

STATISTICS ON INDEPENDENT COUNSEL INVESTIGATIONS

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

Mr. MICA. Mr. Speaker, quite frankly, I have had it right up to my eyeballs with the rhetoric from the Democrats and the White House. Now Vice President GORE has the gall to go to my state, Florida, and slam Republicans for too many investigations.

Mr. Speaker, this is like Clyde saying to Bonnie, "I can't believe the law continues to pursue us."

He does this as he is under investigation by his Attorney General. Then the Vice President has the audacity to say that Republicans are dragging their feet on investigations.

Do they think the American people and the Congress are fools? When over 100 witnesses have either fled the country or taken the 5th Amendment? The fact is that more independent counsels have been appointed by their Democrat-appointed Attorney General for this administration, their administration, than all the previous in the history of the United States.

The fact is the Independent Counsel law expired in 1992 under President Bush. The fact is President Clinton signed into law and 243 Democrats, all but two, voted to pass the Independent Counsel Law, and put these investigations in place only after their Attorney General finds substantial and credible evidence of wrongdoing. Those are the facts.

PASS H.R. 3081, THE HATE CRIMES PREVENTION ACT

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

Mr. MORAN of Virginia. Mr. Speaker, history has taught us that unchecked ignorance, intolerance and hatred always yields violence. The fact that we have not yet learned this lesson was made strikingly clear this week with the brutal beating and murder of Matthew Shepard, a Wyoming college student. His killers chose Matthew only because he was gay.

Mr. Speaker, incidences of violent crime are in fact decreasing in the United States, yet FBI statistics show that this is not so for crimes based on sexual orientation.

The time has come to recognize these heinous acts for what they are. They are hate crimes. The time has come to pass the Hate Crimes Prevention Act. We should do it today by unanimous consent.

It is tragic that yet another life has been lost to ignorance and intolerance. How many more will be lost by our silence?

TRUSTING LOCAL COMMUNITIES TO EDUCATE CHILDREN

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

Mr. FOSSELLA. Mr. Speaker, like all things in public life, in the covenant that exists between the people and their elected officials, the overriding issue is trust and credibility.

Now, we have heard for the last few days an attempt by the other side to divert attention away from the fact that we were going to deliver much-needed tax relief for the American people, phasing out the marriage penalty tax, helping small business owners with health insurance deductibility, raising it to 100 percent, and, above all, helping farmers across our country.

Now we hear that education is the issue. Of course it is the issue. We all want to see education improve. But every attempt we have to take the bureaucracy out of Washington and bring it back home to Staten Island, Brooklyn, across the country, we are opposed.

We passed education savings accounts to give parents more flexibility to do what is right for their children, not the Washington bureaucrats. Threatened by the President, vetoed by the President.

Opportunity scholarships for the poorest students in the Washington, D.C. school system passed this House and Senate, again giving power back to parents locally. Vetoed by the President.

Let us end the rhetoric. We all want to improve education. The question is how do we do it. We say give it back to the people, back to the parents, back to the teachers.

PARTNERSHIP WITH THE FED- ERAL GOVERNMENT ON EDU- CATION

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

Mr. SNYDER. Mr. Speaker, I am pleased to hear that the negotiations are now concentrated on education as the issue this week before we go back to our districts.

Let me make two points. Hopefully we will get some progress on education in these final days of the budget negotiations. I fear it will be too little to be of great help to our districts back home.

I recently made a tour of one of my schools in my district, and I spend a lot of time visiting schools. The superintendent and principal took me around to show me how they had parced together these buildings, put these buildings together, different ages, poor wiring systems, inadequate for the technology of the day; science labs with inadequate utilities, gyms with inadequate air conditioning, the

problems that they have in trying to keep up in a rural district with the needs for school construction and school renovation.

These are real problems, whether you are in an urban area, a rural district or a suburban area. Our school districts want help modernizing their buildings and building new classrooms. They know they can do it in partnership with the Federal Government, with them maintaining local control. They know we are not about taking away their local control.

LETTING PARENTS AND LOCAL SCHOOL AUTHORITIES DETER- MINE EDUCATION NEEDS

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

Mr. DICKEY. Mr. Speaker, they are not all liberals, but the Democrats have a position on education that I think needs to be addressed. That is, they keep asking the question, do Democrats represent the best for education, or do Republicans represent the best for education?

