another, has been a bad concept. It has been a bad concept which turned into a horrible concept as we have literally wasted resources, and it has been a waste of resources from the inception. I provided examples from the 1960's, and I have examples from the 1990's.

Now, part of the activity on the part of the group that would seek to praise the National Endowment and say that it is just fine is the suggestion that the NEA disavowed involvement in the publication of the ''Blood of Mugwump'' book.

In March this year they said to the publisher: You shouldn't have used the money on ''Blood of Mugwump.'' And this was brought to the floor by the Senator from Iowa as testimony that the National Endowment had nothing to do with the scandalous and literally revolting attack on faith and on persons of spiritual values and upon morality that the ''Blood of Mugwump'' book represents. And obviously, the National Endowment, having been caught in this indiscretion, feels bad about it and seeks to repudiate it. But the Senator from Iowa did not provide the additional documentation showing that 5 months before that the publisher was submitting a reimbursement form that included ''Blood of Mugwump'' as part of what was being subsidized.

Mr. President, I ask unanimous consent that this ''Request for Advance or Reimbursement'' form to which I am referring be printed in the RECORD.

There being no objection, the form was ordered to be printed in the RECORD, as follows:

REQUEST FOR ADVANCE OR REIMBURSEMENT

(Long Form)

Please type or print clearly.

Complete and mail the top three copies to: Grants Office, National Endowment for the Arts, 1100 Pennsylvania Avenue, N.W., Washington, DC 20506–0001 OR–FAX one copy to 202/682–5610. Do not do both.

If you need assistance, call 202/882–5403.

☐ National Endowment for the Arts
☐ Grant #96–5223–0091
☐ Type of payment requested
a. ☐ Advance
☐ Reimbursement
b. ☐ Final
☐ Partial
☐ Basis of request
☐ Cash
☐ Accrued Expenditures
☐ Payment request #2
☐ Grantee account or identifying #13–2957841
☐ Period covered by this request (month/day/year)
From 8–15–16 To 11–15–96
☐ Grantee (Official IRS name/mailing address)
Fiction Collective, Inc. Unit for Contemporary Literature Illinois State University Normal, IL 61790–4241.
☐ Remittance address. Complete only if different from #8.
For faster payment, complete #14 below.
☐ Computation of amount requested:

a. Total project outlays to date (As of 10–10–96).	$18,000
b. Estimated net cash outlays needed for advance period ...	7,000
c. Total (a plus b)	25,000
d. Non-Endowment share of amount on line c	0
e. Endowment share of amount on line c (c minus d)	25,000
f. Endowment payments previously requested	16,000
g. Endowment share now requested (e minus f)	9,000

☐ Reminders:

a. Authorizing Official. This form must be signed by an authorizing official who either signed the original application or has a signature authorization form on file. If necessary, submit an updated signature authorization form.

b. Labor Assurances. In signing below, grantee is also certifying to the Assurances as to Labor Standards printed on the reverse of this form.

c. Progress Report. Complete #12 the first time the cumulative amount requested exceeds two-thirds of the grant amount. Consult the Reporting Requirements document included in your grant award package for guidance on the content of this report.

☐ Progress report. Please respond in the space provided.
☐ Authorizing Official: To the best of my knowledge and belief, the data reported above are correct and all outlays were made in accordance with grant conditions. Payment is due and has not been previously requested.

Signature: Curtis White.
Name/Title: Co-director.
Contact Person: Curtis White.
Date 10–10–96.

Mr. ASHCROFT. Mr. President, the situation is simply this. The publisher in the previous year was claiming that it was publishing with the grant the ''Blood of Mugwump.'' I think the record is clear. It may be that the National Endowment for the Arts doesn't want to say that the money, our money, your money, my money, taxpayers' money was being used for what was obviously revolting or repugnant literature. But the publisher knew what he was using it for and his request for reimbursement submitted to the agency well before, during the previous year indicated that the utilization of the resource was for ''Blood of Mugwump.'' Nevertheless, the National Endowment for the Arts says that its grant wasn't ''Blood of Mugwump.'' It was books like this one, ''S & M.'' Frankly, I could not read a page out of this book that I have seen to the Senate; I could not read it in my home, could not read it anywhere else. It says on the front, ''It's funny. It's smart.'' It is not, not at all.

