surface landowner against damage to crops or tangible improvements and the loss of surface uses as a result of oil and gas activities. This bill would also would validate an existing lease on one of the two tracts of land that the BLM inadvertently leased in 1997.

Mr. Speaker, the administration supports the enactment of this legislation, and we have no objection to the substance of the bill.

Mr. Speaker, H.R. 3878 would open two tracts of land in Sublette, County, Wyoming, to oil and gas leasing under the Mineral Leasing Act of 1920, as amended. It would provide that any party acquiring a lease under this authority could also exercise the right reserved to the U.S. to enter the lands and occupy the surface for oil and gas operations. The bill would also protect the surface landowner against damage to crops or tangible improvements and the loss of surface uses as a result of oil and gas activities. The bill would also validate an existing lease to one of the two tracts of land that the BLM inadvertently leased in 1997.

Title to the surface of the subject lands was transferred through the Public Land Sales Act of 1964, P.L. 88–608, which authorized disposal of public lands for certain specified users (chiefly grazing and foraging.) Upon transfer of the lands, the mineral rights were reserved to the U.S. and withdrawn from leasing.

The surface of the land was sold and has been used primarily for grazing. In 1997, the BLM offered one of the two tracts for competitive lease. Enron Corporation succeeded in leasing the tract for $165 per acre. Subsequently, BLM discovered its error and concluded that they would be required to cancel the leases. H.R. 3878 would allow the lease to stay in effect and would authorize them to offer the other tract for lease.

The administration supports enactment of H.R. 3878. We have no objection to the substance of the bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3878.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title of the bill was amended so as to read as follows:

''A bill to subject certain reserved mineral interests to the operation of the Mineral Leasing Act, and for other purposes.''

A motion to reconsider was laid on the table.

REQUIRING STUDY REGARDING IMPROVED OUTDOOR RECREATIONAL ACCESS FOR PERSONS WITH DISABILITIES

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4501) to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public.

The Clerk read as follows:

H.R. 4501

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

SECTION 1. STUDY REGARDING IMPROVED OUTDOOR RECREATIONAL ACCESS FOR PERSONS WITH DISABILITIES.

(a) STUDY REQUIRED.—The Secretary of Agriculture and the Secretary of the Interior shall jointly conduct a study regarding ways to improve the access for persons with disabilities to outdoor recreational opportunities (such as fishing, hunting, trapping, wildlife viewing, hiking, boating, and camping) made available to the public on the Federal lands described in subsection (b).

(b) COVERED FEDERAL LANDS.—The Federal lands referred to in subsection (a) are the following:

(1) National Forest System lands.

(2) Units of the National Park System.

(3) Areas in the National Wildlife Refuge System.

(4) Lands administered by the Bureau of Land Management.

(c) REPORT ON STUDY.—Not later than 18 months after the date of the enactment of this Act, the Secretaries shall submit to Congress a report containing the results of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

(Mr. HANSEN asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. HANSEN. Mr. Speaker, H.R. 4501 is a bill introduced by the gentleman from Colorado (Mr. BOB SCHAFFER). The gentleman deserves credit for working hard to craft a bill which will lead to the benefit of disabled people across the United States.

H.R. 4501 directs the Secretary of Agriculture and the Secretary of the Interior to study ways to improve access for the disabled to outdoor recreation on Federal land. Emerging disabled outdoor sports markets point to a growing demand for recreational opportunities for the over 40 million disabled in America.

Over the last several decades, the disabled have proven that personal determination and technological advances can overcome seemingly insurmountable obstacles. This legislation brings a heightened awareness of these issues by studying ways to improve access for disabled Americans pursuing outdoor recreational activities. I urge my colleagues to support this bill.

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

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. MILLER of California. Mr. Speaker, this legislation H.R. 4501, has had no hearings or markups in the Committee on Resources. We just did a disabled access study 7 years ago cosponsored by the gentleman from Utah (Mr. HANSEN) and the gentleman from Minnesota (Mr. VENTO) of our committee. The result of this study was a memorandum of understanding entered into between Federal land management agencies and the wilderness disability access groups.

So, I do not think there is really a need for this study when, in fact, we have already procured that information and have entered into an agreement and continue to work on those efforts.

