Mr. DICKS. Mr. Chairman, I yield to the gentleman from Ohio (Mr. REGULA), the chairman.

Mr. REGULA. Mr. Chairman, I would ask the gentleman from California (Mr. MILLER), does the Senate address what happens to the ''honey pot'' or do they just send it back to the Treasury? Because, apparently, they take out the money to administer the fund but do not address the problem.

Mr. DICKS. Mr. Chairman, reclaiming my time, I do not think they did anything. They just did not deal with the issue.

Mr. REGULA. If the gentleman would further yield, that is what I mean, they walked away from it.

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

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

Mr. MILLER of California. Because, apparently, as they point out in the report, they anticipate this language, so they have taken a position. Rather than ratifying the practice, they will deal with it when they get to conference.

Mr. DICKS. Mr. Chairman, I think it is time to vote. We have had a very good and spirited debate.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from California (Mr. MILLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MILLER of California. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 504, further proceedings on the amendment offered by the gentleman from California (Mr. MILLER) will be postponed.

The point of no quorum is considered withdrawn.

The Committee will rise informally.

The SPEAKER pro tempore (Mr. NETHERCUTT) assumed the Chair.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Committee resumed its sitting.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

As evidenced by the prior vigorous debate, all of us come to the floor of the House with our own passions and concerns.

Let me first thank the chairman and the ranking member for being sensitive to some needs and concerns that I have that were debated at the time of the Johnson amendment on the National Endowment for the Arts but raised in a different context from the arguments that I will make today.

I am prepared and was prepared to offer two amendments, because I do believe that the National Endowment for the Arts should have been funded at its fullest level of $136 million, and today I was prepared to offer that amendment.

In fact, both the ranking member and the chairman realize that, in earlier years, the National Endowment for the Arts was funded up to at least $170 million and that was not enough. I also recognize and we recognize that the arts that are funded by the National Endowment for the Arts, despite the opponents, really do fund most of the nonprofit arts in this Nation.

The reason why I have come to the floor to express my concern that the debate around the Johnson amendment was more to keep or to bring back $98.5 million, of which I believe is not enough, is because it strikes home.

In Houston, Texas, the Alley Theater is an excellent representation of the value of the NEA and the arts in Texas. The Alley Theater is not a fabulously rich theater, and it represents a lot of our small theaters around the Nation. In fact, Houston represents the arts funding center, if you will, beyond the Mississippi, because that is the argument. Everything is East Coast or West Coast, and we stand up to represent middle America as someone who believes in the NEA.

The Alley Theater is a family-oriented theater with over 200,000 persons attending productions annually. To quote its director Paul Tetreault, the managing direction of the Alley Theater in Houston, ''the NEA has given meaningful support to the Alley and its audiences for many years.''

However, this year, Mr. Chairman, the Alley was denied funding for a production as a result of reduced budgets, and the director states that, ''It was a great surprise and disappointment to see that support interrupted at a time when the Alley is realizing great artistic achievements.''

The director goes on to say that, ''Many other deserving theaters, museums, dance and opera companies have been even more deeply affected by having their grant requests denied. Their losses, like that of the Alley's, will have a collateral effect on the quality of life in the communities they serve, to the detriment of arts, education, commerce, and tourism.''

Mr. Chairman, it is not only the Alley, but it is the Ensemble, it is the Mecca, it is many arts communities in our Nation and in our community.

Mr. Chairman, I was prepared to offer at this time an amendment that would have supported the NEA at $136 million.

Before I conclude, let me address the other amendment that I was prepared to offer. I would like to yield for a moment to the ranking member when I mention my other amendment that was to offer additional support up to $122 million for the National Endowment for the Humanities.

We can discuss a lot of things, and we have many interests, from the interests of our forests and our trees, to the protection of our fish and wildlife, and certainly to the protection of our native Americans and the responsible treatment of them. But the NEA deals with our educational systems.

Have my colleagues ever been to a library? Do they appreciate the culture of our Nation, the many different cultures? Have they ever visited the exhibition of The Many Realms of King Arthur at the local library? Have they ever read the diary of a 17th century New England midwife? That is the humanities. Do they watch an episode of the Civil War? Have they appreciated the history of slavery in America, philosophy, history, religion, art? That is about the humanities.

What we have done by funding it or underfunding it and not giving it the amount that the administration had is to deny our country with the ability to teach its children of its great history.

I do respect the chairman and I respect the ranking member, and let me just mention the fact very briefly that the chairman worked with me on the issue dealing with the Sojourner Truth Monument, and I am still working on that. But I do believe these are good amendments. It is my intent to withdraw these amendments, not without the frustration and concern that we are cheating our Nation's children, we are cheating our Nation's cultural arts, we are cheating our Nation's libraries.

The CHAIRMAN pro tempore. The time of the gentlewoman from Texas (Ms. JACKSON-LEE) has expired.

(By unanimous consent, Ms. JACKSON-LEE of Texas was allowed to proceed for 2 additional minutes.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to yield to the gentleman from Washington (Mr. DICKS) to ask the question, recognizing the hard work, recognizing what we did with both the Democratic effort but as well the Johnson amendment, can we work together, recognizing the responsibilities that we have on this issue of funding for NEH and NEA?

Mr. DICKS. I appreciate the strong commitment of the gentlewoman from Texas (Ms. JACKSON-LEE) to the National Endowment for the Arts and Humanities.

And I do remember, I served on this committee now for 22 years under the leadership of the gentleman from Illinois (Mr. YATES) a time when we did have better funding for the National Endowment for the Humanities and the Arts, and frankly, I think the need is out in the country, in Texas, in Washington State, in Ohio, in Illinois, in Oregon. Everywhere in the country there are needs for these resources.

I hope, as we get back to a balanced Federal budget, which I think we will

achieve at the end of this fiscal year, and as we go to the next Congress, hopefully those of us who return can continue to work to see if we cannot get a more reasonable level of funding. That is certainly my objective.

We have had to deal with the realities of balanced budgets, and caps makes it difficult. But certainly, with the better future, with a balanced budget, I hope we can revisit this item, and I appreciate the leadership of the gentlewoman on these important issues.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, might I just make a special note of the ranking member of this committee as well, the gentleman from Illinois (Mr. YATES), who has done a yeoman's task on this issue dealing with humanities and arts.

The gentleman from Ohio (Mr. REGULA) did not hear me. I thanked him for our discussion on the Sojourner Truth, and I want to continue that. Remember, we had that discussion just a year ago.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I thank the gentlewoman for yielding. I understand she will withdraw the amendment. We are faced with many needs and limited resources. We have done the best we can with what we have available.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I hope, however, recognizing that we can all gather maybe a commitment that those are valuable entities and look to further funding of those entities as we move forward.

Mr. Chairman, I include the following for the RECORD:

Mr. Chairman, I speak with great expectation that my amendment to H.R. 4193—the Department of the Interior and Related Agencies Appropriations Bill of 1999 will be adopted.

The committee's proposed budget for the National Endowment for the Arts (NEA) does seem generous at first ($98 million), especially when you consider that the level was originally pegged at $0. Although the committee's recommendation keeps the NEA at its 1998 levels, I firmly believe that we should provide the level of funding proposed by the Administration. Therefore, my amendment restores the funding for the NEA to $136 million.

This restoration is offset by a reduction in the United States Fish and Wildlife's construction fund and a reduction in the national park Service's operation fund.

Although some seek to keep funding for the NEA at its 1998 levels, we should strive for progress, not stagnation. The opponents of funding for the NEA are quick to trot out the occasional bad choices made by the NEA. However, it is important to highlight and inform the American public of the vast majority of activities funded by the NEA.

Mr. Chairman, that is what this debate is about. The quality of life for Americans and their families and children throughout this country. This is not about the few bad choices made by the NEA in the past. This is about the ability of children and families to view productions of plays and musicals; the ability of children and families to experience art and art education; the ability of a child to travel across town to an outdoor play with his father and mother and share in a meaningful family outing where the love of a family can be shared; where a community can come together in peace; where the quality of life for residents in a city can be improved by an arts event that both educated and entertains.

What is the need to summarily eliminate an area of the Federal Government that is working. Funding for the NEA represents less than six-ten-thousandths (0.0006%) of the entire Federal budget. With that six-ten-thousandths percent (0.0006%), the NEA is still the largest single source of funding for the nonprofit arts in the United States. This investment of the United States Government is an investment in the quality of life for families and children. It spawns investment and giving to the arts by the American people, private and corporate donors. However, increased demands on all sectors of private giving have recently presented corporate and individual donors with tough choices. How can we expect private donations to the arts to increase, when we do not keep our commitment to the NEA. This is the time that the Federal Government should be making an investment in the NEA; not closing it.

Who are we really hurting if we do not fund and support the arts? We are hurting middle class and poor America. Seven point five (7.5%) of funding for the NEA goes directly to projects in under-served communities. Through access and outreach related grants, the NEA has helped to make the arts accessible to millions of Americans who could not otherwise afford them. What does that mean? It means that children in poor communities will not have access to plays, musicals, stage productions, and arts education that serve to increase the quality of life and overall educational value of American children. We are hurting the very people that we are sent here to help. We are hurting families who are trying to raise their children to respect the community. Mr. Chairman, we are hurting America.

Keeping funding for the NEA at the 1998 level will not only negatively affect cities, but it will also negatively affect rural, small town communities. NEA grants serve communities in both urban and rural areas. In most small towns across the country, traveling tours, exhibits, and concerts are the major exposure to the live performing arts that children receive. The small town and rural communities can not afford to support a full symphony, orchestra, or museum.

Funding for the NEA is not a Republicans versus Democrats issue. There are even Republicans that support level funding for the NEA. It is not a conservative versus liberal issue. Funding for the NEA is a cultural issue. Important cultural, educational, and artistic programs are funded by the NEA. Business leaders, educators, cities, States, and even law enforcement officials support funding for the NEA. After schools arts programs keep kids off the streets. We have all heard the phrase an idle mind is the devil's workshop. If we are able to reach kids and take them off of the streets via an after school arts program, then why don't we. Funding for the NEA exposes inner city minority children to Hamlet and to Othello.

The NEA makes the arts accessible to all Americans. There is no doubt that a people and culture without a preservation of the arts in history are doomed. I urge support of this amendment.

Mr. Chairman, I speak with great expectation that my amendment to H.R. 4193—The Department of Interior and Related Agencies Appropriations Bill of 1999—will be adopted.

My amendment raises the appropriations level for the National Endowment for the Humanities (NEH) from the $96,800,000 recommendation by the Appropriations Committee to the $122,000,000 level requested by the Administration. The offsets will come from the U.S. Fish and Wildlife fund and the National Park Service Operation fund.

I work with my local librarian.

The NEH is vital to our educational systems and provides numerous services in the area of the humanities. The NEH provides grants to individuals and institutions. These grants support valuable aspects of the humanities such as research in the humanities; educational opportunities for teachers; preservation of texts and materials; translations of important works; museum exhibitions, television and radio programs; and public discussion and study.

The humanities encompass a wide variety of subject matter. They are all around us and evident in our daily lives. When you visit an exhibition on ''The Many Realms of King Arthur'' at your local library, that is the humanities. When you read the diary of a seventeenth-century New England midwife, that is the humanities. When you watch an episode of The Civil War, that is the humanities, too. The humanities include the study of literature, history, philosophy, religion, art, history, and archaeology.

NEH also provides many educational tools for children. Most recently, the NEH has provided students with the educational foundations necessary for the use of the internet. NEH maintains EDSITEment, a gateway Web site that provides links to 49 sites carefully selected for their quality of educational content and design. Instead of having to sift through more than 65,000 humanities-related sites on the Web, anyone seeking the best humanities education materials on the Internet can easily find and access them through EDSITEment. Each site comes with lesson plans offering suggestions on how to use the materials effectively in the classroom.

NEH works closely with schools and is currently awarding grants to schools around the nation through an initiative called ''Schools for a New Millennium,'' which will enable those schools to become models of how teachers, principals, librarians and the community can fully incorporate CD–ROMs and the Internet into their everyday teaching.

NEH also continues to fund the development of excellent new humanities Web sites and CD–ROMs in areas such as the American wars in Asia, ancient cultures of North America, Spanish colonial history, U.S. women's history, and Chinese history and culture.

The Internet places a vast, sometimes disorienting wilderness of information at everyone's fingertips. NEH seeks to provide teachers, students and other curious people with a map to the educational treasures that can be found out there.

To increase its efficiency, the NEH is organized into three divisions—Education and Research, Preservation and Access, and Public

Program—and three offices—Challenge Grants, Federal/State Partnership, and Enterprise.

Mr. FOX of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I include the following statement for the RECORD in support of the Regula-Skaggs-Fox amendment, and I thank the chairman for his leadership in this bill and in the House:

Mr. Speaker, I wish to thank the gentleman from Ohio, the Chairman of the Committee, for working with Mr. SKAGGS and myself to develop this alternative that addresses the concerns we had raised in our previous amendment. I believe that the amendment as offered will go a long way to help in addressing our concerns about energy conservation and, in particular Weatherization assistance. I appreciate the willingness of the Chairman to work with us on this alternative and commend him again for his hard work on this very difficult appropriations bill. I also wish to thank Mr. SKAGGS for his help in working with me on this issue of mutual importance and commend him for his commitment to this cause.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the bill through page 123, line 14, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 92, line 12 through page 123, line 14, is as follows:

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: *Provided*, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided*, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 311. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 312. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 1999, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 313. None of the funds appropriated or otherwise made available by this Act may be used for the purposes of acquiring lands in the counties of Gallia, Lawrence, Monroe, or Washington, Ohio, for the Wayne National Forest.

SEC. 314. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208 and 105–83 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 1998 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 315. Notwithstanding any other provision of law, for fiscal year 1999 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the ''Jobs in the Woods'' component of the President's Forest Plan for the Pacific Northwest to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, and northern California that have been affected by reduced timber harvesting on Federal lands.

SEC. 316. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

SEC. 317. None of the funds made available by this Act may be used to require any person to vacate real property where a term is

expiring under a use and occupancy reservation in Sleeping Bear Dunes National Lakeshore until such time as the National Park Service (NPS) indicates to the appropriate congressional committees and the holders of these reservations that it has sufficient funds to remove the residence on that property within 90 days of that residence being vacated. The NPS will provide at least 90 days notice to the holders of expired reservations to allow them time to leave the residence. The NPS will charge fair market value rental rates while any occupancy continues beyond an expired reservation. Reservation holders who stay beyond the expiration date will also be required to pay for appraisals to determine current fair market value rental rates, any rehabilitation needed to ensure suitability for occupancy, appropriate insurance, and all continuing utility costs.

SEC. 318. (a) None of the funds made available in this Act or any other Act providing appropriations for the Department of the Interior, the Forest Service or the Smithsonian Institution may be used to submit nominations for the designation of Biosphere Reserves pursuant to the Man and Biosphere program administered by the United Nations Educational, Scientific, and Cultural Organization.

(b) The provisions of this section shall be repealed upon enactment of subsequent legislation specifically authorizing United States participation in the Man and Biosphere program.

SEC. 319. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 320. Of the funds available to the National Endowment for the Arts:

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 321. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate Endowment for the purposes specified in each case.

SEC. 322. (a) WATERSHED RESTORATION AND ENHANCEMENT AGREEMENTS.—For fiscal years 1999 and 2000, appropriations for the Forest Service may be used by the Secretary of Agriculture for the purpose of entering into cooperative agreements with willing State and local governments, private and nonprofit entities and landowners for protection, restoration and enhancement of fish and wildlife habitat, and other resources on public or private land or both that benefit these resources within the watershed.

(b) DIRECT AND INDIRECT WATERSHED AGREEMENTS.—The Secretary of Agriculture may enter into a watershed restoration and enhancement agreement—

(1) directly with a willing private landowner; or

(2) indirectly through an agreement with a State, local or tribal government or other public entity, educational institution, or private nonprofit organization.

(c) TERMS AND CONDITIONS.—In order for the Secretary to enter into a watershed restoration and enhancement agreement—

(1) the agreement shall—

(A) include such terms and conditions mutually agreed to by the Secretary and the landowner;

(B) improve the viability of and otherwise benefit the fish, wildlife, and other resources on national forests lands within the watershed;

(C) authorize the provision of technical assistance by the Secretary in the planning of management activities that will further the purposes of the agreement;

(D) provide for the sharing of costs of implementing the agreement among the Federal Government, the landowner(s), and other entities, as mutually agreed on by the affected interests; and

(E) ensure that any expenditure by the Secretary pursuant to the agreement is determined by the Secretary to be in the public interest; and

(2) the Secretary may require such other terms and conditions as are necessary to protect the public investment on non-Federal lands, provided such terms and conditions are mutually agreed to by the Secretary and other landowners, State and local governments or both.

SEC. 323. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 324. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

SEC. 325. None of the funds in this or any other Act may be used to relocate the Woodrow Wilson International Center for Scholars from the Smithsonian Institution to the Ronald Reagan Building in Washington, D.C.

SEC. 326. The Auditors West Building (Annex 3) located at Raoul Wallenberg Place and Independence Avenue Southwest, Washington, District of Columbia is hereby named the Sidney R. Yates Building and shall be referred to in any law, regulation, document or record of the United States as the Sidney R. Yates Building.

SEC. 327. (a) IN GENERAL.—Notwithstanding any other provision of law, not later than December 11, 1998, the Secretary of Agriculture shall grant Chugach Alaska Corporation an irrevocable and perpetual 250-foot-wide easement for the construction, use, and maintenance of public roads and related facilities necessary for access to and economic development of the land interests in the Carbon Mountain and Katalla vicinity that were conveyed to Chugach Alaska Corporation pursuant to the Alaska Native Claims Settlement Act. The centerline of the easement is depicted on the map entitled ''Carbon Mountain Access Easement'' and dated November 4, 1997. Nothing in this section waives any legal environmental requirement with respect to the actual road construction.

(b) SUBMISSION OF SURVEY; RELINQUISHMENT OF UNNEEDED PORTION OF EASEMENT.—Not later than 90 days after completion of construction of roads and related facilities on the easement granted pursuant to subsection (a), Chugach Alaska Corporation shall submit to the Secretary of Agriculture an as-built survey of such roads and related facilities and relinquish to the United States those portions of the easement Chugach Alaska Corporation deems not necessary for future use.

(c) Construction and Maintenance.—Construction and maintenance of any roads pursuant to subsection (a) shall be in accordance with the best management practices of the Forest Service as promulgated in the Forest Service Handbook.

SEC. 328. Section 101(c) of Public Law 104–134, as amended, is further amended as follows: Under the heading ''Title III—General Provisions'' amend section 315(f) (16 U.S.C. 4601–6a note) by striking ''September 30, 1999'' after the words ''and end on'' and inserting in lieu thereof ''September 30, 2001'' and striking ''September 30, 2002'' after the words ''remain available through'' and inserting in lieu thereof ''September 30, 2004''.

SEC. 329. Notwithstanding any other provision of law, none of the funds in this Act may be used to enter into any new or expanded self-determination contract or grant or self-governance compact pursuant to the

Indian Self-Determination Act of 1975, as amended, for any activities not previously covered by such contracts, compacts or grants. Nothing in this section precludes the continuation of those specific activities for which self-determination and self-governance contracts, compacts and grants currently exist or the renewal of contracts, compacts and grants for those activities.

SEC. 330. (a) PROHIBITION ON TIMBER PURCHASER ROAD CREDITS.—In financing any forest development road pursuant to section 4 of Public Law 88–657 (16 U.S.C. 535, commonly known as the National Forest Roads and Trails Act), the Secretary of Agriculture may not provide for amortization of road costs in any contract with, or otherwise provide effective credit for road construction to, any purchaser of national forest timber or other forest products.

(b) CONSTRUCTION OF ROADS BY TIMBER PURCHASERS.—Whenever the Secretary of Agriculture makes a determination that a forest development road referred to in subsection (a) shall be constructed or paid for, in whole or in part, by a purchaser of national forest timber or other forest products, the Secretary shall include notice of the determination in the notice of sale of the timber or other forest products. The notice of sale shall contain, or announce the availability of, sufficient information related to the road described in the notice to permit a prospective bidder on the sale to calculate the likely cost that would be incurred by the bidder to construct or finance the construction of the road so that the bidder may reflect such cost in the bid.

(c) SPECIAL ELECTION BY SMALL BUSINESS CONCERNS.—(1) A notice of sale referred to in subsection (b) shall give a purchaser of national forest timber or other forest products that qualifies as a ''small business concern'' under the Small Business Act (15 U.S.C. 631 et seq.), and regulations issued thereunder, the option to elect that the Secretary of Agriculture build the road described in the notice. The Secretary shall provide the small business concern with an estimate of the cost that would be incurred by the Secretary to construct the road on behalf of the small business concern. The notice of sale shall also include the date on which the road described in the notice will be completed by the Secretary if the election is made.

(2) If the election referred to in paragraph (1) is made, the purchaser of the national forest timber or other forest products shall pay to the Secretary of Agriculture, in addition to the price paid for the timber or other forest products, an amount equal to the estimated cost of the road which otherwise would be paid by the purchaser as provided in the notice of sale. Pending receipt of such amount, the Secretary may use receipts from the sale of national forest timber or other forest products to accomplish the requested road construction.

(d) POST CONSTRUCTION HARVESTING.—In each sale of national forest timber or other forest products referred to in this section, the Secretary of Agriculture is encouraged to authorize harvest of the timber or other forest products in a unit included in the sale as soon as road work for that unit is completed and the road work is approved by the Secretary.

(e) CONSTRUCTION STANDARD.—For any forest development road that is to be constructed or paid for by a purchaser of national forest timber or other forest products, the Secretary of Agriculture may not require the purchaser to design, construct, or maintain the road (or pay for the design, construction, or maintenance of the road) to a standard higher than the standard, consistent with applicable environmental laws and regulations, that is sufficient for the harvesting and removal of the timber or other forest products, unless the Secretary bears that part of the cost necessary to meet the higher standard.

(f) TREATMENT OF ROAD VALUE.—For any forest development road that is constructed or paid for by a purchaser of national forest timber or other forest products, the appraised value of the road construction shall be considered to be money received for purposes of the payments required to be made under the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260, 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (35 Stat. 963; commonly known as the Weeks Act; 16 U.S.C. 500). To the extent that the appraised value of road construction determined under this subsection reflects funds contributed by the Secretary of Agriculture to build the road to a higher standard pursuant to subsection (e), the Secretary shall modify the appraisal of the road construction to exclude the effect of the Federal funds.

(g) EFFECTIVE DATE.—(1) This section and the requirements of this section shall take effect (and apply thereafter) upon the earlier of—

(A) March 1, 1999; and

(B) the date that is the later of—

(i) the effective date of regulations issued by the Secretary of Agriculture to implement this section; and

(ii) the date on which a new standard timber sale contract, which is designed to implement this section and has been published for public comment, is approved by the Secretary.

(2) Notwithstanding paragraph (1), any sale of national forest timber or other forest products for which notice of sale is provided before the effective date of this section, and any effective purchaser road credit earned pursuant to a contract resulting from such a notice of sale or otherwise earned before that effective date, shall continue to be subject to section 4 of Public Law 88–657 and section 14(i) of the National Forest Management Act of 1976 (16 U.S.C. 472a(i)), and rules issued thereunder, as in effect on the day before the date of the enactment of this Act.

SEC. 331. Section 6(b)(1)(B)(iii) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 955(b)(1)(B)(iii)) is amended by striking ''One'' and inserting ''Two''.

SEC. 332. (a) CONDITIONAL EFFECTIVE DATE.—This section shall take effect only if the Energy and Water Development Appropriations Act, 1999, does not appropriate at least $6,000,000 in new funds for the management by the Tennessee Valley Authority of the Land Between the Lakes National Recreation Area in the States of Kentucky and Tennessee.

(b) TRANSFER OF JURISDICTION, LAND BETWEEN THE LAKES NATIONAL RECREATION AREA.—The Tennessee Valley Authority shall transfer, without reimbursement, the Land Between the Lakes National Recreation Area to the administrative jurisdiction of the Secretary of Agriculture.

(c) MANAGEMENT.—Upon the transfer of jurisdiction under subsection (b), the Land Between the Lakes National Recreation Area, hereinafter Recreation Area, is established as a unit of the National Forest System, and the Secretary of Agriculture, acting through the Chief of the Forest Service, shall administer the Recreation Area in accordance with this section and (except as provided in subsection (d)) the laws, rules, and regulations pertaining to the National Forest System. Except as provided in subsection (d), land within the Recreation Area shall have the status of land acquired under the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 515 et seq.). The Secretary shall manage the Recreation Area for multiple use as a unit of the National Forest System, in conjunction with the original mission statement of the Recreation Area emphasizing outdoor recreation, environmental education, fish and wildlife conservation, and regional development. The Secretary shall conduct an inventory of all cemeteries located in the Recreation Area and ensure public access to such cemeteries for purposes of burials, visitation and maintenance.

(d) FEES AND OTHER CHARGES.—The Secretary of Agriculture may charge reasonable fees for admission to and the use of designated sites in the Recreation Area or for activities in the Recreation Area. No general entrance fees shall be charged within the Recreation Area. Notwithstanding any other provision of law, all amounts received from charges, user fees, and natural resource utilization, including timber and agricultural receipts, arising from the Recreation Area shall be deposited in a special fund in the Treasury to be known as the ''Land Between the Lakes Management Fund'', which shall be available to the Secretary, without subsequent appropriation, for the management of the Recreation Area, including the payment of salaries and expenses.

(e) PAYMENTS.—Federal lands within the Recreation Area shall be subject to the provisions for payments in lieu of taxes under chapter 69 of title 31, United States Code. Notwithstanding the transfer of jurisdiction, the Tennessee Valley Authority shall continue to be responsible for payments under section 13 of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831l).

(f) TRANSITION.—(1) The transfer of jurisdiction under subsection (b) should be effected in an efficient and cost-effective manner to minimize the disruption of the personal lives of the Tennessee Valley Authority and Forest Service employees affected by the transfer. Not later than 30 days after the date on which this section takes effect, the Secretary of Agriculture and the Tennessee Valley Authority shall enter into a memorandum of agreement to provide procedures for the orderly withdrawal or transfer of officers and employees of the Tennessee Valley Authority, the transfer of property, fixtures, and facilities, the interagency transfer of officers and employees, the transfer of records, and such other transfer issues as the Tennessee Valley Authority and the Secretary consider to be appropriate. The agreement shall provide for a transition team consisting of Tennessee Valley Authority and Forest Service employees.

(2) In order to provide for a cost-effective transfer of the law enforcement responsibilities between the Forest Service and the Tennessee Valley Authority, the law enforcement authorities designated under section 4A of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c–3) are hereby granted to special agents and law enforcement officers of the Forest Service. The law enforcement authorities designated under the 11th undesignated paragraph under the heading ''SURVEYING THE PUBLIC LANDS'' of the Act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), the first paragraph of that portion designated ''GENERAL EXPENSES, FOREST SERVICE'' of the Act of March 3, 1905 (33 U.S.C. 873; 16 U.S.C. 559), the National Forest System Drug Control Act of 1986 (16 U.S.C. 559b–559g) are hereby granted to law enforcement agents of the Tennessee Valley Authority, within the boundaries of the Recreation Area, for a period of one year from the date on which this section takes effect.

(3) Unless terminated for cause, all permanent Tennessee Valley Authority employees at the Recreation Area shall be guaranteed

employment by the Tennessee Valley Authority for a minimum of five months following the date on which this section takes effect. The Tennessee Valley Authority shall provide affected employees of the Tennessee Valley Authority at the Recreation Area with a severance/compensation package based on established practices of the Tennessee Valley Authority. Funding for the activities prescribed for the Tennessee Valley Authority in this section is to be derived only from one or more of the following sources: nonpower fund balances and collections; investment returns of the nonpower program; applied programmatic savings in the power and nonpower programs; savings from the suspension of bonuses and awards; savings from reductions in memberships and contributions; increases in collections resulting from nonpower activities, including user fees; or increases in charges to private and public utilities both investor and cooperatively owned, as well as to direct load customers. Such funds are available to fund the activities under this paragraph, notwithstanding sections 11, 14, 15, 29, or other provisions of the Tennessee Valley Authority Act, as amended, or provisions of the TVA power bond covenants. The savings from, and revenue adjustments to, the TVA budget in fiscal year 1999 and thereafter shall be sufficient to fund the aforementioned activities such that the net spending authority and resulting outlays for these activities shall not exceed $0 in fiscal year 1999 and thereafter. Within 30 days of enactment of this Act, the Chairman of the TVA shall submit to the House and Senate Committees on Appropriations an itemized list of the amounts of the proposed reduction and increased receipts to be made pursuant to this section in fiscal year 1999. By November 1, 2000, the Chairman of the TVA shall submit to the House and Senate Committees on Appropriations an itemized list of the amounts of the reductions and increased receipts made pursuant to this paragraph for fiscal year 1999.

(g) ADVISORY BOARD.—Within 90 days after the date on which this section takes effect, the Secretary of Agriculture shall establish a 17-member citizen advisory board to advise the Secretary on environmental education in the Recreation Area and means of promoting public participation for the land and resource management plan for the Recreation Area.

SEC. 333. (a) Any appropriations contained in this Act or any other Act for the operation or implementation of the Interior Columbia Basin Ecosystem Management Project (hereinafter ''Project'') shall be obligated or expended only as provided in this section.

(b) Within 120 days of the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall—

(1) prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate the report required by section 323(a) of the Department of the Interior and Related Agencies Appropriations Act, 1998 (111 Stat. 1543, 1596–7), including any additional information necessary to correspond with the requirements of this section;

(2) distribute for advisory purposes to each national forest and each resource area or other relevant planning unit of the Bureau of Land Management within the region encompassed by the Project (hereinafter ''Project forest'') all relevant scientific findings of the Project and the report required by paragraph (1); and

(3) conduct and complete the orderly closing of the offices of the Project.

(c)(1)(A) Within 90 days after the completion of the requirements of subsection (b), each Forest Service Supervisor of, or Bureau of Land Management official with jurisdiction over, a Project forest shall review the resource management plan or other land use plan for the Project forest (hereinafter ''plan''), and, as they may relate to the specific resources and conditions existing on the Project forest as of the date of enactment of this Act, the scientific information and report provided pursuant to subsection (b)(2) and any policies made applicable to the Project forest prior to the date of enactment of this Act, and determine whether an amendment to or revision of the plan is warranted.

(B) If the determination is made pursuant to subparagraph (A) that a plan amendment or revision is warranted, preparation of the amendment or revision shall be completed within 12 months or 18 months, respectively, of the date of the determination.

(2) To the maximum extent practicable, any plan amendment or revision prepared pursuant to paragraph (1)(B) shall provide for management standards appropriate to the specific conditions of individual sites and avoid the imposition of general standards applicable to multiple sites.

SEC. 334. Amounts deposited during fiscal year 1998 in the roads and trails fund provided for in the fourteenth paragraph under the heading ''FOREST SERVICE'' of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The Secretary shall commence the projects during fiscal year 1999, but the projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 335. Section 5 of the Arts and Artifacts Indemnity Act (20 U.S.C. 974) is amended as follows:

In subsection (b) strike ''$3,000,000,000'' and insert in lieu thereof ''$5,000,000,000''.

In subsection (c) strike ''$300,000,000'' and insert in lieu thereof ''$500,000,000''.

In subsection (d)(4) strike the final ''or''.

In subsection (d)(5) strike ''$200,000,000 or more'' and insert in lieu thereof ''not less than $200,000,000 but less than $300,000,000'' and strike the final period and insert in lieu thereof '';''.

After subsection (d)(5) insert the following 2 new subsections:

''(6) not less than $300,000,000 but less than $400,000,000, then coverage under this chapter shall extend only to loss or damage in excess of the first $300,000 of loss or damage to items covered; or

''(7) $400,000,000 or more, then coverage under this chapter shall extend only to loss or damage in excess of the first $400,000 of loss or damage to items covered.''.

TULARE CONVEYANCE

SEC. 336. (a) IN GENERAL.—Subject to subsections (c) and (d), all conveyances to the Redevelopment Agency of the City of Tulare, California, of lands described in subsection (b), heretofore or hereafter, made directly by the Southern Pacific Transportation Company, or its successors, are hereby validated to the extent that the conveyances would be legal or valid if all right, title, and interest of the United States, except minerals, were held by the Southern Pacific Transportation Company.

(b) LANDS DESCRIBED.—The lands referred to in subsection (a) are the parcels shown on the map entitled ''Tulare Redevelopment Agency-Railroad Parcels Proposed to be Acquired'', dated May 29, 1997, that formed part of a railroad right-of-way granted to the Southern Pacific Railroad Company, or its successors, agents, or assigns, by the Federal Government (including the right-of-way approved by an Act of Congress on July 27, 1866). The map referred to in this subsection shall be on file and available for public inspection in the offices of the Director of the Bureau of Land Management.

(c) PRESERVATION OF EXISTING RIGHTS OF ACCESS.—Nothing in this section shall impair any existing rights of access in favor of the public or any owner of adjacent lands over, under or across the lands which are referred to in subsection (a).

(d) MINERALS.—The United States disclaims any and all right of surface entry to the mineral estate of lands described in subsection (b).