Fellow Members of the Senate, the United States of America has been a culture that's been rich in good art and has been rich in good culture and has attained a level of being a world leader not because of Government sponsorship, not because of Government telling people what's good and what's not good and awarding scholarships or grants to one group and not to another. We attained our level of greatness in the absence of those things and in the presence of a free marketplace, in the presence of freedom for art.

Less than a month before John Kennedy was assassinated, less than a month before he died, he was asked to speak at Amherst College in Massachusetts to praise American poet Robert Frost. John Kennedy talked about art and about freedom and about how artists need to be free in order to express themselves with integrity and how Government might corrupt that process.

Now, you have to understand that there was no such thing as the National Endowment for the Arts in the lifetime of John Kennedy, President of the United States, assassinated in 1963. This program, the National Endowment for the Arts, was part of Lyndon Johnson's discontent with America, thinking we could make it a great society by infusing Government money everywhere. And you know what he did to

the family; you know what he did with the welfare system, and you are seeing what he did to the arts.

Here are the words of John F. Kennedy.

> For art establishes the basic human truths which must serve as the touchstones of our judgment. The artist, however faithful to his personal vision of reality, becomes the last champion of the individual mind and sensibility against an intrusive society and an officious State.

Let me just say that again and see if I can say it more clearly. John Kennedy says that the artist becomes an individual who stands against the intrusive society and the officious State. He sees the artist as a line of defense against statism. He sees it as a bulwark of freedom—John Kennedy. I wonder what he would have thought if the officious State was to be guarded by an artist paid by the State.

He goes on to say:

> The great artist is thus a solitary figure. He has, as Frost said, ''a lover's quarrel with the world.''

Then John Kennedy is eloquent and insightful.

> In pursuing his perceptions of reality, the artist must often sail against the currents of his time. This is not a popular role.

Well, against the currents of your time is not what we find is happening with the National Endowment for the Arts. They are directing the current. We have gone over and over the article by Jan Breslauer from the Los Angeles Times which reminds us that they are demanding that artists be politically correct in accordance with what the Government would dictate.

That is really not rising to the challenge of being against the officious State. That is falling into the trap of being a participant of the officious State telling citizens what to believe and how to think. So when John Kennedy was praising Robert Frost, John Kennedy put it this way:

> In pursuing his perceptions of reality, the artist must often sail against the currents of his time.

Perhaps he might even dare be politically incorrect, but were he to do so, woe be unto his chance of being identified for a grant from the NEA.

Kennedy spoke in praise of Robert Frost who, without subsidy from the Government, wrote eloquently:

> Two roads diverged in a wood and I, I took the one less traveled by, and that has made all the difference.

America could have art that was subsidized, controlled by, directed by Government. It can happen. You can look at the art of the Soviet Union of the last 70 years. They had art. They took the artists that weren't acceptable and they banished them. Solzhenitsyn was one of them. We don't manage artists but we identify ones for approval and others for subsidy, and some of those that don't get the subsidy and don't get the approval are individuals that we ought to be looking carefully at and they should not be discriminated against. A Government which discriminates against artists by discriminating in favor of others violates our fundamental responsibility of free speech. And when it promotes morality, it undermines the very foundation and underpinnings of a culture.

We should defund the National Endowment for the Arts. We should not spend this $100 million of taxpayer resources.

Mr. President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

Mr. GORTON. Has all time expired? I assume that the Senator from Missouri wishes a rollcall?

Mr. ASHCROFT. Yes. I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. ABRAHAM). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the Ashcroft amendment numbered 1188. The yeas and nays have been ordered. The clerk will call the roll.