There is concern by a number of people that this legislation, in fact, is a stalking horse for those who would unfortunately want to use this agenda to justify additional roads, whether in wilderness areas or in other Federal resource areas, and use the subject of individuals with disabilities as a means of sponsoring those roads to cut in and to open a number of the wilderness areas.

Mr. Speaker, I think given the history of our committee's work on this legislation, the fact that we have reached agreement with a number of these groups on this topic, and that we just did an expansive and exhaustive study on this effort, I would oppose this legislation.

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

Mr. Speaker, I hope the people in America realize that a few years ago under the direction of President Bush, we passed a bill called the Americans with Disabilities Act, a very important piece of legislation. Up to that point, there were all kinds of obstacles standing in the way of people who were disabled.

The thing I found very interesting at that time was a part of the Wilderness Act. In 1964, Congress passed the Wilderness Act which said we could use no mechanized things in the wilderness. Up to that point, what does a person do who wants to take something mechanized into the wilderness?

I remember distinctly being in Ogden, Utah, and a youngster came up to me, young by my terms anyway, and he was in a wheelchair and had the broad shoulders and the biceps and the bit. We talked about what he could do. He unfortunately lost his legs in Vietnam. He made an interesting statement to me. He said, ''As a kid, I used to go in the wilderness areas with my uncle and my dad and we would fish.'' He talked about the north slope of the Uinta Mountains and he said, ''Congressman, I am not subject to this wheelchair. I play tennis,'' and he said, ''I'll take you on.'' And he probably would have defeated me.

He said, ''I play basketball. I road race. I do all of these things, and I do it in this wheelchair.'' He showed how he could get on his hands, and said ''I

am not subjected to this wheelchair, and I would still like the right to go to the North Slope of the Uinta Mountains and fish as I did as a youngster.''

□ 1100

Well, what does one say? That at that point we decided we would put an amendment to the Americans with Disabilities Act which would allow people in wheelchairs to go into wilderness areas.

I notice that the environmental community, especially the Sierra Club, really took that on. They did not like the idea at all. They said this was a poor idea. Why would we ever encroach on these wilderness areas? But we came to the floor and fortunately Members saw the wisdom in that, and we now have amended into that bill the right for people in wheelchairs to go into wilderness areas.

I do not know why we do not expand it and make it more accessible to more people. It is really not wilderness areas. It is severely restricted areas is what it amounts to. My good colleague from Colorado has a good idea to benefit more people who are disabled. A lot of people are disabled in America, whether it be a slight disablement or be something rather substantial like my friend I was talking about in the wheelchair. So I think that this is a good piece of legislation, one of the things we should do to help people out who have some unfortunate thing happen to them somewhere in their life.

Therefore, I strongly recommend to my colleagues that they do everything in their power to support this bill.

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

COMMITTEE ON AGRICULTURE,
Washington, DC, September 10, 1998.

Hon. DON YOUNG,
Chairman, Committee on Resources, Longworth HOB, Washington, DC.

DEAR DON: It is my understanding that the Committee on Resources will soon consider H.R. 4501, a bill to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public.

Knowing of your interest in expediting this legislation and in maintaining the continued consultation between our committees on these matters, I would be pleased to waive the additional referral of the bill to the Committee on Agriculture. I do so with the understanding that this waiver does not waive any future jurisdictional claim over this or similar measures. In addition, in the event the bill should go to conference with the Senate, I would reserve the right to seek the appointment of conferees from this Committee to be represented in such conference.

Once again, I appreciate your cooperation in this matter and look forward to working with you in the future on matters of shared jurisdiction between our respective committees.

Sincerely,

ROBERT F. (BOB) SMITH,
Chairman.

COMMITTEE ON RESOURCES,
Washington, DC, October 12, 1998.

Hon. ROBERT F. SMITH,
Chairman, Committee on Agriculture, Longworth HOB, Washington, DC.

MR. CHAIRMAN: Thank you for your letter regarding H.R. 4501, to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons, with disabilities to outdoor recreational opportunities made available to the public, authorized by our colleague, Congressman Bob Schaffer.

I appreciate you waiving the Committee on Agriculture's additional referral of this bill and agree that it does not prejudice your jurisdiction over the subject matter. In addition, I will be pleased to support your request to be represented on any conference on the bill, although I hope that one will not be necessary.