What is wrong with this particular position is that it leaves out the parents and the local school authorities. This is not a political issue. It is not a question of which party can gain in an election by blaming the other person or taking credit for their particular position. What it is is a difference in between what the Democrats want to do for education and what the local school boards and the parents can do for education.

We as conservatives want to step out of the way and point to the local school districts and to the parents and say it is not a political issue, it is not whether the Democrat or Republicans are doing the most, it is how we are taking care of our children.

MAKING EDUCATION IMPROVE- MENT A ONE-MONTH-A-YEAR PRIORITY

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

Mr. BROWN of Ohio. Mr. Speaker, in October of every election year the Republican leadership says they support public education. The other 11 months they try to dismantle the Department of Education, they try to cut Head Start and school lunches, they try to weaken the student loan program.

Now, for the month before the election, Republicans reluctantly say they want to better fund public education. But the issue is this: Should we adopt the Republican plan, which is a blank check to school administrators, which will mean more money in bureaucracy, more money in central offices, more money wasted in school districts, or do we adopt the democratic plan to put 100,000 teachers in the classroom?

Mr. Speaker, we should support the democratic plan. It means more modern schools, it means more teachers, and it means smaller class size. It simply makes sense.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to the provisions of clause 5 of rule I, the Chair announces that it will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV. Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 2 p.m. today.

CANYON FERRY RESERVOIR
LEASEHOLD CONVEYANCE

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3963) to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana, as amended. The Clerk read as follows:

H.R. 3963

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds that the conveyance of the properties described in section 4(b) to the lessees of those properties for fair market value would have the beneficial results of—

(1) reducing Pick-Sloan project debt for the Canyon Ferry Unit;

(2) providing a permanent source of funding to acquire publicly accessible land and interests in land, including easements and conservation easements, in the State from willing sellers at fair market value to—

(A) restore and conserve fisheries habitat, including riparian habitat;

(B) restore and conserve wildlife habitat;

(C) enhance public hunting, fishing, and recreational opportunities; and

(D) improve public access to public land;

(3) eliminating Federal payments in lieu of taxes and associated management expenditures in connection with the Federal Government's ownership of the properties while increasing local tax revenues from the new owners; and

(4) eliminating expensive and contentious disputes between the Secretary and leaseholders while ensuring that the Federal Government receives full and fair value for the properties.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) establish terms and conditions under which the Secretary of the Interior shall, for fair market value, convey certain properties around Canyon Ferry Reservoir, Montana, to private parties; and

(2) acquire certain land for fish and wildlife conservation purposes.

SEC. 3. DEFINITIONS.

In this Act:

(1) CANYON FERRY-BROADWATER COUNTY TRUST.—The term "Canyon Ferry-Broadwater County Trust" means the Canyon Ferry-Broadwater County Trust established under section 8.

(2) CFRA.—The term "CFRA" means the Canyon Ferry Recreation Association, Incorporated, a Montana corporation.

(3) COMMISSIONERS.—The term "Commissioners" means the Board of Commissioners for Broadwater County, Montana.

(4) LEASE.—The term "lease" means a lease or permit in effect on the date of enactment of this Act that gives a leaseholder the right to occupy a property.

(5) LESSEE.—The term "lessee" means—

(A) the leaseholder of 1 of the properties on the date of enactment of this Act; and

(B) the leaseholder's heirs, executors, and assigns of the leasehold interest in the property.

(6) MONTANA FISH AND WILDLIFE CONSERVATION TRUST.—The term "Montana Fish and Wildlife Conservation Trust" means the Montana Fish and Wildlife Conservation Trust established under section 7.

(7) PROJECT.—The term "project" means the Canyon Ferry Unit of the Pick-Sloan Missouri River Basin Project.

(8) PROPERTY.—

(A) IN GENERAL.—The term "property" means 1 of the cabin sites described in section 4(b).

(B) USE IN THE PLURAL.—The term "properties" means all 265 of the properties and any contiguous parcels referred to in section 4(b)(1)(B).

(9) PURCHASER.—The term "purchaser" means a person or entity, excluding CFRA or a lessee, that purchases the properties under section 4.

(10) RESERVOIR.—The term "Reservoir" means the Canyon Ferry Reservoir, Montana.

(11) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(12) STATE.—The term "State" means the State of Montana.

SEC. 4. SALE OF PROPERTIES.

(a) IN GENERAL.—Consistent with the Act of June 17, 1902 (32 Stat. 388, chapter 1093) and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.), the Secretary shall convey to CFRA or a purchaser—

(1) all right, title, and interest (except the mineral estate) of the United States in and to the properties, subject to valid existing rights and the operational requirements of the Pick-Sloan Missouri River Basin Program; and

(2) perpetual easements for—

(A) vehicular access to each property;

(B) access to and use of 1 dock per property; and

(C) access to and use of all boathouses, ramps, retaining walls, and other improvements for which access is provided in the leases as of the date of enactment of this Act.

(b) DESCRIPTION OF PROPERTIES.—

(1) IN GENERAL.—The properties to be conveyed are—

(A) the 265 cabin sites of the Bureau of Reclamation located along the northern end of the Reservoir in portions of sections 2, 11, 12, 13, 15, 22, 23, and 26, Township 10 North, Range 1 West; and

(B) any small parcel contiguous to any property (not including shoreline or land needed to provide public access to the shoreline of the Reservoir) that the Secretary determines should be conveyed in order to eliminate an inholding and facilitate administration of surrounding land remaining in Federal ownership.

(2) ACREAGE; LEGAL DESCRIPTION.—The acreage and legal description of each property and of each parcel shall be determined by the Secretary in consultation with CFRA.

(3) RESTRICTIVE USE COVENANT.—

(A) IN GENERAL.—In order to maintain the unique character of the Reservoir area, the

Secretary, the purchaser, CFRA, and each subsequent owner of each property shall covenant that the use restrictions to carry out subparagraphs (B) and (C) shall—

(i) be appurtenant to, and run, with each property; and

(ii) be binding on each subsequent owner of each property.

(B) ACCESS TO RESERVOIR.—

(i) IN GENERAL.—The Secretary, the purchaser, CFRA, and the subsequent owners of each property shall ensure that—

(I) public access to and along the shoreline of the Reservoir in existence on the date of enactment of this Act is not obstructed; and

(II) adequate public access to and along the shoreline of the Reservoir is maintained.

(ii) FEDERAL RECLAMATION LAW.—

(I) IN GENERAL.—No conveyance of property under this Act shall restrict or limit the authority or ability of the Secretary to fulfill the duties of the Secretary under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(II) NO LIABILITY.—The operation of the Reservoir by the Secretary in fulfillment of the duties described in subclause (I) shall not result in liability for damages, direct or indirect, to the owner of any property conveyed under section 4(a) or damages from any loss of use or enjoyment of the property.

(C) HISTORICAL USE.—The Secretary, the purchaser, CFRA, and each subsequent owner of each property shall covenant that future uses of the property shall be limited to the type and intensity of uses in existence on the date of enactment of this Act, as limited by the prohibitions contained in the annual operating plan of the Bureau of Reclamation for the Reservoir in effect on October 1, 1998.

(c) PURCHASE PROCESS.—

(1) IN GENERAL.—The Secretary shall—

(A) solicit sealed bids for the properties;

(B) subject to paragraph (2), sell the properties to the bidder that submits the highest bid above the minimum bid determined under paragraph (2); and

(C) not accept any bid for less than all of the properties in 1 transaction.

(2) MINIMUM BID.—

(A) IN GENERAL.—Before accepting bids, the Secretary shall establish a minimum bid, which shall be equal to the fair market value of the properties determined by an appraisal of each property, exclusive of the value of private improvements made by the leaseholders before the date of the conveyance, in conformance with the Uniform Appraisal Standards for Federal Land Acquisition.

(B) FAIR MARKET VALUE.—Any dispute over the fair market value of a property under subparagraph (A) shall be resolved in accordance with section 2201.4 of title 43, Code of Federal Regulations.

(3) RIGHT OF FIRST REFUSAL.—If the highest bidder is other than CFRA, CFRA shall have the right to match the highest bid and purchase the properties at a price equal to the amount of the highest bid.

(d) TERMS OF CONVEYANCE.—

(1) PURCHASER.—If the highest bidder is other than CFRA, and CFRA does not match the highest bid, the following shall apply:

(A) PAYMENT.—The purchaser shall pay the amount bid to the Secretary for distribution in accordance with section 6.

(B) CONVEYANCE.—The Secretary shall convey the properties to the purchaser.

(C) OPTION TO PURCHASE.—The purchaser shall give each lessee of a property conveyed under this section an option to purchase the property at fair market value, as determined under subsection (c)(2).

(D) NONPURCHASING LESSEES.—

(i) RIGHT TO CONTINUE LEASE.—A lessee that is unable or unwilling to purchase a