The result was announced—yeas 23, nays 77, as follows:

[Rollcall Vote No. 241 Leg.]

YEAS—23

Allard	Hagel	McConnell
Ashcroft	Helms	Nickles
Brownback	Hutchinson	Sessions
Coats	Inhofe	Shelby
Enzi	Kyl	Smith (NH)
Faircloth	Lott	Thompson
Gramm	Mack	Thurmond
Grams	McCain	

NAYS—77

Abraham	Dorgan	Levin
Akaka	Durbin	Lieberman
Baucus	Feingold	Lugar
Bennett	Feinstein	Mikulski
Biden	Ford	Moseley-Braun
Bingaman	Frist	Moynihan
Bond	Glenn	Murkowski
Boxer	Gorton	Murray
Breaux	Graham	Reed (RI)
Bryan	Grassley	Reid
Bumpers	Gregg	Robb
Burns	Harkin	Roberts
Byrd	Hatch	Rockefeller
Campbell	Hollings	Roth
Chafee	Hutchison	Santorum
Cleland	Inouye	Sarbanes
Cochran	Jeffords	Smith (OR)
Collins	Johnson	Snowe
Conrad	Kempthorne	Specter
Coverdell	Kennedy	Stevens
Craig	Kerrey	Thomas
D'Amato	Kerry	Torricelli
Daschle	Kohl	Warner
DeWine	Landrieu	Wellstone
Dodd	Lautenberg	Wyden
Domenici	Leahy	

Mr. GORTON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1205

The PRESIDING OFFICER. The question now occurs on amendment No. 1205 offered by the Senator from the State of Nevada, Mr. BRYAN. Under the previous order, there will now be 2 minutes for debate equally divided between Senators BRYAN and GORTON.

Mr. GORTON. Will the Presiding Officer bring the Senate to order?

The PRESIDING OFFICER. The Senate will please come to order. This is an important amendment.

Mr. STEVENS. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator from Alaska is correct. The Senate will be in order.

The Senator from Nevada.

Mr. BRYAN. I thank the Chair. Mr. President, I ask unanimous consent that Senator CAROL MOSELEY-BRAUN be added as a cosponsor to the Bryan amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRYAN. I thank the Chair.

Mr. President, I say to my colleagues, I want to tell you, first of all, what this amendment is not about. This amendment is not about timber harvesting in the national forests. It does not prevent it. And it does not prevent the construction of new roads in the national forests for purposes of timber access.

What it does is to eliminate a costly taxpayer subsidy that is part of the Forest Service program, a subsidy that has been roundly denounced, and correctly so, by virtually every taxpayer group in America, such as Citizens Against Government Waste and Taxpayers for Common Sense, because it cannot be justified.

Second, this is an important environmental vote, perhaps our most important environmental vote to date because we reduce by $10 million an amount of money that is appropriated for new road construction in the national forests.

The amendment does absolutely nothing to reduce or to impede the accounts that are provided for in the maintenance of roads in the National Park System.

So Mr. President, I urge support of the Bryan amendment because it is truth in budgeting and makes sense from a fiscal point of view and because environmentally it is sound policy for the Nation.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized for 1 minute.

Mr. GORTON. Mr. President, harvesters in national forests have declined by more than two-thirds over the course of the last several years. This amendment is designed to cause them to decline still further. Many of its principal sponsors outside of this body have as their design the entire termination of any harvest on our Federal lands. This proposal drives significantly in that direction.

The amount of money in the bill for Forest Service roads is the recommendation of the Clinton administration. The Clinton administration reflects no savings of money by the ending of the Forest Service credit. It is simply another step in the desire to see to it that there is no harvest whatsoever on our forest lands.

The PRESIDING OFFICER. All time for the debate on the amendment has now expired.

Mr. GORTON. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been ordered.

Mr. GORTON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I have cleared this request with the Republican leader.

I ask unanimous consent that I may address the Senate for not to exceed 10 minutes following this rollcall vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GORTON. Mr. President, I would like to make a unanimous-consent request that I think will inform Members of where we are going in the next few minutes.

I ask unanimous consent that when the Senate considers the following amendments regarding the National Endowment for the Arts—that will be next—they be considered under a 30-minute time limit, equally divided in the usual form: the Abraham amendment No. 1206; the Hutchinson of Arkansas amendment No. 1187; the Hutchison amendment No. 1186. I further ask unanimous consent that no second-degree amendments be in order to these amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GORTON. I further ask unanimous consent that following the debate on the Abraham and the Hutchinson of Arkansas amendments, the Senate proceed to a rollcall vote on or in relation to amendment No. 1206, to be followed by a vote on or in relation to amendment No. 1187.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, and I will not object, there is an effort to have the Armed Services Committee meet. I was just speaking with the chairman. Would it be possible to have the votes on those three amendments lined up together at the end of the debate for all three? Was that part of the UC?

Mr. GORTON. The design of this request is that the votes on the first two be stacked, and there would be an hour between the end of the next rollcall and those two. The proponent of the third amendment does not want to stack her amendment with them. But there will be more than an hour for the committee to meet.

Mr. LEVIN. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered. The unanimous-consent request is agreed to.

Under the previous order, the question now occurs on agreeing to amendment No. 1205 offered by the Senator from Nevada. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—49

Akaka	Ford	Lieberman
Biden	Frist	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Brownback	Gregg	Murray
Bumpers	Harkin	Reed
Chafee	Hollings	Reid
Cleland	Inouye	Robb
Conrad	Jeffords	Rockefeller
D'Amato	Johnson	Roth
Daschle	Kennedy	Sarbanes
DeWine	Kerrey	Thompson
Dodd	Kerry	Torricelli
Dorgan	Kohl	Wellstone
Durbin	Landrieu	Wyden
Feingold	Lautenberg	
Feinstein	Leahy	

NAYS—51

Abraham	Enzi	McCain
Allard	Faircloth	McConnell
Ashcroft	Gorton	Mack
Baucus	Gramm	Murkowski
Bennett	Grams	Nickles
Bond	Grassley	Roberts
Breaux	Hagel	Santorum
Bryan	Hatch	Sessions
Burns	Helms	Shelby
Byrd	Hutchinson	Smith (NH)
Campbell	Hutchison	Smith (OR)
Coats	Inhofe	Snowe
Cochran	Kempthorne	Specter
Collins	Kyl	Stevens
Coverdell	Levin	Thomas
Craig	Lott	Thurmond
Domenici	Lugar	Warner

The amendment (No. 1205) was rejected.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, I move to reconsider the vote.

Mr. BRYAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

For the moment, there is not a sufficient second.

Mr. HARKIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The PRESIDING OFFICER. The question now occurs on the motion to reconsider the previous vote.

The yeas and nays are ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 243 Leg.]

YEAS—49

Akaka	Ford	Lieberman
Biden	Frist	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Bryan	Gregg	Murray
Bumpers	Harkin	Reed
Chafee	Hollings	Reid
Cleland	Inouye	Robb
Conrad	Jeffords	Rockefeller
D'Amato	Johnson	Roth
Daschle	Kennedy	Sarbanes
DeWine	Kerrey	Thompson
Dodd	Kerry	Torricelli
Dorgan	Kohl	Wellstone
Durbin	Landrieu	Wyden
Feingold	Lautenberg	
Feinstein	Leahy	

NAYS—51

Abraham	Enzi	McCain
Allard	Faircloth	McConnell
Ashcroft	Gorton	Mack
Baucus	Gramm	Murkowski
Bennett	Grams	Nickles
Bond	Grassley	Roberts
Breaux	Hagel	Santorum
Brownback	Hatch	Sessions
Burns	Helms	Shelby
Byrd	Hutchinson	Smith (NH)
Campbell	Hutchison	Smith (OR)
Coats	Inhofe	Snowe
Cochran	Kempthorne	Specter
Collins	Kyl	Stevens
Coverdell	Levin	Thomas
Craig	Lott	Thurmond
Domenici	Lugar	Warner

The motion was rejected.

Mr. GORTON. Madam President, there is an amendment that might have caused a lot of debate that has been agreed to by Members on both sides. I request the President recognize Senator BUMPERS to offer that amendment. Senator BYRD has graciously agreed to give us a minute before his special order.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from West Virginia.

Mr. BYRD. Madam President, I yield 1 minute for that purpose without losing my right to the floor.

The PRESIDING OFFICER. Is the Senator from Arkansas offering a first-degree amendment to the bill?

EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 123, LINE 9, THROUGH PAGE 124, LINE 20

Mr. BUMPERS. I ask unanimous consent the pending amendment be laid aside and the Senate proceed to the committee amendment beginning on line 9, page 123 of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the excepted committee amendment is as follows:

SEC. 339. (a) No funds provided in this or any other act may be expended to develop a rulemaking proposal to amend or replace the Bureau of Land Management regulations found at 43 C.F.R. 3809 or to prepare a draft environmental impact statement on any such proposal, until the Secretary of the Interior establishes a Committee which shall prepare and submit a report in accordance with this section.

(b) The Committee shall be composed of appropriate representatives from the Department of the Interior and a representative appointed by the Governor from each State that contains public lands open to location under the General Mining Laws. The Committee shall be established and operated pursuant to the terms of the Federal Advisory Committee Act, 5 U.S.C. ap 21 et seq.

(c) The Committee established pursuant to subsection (b) shall prepare and submit a report

to the Committees on Energy and Natural Resources and Appropriations of the United States Senate and the Committees on Resources and Appropriations of the United States House of Representatives which (1) contains consensus recommendations on the appropriate relationship of State and Federal land management agencies in environmental, land management and regulation of activities subject to the Bureau's regulations at 43 C.F.R. 3809, (2) identifies current and proposed State environmental, land management and reclamation laws, regulations, performance standards and policies, applicable to such activities, including those State laws and regulations which have been adopted to achieve primacy in the administration of federally mandated efforts; (3) explains how these current State laws, regulations, performance standards and policies are coordinated with Federal surface management efforts; and (4) contains consensus recommendations for how Federal and State coordination can be maximized in the future to ensure environmental protection and minimize regulatory duplication, conflict and burdens.

AMENDMENT NO. 1209 TO EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 123, LINE 9, THROUGH PAGE 124, LINE 20

(Purpose: To modify an antienvironmental rider to permit the Interior Department to revise environmental regulations governing hardrock mining on certain Federal land)

Mr. BUMPERS. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 1209 to excepted committee amendment beginning on page 123, line 9, through page 124, line 20.

Mr. BUMPERS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after ''SEC. 339.'' on page 123, line 9, of the pending Committee amendment and add the following:

''(a) No funds provided in this or any other act may be expended to develop a rulemaking proposal to amend or replace the Bureau of Land Management regulations found at 43 C.F.R. 3809 or to prepare a draft environmental impact statement on such proposal, until the Secretary of the Interior certifies to the Committees on Energy and Natural Resources and Appropriations of the United States Senate and the Committees on Resources and Appropriations of the United States House of Representatives that the Department of the Interior has consulted with the governor, or his/her representative, from each state that contains public lands open to location under the General Mining Laws.

''(b) The Secretary shall not publish proposed regulations to amend or replace the Bureau of Land Management regulations found at 43 C.F.R. 3809 prior to November 15, 1998, and shall not finalize such regulations prior to 90 days after such publication.''.

Mr. BUMPERS. Madam President, this amendment has not only been agreed to, it has been microscopically fly-specked by all of the parties for the past 24 hours. I urge its adoption.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1209) was agreed to.

Mr. BUMPERS. Madam President, I move to reconsider the vote. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The question now occurs on the underlying committee amendment.

All those in favor, say aye.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I suggest the absence of a quorum.

Mr. BYRD. Madam President, I don't yield the floor for that purpose. I yielded for 1 minute. I did not yield for that purpose.

The PRESIDING OFFICER. The Senator from West Virginia has 9 minutes, under the previous order.

Mr. BYRD. I thank the Chair. Madam President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. The Senator from West Virginia.

THE UNITED STATES CONSTITUTION

Mr. BYRD. Madam President, today marks the 210th anniversary of the most successful political experiment in thousands of years of human history, because on this date in 1787, the United States Constitution was signed by a majority of delegates attending the Constitutional Convention in Philadelphia. This ingenious living document, thoughtfully crafted by our Founding Fathers more than two centuries ago, owes its enduring quality in great measure to one of its most basic, yet most ingenious and revolutionary ideas—namely, that the power and sovereignty of the United States Government ultimately rests in the hands of its citizens.

An active and educated citizenry, is therefore an essential component of the constitutional machinery that keeps our Government in tune. A citizen of the United States not only has the right to hold opinions, but he has a duty to work through his elected officials in behalf of those opinions. If the Government is not being run effectively, efficiently, and constitutionally, citizens of the United States have a responsibility to work to correct that course through the exercise of their right to vote. It is not only a right, it is a privilege. In other words, the Government that stands over us is ours to endorse or to change.

Unfortunately, however, a recent poll commissioned by the National Constitution Center, an organization established to better educate Americans about the Constitution, reveals that a shocking number of people in this country have virtually no knowledge of what is contained in this vital document, and, thus, have no clue about how it affects their everyday lives.

In fact, according to the survey, only 5 percent of Americans could correctly answer 10 rudimentary questions about the Constitution. That is an embarrassingly low percentage. How can citizens be expected to meet their Constitutional responsibilities when they lack even basic knowledge about how our Government operates?

While 84 percent of those polled felt that to work as intended, the U.S. Constitutional system depends on an active and informed citizenry, only 58 percent surveyed could name the three branches that comprise our Federal Government—only 58 percent. And, less than half knew how many Members make up the U.S. Senate.

These are not difficult questions, but basic knowledge taught to schoolchildren at a young age when I was coming along, and should be taught today to schoolchildren at a very young age. Yet, only 66 percent of those surveyed knew that the first ten amendments to the Constitution are called the Bill of Rights—only 66 percent. Some even responded that the first ten amendments to the Constitution are called the Pledge of Allegiance. Now, think of that.

I wonder how many listening right now to my voice know how many amendments have been added to the Constitution since 1787. Only 19 percent of those surveyed answered correctly. There have been 27 amendments.

The 27 amendments that have been added to the Constitution—which include the first 10 amendments, or the Bill of Rights—reflect the genius that our Founding Fathers demonstrated in the creation of the document, by equipping the document with the inherent flexibility to accommodate the changes of a growing nation. Such flexibility is intended to be part of a continuing process, which gives the Constitution life and relevance to the daily affairs of all Americans. A course of apathy, and an ignorance of our civic responsibilities and rights threatens to completely undermine the democratic principles on which our sacred Republic was founded—the very principles which Americans say they value so highly.

If there is anything encouraging to come from the results of the National Constitution Center's poll, perhaps it is that 9 out of 10 people surveyed said that they were proud of the U.S. Constitution. On this anniversary of the signing of the U.S. Constitution, I hope that more citizens will demonstrate that pride by taking it upon themselves to learn more about their Constitution and their Government, and teach their children, so that they can adequately perform the responsibilities which were conferred upon them in Philadelphia in 1787 by some of the greatest minds in history.

Our first Chief Justice John Marshall once stated ''The people make the Constitution, and the people can unmake it. It is the creature of their own will, and lives only by their will.'' If that will is motivated mostly by ignorance