I will include our letters in any Floor debate on H.R. 4501 and once again thank you, Gregory Zerzan, and David Tenny for your cooperation on this matter which is very important to Congressman Schaffer.

Sincerely,

DON YOUNG,
Chairman.

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

Mr. MILLER of California. Mr. Speaker, I yield myself 1 minute.

No one argues, no one argues with the purpose of the gentleman's remarks, but he cited the exact provision of the Wilderness Act that he and others have attacked now for 20 years and that is no motorized vehicles in wilderness areas. This comes at the same time in the session that we see Members on the other side supporting helicopter flights over wilderness, roads through wilderness of questionable need, added on as riders to the environmental legislation and tragically, unfortunately, I think that here again the disability groups are being used to try and confront what they really want, and that is opening up of the wilderness areas with roads and other means to overfly these areas and to start invading the various concepts of wilderness.

This has been how they contest it in the gentlemen's States. People said they have rights to go into these areas. They bulldozed roads into some of the areas in southern Utah that are under study that are existing wilderness areas. This is a constant battle.

Again, the wilderness disability groups and other groups have worked with the administration. They have worked out memorandums of understanding, and I have very serious concerns about Members using this legislation to try and attack a fundamental key component of the wilderness legislation about the use of motorized vehicles or any other motorized object in the wilderness area. But this has been under attack, as I have said, since the Wilderness Act was put into law by many Members on the other side of the aisle. I do not think that we ought to do this where we have had had no hearings on the committee.

This bill has not been reported out of the committee, and most of the wilderness groups do not seek an exemption in the case of that. We ought to bring forth the hearings. We ought to find out exactly what you believe the problem to be. But as the gentleman knows, he was a cosponsor of the study over the last 7 years. We just went through all of this. For that reason, I would again ask Members not to support the legislation.

Mr. HANSEN. Mr. Speaker, I ask unanimous consent to reclaim the time I yielded back.

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

There was no objection.

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume. I would like to respond to my friend from California.

I think it is very interesting, as we look at all of the various environmental organizations who have decided to put legislation or introduce legislation that comes into the west. I find it also interesting that most of those who introduce this legislation have never even been in the country and never seen it. I would ask some of these people if they would harken back to the 1964 Wilderness Act and also the many things that were said in the House and Senate and both committees when the bill was passed. Hubert Humphrey said some very interesting things about it. Let us read the act. Untrammeled by man, as if man was never there, no sign of man, intended to mean no roads, no cattle ponds, no fences, no structures, no sign of man, as if man was never there.

You are the first man God puts on earth and there you are, in a pristine beautiful area. I say, why then is it that my friends who introduced this legislation, expecially in my home State of Utah, put legislation in that goes right over the top of structures, of class B and class C roads, some of them even paved. I call their attention to one called King Top mountain in Millard County. It has paved roads in it. It has stop signs in it. It has mines in it. It has a whole area. I ask them, let us take it out. It does not even come close, but they would not do that.

So they go down to this idea of my friend from California and others, fine, let us live by the 1964 Wilderness Act. Let us not be introducing bills that go over the top of these areas and we would not have to be doing these things.

I can name you, having been part of a lot of these wilderness bills in the last 18 years, most of them that are introduced Utah, Wyoming, Arizona and Nevada absolutely blatantly go against the spirit and the intent of the law.

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

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

It did not take long to get past the disability issue here to see the anger over the fact that we have a national Wilderness Act in this country. It does

not say no sign of man. It talks about the context in which the wilderness will be considered and which the wilderness will be created and it will be untrammeled and you do not see permanent impact of man in these situations.

We have structures in wilderness areas. We have old trails in wilderness areas. In some cases we have old mines. As we try to create wilderness today in 1998, clearly the context is different than if you are trying to create it in 1898, because lands have been utilized from time to time. That does not mean that it is permanent upon the land. That does not mean overtime those trails will not revert back, as they are overgrown, what have you, if that is the concern that Members have, or even some of those crazy roads that some of your constituents have bulldozed into what they thought was going to be a wilderness area. Over time even out there in the desert some of those will be healed through time and through nature.

But the fact of the matter is, the Wilderness Act says disability groups have not asked for this exemption. They have worked out a memorandum. This is really not about disabilities. This is really about trying to find another way in which you can get into under the old Wilderness Act and get those motorized vehicles in there.