SEC. 337. The final set of maps entitled ''Coastal Barrier Resources System'', dated ''October 24, 1990, revised November 12, 1996'', and relating to the following units of the Coastal Barrier Resources System: P04A, P05/P05P; P05A/P05AP, FL–06P; P10/P10P; P11; P11AP; P11A; P18/P18P; P25/P25P; and P32/P32P (which set of maps were created by the Department of the Interior to comply with section 220 of Public Law 104–333, 110 Stat. 4115, and notice of which was published in the Federal Register on May 28, 1997) shall have the force and effect of law and replace and substitute for any other inconsistent Coastal Barrier Resource System map in the possession of the Department of the Interior. This provision is effective immediately upon enactment of this Act and the Secretary of the Interior or his designee shall immediately make this ministerial substitution.

Section 405(c)(2) of the Indian Health Care Improvement Act (42 U.S.C. 1645(c)(2) is amended by striking ''September 30, 1998'' and inserting in lieu thereof ''September 30, 2000''.

□ 1830

AMENDMENT OFFERED BY MR. KILDEE

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

The Clerk read as follows:

Amendment offered by Mr. KILDEE:

Page 123, after line 14, insert the following new section:

SEC. 338. Section 123(a)(2)(C) of the Department of the Interior and Related Agencies Appropriations Act, 1998 (111 Stat. 1566), is amended by striking ''self-regulated tribes such as''.

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

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

There was no objection.

Mr. KILDEE. Mr. Chairman, my amendment would clear up an ambiguity caused by last year's Interior appropriations bill regarding the ability of the National Indian Gaming Commission to carry out its congressional mandates. It is technical in nature, and

it is supported by the administration as well as the majority and minority of the Committee on Resources.

Mr. REGULA. If the gentleman will yield, I am aware of the amendment. On this side of the aisle we will accept the gentleman's amendment.

Mr. YATES. Mr. Chairman, we accept the amendment as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 504, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 18 offered by the gentleman from Mississippi (Mr. PARKER); and amendment No. 15 offered by the gentleman from California (Mr. MILLER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 18 OFFERED BY PARKER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi (Mr. PARKER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 135, noes 289, not voting 10, as follows:

[Roll No. 319]

AYES—135

Aderholt
Armey
Barcia
Barrett (WI)
Bartlett
Bateman
Bilbray
Bishop
Blagojevich
Bliley
Boehner
Bonior
Bono
Boswell
Brown (CA)
Bryant
Burr
Camp
Capps
Cardin
Clay
Clyburn
Combest
Condit
Coyne
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
DeLay
Deutsch
Dicks
Dixon
Doolittle
Engel
English
Fattah
Filner
Fossella
Furse
Greenwood
Hall (TX)
Hastert
Hastings (FL)
Hayworth
Hefley
Hefner
Hilleary
Hilliard
Holden
Hooley
Hulshof
Jackson (IL)
Jefferson
Jenkins
Johnson (WI)
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Lampson
Latham
Lazio
Lee
Levin
LoBiondo
Manton
McDermott
McGovern
McHale
McIntosh
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Minge
Moran (KS)
Nussle
Oberstar
Obey
Pallone
Parker
Pastor
Payne
Peterson (MN)
Pickering
Pitts
Pombo
Pomeroy
Ramstad
Rangel
Redmond
Reyes
Riley
Rivers
Rohrabacher
Rothman
Rush
Sabo
Salmon
Sandlin
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Shays
Smith, Adam
Spratt
Stabenow
Stokes
Stupak
Sununu
Taylor (MS)
Thomas
Thompson
Thurman
Torres
Traficant
Turner
Vento
Waters
Waxman
Wexler
Weygand
Wicker

NOES—289

Abercrombie
Ackerman
Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Blumenauer
Blunt
Boehlert
Bonilla
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Conyers
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (VA)
Deal
DeGette
Diaz-Balart
Dickey
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fawell
Fazio
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Harman
Hastings (WA)
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
LaTourette
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
Meehan
Metcalf
Mica
Miller (CA)
Miller (FL)
Mink
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Olver
Ortiz
Owens
Oxley
Packard
Pappas
Pascrell
Paul
Paxon
Pease
Pelosi
Peterson (PA)
Petri
Pickett
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Regula
Riggs
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryun
Sanchez
Sanders
Sanford
Sawyer
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stark
Stearns
Stenholm
Strickland
Stump
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thornberry
Thune
Tiahrt
Tierney
Towns
Upton
Velazquez
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wilson
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—10

Ford
Gonzalez
Green
Hunter
Markey
Moakley
Poshard
Radanovich
Serrano
Young (FL)

□ 1856

The Clerk announced the following pairs:

Messrs. BURTON of Indiana, ROEMER, BERRY, LUTHER, GEJDENSON, LAFALCE and ABERCROMBIE, and Ms. LOFGREN, Ms. HARMAN, Ms. JACKSON-LEE of Texas and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''aye'' to ''no.''

Messrs. MORAN of Kansas, ADERHOLT, BLILEY, LEVIN, TORRES, FILNER, HILLEARY, HASTERT, STUPAK, ARMEY, PETERSON of Minnesota, FOSSELLA, VENTO, BOB SCHAFFER of Colorado, REYES, BARCIA, LOBIONDO, and DEUTSCH changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. MILLER OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 15 offered by the gentleman from California (Mr. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 182, not voting 16, as follows:

[Roll No. 320]

AYES—236

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Ballenger
Barcia
Barrett (WI)
Bartlett
Becerra
Bentsen
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Castle
Chabot
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Engel
English
Ensign
Eshoo
Etheridge
Evans
Farr

Fattah
Fawell
Fazio
Filner
Forbes
Fossella
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Ganske
Gejdenson
Gephardt
Gibbons
Gilman
Goode
Gordon
Greenwood
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Maloney (CT)
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Young (FL)

□ 1902

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. JOHN. Mr. Chairman, during rollcall vote No. 320, I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 3 amendment printed in House Report 105–637 offered by Mr. YOUNG of Alaska:

Page 123, after line 14, insert the following new section:

SEC. 338. (a) MORATORIUM ON FEDERAL MANAGEMENT.—None of the funds made available to the Department of the Interior or the Department of Agriculture by this or any other Act hereafter enacted may be used prior to October 1, 2000, to issue or implement final regulations, rules, or policies pursuant to title VIII of the Alaska National Interest Lands Conservation Act to assert jurisdiction, management, or control over the navigable waters transferred to the State of Alaska pursuant to the Submerged Lands Act of 1953 or the Alaska Statehood Act of 1959.

(b) EFFECTIVE DATE OF 1997 ANILCA AMENDMENTS.—Section 316(d) of Public Law 105–83 is amended by striking ''December 1, 1998'' and inserting ''October 1, 2000''.

(c) REPEAL.—Subsections (a) and (b) shall be repealed on December 1, 1998, unless on or before that date an amendment to the constitution of the State of Alaska has been adopted which the Secretary of the Interior has determined would enable Alaska statutes to be enacted which provide the priority required in section 804 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3114) in the taking on public lands of fish and wildlife.

The CHAIRMAN. Pursuant to House Resolution 504, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, this amendment is a component of a broad effort in Alaska to resolve a long running debate over subsistence hunting and fishing. This amendment affects no other State. It concerns only Alaska.

My amendment extends until October 1, 2000, a current moratorium on a Federal takeover of Alaska's fish and game resources. However, the extension of the moratorium is effective only if the State of Alaska adopts a constitutional amendment to resolve the subsistence debate. If a constitutional amendment is not in place by December 1, 1998, the moratorium does not extend under this amendment.

Now the State of Alaska has until election day to decide whether to amend its Constitution. I am hopeful my State can come to a resolution in time. But I strongly believe my amendment is necessary to forestall and prevent a Federal takeover while the State proceeds in this effort.

A Federal moratorium is necessary because Federal control of Alaska fish and game would be devastating to the wildlife, and especially the people of Alaska. A Federal takeover is not my choice, and should not be Alaska's choice either.

Mr. Chairman, I urge the passage of my amendment.

The CHAIRMAN. Does any Member claim the time in opposition to the amendment?

Mr. YOUNG of Alaska. Mr. Chairman, I yield back the balance of my time, and I move the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DE FAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. DeFazio:

Page 107, beginning at line 19, strike section 328 (and redesignate the subsequent sections accordingly).

Mr. DEFAZIO. Mr. Chairman, this is an important issue before the House. A number of years ago, in the 1996 Budget Act, the demonstration program in the appropriations bill was extended to collect fees among the various Park Service, Forest Service, BLM and Fish and Wildlife Service units. The idea was to see if it was feasible, see if it could be done in a way that was accountable, see if it could be done in a way that would augment the scarce resources of these agencies for meritorious purposes, and then come back with a review. That review will come to the Congress, by law, next March. So next March, this Congress will receive a full accounting of the fee demonstration

program among the various units of the Federal Government, and there are problems with this program.

There is such a multiplicity of programs with exclusive and overlapping jurisdictions out there that, in my own home State, if you visit the Deschutes Forest and you buy a pass to park at the Deschutes Forest, you cannot use it next door in the Willamette Forest, and if you buy a parking pass in the Willamette Forest, you cannot use it in some parts of the Deschutes Forest. And if you buy a pass in the Deschutes Forest and the Willamette Forest, you cannot use it in the Siuslaw Forest. If you have one for the Siuslaw Forest, the Willamette Forest and the Deschutes Forest, you cannot use it at Crater Lake.

Now, this is going on in other people's districts and States throughout the West. People who live in rural areas, who live adjacent to forests, who live on in-holdings in forest, to park at a trail head have to pay $25.

It has also seen very steep increases in fees at various park units around the country. We have seen the fees go from $3 to $10 per person and $5 to $20 per person at Yosemite, $10 to $20 per vehicle at Yellowstone, and the list goes on.

We need to review this program. We are going to receive a report, the United States Congress will receive a report, on this unauthorized tax. Make no mistake about it. If you oppose this amendment, you are voting to continue a tax on millions of Americans who visit our public lands in the United States in a mishmash fashion with no accountability, for no purpose that you can actually discern in many cases, because the accounting at the Forest Service and other agencies is so poor.

Eighty percent of the money was supposed to go in the Forest Service last year. Fifty-three percent of the money collected went to administration, and they were not enforcing it and offering tickets last year. This year they are going to be writing tickets. There is going to be even more overhead expense in the program. This program needs to be reviewed. It needs to be properly authorized by the committees.

My amendment would not terminate the program, it would merely say that the appropriators, this bill, cannot extend for two years beyond 1999 into the next century this program without authorization.

I do not think it is too much to ask, that a tax like this levied upon millions of Americans recreating on their public lands be authorized by Congress, that we review it, that we have some accountability.

We will hear that some of the money, particularly in the Park Service, is being spent for meritorious things. That may well be true, but let us have a full accounting. Let us authorize it. Let us do it in a way so that you do not have to plaster your whole windshield with passes until you are peering through a little tiny slot there as you drive around the western United States and trying to figure out what additional passes you need to paste and which ones you are going to have to take off at 25 bucks a hit or more.

This is not a program that is well run. There is too much overlap, too much multiplicity, and it is very egregious upon people who live close to public lands.

So I would urge Members to vote for this amendment, which means you are voting simply to say we will receive a report in March, and then we will authorize or not authorize an extension of these fee programs. Maybe it will be authorized for the Park Service and not for the Forest Service, and maybe other restrictions will be placed on it. Maybe we will require intergovernmental or interagency agreements so people will only have to buy one or two passes, instead of five or ten different passes at a very, very high cost to them.

Mr. Chairman, I would hope that the committee might accept this amendment and decide that it would be wise to get this authorized before the tax is extended.

Mr. HANSEN. Mr. Chairman, I rise in opposition to the amendment. As chairman of the Subcommittee on National Parks and Public Lands and having sat on that committee for 18 years, we have played with this idea for a long time. It is interesting to go to our national parks. In 1915, it cost $10 to go into Yellowstone National Park. In 1996, it cost $10 to go into Yellowstone National Park.

Look at the 374 units of the Park Service and how difficult it is to maintain them. I do not think a day goes by that I do not get a call from a superintendent or a forest supervisor or a BLM land manager that says, ''Mr. Chairman, I need this, that or the other, and I do not have enough money.'' That puts us in a position of going back and looking for a supplemental thing or something else.

The best deal in America by far is the public lands and the national parks. Where else can you take your family and go into the Yellowstone National Park for now, what, $10 or $25, or the Grand Canyon, all these places that are visited on a regular basis.

I like to go around and talk to people who go into those parks. It is kind of a fun thing to do. The next time I would advise some of our Members to do that. Walk into Yellowstone in the area and look at that retired CEO who is driving in in an $80,000 Winnebago and pulling a $30,000 Suburban. And, oh boy, we are going to ask for another 10 bucks? Big deal.

In fact, it is not uncommon for those of us on the Subcommittee on National Parks and Public Lands to get money from people who say, ''Boy, no one ripped us off like we ripped you folks off.'' And now we give these people an opportunity to pay a little money to go into our national parks, to go into the public lands. I still think it is the best deal we have got. And to take away that tool that we have now given forest supervisors, that we have now given park superintendents, to have some money they can use in their own hands, to me it would be foolish and disregarding the history we have, which is extremely successful, and I do not feel that would be a wise thing to do.

I strongly oppose this amendment. If we do not defeat this amendment, we will just be back asking for more money and it will have to come out of the general fund, and I do not think that is a very good idea.

□ 1915

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

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

Mr. DEFAZIO. Mr. Chairman, does the gentleman think, and I realize he is on the authorizing committee and we have not authorized this, but does the gentleman think it is reasonable that two adjoining forests should require two different $25 trail head parking fees? I mean, that seems a little bit steep, and then the next forest over is requiring yet a third one. So one can cover an 80-mile stretch and have to pay $75 just to park at trail heads. I think there needs to be a little bit better coordination. Would the gentleman at least agree to that point? It is an actual case example from my home State.

Mr. HANSEN. Mr. Chairman, I am not sure I understand the gentleman's question.

Mr. DEFAZIO. Mr. Chairman, the question is, if I go to the Deschutes Forest and pay $25 for a trail head parking pass, it is not good in the next door Willamette Forest, and it is not good in the Siuslaw Forest. If I buy one in the Willamette Forest, it is not good in the Siuslaw Forest. But the one in the Willamette Forest is good in some other forest. I mean, one has to get a road map to figure out which of the forests have reciprocity and which do not. It is very, very, very complicated and potentially very costly.

Mr. HANSEN. Mr. Chairman, reclaiming my time, let me say this. This has been kind of an experimental thing we have been moving into. Little by little I would hope we would come to the point that we are able to encourage the States to have one.

I am not saying this is a perfect program; I do not think anybody does. But we have started down the road of having people pay a user fee, so to speak, or a camping fee, and I think it is coming out very well.

I would admit to the gentleman, yes, there are some bugaboos in it, there are some problems, but I think right now we are headed in the right direction and we will be able to take care of our parks.

Let me just say to the gentleman, we have a tremendous amount of backlog on in-holdings and repair. I could come up to billions of dollars just on our

parks alone that we cannot figure out how to get the money. We had 28 miles of impassable road in Yellowstone; no one could drive down it. We had a water system out in the Grand Canyon, a sewer system out in Yosemite. We have a problem down in the Everglades. I could give the gentleman a list a mile long, but nobody is coming up with the money. I think it would make a lot of sense to have a users' fee to take care of this.

Mr. Chairman, I strongly oppose the gentleman's amendment.

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

Mr. Chairman, let me read the list of people and organizations that support the fee program: National Parks and Conservation Association; Natural Resources Defense Council; National Trust for Historic Preservation; the Secretary of the Interior. And I quote Secretary Babbitt: ''We believe that the strong support for the fee program is because most receipts remain in the recreation area in which they are collected to be used to improve visitor services and protect resources.'' He goes on to say that this is a great program.

The Secretary of Agriculture states: ''I firmly believe that changes in the program would be detrimental to the recreation fee demonstration program.'' Again, the Department of Interior, the Director of the Fish and Wildlife Service: ''The demonstration program begun in 1996 has been a tremendous success.''

Again from the Department of Interior: ''All the agencies strongly support this program. I have spoken to superintendents in a number of parks. They are very strongly in support of it.''

I asked the superintendents, how does the public feel? They said, ''We have no complaints.'' People think this is one of the great bargains to come in when they know that the money is staying in the park. That is the important feature here.

Under the old law, the fees that were collected, before we changed the law as part of creating the demonstration program, the fees collected went to Treasury instead of staying in the park. Now they stay in the park, and they are using them to enhance the visitor experience, improve the camp sites, fix the sanitary facilities, things that are important to visitors.

Mr. Chairman, our delegation recently visited Muir Woods and the superintendent told me many people say, ''That is not enough. Here, take a couple of extra dollars as part of the fee program.''

This is working wonderfully well.

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

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

Mr. DICKS. Mr. Chairman, I want to say to the gentleman, and I completely understand the gentleman's concern about proper authorization, nothing that we have done here would stop the authorization committees from going ahead and maybe correcting some of the problems that Mr. DEFAZIO has properly pointed out. But what I see based on our trip is that we have such a huge backlog of maintenance that needs to be done.

The national parks are the crown jewels of this country, and in every park, the Olympic, Mt. Rainier National Park, the North Cascades, Yosemite, they have a backlog of work that totals billions and billions of dollars. For the first time we have gotten people used to the idea of a user fee, and that they ought to pay a little something when they visit the parks.

A few people complained when the fee program first started. Now however, overwhelmingly, when they know we are on the level, when they know that 80 percent of that money is going back to their park, then they support this program. Also, Secretary Babbitt has asked for it to be extended. Secretary Glickman, our former colleague, has asked for it to be extended.

We had the chairman of the committee, the gentleman from Utah (Mr. HANSEN), supporting the fee program. No one has done a better job of demonstrating concern for our parks than he has been. The gentleman from Ohio (Mr. REGULA) has been the champion on the Committee on Appropriations. We have all supported him. I think we ought to keep this program, and I urge the gentleman from Oregon (Mr. DEFAZIO) to go ahead and work on any refinements to the authorization.

The basic concept is solid, and the American people overwhelmingly support it. We have a lot of work to do. We have a chance here to stop the decline of the parks and start seeing them restored. This is a historic opportunity, and I urge that we stay with the committee position because it is the right thing to do.

Mr. REGULA. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments. I would point out this will generate $500 million over five years, and as my colleagues can see, it is strongly supported.

The gentleman mentioned 80 percent stays in the park, and the other 20 percent goes to parks such as Golden Gate where we do not have a fee, where there is not a single collection point, but it all stays in the park or the forest system, National Wildlife Refuge, and or BLM. All of the agencies support it; the public supports it. I think the program is absolutely very constructive, and I would strongly urge the Members to defeat this amendment.

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

Mr. Chairman, I find myself in a very interesting position here. I find myself opposing the demonstration fee program, and having to find myself on the opposite side of my own Chairman.

However, the fact is that I think that we have had sufficient time to see how the demonstration fee program is really working, and as it was first conceived, it has not worked well as far as the public is concerned.

The fact is that I really do think that the gentleman from Utah (Mr. HANSEN) is right, and perhaps for the national parks where there is a lot of high maintenance, and where there are facilities that need upkeep, we need to revisit that with the demonstration fee program. But as the demonstration fee program has been conceived of and is being extended in this bill, it is not working well.

Mr. Chairman, let me give an example. Last weekend I was home in Idaho and a woman who has 8 children told me about the fact that they were able to take their family to their church camp, and as always the family looked forward to going to the church camp, and as the little children piled out of the car and they gleefully set up camp and got their bunks all ready and everything set, the little boys took off to climb the hill behind the church camp. They had been doing this for years, and it was a favorite hill, but the ranger said, ''Oh, I'm sorry, you can't climb that hill anymore, you must stay on the church camp property.''

''Why can't we climb the hill?''

''Well, you need a pass, and it will cost $5 a person to go climb the hill,'' the hill that family had been climbing for years.

''Well, then let us go down to the lake.''

''Oh, no, you can't go down to the lake, you can't go on that trail. That too takes a permit.''

So what was a properly conceived of idea, for good reasons, is working out poorly. And I have received hundreds of calls in my office about how confusing and discouraging it is for people in Idaho and the Western States to be able to access the recreation and the outdoors that we have in our Western States and that we are so proud of, and, by the way, should be sustained with taxpayers' money.

So I would like to see us revisit this. I think the way it is conceived of now is not right, and I do again want to say, I do support fees for the high maintenance areas that have a lot of buildings and maintenance.

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

Mrs. CHENOWETH. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I appreciate that very much. In fact, I was in the gentlewoman's State in the Sawtooth National Recreation Area, one of the most beautiful places in the country, and we need to do a lot of good work there.

But the point I was trying to make earlier, the gentlewoman is on the authorization committee, and there is nothing that we are doing here today that would stop the authorizers from making certain refinements in this program. And what I would urge the gentlewoman to do, with the gentleman from Utah (Mr. HANSEN) and

the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from California (Mr. MILLER), is for the authorizing committee to come up with whatever refinements are necessary to make this even a more acceptable program.

The thing that I worry about is, it is the old adage, you pay for what you get. And if we want the parks to be stellar and world class, we are going to have to fix them up. We are way behind on maintenance.

So I would really urge the gentlewoman to try to, in the gentlewoman's committee, and I know the gentlewoman is a leader in her committee, to try to help us refine this program, because we need it.

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, I appreciate the gentleman's thinking there, as I usually do in these issues. The gentleman has been a leader in these issues for years.

But the fact is, as the demonstration fee program has been conceived of and as extended for 2 years, it is not working well, and the gentleman from Oregon (Mr. DEFAZIO) also sits on the committee, and I know that we would all like to see a new program of some sort put forth. I certainly have my ideas, as I have expressed on the floor. But as it is conceived of now, and as it is being extended, it is not working well.

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

Mrs. CHENOWETH. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, the key here is the word ''demonstration.'' Demonstration to me means let us go out and see if it will work, and then let us review it. In fact, there is a logical review point: Next March.

This bill extends for 2 years beyond October 1, 1999 the demonstration program, after it is no longer a demonstration, with all of its faults intact. The logical thing to do is not extend it now. The Committee on Appropriations could come forward next year with an extension, if we fail to authorize it in the authorizing committee, and again legislate on an appropriations bill.

The CHAIRMAN. The time of the gentlewoman from Idaho (Mrs. CHENOWETH) has expired.

(On request of Mr. DEFAZIO, and by unanimous consent, Mrs. CHENOWETH was allowed to proceed for 1 additional minute.)

Mrs. CHENOWETH. Mr. Chairman, I yield to the gentleman from Oregon.

Mr. DEFAZIO. So the key here, Mr. Chairman, is that as to the demonstration program, there is going to be a report rendered. We may very well find that the Park Service is doing a tremendous job with it. I think we will find that the Forest Service and some of the other agencies have tremendous problems with the program.

We can then authorize it in due time, have an authorization in place for the Committee on Appropriations for next year. This is not a crisis. The program will be continued between this year and next year under existing law. It is just I object to extending it for another 2 years, because then I do not believe the authorizers will ever get to it.

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

Mrs. CHENOWETH. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, just briefly, the point is that if we wait until 1999 to do this, then we get to the end of the fiscal year. There would be uncertainty about whether we have the program or not. The thing that is good about having this now, is that we have established it and people are used to it. They have accepted it. Now we should not create uncertainty.

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, the gentleman does have a very good point, but the fact is that in the authorizing committee we can come up with a new program that has been properly authorized.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words. I thank the Chairman for the recognition to me as a member of the Committee on Appropriations.

As the night is wearing on and these very important amendments are being debated, I want to speak out of turn. As my colleagues may know, this appropriations bill of the Subcommittee on Interior is the last one that our distinguished ranking member from Illinois (Mr. YATES), will be participating in.

□ 1930

I wanted to take the opportunity to just interrupt the debate for a moment before the evening goes on too long to pay tribute to the gentleman.

In the course of the development of this legislation in the subcommittee and the full committee and the rest, I think many members of the Committee on Appropriations have sung his praises, have talked about his great leadership, and I know that I can speak for every person in this body on this one subject, that the gentleman from Illinois (Mr. YATES) is indeed a gentleman.

People have praised the fact that he is a legislative virtuoso. He has taught us all a great deal and we have commended him not only as a teacher and a legislator and a gentleman and a person who has been a mentor to so many of us, but I want to comment on him as a great American patriot.

As chairman for a long time of this subcommittee, and as ranking member, he has protected the beautiful natural resources of our great country. Thank you for your patriotism, SID.

As the chairman and ranking member of this subcommittee, he has spoken out so eloquently about protecting freedom of expression in this country. Thank you very much for doing that, SID, and for protecting the freest of expression in the arts and the rest.

So he is not only a great leader, teacher, mentor, legislator, gentleman, but a great patriot.

I am reminded of what was said about Pericles when I think of the great SID YATES when it was said of Pericles, ''He was a lover of the beautiful and he cultivated the spirit without a loss of manliness.'' I cannot think of anyone that applies to more than the distinguished, the very distinguished gentleman from Illinois (Mr. YATES).

Mr. Chairman, I thank you very much, Mr. YATES, for your leadership.

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

Ms. PELOSI. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I thank the gentlewoman from California (Ms. PELOSI) very much for yielding to me. I want to join and associate myself with her remarks and to add a couple of my own, just to say that for 24 years I have served with the gentleman from Illinois (Mr. YATES) about half as long as Mr. YATES has served, and I wish to say what an incredible pleasure it has been for me as a public servant to watch him and to admire his beliefs in our public institutions.

I know him as one deeply involved in the issues of this subcommittee, the Interior and natural resources issues and the arts and the cultural issues. He has witnessed many political trends and political fads and schemes of popularity and unpopularity. But I think what we have seen is that he has stood fast for a great portion for the protection of not only our free speech and our free expression, but the protection and the preservation of our culture and our history in the way that no other Member of Congress has.

He embodies the very, very best, the very, very best in public service. At a time when we see so much venom and so much attack in our public arena, to have you here, SIDNEY, has been a gift to all of us who try to hold our profession, this institution, the American public in the highest possible regard that we can.

His span of service and commitment is something that if each us every day that we walked into this Chamber, and every day we exited, if we could just recommit ourselves in his image of that public service, we would do this country a great favor.

I thank the gentleman so very, very much for giving so much of his life to this country. I admire him and wish him the very, very best.

Ms. PELOSI. Mr. Chairman, reclaiming my time, to SID YATES, the patriot, thank you for protecting our culture, our Constitution, and our countryside. It has been the greatest privilege of my political career to call you colleague. Thank you, Mr. YATES.

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

Mr. Chairman, a few hours ago the gentlewoman from California (Ms.

PELOSI) and I were clashing over the issue of normal trade relations for China. But at this moment, I want to rise to associate myself completely with the remarks that she just made about our distinguished ranking minority member, SID YATES.

It is going to be hard to imagine a debate on this bill next year without SID YATES being involved in it, but we shall survive somehow. But his spirit will certainly linger with us as we continue the debate next year and in following years on this legislation.

His advocacy, not only for the arts, but his advocacy for national parks and for preservation of lands in the United States has been extraordinary. And even though I have disagreed with him many times on many of the issues, I have always admired the perseverance that he has shown, the knowledge base that he comes from, and as the gentlewoman said, the civility with which he always approaches these issues.

It is a lesson which many of us in this body who are so much newer, and we are all much newer than SID YATES around this place, know that we could all take to heart.

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

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

Mr. REGULA. Mr. Chairman, I thank the gentleman from Arizona (Mr. KOLBE) for yielding me this time. I have said this to ''my chairman'' many times, that he is the epitome of everything that is good about citizenship in these United States. He has been everything that we have heard. I will not enlarge upon it. But I will make an additional comment, and that is that he has had a wonderful helpmate in his wife Addie. They have really been a great team. Many times she has been at the hearings and we love her as much as we do you, SID. We carry the message to her that we have appreciated her, and I am sure she has been a wonderful influence on your life.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I do want to use a moment to address the amendment at hand. Back to the business of the Congress.

Mr. Chairman, I do rise in opposition to this amendment. As a member of the Subcommittee on Interior Appropriations, we have worked very hard, under the chairman's leadership, to address the operation on the maintenance shortfalls which exist at so many of our national parks, our Fish and Wildlife Refuges, on our other lands which are heavily utilized by the public.

No one wants our parks or forests or refuges to deteriorate. These represent in many cases some of the most spectacular and beautiful treasures that we have in our country. In my own State of Arizona, the Grand Canyon park is certainly one of the most spectacular natural splendors in the world. We cannot and must not let the quality of this park slip through our hands. Yet the increasing pressure of the public is enormous.

We have an enormous backlog of capital needs in all of our land management agencies and this is a problem that demands our attention, even as we seek to balance the budget and struggle to reduce our national debt. The utilization of our public lands is rising. We cannot expect appropriated funds to meet all of the increasing needs. We need to look for other solutions to this very troubling problem.

That is what the fee demonstration program is about. I believe it is having a positive effect. I have to tell my colleagues it is in my area. It is used in one of the national forests in the heart of my district, and it was unpopular with a lot of people. But I think as people have begun to see that the money is staying there in the forest, that it is being used to address the problems of maintenance and operation that is so badly needed to build new restrooms for example, to build new trails, I think people begin to understand this is good. It is a user fee that really is doing what it ought to do.

In Arizona, the Grand Canyon expects to collect $38 million in new money over 3 years. And at the Grand Canyon, this will be used to improve a transit center, a maintenance facility, back country trails, archaeological site, stabilization initiatives.

Eliminating the program is not going to help address the critical backlog that we have on our Federal lands. So I hope that my colleagues will think very seriously about this amendment. Yes, we need to have the evaluation of it, but we need also to have some more time for it. We need to get more data.

So I strongly oppose this amendment and hope that we will keep the demonstration fee program in effect. It is doing what Congress intended it do. Defeat this amendment.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. KOLBE) has expired.

(On request of Mr. VENTO, and by unanimous consent, Mr. KOLBE was allowed to proceed for 2 additional minutes.)

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

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

Mr. VENTO. Mr. Chairman, I will join the gentleman from Arizona (Mr. KOLBE) reluctantly in opposition to this. I have heard some discussion here about authorizing this type of program. The fact is, when I served in the capacity of subcommittee chairman, we tried several times to authorize this type of program. In fact, we did do some authorization with regard to it.

The fact is that some of the fees that are included under this in terms of what I would call user fees, not entrance fees but user fees, are authorized and have long been authorized by the various land management agencies. But they choose, without the moral authority of Congress, to not implement those types of fees.

Because of this fee demonstration program I think they are now into the swing of things. And the fact is as far as the entrance fees in terms of the parks and forests and some of the other areas which are authorized by this and necessary and working, they are dealing with buses, they are dealing with the tour boats that come into Saint Croix, as an example, that were paying no fees in terms of entrance. The buses, they are paying considerable fees now when they go through our various parks and they were paying literally nothing before.

So the fact that it is in place, I would certainly work with the gentleman from Oregon (Mr. DEFAZIO), and others that are concerned about the fact that there is a problem with regards to parking, with regards to user fees and so forth in these various areas. We need to work that out. But the fact is to assume that we are going to keep this authorized or get it reauthorized in the absence of keeping it in this appropriation bill, I think would be a big mistake.

We not only need this; we need the pressure of this type of appropriation to keep the authorizing committee working and doing it. In the absence of that, I think it is going to get lost in the shuffle.

So, I join in opposition to this amendment and in support of this program.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I thank the gentleman from Minnesota (Mr. VENTO) for his comments, and I would point out, as the gentleman mentioned, they have the authority now to have those fees, and that is absolutely true. But the reason they have not all too often is because it takes resources away from the parks or the forests to collect them, someone who could be doing law enforcement or building trails, and they could not keep the money in the park.

Now they have the incentive to do so, because the money gets to stay in the park or national forest to do exactly the kind of maintenance and operational backlog work that needs to be done. So I think the gentleman is exactly correct.

Mrs. CAPPS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, today I join with my colleagues, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from California (Mr. HERGER) to offer a bipartisan, common sense amendment that will put an end to an outrageous tax increase on American families.

Two years ago, the recreational fee demonstration program was slipped into a huge budget bill without adequate hearings or debate. This legislative maneuver authorized a variety of so-called user fees throughout our national forests and our national parks, but these fees are nothing more than regressive taxes on families who can least afford to pay them.

Our amendment will delete this section of this bill that extends the life of

these taxes for 2 more years. If our amendment passes, this tax will expire in 1999, as was originally planned. It was planned as a pilot project to see if this is a good way to raise funds for our forests and parks. Before we extend the fee demonstration program, we need to stop and find out if it is a good plan.

Mr. Chairman, in my district this new tax is called the Adventure Pass, and it has truly been a terrible adventure for thousands of my constituents who visit Los Padres National Forest, which is in our backyard up and down the central coast of California.

While it is a very local issue for my district, it affects 40 of the 155 national forests throughout this country. It is in all of our backyards.

Since coming to Congress in March, I have received more angry calls, letters, and e-mails on this topic than almost any other matter of Federal policy, and I brought with me today here a sampling of the letters that I have received from people who have never contacted their Federal representatives on any issue and have been motivated to express their deep concerns to me.

My hometown newspaper, the Santa Barbara NewsPress, which is the largest in the district, has eloquently captured, as colleagues can see the title here, ''End the adventure.'' This is the sentiment for this new tax and this editorial ends with this statement: ''The Forest Service should end the Adventure Pass for an extended and permanent hike.''

Wealthy people might not think much of paying $5 to take their family for an afternoon hike or a twilight drive to watch the sunset. But for many working families in my district, this tax has basically eliminated a popular recreational activity and diminished our quality of life.

Mr. Chairman, to make matters worse, American families already pay some of their hard earned money to the U.S. Government to maintain our national parks and forests.

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This much user fee, therefore, represents a double tax and it is wrong.

Let me be clear. I support adequate funding for the U.S. Forest Service, but let us find more equitable sources for this money. I support the DeFazio amendment that will require mining companies to pay their fair share for extracting profit from the public lands. And I support the Furse proposal to reduce the inflated subsidies paid to timber companies who make their money cutting down trees in public forests.

It is just not fair that our constituents must pay a fee to hike, picnic or see a sunset in our national forests when big logging and mining companies get subsidies for their activities on these same public lands. What this amounts to is a direct subsidy from the pockets of working families to the offices of corporate America, and this is wrong.

Mr. Chairman, I want to make a special appeal to my Republican friends. I have joined many of them to cut other unfair taxes, specifically the capital gains tax. Please join with us today to eliminate the unwarranted extension of an equally egregious tax on working Americans.

Let us end the Recreational Pass Demonstration Project misadventure. This adventure pass which is a misadventure. Let us go back to the drawing board. Let us have hearings on this demonstration program and conduct a full and open debate on its merits.

And perhaps in discussing it we need to separate the parks from the forests, because I believe there are different ways of collecting resources for each of these. And, also, it is a good idea that 80 percent of the fees do come back to the local entity. But what is our surmise, and actually we have not studied this enough, but people are telling us that half of this amount of money in our local forests goes to enforcing the law; that we have turned our Forest Service workers into meter maids collecting these fees. That is what it appears to be like.

That is what we need to study, and that is why I ask for support for the DeFazio-Herger-Capps amendment.

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

Mrs. CAPPS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I would like to quote for the gentlewoman from the Santa Barbara News Press. Their editorial, entitled Adventure Pass Praise, states ''Let me start by saying I am proud to have purchased my adventure pass, and I strongly support the concept of user fees in our national forests.'' They are not a tax, they are user fees.

The CHAIRMAN. The time of the gentlewoman from California (Mrs. CAPPS) has expired.

(On request of Mr. REGULA, and by unanimous consent, Mrs. CAPPS was allowed to proceed for 2 additional minutes.)

Mr. REGULA. Mr. Chairman, will the gentlewoman continue to yield?

Mrs. CAPPS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, this editorial is by Mark Lurie, whom the gentlewoman knows. Continuing to quote, ''What's the big deal? A carload of people for only $5.'' That's a carload. Not one person, a carload, for $5. ''How much for the same carload to go to the movies, five to seven times the cost?''

The whole editorial says it is a great program. He strongly endorses it. And this, of course, is in the Santa Barbara News Press.

Mrs. CAPPS. Reclaiming my time, Mr. Chairman, I acknowledge the gentleman's letter to the editor. Here are some other letters.

Mr. REGULA. If the gentlewoman will continue to yield, this is an editorial writer.

Mr. CAPPS. Well, this is their official position on this topic at this time. Again, I ask for time to study this idea. I appreciate the gentleman's comments.

Ms. HOOLEY of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I join with my colleague from Oregon in his concern about extending this so-called pilot program that charges due fees for patrons who recreate in our national forests and our national parks and use the Bureau of Land Management lands and Fish and Wildlife Services' wildlife refuges.

I have to tell my colleagues that when the subject of pilot projects comes up in my State, people sort of roll their eyes and they go, ''Is that Washington-speak for a program that we say we will evaluate and it is supposed to go away but never goes away?'' This user demonstration fee program is a perfect example of why so many of my constituents distrust what we do in Washington, D.C.

Again, this program was scheduled to last no more than 3 years. It was to be used in a limited number of sites. These tests were there to provide us with a snapshot view of what happens when we do a pilot program: What does this look like? What are the things good about it, what are the things wrong about it?

But since the time that this pilot program was initiated, it is like somebody added a little bit of yeast and a little bit of sugar and it has just grown and grown and grown. They probably put it in a hot oven, too. Now it is used in over 100 sites and it is a program that is so confusing. I mean if we want to go and use the bathroom, we have to buy a 3-day pass.

I support the parks, and I know we have huge needs in our parks. But what happens is in one of our programs it is not about building new trails, it is not about building new bathrooms. We have somebody who is getting rid of the volunteers so they can add a new person to collect the fees.

And what do we get for these fees? Well, unbelievably, we do not know. Now, of the four agencies that have jurisdiction over this bill, the Forest Service, has made their numbers available to us, and what they show is this program barely pays for itself. So far, 53 percent of the funds that are collected has to be spent on collection costs. I do not think that is a very good deal.

Now, maybe the other three agencies are doing a terrific job, but we do not know, and we will not find out until March of 1999. I would like to have the information before we continue this program. But what I do not think we should do is continue this program. It is sort of like saying, well, what we do not know will not hurt us and we are going to extend the program for another 2 years. I have to tell my colleagues that makes no sense to me.

I think it is time to step back, take a look at the program, look at what works and what does not work. I urge

my colleagues to support this amendment.

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

Mr. Chairman, I rise today in strong support of the DeFazio-Herger-Capps amendment which would strike from this bill the automatic 2-year extension of the demonstration program.

Many of us here in the House probably did not even know that we voted to authorize this program back in 1996 when we voted for the Balanced Budget Down Payment Act. And many of us probably would not have known that we were voting to extend the program for an additional 2 years if it were not brought to our attention by this amendment.

Without the passage of this amendment, we will be perpetuating a program that has never had a hearing, never been debated in the committees of jurisdiction, and that is, unfortunately, putting a visit to a national forest, park, or recreation area out of the financial reach of many working Americans.

I just want to give an example of the last point, and that is the Sandy Hook Unit of Gateway National Recreation Area, which is in my district. Sandy Hook is an extremely popular location and is highly valued by its 2.5 million annual visitors. These people come from throughout the New York, New Jersey, Philadelphia metropolitan area to take advantage of the recreational, historical and educational resources at Sandy Hook, including bathing beaches, fishing areas and historic structures.

Sandy Hook has always been really the one place in the area where people of all economic backgrounds have been able to enjoy a day at the shore, and we would like to help them keep it that way. Sandy Hook is a national resource, and as such it should remain affordable to everyone, and that includes moderate and low-income people.

Now, under this recreational fee demonstration program, daily per-vehicle beach user fees at Sandy Hook were doubled as of June 20th of this year from $4 to $8 on weekdays and from $5 to $10 on weekends. Such an increase, in my opinion, is exorbitant. It will put the cost of visiting Sandy Hook out of the reach for many working Americans, in effect turning them away from this national recreation area.

I heard mention that people have not complained about these fee increases. Let me tell my colleagues that many of my constituents have complained to me, and loudly.

I am also concerned about the false promises that have been made to justify the fee demonstration program. The extra money from the Feds is in no way sufficient to satisfy the multimillion dollar backlog of repair and rehabilitation needs at Sandy Hook. The fee demonstration program gives false incentives, in my opinion, to individual park units to raise park fees. The program gives the impression to Sandy Hook visitors that their increased generosity will result in significant park improvements from which they will benefit in the near future, and there is no reason to believe that that is the case at Sandy Hook.

So I would simply urge my colleagues, again I used one example but I know there are many more, I would urge my colleagues to support this amendment so we can examine this program more closely before considering its extension.

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

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

Mr. HINCHEY. I yield to the gentleman from Oregon.

Mr. DeFAZIO. Mr. Chairman, let us revisit where we are at with this amendment. It does not eliminate this demonstration user fee program, but what it does do is say it will not be extended for 2 more years beyond 1999. Beyond October 1st of 1999.

What it says is we will receive a report, as required by the original demonstration fee program, on 3½ years of data in March of 1999. Then we will know. We will know how much is going to overhead, we will know how well this is working, we will know where the money is being spent, and then we can make decisions.

If, indeed, the authorizers are incapable of acting, and I would question if it is this popular, knockdown popular as everybody says it is, that people are just thrilled to pay this money and they know it is going to a good cause, why would the authorizing committee have any problem in moving a bill? I know the gentleman from Alaska (Mr. YOUNG) would be happy to do that, if it is so popular.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. HINCHEY. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I would like to remind the gentleman we had the discussion on this issue in the committee last year and the year before. We had this discussion, and if I remember correctly, the gentleman at that time opposed any movement of any bill. Is that correct?

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

Mr. HINCHEY. I yield to the gentleman from Oregon.

Mr. DeFAZIO. Mr. Chairman, I opposed the form which the—

Mr. YOUNG of Alaska. The form. The gentleman opposed it.

Mr. DeFAZIO. It is my time, Mr. Chairman, and I would continue.

So the point here is we are going to get a report in March of 1999. We will know who is good and who is not.

The Forest Service spent 53 percent on administration last year, probably more this year, including law enforcement personnel. A lot of money replacing their newest vandalism, which is the fee signs. The amount of money collected by the Forest Service last year was enough money to meet .06 percent of their backlog. Not 6 percent, not six-tenths of a percent, but 6/100ths of 1 percent of their backlog.

At that rate, yes, in 1,600 years of collections we could meet today's backlogs. But of course there would be a few more backlog projects in the 1,600 years.

Yes, we do need additional funds. They should be appropriated. They should be requested by the administration and they should be appropriated. Perhaps we should ask the mining companies to pay a small fee for using the public lands, as opposed to dumping it on the back of individual taxpayers.

The key thing here is that we are being asked to buy a pig in a poke. We do not know how well it is working or where the money is going. This is just like the previous debate, the debate on the K-V funds, where the gentleman from California (Mr. MILLER) was successful. We are creating an unaccountable slush fund.

And if I am not successful with this amendment, in 2 or 3 or 4 years we will be back with an amendment because of all the money that cannot be accounted for and all of the moving around within accounts and all of the administrative overhead being paid for by this program. We will be back here.

But, no, let us act rationally now. Do not extend it for 2 years. Do not buy a pig in a poke. Let it go on for the next year, get the report in March, and then, even if the authorizing committee is not capable of acting, the Committee on Appropriations could extend the program for another year at that point. If it is so knockdown, drag-out popular, and the money is being spent so well, and it is reflected in a report that we actually receive on this program as opposed to hearsay, then I do not think that will be a problem.

But if, indeed, the problems are as bad as a number of us have heard, I think there will be a need for very significant adjustments in this program before we extend it into the next millennium.

I thank the gentleman for yielding.

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

I will be very brief. It is time to vote. I just want to say that nothing that has happened here today in this appropriation bill stops or thwarts the gentleman from doing his job on the authorization committee. He does not have to come here and cry to the appropriators and cry to the Congress. He should just do his job; okay? That is all I am saying. The gentleman has a committee and they have said they will work with him. Go do the job.

The problem we have got is, if we do not extend this thing at this juncture, then next year the thing will expire at the end of the fiscal year. What if we do not get the bill passed by the start of the fiscal year? We are going to have to stop doing these demonstrations all

over the country? That would be utterly ridiculous.

I think we should go forward and keep this program going. It is working. And let the gentleman and the authorizers do their job.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Pursuant to House Resolution 504, further proceedings on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) will be postponed.

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AMENDMENT OFFERED BY MR. BUYER

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

The Clerk read as follows:

Amendment offered by Mr. BUYER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used to establish a national wildlife refuge in the Kankakee River watershed in the northwestern Indian and northeastern Illinois.

Mr. BUYER. Mr. Chairman, I would like to extend special compliments to the gentleman from Ohio (Mr. REGULA) and the gentleman from Illinois (Mr. YATES) not only for this bill, but I appreciate their willingness to work this out.

Right now in northwest Indiana and northeast Illinois, there are two existing projects with regard to the Kankakee River Basin. One is a Corps of Engineers study, and the second is a U.S. Fish and Wildlife project referred to as the Grand Kankakee Marsh National Wildlife Refuge.

The location and size with regard to this, the Kankakee Watershed drains a total of 5,167 square miles. That is 2,990 square miles in Indiana, 2,177 square miles in Illinois, and 7 square miles in Michigan. The watershed extends to the high waters of the Kankakee River near the City of Southbend, Indiana, to its confluence with the Des Plaines River near Kankakee and the Des Plaines River southwest of Joliet, Illinois.

The Kankakee River Basin area of northwest Indiana and northeast Illinois has been suffering from extreme flooding and siltation for many years. The river back at the turn of the century would meander and then there would be low-level lakes and then it would meander again.

Indiana dredged and straightened the river in Indiana, which has caused the siltation to build up in Illinois, and the river to flood. This brought on years of lawsuits between Illinois and Indiana.

I was pleased to work with Senator LUGAR and Senator Simon, TOM EWING of Illinois, and others, to help put an end to the court cases, and instead look for a long-term solution.

We were able to secure authorization and funding for an Army Corps of Engineers study to address the flooding and environmental concerns.

The Corps is currently in the feasibility study stage. Through the bipartisan cooperation of Congressmen CONYERS, VISCLOSKY, ROEMER, TOM EWING, JERRY WELLER, and myself, the House this year appropriated $940,000 for the second phase of the feasibility study.

WILDLIFE REFUGE

In 1996 the Fish and Wildlife Service contacted my office to inform us of their plans to look into designating a wildlife refuge in the Kankakee river basin area.

Since then, I, along with Congressmen WELLER, EWING, VISCLOSKY, and ROEMER, have been active in (1) ensuring that the local residents are well informed of the Service's plans and intentions, and (2) that the Service address their concerns.

We asked the Service to hold two hearings, one in each State, to listen to the locals' concerns and to take them into consideration as they examine whether to establish a wildlife refuge in the area. In Indiana alone, over 600 people showed up to learn more about the project and to express their views.

The local residents are rightly concerned about the impacts upon their properties and lives, and have not received answers to their questions and concerns.

It is not appropriate for the Service to push for the establishment of the refuge and for federal funding before the outstanding issues have been resolved.

SOLUTION

I believe that a solution can be found which will integrate the Corps findings and construction with the Service's refuge. By meshing them together, solutions can be found to address the (1) flooding, (2) siltation, and (3) environmental restoration problems.

I have been working with the Corps and the Service to get these two agencies to work together in a compatible manner.

In response to my efforts, Director Clark sent a letter to me, stating that the Service, ''will not finalize the draft Environmental Assessment for the refuge proposal until we have ensured, in a mutually satisfactory manner, that effective coordination has occurred between the Service and the Corps on these two projects.''

Until that occurs, it would be irresponsible and premature to designate federal funds for land acquisition for the proposed refuge.

Therefore, I am offering this amendment which will limit funds under this bill to be used for the designation or land acquisition of proposed refuge in the Kankakee River Basin. I have no intention by this amendment to prevent the U.S. Fish and Wildlife from expending funds in the planning function of its proposal to protect biodiversity in the Kankakee River Basin.

I urge the adoption of this amendment which will help ensure a common-sense solution.

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

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

Mr. REGULA. Mr. Chairman, we are prepared to accept the amendment.

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

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

Mr. DICKS. Mr. Chairman, let me ask the gentleman. Is this a proposal by the Fish and Wildlife Service? Is that what I understand?

Mr. BUYER. Mr. Chairman, reclaiming my time, there is an existing proposal by Fish and Wildlife. I have two projects at once. I have a Corps of Engineers study, and then the U.S. Fish and Wildlife has a study.

Let me do say this, though, that would be important for me to say. I have no intention by this amendment to prevent the Fish and Wildlife from extending funds in the planning function of its proposed project to protect the biodiversity.

Mr. DICKS. If the gentleman would yield further, so they can go ahead and do the planning?

Mr. BUYER. They can go ahead and do the planning. They cannot go in and designate and purchase lands.

Mr. DICKS. At this juncture. Because this would be one of the rare times when somebody does not want to have a wildlife refuge in their district.

Mr. REGULA. If the gentleman would continue to yield, I understand that the gentleman from Indiana (Mr. VISCLOSKY) supports the amendment and the gentleman from Illinois (Mr. YATES) accepted the amendment.

Mr. DICKS. We will agree to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BUYER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCDERMOTT

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

The Clerk read as follows:

Amendment offered by Mr. MCDERMOTT:

Page 118, beginning at line 8, strike section 333 (and redesignate the subsequent sections accordingly).

Mr. MCDERMOTT. Mr. Chairman, this amendment will strike an unwise legislative rider intended to halt the National Environmental Protection Act's planning process by terminating the Interior Columbia Basin Ecosystem Management Plan.

In 1993, the then Speaker of the House Tom Foley, reacting to a legislative gridlock that had been developed in this whole process, and the Clinton administration together sought to develop a ''scientifically sound and ecosystem-based strategy for east side forests.'' Those are forests in the eastern two-thirds of the State of Washington, and Oregon and Idaho and Montana.

The Forest Service and the BLM jointly established the Interior Columbia Basin project, which includes 72 million acres of public lands in eastern Oregon, Washington, Idaho, and parts of 4 other States.

The intent of the project is to provide long-term management direction for 35 national forests, 17 Bureau of Land Management districts, ultimately amending 74 land management plans in a coordinated plan.

The Interior Columbia project builds upon the science of the Northwest Forest Plan, the Sierra Nevada Ecosystem

in California and other regionwide efforts. What we have learned from those experiences is that individualized land management plans have failed to address systemwide problems like the protection of endangered salmon and other species.

Currently, the Federal agencies in the Interior Columbia Basin are operating under short-term directives to address anadromous fisheries and other issues. The risk of terminating the overall plan as proposed by this rider is that resource activities on these lands will shut down under a cloud of litigation as was the case of the west side forests in Washington and Oregon.

In May 1997, the BLM and the Forest Service released two draft EISs for public comment. One EIS applied to eastern Washington and Oregon, the other to the Upper Columbia Basin for Idaho and other States. Public comment on these drafts have been extensive.

Frankly, I do not think that the draft-preferred alternative in these plans goes far enough in protecting old growth, roadless and riparian areas. The science, for example, clearly supports concentrating active management in the more degraded road areas rather than the roadless regions.

The science, moreover, shows that many areas and many resources in the project area are in serious trouble and will get worse under current management plans.

So while I do not endorse the preferred alternative in the draft plans, I strongly endorse the process. It will be a serious mistake to terminate this project now as the sponsors of this rider propose.

Let me conclude by quoting from an analysis of the rider prepared by the Department of Interior—quote:

The effect of the House rider would be to terminate the project, wasting 5 years' worth of scientific inquiry, taxpayers' resources and project staff time. Limitations on the use of funds as called for in the action would, by implication, make it illegal to publish the decision documents in which 5 years' worth of planning and community involvement were intended to culminate. Enactment into law of this provision would guarantee a continuing legal stalemate in the project area, with the outcome being the substitution of endless court battles for the sound management of natural resources.

Both the Departments of Agriculture and Interior strongly oppose this rider and OMB has issued a veto threat if this rider is included in the bill. I urge Members to support sound management of natural resources by voting against this amendment. I urge Members to support this amendment which strikes section 333.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

*Washington, DC, June 24, 1998.*

Hon. BOB LIVINGSTON,

*Chairman, Committee on Appropriations, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The purpose of this letter is to provide the Administration's views on the Department of the Interior and Related Agencies Appropriations Bill, FY 1999, as approved by the House Subcommittee. As the Committee develops its version of the bill, your consideration of the Administration's views would be appreciated.

The Administration appreciates efforts by the Subcommittee to accommodate certain of the President's priorities within the 302(b) allocation such as funding for national park operations. However, the allocation is simply insufficient to make the necessary investments in programs funded by this bill. As a result, a variety of critical programs are underfunded, as discussed below, and the National Endowment for the Arts (NEA) is terminated.

The only way to achieve the appropriate investment level is to offset discretionary spending by using savings in other areas. The President's FY 1999 Budget proposes levels of discretionary spending for FY 1999 that conform to the Bipartisan Budget Agreement by making savings in mandatory and other programs available to help finance this spending. In the recently enacted Transportation Equity Act, Congress—on a broad, bipartisan basis—took similar action in approving funding for surface transportation programs together with mandatory offsets. The Administration urges the Congress to consider such mandatory proposals for other priority discretionary programs.

In addition, the Administration urges the Committee to pass a clean bill that does not attempt to roll back environmental protections and circumvent the proper process by attaching riders to appropriation bills. The Subcommittee failure to fund the NEA, its underfunding of other priority programs, and its inclusion of damaging riders, such as the provisions concerning the Interior Columbia Basin Ecosystem Management Project and the road easement in Alaska's Chugach National Forest, would lead the President's senior advisers to recommend a veto if the bill were presented to the President in its current form.

Below is a discussion of our specific concerns with the Subcommittee. We look forward to working with you to resolve these concerns as the bill moves forward.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

The Administration strongly objects to the Subcommittee's elimination of funding for the National Endowment for the Arts (NEA) as well as to the Subcommittee's reduction in funding for the National Endowment for the Humanities ($26 million below the President's request) and the Institute for Museum and Library Service ($3 million below the President's request). The elimination of the NEA would result in the loss of important cultural, educational, and artistic programs for communities across America.

DEPARTMENTS OF THE INTERIOR AND AGRICULTURE

*Interior Columbia Basin Ecosystem Management Project (ICBEMP).* The Subcommittee has included a rider that would terminate this high priority interagency effort ICBEMP is an ecosystem planning project that will cover 72 million acres of Forest Service and Bureau of Land Management lands in the states of Oregon, Washington, Idaho, Nevada, Utah, Wyoming, and Montana. The environmental impact statement and the record of decision are scheduled to be finalized by mid-1999. The Bureau of Land Management and the Forest Service are now working under short-term directives to address anadromous fisheries (PACFISH), native fisheries (INFISH), and mature forests in Oregon and Washington (Eastside Screens). The Project will replace these interim directions with a coordinated, long-term management strategy that will foster both conservation and resource use and development. Replacing current interim measures with a long-term plan will provide necessary long-term protections for aquatic species. The shared environmental planning goals of the region can be effectively translated into individual forest and land management plans only through a coordinated process such as the ICBEMP, and this process provides more certainty to those who make their livelihoods from the Federal lands and live in the region.

*Land and Water Conservation Fund.* The Administration strongly objects to the Subcommittee's deep cuts in land acquisition funding to protect our national parks, forests, refuges, and public lands. The Subcommittee has reduced by almost half the $270 million requested, with Everglades land acquisition funds cut by 75 percent. This drastic reduction in funding, in combination with the Subcommittee's silence on the promised congressional release of the $362 million appropriated in FY 1998 for Federal priority land acquisitions, would prevent the Administration from making significant land acquisitions such as Cumberland Island National Seashore in Georgia, West Eugene Wetland in Oregon, Channel Islands National Park in California, the Appalachian Trail, and the Valles Caldera in New Mexico.

*Clean Water Initiative.* The Subcommittee has failed to provide the majority of the requested $128 million increase for Interior and the Forest Service to implement the Clean Water Action Plan. These reductions would prevent the initiation of watershed improvement and planning projects on public lands, including the remediation of abandoned hardrock mines, a serious source of water pollution in the West. The reductions would also curtail plans to increase research, assessment, and monitoring activities designed to help us understand the sources, transport and fates of non-point contaminants.

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FY 1999 INTERIOR APPROPRIATIONS BILL: EFFECTS OF HOUSE AND SENATE ACTION ON THE INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT

BACKGROUND

At the direction of President Clinton in July 1993, the Interior Columbia Basin Ecosystem Management Project (Project) was initiated by the Forest Service and the BLM to respond to landscape-scale issues, including forest and rangeland health, the listing of Snake River salmon, bull trout protection, economies of local communities, species associated with old forest structure, and treaty and trust responsibilities to American Indian tribes.

While the project area includes over 144 million acres in the interior Columbia River Basin, the Upper Klamath, and parts of the Great Basin, the project would apply only to the approximately 72 million acres of public land administered by the Forest Service and BLM in the geographic area.

Two draft environmental impact statements were released for public comment in May 1997: the Eastside EIS for eastern Oregon and Washington, and the Upper Columbia River Basin EIS for Idaho and portions of Montana, Wyoming, Utah, and Nevada. These EISs outline seven ecosystem management alternatives that replace, where applicable, interim conservation strategies in up to 74 land and resource management plans. The preferred option of the DEIS-Alternative Four, announced on April 23, 1997—aims to ''aggressively restore ecosystem health through active management using an integrated ecosystem management approach.''

Public involvement has been a cornerstone of the project, with over 200 public meetings to date, a newsletter, an Internet home page,

and a mailing list of over 8,000 people. The public comment period on the EISs was extended three times, and closed on May 6, 1998.

A Steering Committee of regional executive from land management, science, and regulatory agencies guide the project. An interagency team is located in Walla Walla, Washington, and Boise, Idaho. The team and Steering Committee have met periodically with various tribal governments. County governments have been active participants throughout the process.

After the final envionrmental impact statement is completed, the Record of Decision will have the effect of amending or completing conformance determinations on individual land use plans for each of the 48 administrative units of the BLM and the Forest Service.

COMPLIANCE WITH RECENT CONGRESSIONAL DIRECTION

Sec. 323 of the FY 1998 Interior appropriations bill modified a provision included by the House which required the Secretaries of Agriculture and Interior to analyze the economic and social conditions of communities within the Project area. This analysis was to be published for pubic comment and later incorporated into the final EISs. The two departments published and circulated this ''socioeconomic analysis'' in March, 1998.

The 1998 appropriation also provided that the two Secretaries submit a report—prior to the release of the FEISs—that provides a description of all planned ''project decisions,'' the costs and time required to make those decisions, and an estimate of goods and services to be produced from Federal lands in the Project area over a 5-year period. The two departments fully intend to comply with this provision, though it should be noted that satisfying this requirement will significantly extend the Project planning timeline.

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STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies.)

H.R. 4193—DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, FY 1999

(Sponsors: Livingston (R), Louisiana; Regula (R), Ohio.)

This Statement of Administration Policy provides the Administration's views on H.R. 4193, the Department of Interior and Related Agencies Appropriations Bill, FY 1999. Your consideration of the Administration's views would be appreciated.

The Administration urges the House to pass a clean bill that does not attempt to roll back environmental protections and circumvent the proper public process by attaching riders to appropriation bills. Regrettably, the Committee bill under-funds priority programs and includes damaging riders, such as the provision concerning the Interior Columbia Basin Ecosystem Management Project. In addition, it is our understanding that, if adopted, the rule for consideration of the bill will permit a single Member to strike all funding for the National Endowment for the Arts. Based on these concerns, if the Committee bill, as modified by the rule and associated motion, were presented to the President, the President's senior adviser would recommend that he veto the bill.

The Administration appreciates efforts by the Committee to accommodate certain of the President's priorities within the 302(b) allocation such as funding for national park operations. However, the allocation is simply insufficient to make the necessary investments in programs funded by this bill. As a result, a variety of critical programs are under-funded. The only way to achieve the appropriate investment levels is to offset discretionary spending by using savings in other areas. The President's FY 1999 Budget proposes levels of discretionary spending for FY 1999 that conform to the Bipartisan Budget Agreement by making savings in mandatory and other programs available to help finance this spending. In the Transportation Equity Act, Congress—on a broad, bipartisan basis—took similar action in approving funding for surface transportation programs together with mandatory offset. The Administration urges the Congress to consider such mandatory proposals for the other priority discretionary programs.

Below is a discussion of our specific concerns with the Committee bill. We look forward to working with the House to resolve these concerns as the bill moves forward.

DEPARTMENTS OF THE INTERIOR AND AGRICULTURE

The Administration appreciates the Committee's funding of maintenance programs, particularly those for health and safety, in Interior's land management agencies. However, the Administration strongly objects to inadequate funding provided by the Committee for high priority programs within the Department of the Interior and the Department of Agriculture, including Committee actions that would: reduce by more than half the $270 million requested from the Land and Water Conservation Fund to protect our national parks, forests, refuges, and public lands, with Everglades land acquisition funds cut by 75 percent. This drastic reduction in funding would prevent the Administration from making significant land acquisitions such as Cumberland Island National Seashore in Georgia and West Eugene Wetland in Oregon; provide no funding for the Millennium program protecting artifacts of our National heritage (see discussion below); deny most of the requested $128 million increase for Interior and the Forest Service to implement the Clean Water Action Plan; fail to provide the requested $15 million for the Disaster Information Network providing enhanced data to protect Americans; deny $29 million of the $36 million increase requested for the Endangered Species funding, including landowner incentive grants; fail to provide requested increases for the Bureau of Indian Affairs education operations and construction, the Indian Country law enforcement initiative, and the land consolidation pilot project and other trust system reforms; provide little or no funding for hazardous fuels reduction in most of California by allocating a disproportionate amount of available funds to the ''Quincy Library Group'' project in California; make significant reductions to the Forest Service's Wildlife and Fisheries Management, Rangeland Management, and Watershed Improvement programs, which would limit rangeland vegetative restoration and limit watershed improvements with approximately 12,250 fewer watershed acres protected or restored; and, eliminate the Forest Service's Stewardship Incentive Program and significantly reduce its Forest Legacy Program. Both of these programs support local communities and private landowners and effectively leverage Federal funds.

*Forest Service General Administration.* The rule would shift $67 million from General Administration to wildland fire suppression. This is unnecessary since the Committee mark is at the request level and a $250 million contingency is available for use if necessary. Such a transfer would deprive individual national forests of important on-the-ground natural resource management capability, delay needed Forest Service computer system and financial accountability improvements, and unwisely eliminate key agency leadership positions.

*Priority Land Acquisition Funding.* The Administration objects to the Committee's continued inaction on the promised congressional release of the $362 million appropriated from the Land and Water Conservation Fund in FY 1998. As requested by Congress, the Administration has submitted a list of proposed land acquisitions. In response, the Committee has not only held back the FY 1998 Title V funding but also has funded some items on the Administration's FY 1998 list with FY 1999 funding, resulting in critical acquisitions planned for both years being delayed and unfunded.

*Millennium Program.* The Administration strongly urges the House to provide funding in FY 1999 for the ''Millennium Program to Save America's Treasures.'' The Committee has failed to provide any funding for this important effort. The President's budget requests $50 million to increase the Historic Preservation Fund to make a special effort to preserve our history and culture as we enter the new millennium. This program is designed to leverage Federal, State, and private funding to have the greatest collective impact on our rapidly deteriorating national treasures.

*Purchaser Road Credit Program.* The Administration fully supports the Committee's decision to eliminate the Purchaser Road credit program. The Committee bill includes a provision that would ensure that the value of road construction by purchasers continues to be included in calculations for the Payments to States. To permit increased certainty and better local planning more directly, we urge the House to adopt the Administration's proposal to provide a high, fixed level of payments to States.

*Timber Sales.* The Administration objects to the increase of $12 million over the request for timber sales in order to produce 3.6 billion board feet, 200 million board feet over the budget estimate.

LANGUAGE PROVISIONS

The Administration strongly objects to certain language in the Committee bill, including provisions that would: unwisely terminate the Interior Columbia Basin Ecosystem Management Project in six Northwest States, forcing individual amendments to 74 land management plans; remove 75 acres in Florida from the coastal barrier protection system, providing taxpayer subsidies for private development of environmentally fragile barrier islands; prevent the BIA and the Indian Health Service from entering into any new or expanded self-determination ''Section 638'' contracts or self-governance compacts with tribes, contrary to our government-to-government policy; prohibit improvements—even planning or design of improvements—to Pennsylvania Avenue in front of the White House; transfer the jurisdiction over the valued Land Between The Lakes National Recreation Area from the Tennessee Valley Authority, where it has been successfully managed for over sixty years, to the U.S. Forest Service, a disruptive change that would involve additional transition costs without improving service; and, impose a road easement across the Chugach National Forest in Alaska, thereby preventing the Government from making modifications to protect the environment while authorizing environmentally damaging management practices and undermining an ongoing discussion to determine the most appropriate road corridor based on a 1982 agreement.

INDIAN HEALTH SERVICE (DEPARTMENT OF HEALTH AND HUMAN SERVICES)

The Administration is concerned that the Committee has not included a $10 million increase requested for prevention and treatment of alcohol/substance abuse and breast/cervical cancer, which is part of an HHS-wide effort to reduce health disparities in minority populations. The Administration intends to work with the Congress to fund these important initiatives within funds available for the Indian Health Service. The Administration is also concerned that the Committee has included authorizing language, without hearings or tribal consultation, that would require contract support costs to be distributed to tribes and tribal organizations on a pro-rata (proportional) basis.

DEPARTMENT OF ENERGY

The Administration strongly objects to the House's severe reduction to the Department of Energy's Energy Conservation program. While the Committee mark appears to be $18 million higher than the FY 1998 enacted level ($630 million vs. $612 million), it includes $43 million for a program that previously has been funded in the Fossil Energy R&D account. The House's funding for the programs traditionally included in the Energy Conservation Account is $587 million, a cut of $25 million from the FY 1998 level and a reduction of $222 million from the President's request of $809 million. Within this reduction, particularly severe damage is done to the Partnership for a New Generation of Vehicles (PNGV), for which the Committee mark is $14 million (roughly 10 percent) less than the current appropriation and $45 million below the request.

These cuts would eliminate all of the Administration's requested increase in Energy Conservation for development of technologies to improve industrial, transportation, and building efficiencies and to reduce carbon emissions. The inclusion of several special-interest earmarks in the Committee Report also would reduce the President's ability to gain maximum benefit from the available funds. The inclusion of the $43 million in the Energy Conservation account to fund a utility-scale turbine program that would continue to be managed by the Fossil Energy program is an inefficient management practice that would dilute accountability and should be avoided.

The Committee mark eliminates all of the funding requested for the Energy Information Administration to work on carbon emissions accounting and analysis ($2.5 million), and eliminates all of the requested increase in Fossil Energy R&D for high-priority carbon sequestration research ($10 million). The President's budget also requested $36 million for payment to the State of California for the Retired Teachers System, which is not included in the Committee mark. The Administration prefers that this payment be appropriated consistent with P.L. 104–106.

The Administration would like to work with the Congress to restore fundings to these important Department of Energy programs as the bill moves through the process.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

The Administration appreciates the Full Committee's restoration of funding for the National Endowment for the Arts (NEA). The Administration strongly objects to striking NEA funding and strongly supports the amendment to restore such funding. We urge the House to provide funding for NEA and NEH at the President's requested level of $136 million each and for the Institute for Museum and Library Services at the requested level of $26 million.

YEAR 2000 COMPUTER CONVERSION

In the FY 1999 Budget, the President has requested more than $1 billion for Y2K computer conversion. In addition, the budget anticipated that additional requirements would emerge over the course of the year and included an allowance for emergencies and other unanticipated needs. It is essential to make Y2K funding available quickly and flexibly. The House action striking the emergency fund in the Treasury and General Government Appropriations bill is very troubling, particularly in light of several Subcommittees, including the Interior Subcommittee, deciding to not fund the base Y2K request for several agencies.

SMITHSONIAN INSTITUTION

The Committee's $397 million overall funding level for the Smithsonian, which is $22 million less than the Administration's request, would prevent the Institution from addressing current pressing needs. The Administration is concerned with the lack of support for the Smithsonian's National Museum of the American Indian. The Administration encourages the Committee to provide the $16 million request for the construction of the Museum on the Mall, as well as the full $11 million requested for the programs and operations of the Cultural Resources Center. In addition, the Administration urges that the $3 million request for digitization of Smithsonian exhibits be restored.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The Administration urges the House to provide the full $33 million requested for the Kennedy Center. In particular, we ask that the Committee provide the full construction request of $20 million, which is also included in the Administration's pending authorization bill.

HOLOCAUST MUSEUM

The Administration urges the House to provide the full $32.6 million requested for the Holocaust Museum.

INFRINGEMENT ON EXECUTIVE AUTHORITY

There are several provisions in the Committee bill that purport to require congressional approval before Executive Branch execution of aspects of the bill. The Administration will interpret such provisions to require notification only, since any other interpretation would contradict the Supreme Court ruling in *INS* vs. *Chadha*.

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

Mr. Chairman, I rise in very strong opposition to the McDermott amendment, for a number of reasons. I have been listening to my colleague from Washington State make mention of the reasons why he supports his own amendment. Obviously, he does, and I respect that.

However, let me put a clear perspective on this study, and that is exactly what it is, Mr. Chairman, it is a study.

In 1993, without authorization, and I say that again, without any authorization, without one single hearing, without any consideration by the authorizing committee of this Congress, some money was stuck into an appropriations bill to do a study of Washington and Oregon to look at the so-called ecosystem of these two regions relative to endangered species.

What developed from that ministerial duty, I will say, of putting some money in and saying let us do a study, has developed into a 7-State, 144 million acre monstrosity. Volumes of documents and scientific analyses have apparently been done, and so now this so-called initial study on the short-term has taken on a life of its own that has become a nightmare in the Pacific Northwest and in the 7-State region that this study encompasses, all in the name of so-called ecosystem management.

Let me tell my friends why this is so serious to the Pacific Northwest and all the Western States. It is a study that is never ending. It is a study that will cost the taxpayers an estimated $1.25 billion over the next 10 years.

The country has already spent $40 million on a study, a study, that has now created volumes of documents, staff galore, a lot of bureaucracy frankly, in the name of ecosystem management.

What this amendment does is essentially continue this bureaucracy that has existed since 1993, at a cost of $40 million unauthorized.

Let me tell my colleagues who is against this amendment by the gentleman from Washington (Mr. MCDERMOTT): The National Labor Management Committee, the Pulp and Paperworkers, which consists of the pulp and paperworkers and the carpenters and the machinists. It is opposed by 65 percent of all of the county governments of the 7-State, 144 million acre region.

I have that documentation right here, the Western Legislative Forestry Task Force, have all of the counties that oppose this study and oppose the continuation of the expense of this study. Here is volumes of material, letters and messages saying this study has gone beyond its original expectations; it is going to ruin the Pacific Northwest and the 7-State region, not only from a resource management standpoint but from a private property rights standpoint.

What we need to do in this case is reject the McDermott amendment and allow the amendment that we put into the subcommittee that passed without any objection, went to the full appropriations subcommittee without any objection and now is here on the floor, again without one hearing by the authorizing committee, a $40 million cost to the taxpayers already.

What we do is we say, let us terminate this project. Let us use the science. I object to my colleague asserting that the science is wasted. It is not. Particularly in our amendment, it says, let us use the science that has been accumulated. Let us also use the social and economic information that has been accumulated to make sure we do not ruin the small communities of the Pacific Northwest, the timber communities and the resource areas of our great part of the world.

What this amendment will do will be to perpetuate the bureaucracy, and I must say the environmental community is not pushing this. They do not

like the study, the east side ecosystem study, the Interior Columbia Basin study for different reasons that I do not like it, but they still do not like it. They are not here on board supporting the McDermott amendment, to my knowledge. It is the White House, and it is Mr. GORE's office who really is pushing for this concept nationwide, worldwide, of ecosystem management, and the test case, the test place for it, is the Pacific Northwest.

So I would say to my friends, to my colleagues, we must reject this amendment. It is a destructive amendment to the way of life of people in the Pacific Northwest. It is a waste of taxpayers' money to continue this massive study that has gone beyond its original purpose. It is opposed by labor. It is opposed for other reasons, I am informed, by the environmental community, and what we need to do here is oppose this amendment so that we can be sure that there is a way of life in the Pacific Northwest relative to resource management.

There is nothing in the ecosystem study that prevents lawsuits, but it does allow the scientific information to be used in the forests that are affected by this scientific information. I think it is significant that 65 percent of the county governments, which were supposed to be an integral part of this study and its findings, have rejected the findings and the study and the continuation of the study by the Department of Interior and its land agencies.

So I know there are other Members here who want to speak out on this today because it is a very serious breach, in my judgment, of the initial expectation of this study and it is a breach of the property rights of those of us in the Northwest who want to preserve the environment but also not shut down the entire forest system and public land system in the Pacific Northwest in the 7-State region containing 144 million acres that are covered by this study.

So I implore my colleagues, reject this amendment. Make sure that we preserve the resources of the Pacific Northwest.

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

Mr. Chairman, I join in the comments of the gentleman from Washington. This study that was undertaken several years ago has ended up moving from a study that was supposed to last for 9 months and cost only $5 million, has now moved into a study of 4 years in duration and has cost $40 million.

Mr. Chairman, that is a 700 percent increase, 700 percent over budget. The McDermott amendment continues to fund this project, a project that environmentalists hate, that industry loathes, that private property owners fear, and that very frankly local Forest Service and BLM employees say cannot be implemented. When I go home, and even in work back here, I have had so many Forest Service people say, ''Please don't run this over the top of us. Please don't implement this ICBEMP,'' as they call it. Why do we want to continue to fund a project that is unacceptably overdue, over budget and cannot be implemented? The land managers themselves tell us, ''Please don't implement this. It won't work.''

The problem with this program is that what started out to be a study now will end up to be a superagency, imposing itself over a number of States and imposing restrictions on State water rights and private property rights. It also will lead to a paralysis of analysis in terms of getting our forest plans out.

What we can do in this case is to oppose the McDermott amendment. By opposing the McDermott amendment, we empower the local Forest Service and the BLM managers to again use the science and information gathered during this very intensive and extensive multistate project and multiyear project to create custom-fit solutions instead of forcing them to accept a one-size-fits-all Federal fiat that cannot be implemented at all.

Do we really want to support an amendment that will lead to more litigation and more gridlock and no improvement in land management? I do not think so. Or do we want results and better managed lands and local solutions? I think we do. It is better for our land and our communities. The McDermott amendment is bad policy and it is bad for the health of our land. I urge the opposition of the McDermott amendment. Please vote ''no.''

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

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Washington. It is a sound amendment, it is an important amendment and it is one that as he has pointed out is in opposition to the rider in this legislation that would throw overboard essentially this plan, it would terminate this plan, it would require the closing of the office and would not let us get to the final status of the EIS report. To do so is to stick our heads in the sand and to pretend that we have learned nothing in the last 25 years.

The gentleman from Washington (Mr. MCDERMOTT) comes from the region. He was here at the center of much of the controversy around the spotted owl where we started to learn a lesson because of piecemeal management, of uncoordinated management, of one agency not talking to the other agency, of the various departments and agencies that are responsible for land management doing their own thing, if you will, while not taking into account the impacts upstream, downstream or on other resources in the area. This effort is to remedy that situation.

Why do we do that? We do that because we have learned that if we do not do this, the region will be thrown into turmoil. It will be thrown into turmoil because once again we will be warned as we were with the spotted owl of the decline of the resource base in the area. What will that do? That will then force us back into court. That will force us back into litigation. This is an effort based upon a region-wide basis, on an ecosystem-wide basis to come to grips with all of the problems that are causing the decline in the various resources in the area and their impacts on fish and wildlife, their impacts on the total environment in that area. The same effort is being made in the Everglades of California; the same effort is being made in the Central Valley, in the Sacramento San Joaquin Delta in California, because we know that what happens 100 miles upstream dramatically impacts downstream. We know now that commercial fishermen on the coast of California are impacted by the cut in the forest that is 150 miles away. We know if we cut on the steep slopes as we have been doing for many, many years, we will experience landslides, we will experience the filling in of the streams and we will experience the diminishing of the fish population. We know that now. We have learned that.

Many people have said that this is over the top of the Forest Service. If you look on the front of the report, if you look on the status of the Interior Columbia Basin, on the cover is the Forest Service, is the Bureau of Land Management, is the Department of Agriculture. Why? Because all of those local land managers were brought in just as we did in the gymnasium in the Pacific Northwest where we brought together these people and we started to make them talk to one another, talk about what they needed in terms of resource management in their area, what they expected in cuts, what they could sustain, what they thought the productivity would be of the lands and make that fit and coincide with what was happening elsewhere in the region. The result of that is a greater recognition of how badly devastated this region in fact is. Because there are not many people arguing with the science of this report. Even the authors of this rider suggest that the science is valid, that it should be distributed to the local agencies on a site-specific basis and they can do what they want.

What does the science tell us? It tells us that they have a road system that is in absolute disarray, that is in decline, that is not able to maintain the maintenance because of declining budgets, and there is progressive degradation of the road and the drainage structures and increases in erosion.

What does it tell us about the integrity of the aquatic systems? It says if this is an important goal of this region, and there is nobody from this region that believes that the integrity of the aquatic systems is not an important goal in the Pacific Northwest, then dramatic and decisive action is required to stop further alterations and

restore the areas that are already degraded.

What does it say about the ecosystem integrity of this vast region of the Pacific northwest? Sixty percent of these lands are of low ecological integrity value. That is why we did the science. Because we have learned from the train wrecks and the disasters of litigation, of shutting down industries, of invoking the Endangered Species Act time and time again until a region is so bound up in controversy that you start to lose your economy, you start to lose your tourism, you start to lose the uses of these lands.

This is an effort to do it right the first time, to recognize the mistakes that were made in the past. That is why this administration feels so strongly about this rider.

The CHAIRMAN. The time of the gentleman from California (Mr. MILLER) has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 3 additional minutes.)

Mr. MILLER of California. Mr. Chairman, we have an opportunity to do it right. One of the reasons this has been so extensive is because my colleagues on the other side, rightfully so, we were doing this in the Sacramento San Joaquin Delta in the Central Valley of California, the agencies were directed to go out and to meet and to confer and to deal with local governments, with the site managers on the public lands, on the forests and the resource agencies and to take this into account and to work with these people. That is very extensive. It is also a very expensive proposition. If we had not done that, we would have obviously been criticized, the report would have been criticized for not consulting with these individuals. Now, it would have been less expensive but we would have found another basis on which to criticize the report. But the point is that people understand that the science here is valid.

I appreciate just as we did not like to hear in our region of California that we would now have to spend $1 billion correcting the past mistakes if we are in fact going to protect the San Francisco Bay and the San Francisco Delta and be able to provide for agriculture in the Central Valley. We got bad news, too. So did the people in the Everglades because of the history of terrible actions. They now have to go back and repair that. This is an opportunity to go back and to restore the environmental integrity of this region and forgo the litigation. This rider is simply Christmas in July for the attorneys.

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

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

Mr. NETHERCUTT. Mr. Chairman, I would make a point to the gentleman. The estimate is that it will cost $125 million a year to implement any scientific findings and there is, in this study, no prevention from there being any litigation. Does the gentleman realize that?

Mr. MILLER of California. I understand that. And that is the whole budget. The gentleman from Ohio (Mr. REGULA) has been besieged by people all day who said the real cost of this is $350 million. He only had $26 million. We are going to do the best we can. This delegation will have to make a decision. We have a big bill and the Everglades has a big bill and other places have a big bill that are going through this. Every year we are asking for money and we are making it and we are trying to make the decisions and work in the worst areas first and we are setting those priorities. It is all a big bill. Why? Because we have made some horrible mistakes. Many of those mistakes were made out of ignorance. We did not know the science. We did not know the ramifications of those actions. Today we cannot plead ignorance. That is why this study, the EIS is so terribly important to making the kind of progress necessary in the Pacific Northwest.

Mr. NETHERCUTT. If the gentleman will yield further, I do not know if the gentleman knows that there was a hearing between the Senate and the House of these land agencies.

The CHAIRMAN. The time of the gentleman from California (Mr. MILLER) has again expired.

(On request of Mr. NETHERCUTT, and by unanimous consent, Mr. MILLER of California was allowed to proceed for 1 additional minute.)

Mr. NETHERCUTT. The testimony was that if they could not get the money, and this budget is strapped, they would do nothing. So, therefore, the forests deteriorate more and they are stuck sitting there without any kind of a management plan as long as this study continues.

My argument is, let us use the science that is there and let the managers on the ground implement these plans and take the findings and get something done rather than wait.

Mr. MILLER of California. I would just say to the gentleman that that is not free and the science dictates that same. This study is very involved in a very, very active management program. Your solution is not necessarily any cheaper. We just happen to think that the provision of the study and the follow-on EIS is simply much better coordinated and may in fact be somewhat less expensive in the long run if these people are in fact working together as opposed to just rolling back the clock to how we used to do business, where all of these 75 different land management agencies just go back to sort of what they were doing before.

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

Mr. Chairman, I really do not quite know how to start after hearing the gentleman from California, the debate on this and hearing the gentleman from western Washington with his remarks, but let me put it in perspective from my point of view. What we have heard so far on those that are proponents of this amendment are ironically people that do not live in the area that is affected. I suppose that is not unusual when we talk about resource issues. But I think in this particular case it would be worthwhile to find out from those of us that represent the people that live in this area and the potential impact that it has on them.

Let me back up to when I got involved in this issue. This came about in 1993 or 1994. Obviously when I was elected to this body in 1994, it was brought to my attention by local people, local county commissioners, and they were asking questions, ''What is this ecosystem management project and what is the end result?'' At that point I could not really answer them. But I did do this. I advised them very strongly that they should be at the table, they should be at the table no matter what comes out of this, because if you are not at the table, then you can hardly criticize what decisions may be coming down the line.

□ 2030

So those that I talked to took my advice and others' advice that that would be the procedure that they would follow. So they have been sitting at the table, starting in 1994, 1995, 1996, 1997, 1998 through this year.

We have moved the comment period back from time to time. I think that was good policy. The reason why is because the feedback I got from the elected officials that represent those counties in my district, they were hearing things that they did not quite like to hear. They wanted more information.

So as they got more information, they could see that this is becoming very, very quickly a top-down plan. Because, as was pointed out by my colleague, the gentleman from Washington, this was never authorized by this body. It was only funded in an appropriations bill, and it kind of grew like topsy and grew and grew. We are going to have this expenditure grow out for what?

So at the end of the day, what has happened is that those county commissioners in my district and in the adjoining counties said, ''What can we do in order to change the way this thing is headed?'' We suggested that maybe one thing we ought to do is cut off the funding and use the data that has been collected and use it on a local level. Because, after all, if you come from the school that the government closest to people is best able to react to the wishes of those people, then that is a pretty good model with this data.

So over 65 percent of the county commissioners in these affected counties have written, saying something like this: ''We would like to see this program terminated. We will use the data as we think best in our own particular areas.'' I think and I trust those county commissioners to use that data in a

way that is the right way to go about it.

Again, I want to make this point, so many times when we talk about resource issues, these resource issues are trying to be decided by somebody outside of the affected area.

The fact is that most of the discussion here, at least from my friend, the gentleman from California, talked about the forest areas. But this area is 144 million acres, and a good portion of it has no forest land. In fact I can tell you my district, which is all impacted, has very little forest land.

What we come to and why my local elected officials are apprehensive about this whole process is simply this: It is the unintended consequences that come out of this data. In my district, and I dare say throughout all of the affected area, the rainfall by and large is less than 10 inches. So if you have an unintended consequences of controlling the water resources, what does that do to the agriculture industry? What does that do, for goodness sakes, to the fish? These are things that are not being addressed, in my view, by this. We are just studying, studying, studying.

I think if we are going to come to grips with what has been compiled so far in a program that was only supposed to have been funded for 1 year, it seems to me we ought to put that data in place. The county commissioners in my district are prepared to take that data and put it in a place where they think appropriate. But I think it is very important to give them the opportunity to make that decision on their level as they see appropriate.

So I would urge my colleagues to vote against the McDermott amendment. I think it is bad policy. I think we ought to terminate this program as the Committee on Appropriations has suggested. So I urge my colleagues to vote ''no'' on the McDermott amendment.

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

Mr. Chairman, when it was first proposed, the Interior Columbia Basin Ecosystem Management Project actually held great promise. The goal was to produce a document that would provide a broad framework through which individual forest management plans would be updated. These updates would provide the framework through which local communities and local citizens would see an end to the management of our public lands and our public forests through conflict.

The promise was that local governments and local citizens and local business owners and local labor unions and local conservationists would work together to restore predictability in the management of these public lands. This was very important, Mr. Chairman, because these local communities of the Northwest have seen their economies devastated and they have seen their small town culture wiped away by the breakdown in the process by which we made public land management decisions.

As we have heard from others, when the project started, the promise was that it would be completed in 9 months. When the project started, local governments were promised a place at the table. When the project started, local forest supervisors were to be given authority to manage their individual forests according to their individual needs. When the project started, the Congress was told that the cost would be $5 million.

So where are we today? Well, we are faced with a host of broken promises. The 9 months turned into 4 years, $5 million turned into $40 million. Local governments, who almost universally endorsed this project in the beginning, have almost universally now withdrawn their support for the process. Local citizens have been driven from the process and have been given no voice. In fact, what happened is the process that is supposed to be bottom line is replaced with a top-down mandate.

I found it interesting to listen to the gentleman from California as he read from the cover of the document saying that this was a document that was to be a consultation between various agencies. Mr. Chairman, I did not read the cover. I read the whole document. Let me tell you what I found out, is a process that was supposed to be inclusive and participatory has turned into one that is full of mandates and directives from the top down.

Is the science good? The science is good on the large footprint. But if you talk to any of the rangers out there that are managing these resources, if you talk to the forest supervisors, they will tell you the science for their individual forest management is useless.

I will tell you what else we determined in the joint hearing, and that is that the economics is off.

I just urge my colleagues to defeat this amendment and support this provision in the bill.

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

Mr. Chairman, I yield to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Chairman, I find this is a very interesting debate because it is characterized as sort of people from somewhere else jumping in.

This plan was put in place by the former Speaker of the House because he recognized all the problems we had had on the west side. On the west side we had every forest shut down for long periods of time. Not a stick of wood was cut anywhere. So he said to himself, let us not repeat the mistakes of the west side. Let us develop a coordinated plan from the outset between all the forests and all the Bureau of Land Management and get this thing done in a way that will actually work.

What I am hearing from my colleagues here in defending this rider is they do not want to have any of the plan. They do not want to have it implemented by the Bureau of Land Management. They want to turn it back into one fight after another in the courts.

If you have 74 land management plans, that means you have got district by district inside those forests. If one ranger wants to do it one way in one district and another ranger wants to do it in the next district differently, who is going to coordinate that? Not according to my colleagues. They do not want it coordinated. They simply want to let everybody have the book and look in it and say, ''Well, that looks pretty good for our area. I think we will do that.'' But who coordinates that? My colleagues know that will not work.

So what my colleagues are willing to do tonight is roll the dice. They are willing to say let us throw away 5 years of trying to coordinate this thing, and we will go back and take our chances and cross our fingers that we do not get 74 lawsuits.

When my colleagues tell me that the environmentalists do not like this plan, I agree. They do not. I am not here defending the plan. I am defending the process. They do not like this because they do not think it got far enough.

Now, if we read that and we listen to the environmentalists talk about it, they are saying this plan does not go far enough. What does that imply if it does not get put in place? They are going to go to court. If my colleagues do not think there is a judge someplace in the Northwest who is going to look at this and say, ''Well, here is what the National Environmental Policy Act says, and here is what you are doing. They do not match, so we are closing down the forest till we get a new plan.''

We all know, everybody in the Northwest knows that we are right on the edge of having salmon as an endangered species. The salmon spawning in every single river in the Northwest is in danger. We are going to have a coordinated plan for salmon restoration. If you think it is going to be done by one county commissioner in one county and another county commissioner in another county, it simply will not work because the streams run through more than one county.

Mr. HASTINGS of Washington. Mr. Chairman, will the gentleman yield?

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

Mr. HASTINGS of Washington. Mr. Chairman, I would like to make this point. No less than 4 weeks ago, in the northern part of my district, there was a Habitat Conservation Plan that was agreed to by all the parties. It includes essentially all of the Columbia River north of Wenatchee and including all the tributaries on up to the Canadian border.

That is a locally developed plan. I am just suggesting to you that that ought to be a model that we ought to pursue, not only on the river, I hope is done

downstream, but also as a model that we can pursue. Because the one thing that we have, I think that you will agree with me, I hope you do, and that is this: One size does not fit all in as diverse an area as we have in the West. There has to be a new way to look at it.

The HCP that was agreed to by the PUDs in the northern part of our district, frankly, can be a model, not only on the river, but also in the forested areas.

I would hope that defeating the gentleman's amendment would lead to that because this is where the county commissioners are. This is exactly where the county commissioners are in their rejection of the one-size-fits-all. That is why I think that with that HCP as a guide, which I say was signed no more than 4 or 5 weeks ago, this could be an opportunity for us. So I think that it is appropriate that, in fact, we defeat the gentleman's amendment, and this is the reason why.

Mr. MCDERMOTT. If the gentleman from New York will yield, Mr. Chairman, would the gentleman from Washington just tell me which watershed that is? It is the mid-Columbia watershed?

Mr. HASTINGS of Washington. That is exactly right.

Mr. MCDERMOTT. So the gentleman thinks that it will go section by section through the entire Northwest and it will all be coordinated.

The CHAIRMAN. The time of the gentleman from New York (Mr. HINCHEY) has expired.

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr. HINCHEY was allowed to proceed for 2 additional minutes.)

Mr. HASTINGS of Washington. Mr. Chairman, will the gentleman yield?

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

Mr. HASTINGS of Washington. Mr. Chairman, that is precisely the point. This is the first step. That is what makes HCP in north central Washington so significant, because all parties involved, the environmental community, the farming community, the tribes, because, after all, they are involved in this as a reservation of the north part of my district, they all bought off on this idea.

The end result at the end of the day, at the end of this time period and, by the way, it is scheduled to last for 50 years, and at the end of this time period they believe that those fish runs will be enhanced. Everybody up there, all parties agree to that.

I would just suggest to you, as hard as they have worked on this plan on that issue, we ought to move from the old model of top-down, one-size-fits-all and look at that possibility, because it is true, it is real, it is right in that ecosystem that we are talking about.

So, yes, in answer to the gentleman's question, I believe that that can happen. I believe that we will, in fact, I believe in the near future we may have another one of those HCPs involving some more dams. I think that we will continue down that line. Because at the end of the day, the beauty of this whole system is that the people that are affected will make the decision.

Mr. MCDERMOTT. Mr. Chairman, if the gentleman from New York will yield, I wish that I had the belief that my colleague does in a system, because I saw what happened on the west side, and it did not happen. The fact that one area has done it in 5 years that we have been talking about, we have got to ask ourselves, where is Oregon? Where is the rest of Washington? Where is Montana? Where are all the other affected areas? They have had 5 years. They could see it coming down the track at them, and they have not done it.

All these county commissioners who were going to get together, we have got one example on 72 million acres. We say, well, if we wait long enough, we will have it covered. Yes, we will, in about 25 years, after which we have had about 25 lawsuits. The problem with it is, if we do not start in a coordinated way at the start, we will never get it coordinated.

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

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

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

Mr. Chairman, I listened with interest to my friend, the gentleman from Washington (Mr. MCDERMOTT), make his points.

With regard to the environmental community which opposes this study, I do not think I am overstating it. The gentleman from Washington (Mr. MCDERMOTT) said, well, certainly they will sue. They are opposed to the study, and they are opposed to a record finding because it does not go far enough.

□ 2045

So they probably will. But what I think is so very important in this case is that if you have the scientific information that is being used to amend the 74 plans, they are all going to have to be amended anyway, if there is a record of decision. But the difference is there is not one preferred alternative that affects all seven States and all 144 million acres. So we have got one particular record decision and preferred alternative for Oregon and Montana and Washington and Nevada, and that may not apply to eastern Washington.

What we are trying to do by terminating the study, but using the scientific findings in the interests of amending the plans anyway, we are not trying to have the alternative that may apply to Oregon, which has a different climate than my east side of the State of Washington, have it apply there. So the method in this madness is to use the science, and not be stuck with a one-size-fits-all policy that assumes that this entire region is one region, and we all have the same issues and the same environmental conditions, and preserve this local autonomy that my friend, the gentleman from Washington (Mr. HASTINGS), mentioned so well.

I have great respect for my predecessor. Certainly he stuck the money in. But he stuck the money in so the bull trout would not be listed. Well, guess what? The bull trout has been listed. After five years, roughly, of $40 million of expenditure, we are still fighting that issue. I do not buy the argument that if there had been some record of decision, it would not have been that somehow the bull trout would not have been listed.

I just think this is a continuation of bureaucracy that will never end, and I mean that sincerely. I think now they want another $5.8 million this year in our bill. We could not afford that. We are trying to save money for parks and other things, but still not waste the science and $40 million that has been out there. So this local decisionmaking and wise use of the information that meets the alternatives and the needs of the local communities, I think, just makes sense.

I must say to my friend, you have got the labor union movement that is affected in my part of the country saying, ''Don't do this. We object to the continuation of this study. We think it ought to be terminated, because it means jobs for those who are in the pulp and paper industry.''

Now, I want to preserve jobs too, and I just do not think there is any sense that this record of decision that affects all seven States with one preferred alternative is going to be the salvation of jobs in the Pacific Northwest and in the whole Western States region.

So I just urge my colleagues, look at it again. It is 144 million acres, it is $125 million conservatively of implementation costs. If you just look at the Northwest Forest Plan, you can about quadruple that number, if not more than that, in terms of cost, in doing the sub-basin studies. It is a tremendous cost.

So my view is, let us let these local decisionmakers make judgments about the needs of the regions that differ from one another. Use the science, but do not have a one-size-fits-all policy at a cost that this Congress and the taxpayers cannot afford.

I yield back to my chairman, with the understanding that there is not the money in this budget. We are tight as it is, trying to get this all done.

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

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

Mr. DICKS. Mr. Chairman, having suffered through the other side of the State and having seen the problems associated with that, I worry a little bit, I must say to my friend from Spokane,

who I have worked with, and my friend from the Tri-Cities, who I have worked with, two of my colleagues, that the idea that you can just do this without some kind of a comprehensive strategy leaves you vulnerable to the lawsuit by the environmental action groups that you enjoin.

They take the scientist in there and they put him under oath.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(By unanimous consent, Mr. REGULA was allowed to proceed for 2 additional minutes.)

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, they say is the plan that you have got sufficient to restore the Chinook salmon run, or is it sufficient to restore the steelhead run, or is it sufficient for the bull trout?

If the scientist says no, the judge enjoins you, and then, instead of having the harvest rate up here at maybe 50 percent of what it was, you get enjoined, and then you have to come in and come up with a new plan. You will be back in Federal Court, they will demand you go out and have a plan for the entire area. Then when you have that plan developed, it will take you down further.

I can remember when I stood up here and we could have gotten $2.5 billion in Region VI on the spotted owl, but the people said no, no, no, that is too much, we cannot do that, and they objected to the plan. We wound up with $1 billion in the whole region.

So I just say to my friend from eastern Washington, and the gentleman from Washington (Mr. NETHERCUTT) and I have been very hesitant not to get into this tonight, I just worry that if you do not have a strategy, if you are just going to leave it go to the local level, and I applaud, by the way, the gentleman from Washington (Mr. HASTINGS) in support of the Multi-species Habitat Conservation Plan, and, by the way, that is done under the Endangered Species Act. I think it is the ultimate tool. This is a tool Pacific Lumber is using in northern California.

So I just worry that if we completely blow this up, that we wind up having nothing, and you leave yourself completely vulnerable to lawsuit after lawsuit that will wind up getting your forest. Instead of being at 50 percent, you will be down at 10 percent, like I am at the Olympic National Forest, a 95 percent reduction because the plan was implemented on a regional basis, top down, and we got killed. My people up there were very upset and offended by it.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(By unanimous consent, Mr. REGULA was allowed to proceed for 2 additional minutes.)

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I just worry that if you do not work out something that gets everybody around that table and provides some leadership, you guys may have to go out there and sit down with these people and get this thing going in the right direction, because somehow you have to have a plan.

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Washington (Mr. NETHERCUTT) to close the debate.

Mr. NETHERCUTT. Mr. Chairman, let me respond to my friend. There is nothing in the Interior Columbia Basic Ecosystem Management Project that prevents lawsuits. The gentleman assumes that a seven-State, 144 million acre plan with one preferred alternative is the answer. It is not the answer.

I submit respectfully to the gentleman, I am willing to work through all of this. I have talked to the gentleman from Washington (Mr. MCDERMOTT) and said let us work through this in conference. The Senate has a little different feeling about this. But this is not the answer to not having lawsuits, and, in my sense, the courts are going to look and say is there a scientific study, which my predecessor was trying to accomplish. Have a study. There is a study. It did not say a preferred alternative or record of decision or a seven-State, 144 million acre study. It said a study.

We have a study. We have adequate scientific information to allow any court, in my judgment, to resist any challenges, notwithstanding the fact that there is not a record of decision.

So I understand the gentleman's concern, but I am concerned also. I want to have some productivity and multiple use out of our forest system, but I do not come to the conclusion that a Federal program, such as it has been identified, I think accurately, as a bureaucracy, that is top down, not locally decided, which is what was expected in the first place, is the answer. There is no assurance in this. We want to have some language that says ''no lawsuits.'' I will join into that.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. REGULA was allowed to proceed for an additional 30 seconds.)

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I want to say to the gentleman, I will be glad to work with all three gentlemen, my colleague the gentleman from Washington (Mr. MCDERMOTT) and my two colleagues from the eastern side of the State of Washington. We still need to work something out in conference on this issue, regardless of what happens on the McDermott amendment. But I want you to know I am still willing to work with you all to see if we cannot work out something that makes sense.

I do not want to see our bill get vetoed over this though. I would say to my colleague from Spokane, we cannot risk vetoing the bill. We have to work something out here.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. MCDERMOTT).

The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Pursuant to House Resolution 504, further proceedings on the amendment offered by the gentleman from Washington (Mr. MCDERMOTT) will be postponed.

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

Mr. Chairman, I just want to advise Members that we are going to rise temporarily for a matter, and then we will renew our efforts in title III after that. We are going to finish the bill tonight.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4193) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes, had come to no resolution thereon.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4276, COMMERCE, JUSTICE, STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 105–641) on the resolution (H. Res. 508) providing for consideration of the bill (H.R. 4276) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## POSTPONING FURTHER PROCEEDINGS ON MOTION TO INSTRUCT ON H.R. 3616, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that further proceedings on the question on agreeing to the motion to instruct on H.R. 3616 be postponed until tomorrow.

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

There was no objection.