I do not think the disability groups appreciate being used as a stalking horse for that effort. It is not the first time, because we have seen here in terms of the IDEA legislation in education where last year education for people with disabilities was thrown up as every alternative. They were used to try to cut every other budget within the Department of Education. Those were all rejected by the Congress. It is not because they were not concerned about people with individual disabilities. It was concern that they were being used as an attack on other segments of the education budget. And here we see that same effort being undertaken here.

Again, I will repeat myself, you are just duplicating a study which you are not supposed to be for. You just finished a study. We just worked out the memorandums. We have ended in consultation with these groups. I suspect that the longer this debate goes on, the clearer the case is made that this is about an attack on wilderness status of public lands less than it is about access to people with disability to those lands.

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume. Let me respond if I may.

I think it is interesting that my friend from California used the term the context is different in 1998 than it was in 1964. I think that is a direct quote. I would agree with that. I think it is different.

So if we are going to say that all of our friends in the extreme environmental community can come up with all of these wild bills that go right over the top of cities, airports and the whole nine yards, then we ought to say, let us look at this wilderness bill again. I would hope the gentleman would join with me in the next session of Congress, if we are both still here and maybe look at some of these things.

Why do we not define what a road is? I agree with the gentleman, some roads are reclaimed. Are two tracks a road or does it take a freeway to be a road? It does not say. Why do we not put a sunset on these things instead of a WSA being in perpetuity. Let us bring it to a head. Let us put 10 years on it, as has been suggested by both Democrats and Republicans alike.

If ever there was a time to take care of some contentious issues, this wilderness issue is one of the more contentious ones. I would hope that maybe we could do something about it instead of this nebulous loose term that we use as we look at the 1964 Wilderness Act.

Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. BOB SCHAFFER), the sponsor of this bill.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, H.R. 4501 directs the Secretaries of Agriculture and Interior to contract with an independent entity in consultation with the National Council on Disabilities to study ways to improve access for the disabled to outdoor recreation. Few agencies have a thorough understanding of the needs of this important population of Americans.

Over the last several years the disabled have proven that personal determination and technological advancements overcome seemingly insurmountable odds. This bill will bring a heightened awareness of those issues and help facilitate the hopes and goals of over 40 million disabled Americans through outdoor recreation.

This bill has had the inputs, suggestions and support of many organizations, including particularly the Rocky Mountain National Park Associates, the Wilderness Inquiry, and I thank my colleagues on both sides of the aisle for their support in this well-timed 18-month study. I encourage all of my colleagues to vote for this sound bipartisan measure.

This measure does enjoy bipartisan support not only here in Congress but throughout the country as well. I think as we look across the country at how we manage our public lands, national parks and forests, other public lands, that we keep in mind that there are many, many Americans who are taxpayers who are citizens who have every right to enjoy this great, rich legacy that our country has set aside for all Americans to enjoy. This is public lands, I speak to.

Making sure that the new improvements, the new developments, that all of the new designations that are made in our public lands, systems and structures take into account the needs of the disabled and the rights that they have to enjoy these national treasures is something that is of paramount importance. That is what is embodied in this important legislation. Those are the issues that I hope all Members of this body will agree are important in moving forward on this day and in persuading the Senate to do the same following our action.

I want to thank the chairman again for the opportunity to present this legislation, to bring it to the floor and for his vigorous support of it.

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

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume. Again, let us just understand what is being said over here. Now this is an attack on extreme environmentalists. This was supposed to be about disability groups.

The gentleman was in the room last year when the disability groups and the agencies and others penned the agreement of understanding pursuant to his study to do exactly what this legislation has done. That is what the memorandum of agreement was about, it was about further consultations and reviews of laws and access and all of the rest of that as a result of the Hansen-Vento work that had been completed.

Now all of a sudden we are going to create new legislation without any hearings as to its purpose at all. I would again say that this is really about an attack on wilderness. This is not about access issues. Members ought to reject this, what I have to tell Members, I think, is somewhat cynical use of the disability issue, when we know that many of the concerns that are being articulated here have in fact been resolved during the process of being resolved with the combined efforts of all of the various agencies that are outlined in this legislation and the disability groups across this Nation. We should not accept this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4501.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

□ 1115

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise