

the problem. We know we have about \$18 billion of a backlog. We have about \$180 million in this bill. If we were to appropriate that all of the way through this year, it would take us 100 years just to make up the current backlog. We cannot wait that long. We propose in this CARA bill to spend another, roughly, billion dollars for acquisition. We would add to that, obviously, the maintenance needs in the future.

Mr. Chairman, we cannot wait that long. We have 100 years, for goodness sakes, just to take care of what we have. That does not make any sense at all. We have an opportunity because CARA develops a funding stream for these crown jewels that we are talking about. Some of that ought to go for maintenance. And that is all this amendment says.

Obviously, if this money is put into the process, maybe we can reduce this and then those that support buying more land would have that land in the future. But is the first principle not to maintain what we have? That is what this amendment does, is simply says let us maintain what we have. We cannot wait 100 years just to take care of the backlog that we already have right now.

I urge my colleagues to support this common sense amendment because to me, it addresses the issue that the American people understand obviously better than we do, or it would be in the bill without having to go through this amendment process.

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

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

Mr. Chairman, I am one who supports the maintenance. I will say this, that if the appropriators had done their job, the maintenance would have occurred and should have occurred.

I am a little bit concerned and I would like to ask those that oppose this bill, where would the maintenance money be for this program if we did not have CARA? Where would it be? It would not happen. There would be no maintenance. It would be the same minimal type maintenance that has existed the last 6 years, and before that in the other administration.

And if we go back and check the units that were created, we will find out a large percent of those units were created without authorization by this Congress, but through the appropriating committee.

□ 2330

Just check the record.

So I ask a lot of my colleagues, where would they be when they offer these amendments. If we did not have CARA, would they have any more maintenance? I say, no, they would have the same old thing. Just keep that in mind.

So I think this amendment is unnecessary. We do recognize the need in this bill. I respectfully reject the amendment. Keep this package together. Let us go forward and accomplish what we set out to do: maintain, take care of our species, take care of our urban parks, take care of our easements, take care of destroyed land, and, yes, maybe buy some land. But nowhere in this bill says there shall be land bought. Nowhere.

The CHAIRMAN pro tempore (Mr. PEASE). All time has expired.

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

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

Mr. HASTINGS of Washington. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Washington (Mr. HASTINGS) will be postponed.

Mr. YOUNG of Alaska. 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. HASTINGS of Washington) having assumed the chair, Mr. PEASE, Chairman pro tempore 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. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 853, COMPREHENSIVE BUDGET PROCESS REFORM ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106-613) on the resolution (H. Res. 499) providing for consideration of the bill (H.R. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus,

and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONSERVATION AND REINVESTMENT ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 497 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 701.

□ 2333

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes, with Mr. PEASE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 12 printed in House Report 106-612 by the gentleman from Washington (Mr. HASTINGS) had been postponed.

It is now in order to consider amendment No. 13 printed in House Report 106-612.

AMENDMENT NO. 13 OFFERED BY MR. SWEENEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. SWEENEY:

Page 36, after line 13, insert:

“(D) No State political subdivision has transmitted to the Secretary administering the acquisition a copy of a resolution adopted by the governing body of such subdivision disapproving of such acquisition within 90 days after receiving notice of the proposed acquisition under subparagraph (C)(iii).

Page 41, line 8, after the period insert: “The State shall notify each affected political subdivision of each land acquisition proposal included in the State action agenda. Such notice shall include a citation of the statutory authority for the acquisition, if such authority exists, and an explanation of why the particular interest proposed to be acquired was selected.”

Page 42, after line 9, insert:

(c) LOCAL GOVERNMENT VETO.—Section 6(f) (16 U.S.C. 4601-8) is amended by adding the following at the end thereof:

“(9) No funds made available under this Act may be used by a State to acquire any land or interest in land if the political subdivision of the State in which the land or interest in land is located has transmitted to

the State agency administering the proposed acquisition a copy of a resolution adopted by the governing body of such subdivision disapproving of such acquisition within 90 days after receiving notice of the proposed acquisition under subsection (d)(2)."

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from New York (Mr. SWEENEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment in partnership with the gentleman from New York (Mr. MCHUGH), my neighbor to the north, to address the concerns of local government.

The gentleman and I, Mr. Chairman, represent some of the best the Nation has to offer in terms of open space, recreational opportunities, and natural beauty in the form of the Adirondack Mountain region.

There are concepts within the underlying bill here at work that I strongly believe in and I accept and I support; namely, strongly supporting conservation programs. I understand the value of protecting open space.

However, I can only support open space initiatives that are accomplished in conjunction with meeting local concerns. I understand that the gentleman from Alaska (Mr. YOUNG), our distinguished chairman, and the gentleman from Louisiana (Mr. TAUZIN), and Members on the other side of the aisle have worked diligently to try to manage many of the complexities of this issue. I think this amendment is being offered in the hopes that we will strengthen the underlying bill.

They knew, as they constructed this bill, that local governments hold the responsibility in this country for many land use decisions and do so effectively through local zoning laws. I believe that land acquisition decisions are essentially land use decisions.

The fact is, Mr. Chairman, that once private land is purchased by the Government, it is no longer subject to local zoning laws or to local property taxes. That is why I believe our towns and counties ought to have a real say in such a decision.

It is on this basis that I offer this amendment today with the gentleman from New York (Mr. MCHUGH). Our amendment provides local governments with the opportunity to object to projects listed under both State and Federal land acquisition plans under the Land and Water Conservation Fund, LWCF.

Our amendment first adds an additional requirement for States to notify the appropriate State political subdivision of government affected by each acquisition under the State Action Plan.

I will note that, in the underlying legislation, the information to be pro-

vided by States is identical to that required of the Federal Government for its acquisitions. However, CARA does not currently require States to notify local governments as a condition of funding.

Affected local governments, under our amendment, are given 90 days to submit a resolution of disapproval to the Secretary of Interior or to the governor, depending upon whether the listing is in the Federal or State plan.

Mr. Chairman, let me note that most of the focus of tonight's debate over CARA is over direct Federal acquisitions in the West. State acquisitions are a major issue in States like New York and other places, and I believe we should be addressing both in this legislation.

I do not object to giving our local government resources for preservation projects that they develop and support. I do object to this, what is seemingly a top-down approach. Without this amendment being approved, I think that that would be a great mistake.

The CARA bill in its current form calls for public participation in the setting of land acquisition priorities. However, I feel that process needs to be strengthened. This amendment does so by ensuring that the people most affected at the local levels of government have a seat, a real seat at the table in the LWCF land acquisition decisions at both the State and Federal levels.

Mr. Chairman, I would like to note that the concept being applied in this amendment tonight is not without Federal precedent, as the affected political subdivisions in the State of New York must agree before they may be included in the Federal Forest Legacy Acquisition Program. This provision was advanced in October of 1991 in this body. I believe this language has protected private forest land in New York that otherwise would have been threatened by Federal acquisition.

Mr. Chairman, in my opinion, this amendment does not undermine the CARA bill. It simply strengthens the process for local governments to ensure that they have a seat at the table and the approval of ultimate land use decisions transferring land into public ownership.

I urge my colleagues to support the Sweeney-McHugh amendment.

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

The CHAIRMAN pro tempore. For what purpose does the gentleman from New Mexico (Mr. UDALL) seek recognition?

Mr. UDALL of New Mexico. Mr. Chairman, I wish to claim the 10 minutes in opposition, and I ask unanimous consent to yield 5 minutes to the gentleman from Alaska (Mr. YOUNG) for purpose of control.

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

There was no objection.

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

Mr. Chairman, I will give my friends, and I do mean they are my friends, great credit for being imaginative and making it very difficult for this chairman. This amendment does have merits. But I will say that I do believe CARA provides, very frankly, the local governments the notice. I understand his concern.

The Federal Government, I think, is pretty much hamstrung on how any land will be purchased. If I am not mistaken, I think his amendment is really directed towards the purchase of land by the States.

□ 2340

I am not sure we have the authority to tell the States how to run their business and how and what lands they should buy, that is what concerns me a great deal.

And the second thing is the way I read this amendment that under this amendment, a landowner who wants to sell their land or even a conservation easement on their land to the State government or to a Federal agent is prohibited from doing so without the permission of the local government, and that is the taking; that is the taking.

I always thought that my good friends were always for the private property right owner in letting him make the decision on how he should dispose of his land if he wishes to do so. I am a little bit concerned. To me, the way that the amendment is drafted, it appears that it asks us to do two things; one is to interfere with a State. I want to believe in State's rights, and I hope everybody else does, too. I do not think we ought to be telling the state what to do and how they should or should not purchase the land and how they should be notified.

The second one is, as I mentioned, I am a little bit concerned about if I own a piece of land and someone came to me, let us say it was a nonprofit, which was brought up before, and told me that we would buy my land as an easement, and I would have to go and get the occurrence from the local government, and I thought the people opposing the bill were against the concept under my bill, that is, saying we were taking land.

Mr. Chairman, I am a little bit confused. I do say that I understand what the gentleman is trying to do, but the way that this bill is written, I think, it does raise some very serious questions.

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

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in response to my distinguished colleague, let me say two

things to his explanations: The first is that we in Congress have the absolute right of responsibility to direct and restrict the spending of Federal dollars. These are Federal dollars that are going to be appropriated to States for the use in this process and, therefore, it is very well within our powers and our authorities and our responsibilities to restrict and set limits on the expenditures thereof.

This is indeed not a taking of private property, because it is my assumption that no willing seller essentially has a constitutionally insured right to have their property purchased with Federal money.

Furthermore, I think the Constitution does not require that the Federal Government spend money to acquire a land necessarily. We are affording that opportunity here.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. McHugh).

Mr. McHUGH. Mr. Chairman, I thank the gentleman for yielding me the time and begin by thanking him for his very diligent work in this initiative, and to express my appreciation for the opportunity to have worked with him.

Mr. Chairman, in sum, this very simple amendment is intended to do what virtually everyone through the development of this bill, the authors, the sponsors, the backers have set is their intent, and that is to involve local governments, to ensure their participation.

We have even heard in the last 10 minutes here, Mr. Chairman, of the interest in the title of the bill, a bill to assist State and local governments. We heard a few moments earlier from the gentleman from Washington about the importance of union in the discussion and the development of this bill.

We cannot have a union in the United States without meaningful participation of local governments. So contrary to the concern of the gentleman from Alaska (Mr. YOUNG), our intent was not to make it difficult for the gentleman, because, indeed, his leadership and his record on these kinds of issues is clear and something to which I, and I know many others look with great admiration, but rather to facilitate him and others in reaching the goal that they have proclaimed is such an important one in this particular bill.

We have heard a great deal about how this is a western concern. And as my friend and neighbor and colleague, the gentleman from New York (Mr. SWEENEY) so correctly noted, this is an issue that permeates through many regions of the States, certainly, in the northeast as well.

The Adirondack Park, a great region, a wondrous region that the gentleman from New York (Mr. SWEENEY) and I share the honor of representing, currently has some 5.8 million acres in totality; of those 2.4 million acres within

the park boundaries are held by the State government. The fact of the matter is, in eight out of the 10 counties that I represent that have a piece of that great land, we have double digit unemployment, and I think it is absolutely essential that this Federal Government ensure through specific language, not just expressed intent, but specific language that local governments whom we come to this floor everyday and pretend, and I would like to think that we will actually take the steps to, in reality, defend their rights and participation.

Let me add on to what my colleague, the gentleman from New York (Mr. SWEENEY) said contrary to the distinguished chairman's concerns, this does not require that local property owners get the permission of local governments. What it does do in those, I would argue very rare occasions, when there is a local government concern, provide the local government with the opportunity to express its opposition, otherwise, no action, no consideration is involved.

As the gentleman from New York (Mr. SWEENEY) said, there is no right, no explicit constitutional guarantee that Federal monies will be available to every property owner to have their land purchased and, indeed, in another effort to assuage the concerns of our friend, the chairman, we went to the Congressional Research Service, we went to the legislative council of the House, and queried about the possible constitutional problems, they pointed out to us what seemed at the time to be very obvious, that, indeed, time after time, this House has passed legislation after legislation that conditions the use of Federal money pursuant to some action or restriction or prohibition followed by local governments.

Mr. Chairman, I am delighted to take that burden from the shoulders of the chairman; that is, indeed, not a concern, not just our opinion, but that of the Congressional Research Service and the legislative council for the House of Representatives.

We are not precluding that the land be purchased, even if the local government denies the opportunity under the Federal acquisition monies, any State is still free to use other monies, as most do, including my State of New York, in purchasing this land.

We are simply doing what, time and time again, the sponsors, the authors, the supporters have said is their intent, the local government's will have a meaningful voice; if that is not their intent, then this amendment will give them the opportunity to step to the podium to vote no and to declare a fraud upon what most have said is a primary pillar of this bill.

Again, we are happy to be a constructive participant, and this amendment would make the bill pretty close to perfect. With that that I, again, thank

my colleague from New York (Mr. SWEENEY) for his initiative.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, if I might ask a question to the gentleman from New York (Mr. SWEENEY) I do not quite understand. I am sure things are different in New York than they are in California. Generally on the Stateside of land and water conservation, communities have a project. They usually go out and they raise some local money or they raise private money or foundation, or individuals make contributions and then they try to get together and go to the State and ask whether they will use this or not, so if a park district does this or a city does this or a county, who gets the veto here? I do not understand.

If the county wants to do this within their jurisdiction, can a city in the area say, we will not sign on to this?

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

Mr. GEORGE MILLER of California. I yield to the gentleman from New York.

Mr. SWEENEY. Mr. Chairman, the answer is no. It is the same language; that is, the State political subdivision is the same definition that is defined in the underlying bill as the local political jurisdiction immediately below the level of State government, including counties, parishes and boroughs.

Mr. GEORGE MILLER of California. Mr. Chairman, it is unclear, because that is the process by which local Stateside land and water conservation has done. Local people make applications to the State and say will you help us out, a partnership to purchase this or rehab this or restore it or whatever the local project would be.

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

Mr. GEORGE MILLER of California. I yield to the gentleman from New York.

Mr. McHUGH. Mr. Chairman, it is indeed an important point and why we work very closely with the legislative counsel to conform this to existing law and other provisions where there are, indeed, local review potential and options. The language provides for that local political jurisdiction that is immediately below the State level. It does vary from State to State. I cannot say what the local political jurisdiction is in the State of California. In most jurisdictions in the State of New York, it would be the county.

Mr. GEORGE MILLER of California. Mr. Chairman, I say to the gentleman if the local subdivision is a city, then it would be up to the city to veto this, not the county. If the local subdivision was a park system, it would be up to the park system.

Is that what the gentleman is saying?

Mr. MCHUGH. Mr. Chairman, if the gentleman will continue to yield, the park system is not a political subdivision under any law.

Mr. GEORGE MILLER of California. In California it is. We have a park system that goes across 5 or 6 counties.

Mr. MCHUGH. If the gentleman's State law provides that, then, yes, the gentleman is correct in his understanding.

□ 2350

Mr. GEORGE MILLER of California. So it would be up to the park?

Mr. MCHUGH. If that is the local political jurisdiction under the State law of the gentleman, the answer would be yes.

Mr. GEORGE MILLER of California. Mr. Chairman, and then the same would be true if somebody wanted to sell the land to the Federal Government, the locals could veto that if some landowner wanted to sell their land for whatever reason?

Mr. MCHUGH. Using funds under this particular legislation, yes. However, that would not preclude the purchase, as I hope the gentleman understands. It would just preclude the purchase with these particular funds.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, let me tell my colleagues as a State legislator and as a former county supervisor why this language is really bad language. Whether we look at it from the top down from a Federal level, this is bad precedent.

What they say with this language is, oh, local governments, if we want to build a post office in their community, we have the right to veto it, which they do not have now. We extend this thinking. Or how about if we want to build a military base or expand that. No, local governments can come in and veto it. Or how about if when we want to build a water system or a highway system or a jail system, prison system. Local governments can veto it.

These are the kind of things people do not want in their backyard. I think we find a lot of cities kind of vetoing these things. This logic of allowing local governments to veto Federal decisions is bad, bad precedent.

Let us take it from the other side. Let us be a State legislator and say we are going to expand the State park system. But now, for the first time in history, the city or county can come in and say, State parks, we veto it.

This is a whole change in structure. The gentleman from California (Mr. GEORGE MILLER) is absolutely right in asking those questions because they have no idea about how the process works.

Now, we have a way of allowing public information on all these actions, if that is what they want to get to, this sort of veto process. It is called an Environmental Impact Statement. In California it is called an Environmental Impact Report.

They cannot make any decision relating to land in California, private or public, without doing an Environmental Impact Report, which is full disclosure of what is going to be done and allowing a public process and a public comment period.

I will yield to the gentleman from New York (Mr. MCHUGH) to answer this question. I am reading the language from his legislation. It says, "No funds made available under this act may be used by a State to acquire any land or interest in land if the political subdivision of the State in which the land or interest of the land is located has transmitted to the State agency administering the proposed acquisition a copy of a resolution adopted by the governing body of such subdivision disapproving of such acquisition with 90 days."

My colleague gives local governments the total ability to veto any acquisition by a State for a State park purpose.

The CHAIRMAN pro tempore (Mr. PEASE). The only remaining time belongs to the gentleman from Alaska (Mr. YOUNG), 2½ minutes.

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

Mr. Chairman, I think the gentleman from California (Mr. GEORGE MILLER) has raised some very interesting questions. I have been in the district of the gentleman from New York (Mr. SWEENEY) and part of the district of the gentleman from New York (Mr. MCHUGH) and it is a gorgeous area. Not nearly as gorgeous as Alaska, but it is gorgeous.

But I cannot quite yet figure out, if I am a city under the amendment of my colleague and I want to build a skating rink or a park, under the amendment, the borough could disallow that. Is that correct?

Mr. MCHUGH. Mr. Chairman, if the gentleman would yield, it is in the State of Alaska. First of all, I do not believe the funds under this could be used for construction of skating rinks, but I will defer to the gentleman.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, yes, it can. That is the urban parks recreation areas.

Mr. MCHUGH. Mr. Chairman, if the gentleman will continue to yield, we are talking about land acquisition in our amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I ask the gentleman, just land acquisition?

Mr. MCHUGH. Mr. Chairman, if the gentleman will continue to yield, I be-

lieve that is the text of the language. But it does not obviate the gentleman's point of the gentleman.

If in the State of Alaska, wherever this project is occurring, the local political subdivision most immediately under the State is other than who is trying to construct it, then the answer would be yes.

I would venture a guess, if their construct is anything like most other States, then the City of, say, Anchorage, they would be the political jurisdiction and would have the authority.

Mr. YOUNG of Alaska. Mr. Chairman, in Fairbanks we have a city and a mayor and a council, but we have the Northstar borough which the city resides in, which is part of the borough.

Mr. MCHUGH. Mr. Chairman, but the political jurisdiction in terms of the State hierarchy would be the city I believe. I cannot answer the question of the gentleman.

Mr. YOUNG of Alaska. Mr. Chairman, now my staff say it would be the borough. And if the borough can stop the city, and my colleague knows how local governments are, I do not object to local government, but I do not want local governments to have the leg up on any one of them when the city has—and by the way, we want to build hockey rinks. The borough, I am not sure they would do that. But if they said, no, they are not going to build any hockey rinks.

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

Mr. YOUNG of Alaska. I yield to the gentleman from New York.

Mr. SWEENEY. Mr. Chairman, let me note that the provision in the amendment is applicable only to the land water conservation portion of this bill. Therefore, it only applies to the large land purchases that would not be applicable to those areas.

Mr. YOUNG of Alaska. Mr. Chairman, I have not read the amendment of the gentleman. I apologize.

Does it, in fact, specifically say only land acquisition?

Mr. MCHUGH. Mr. Chairman, if the gentleman will yield, it only applies to those funds under the land and water conservation portion, which I believe the bill of the gentleman only provides for land acquisition.

The CHAIRMAN pro tempore. All time having expired, the question is on the amendment offered by the gentleman from New York (Mr. SWEENEY).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from New York will be postponed.

It is now in order to consider amendment No. 14 printed in House Report 106-612.

AMENDMENT NO. 14 OFFERED BY MR. SIMPSON

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. SIMPSON: Page 36, strike the close quotation marks and the second period at line 16, and after line 16 insert the following:

“(h) STATE APPROVAL OF CERTAIN LAND ACQUISITION REQUIRED.—The Federal portion may not be used by the Secretary of the Interior or the Secretary of Agriculture to acquire any interest in land located in a State in which 50 percent or more of the land in the State is owned by the Federal Government if the acquisition would result in a net increase in the total acreage in the State owned by the Federal Government, unless the acquisition is specifically approved by the law of the State.”

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Idaho (Mr. SIMPSON) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Simpson-Walden amendment to H.R. 701 is a common sense amendment that addresses one of the major concerns that the constituents in my State have, that of giving the Federal Government \$450 million annually to purchase land in States such as Idaho which already have a high percentage of Federal landownership, potentially little turning Idaho into a welfare state dependent upon the Federal Government.

There are 52,960,000 acres in the State of Idaho. The Federal Government owns 34,519,000 of those acres. In other words, 65 percent of Idaho is owned and controlled by the Federal Government.

There is more Federally owned land in Idaho than in the entire land mass of the States of Connecticut, Delaware, Massachusetts, Maryland, New Jersey, Rhode Island, Vermont and New Hampshire combined.

Removing private land from local property tax roles and not fully funding the PILT payments severely impacts Idaho's counties and local governments. Moreover, when the Federal Government absorbs private land and that land ceases to be productive, local communities are severely affected by the loss of economic activity and become more, not less, dependent upon the Federal Government.

For example, when a farm or a ranch land is purchased by the Federal Government and taken out of production, those operations cease to contribute to the local economy. Hired hands go unemployed. Local stores lose businesses. Trucks and tractors remain unsold on the local dealership lots.

However, in spite of this concern, this amendment does not preclude, I

repeat, does not preclude Federal land acquisition. It does not undermine CARA. It only requires that the Federal Government, when acquiring land in a State which is over 50 percent or more of the land in that State is owned by the Federal Government, to do one of two things, to either dispose of an equal amount of land or to obtain the approval of the State by State law before acquiring that land.

This amendment provides the Federal Government with the flexibility to actually bypass the State if they so choose. The Federal Government does not have to seek State approval if they do not enter into a purchase that results in a net gain in Federal landownership within that State.

My colleague the gentleman from Oregon (Mr. WALDEN) and I are not asking for much, only the ability of our States to exercise some control over future Federal Government land acquisitions.

□ 0000

At present the majority of Idaho and other western States that this amendment would affect, Alaska, Oregon, Utah and Nevada, are owned and controlled by the Federal Government. In these States where the Federal Government already owns a majority of the total land, we should not fear allowing the State elected officials to participate in the decision as to how much more Federal land will be acquired by the Federal Government. It is these State officials that can best determine the impacts that these proposed Federal acquisitions will have on their local communities. If Members truly support States rights and local control as the gentleman from California (Mr. GEORGE MILLER) waxed so eloquently about earlier in the debate on the general debate on this legislation, then they will truly support this amendment.

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

Mr. YOUNG of Alaska. Mr. Chairman, I claim the 10 minutes in opposition, and I ask unanimous consent that the time be equally divided between myself and the gentleman from New Mexico (Mr. UDALL).

The CHAIRMAN pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Alaska?

There was no objection.

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

Again may I congratulate those that are offering these amendments. If we did not have this fragile house of cards put together, this would be very attractive because my State is owned right now 94 percent by the Federal Government. By the way, I do not think any land is being bought by the Federal Government, although there are some that do want to sell to the Federal Government. The money is not

available. They are inholdings. Of course some of the inholdings very frankly do not want to sell and I am supporting them because I do not think the government ought to purchase those lands from an unwilling seller. But I do know I have those Members within some of our parks that were created by this Congress which I opposed and refuges that want to sell, and the appropriators do not appropriate the money to purchase the lands. I do not think that is fair because those people that own those inholdings do not have an opportunity to develop the lands, and they do not have the opportunity to really sell their lands, because nobody wants to buy them. I think we ought to appropriate the money and CARA would allow that.

I am telling the gentleman that the amendment for my State might make sense. But as a whole I do not think we ought to be involved in setting up separate States that say that 50 percent, then there is no land that can be purchased under this bill because there are willing sellers within my State. I know other States that would like to at that time get rid of their land and the only money available is from the Federal Government.

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

Mr. SIMPSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Chairman, our amendment is as simple as it is fair and logical. It simply says that if the Federal Government already owns more than one-half of our State, then before it can buy any more private land in that State, the State will have an opportunity to simply have a say in the matter. In fact, the elected legislators and the governor will have a say as to whether or not the Federal Government will take even more land out of private property ownership and put it into Federal ownership.

Why is this important? Because as we have heard over and over tonight, many of us represent districts that have enormous amounts of lands off the tax rolls already and under Federal control. The Federal Government controls more than 55 percent of Oregon, nearly 56 percent of my district.

My district, pictured here, overlaid the East Coast to give Members a dramatic view of just how large it is, it is larger than 31 States. Larger than 31 States. And so to put that in perspective, I have created this map here. As we can see from New Jersey to Ohio it would stretch. Half of this is already under Federal control. Half of it is already under Federal control. In fact, the Federal Government controls 34 million acres in the State of Oregon. To put that in perspective, in Maryland the Federal Government controls 131,000 acres. 34 million versus 131,000. I would wager we lose more in mapping

errors in Oregon than Maryland has under Federal land. Think about it. Oregon already has 113 times as much Federal land as Maryland.

I understand why people living in other States, especially those east of the Mississippi and in urban cities, favor more open spaces and additional Federal lands. I probably would if I lived there as well. But my concern comes from those of us who live in the West and about those who seek to lock up more land in the West. This legislation guarantees them a billion dollars a year for 15 years to move that marker up anytime they want to acquire more Federal lands.

And so this is a simple amendment that just says, if that is going to happen, the State legislatures in those States that are already more than 50 percent controlled by the Federal Government have an opportunity to speak on that matter.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I appreciate very much the concerns of the authors of this amendment. I come from the West. Most people do not realize how much land in California is owned by the Federal Government but it obviously is a problem for the other States that do not have the size that we have. But to put a mathematical equation on this business if you cannot increase Federal ownership, we just went through a situation in Las Vegas where they wanted a very valuable small piece of Federal land, but to swap it out and get a deal for the Federal Government, they went out and bought some lands to add to their Federal holdings which would have helped the Federal Government but was not worth very much but rounded out the holdings and the net process is you ended up with increased Federal lands but the city of Las Vegas and the county and everybody else is ecstatic about what they have got. We go through this all the time. We have people in Colorado, in the ski areas that come to us, they want to buy a couple of acres of land that may be worth millions of dollars and they know that maybe down on the stream there is an area where we could get public access, they give it to us, and it is worth a few thousand dollars. We would not mind if all this land was valuable, but a lot of it is not necessarily valuable.

So trying to put a mathematical equation, over the last few years, Federal ownership has been going down because I think one of the things the members of the minority have drilled into us on the committee is that people are concerned about the increase of this where it is not necessary, where it can be swapped out, where we can unify it, where we can rationalize the owner-

ship and this committee has been doing that under the leadership of the chairman. But to put us in this position I think is to, if it does not average out, do we have to do it on a calendar year or a fiscal year? We do not have necessarily like assets. But we know, and we have tried to encourage the various land management agencies to be more attune to rationalizing patterns and ownerships. We went through a big swap in Utah.

I would oppose this amendment. I like the spirit of it, but I just do not think you can say mathematically that is the situation.

Mr. SIMPSON. Mr. Chairman, I yield myself such time as I may consume.

I would just like to point out that this proposal does not preclude the purchase of more Federal land. I do not deny that there are purchases out there that may be appropriate for the Federal government to acquire, for habitat and other things. I do not have a problem with that. But what I am saying is that in a State like Idaho and those States that have currently over 50 percent Federal land, and in Idaho it is 65 percent, two out of every three acres is owned and controlled by the Federal Government. That leaves little private land as a tax base to support the services in the rest of that State. But in those States, if there is an appropriate purchase of Federal land or an appropriate acquisition by the Federal Government, they have two options under which they can acquire that land. One, they can decide that there is other land that they would rather sell off so that there is a no net gain, in which they can do it without the approval of the State; otherwise they can go to their State legislature and get it approved by State law. This brings the State government into the decision-making process. I do not know why we should fear having our State legislators, those people closest to the decision-making process and how this is going to affect them, be involved in that decision-making process. I do not have a problem with that. I trust my State legislature. I come from the State legislature. They have the concerns of the State of Idaho and I am sure of the other States that they represent at heart. They will do the right thing.

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

Mr. UDALL of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I think those who are following this debate may find that it is curiously and curiously in the sense that those who historically have stood up for the rights of citizens to make decisions about their property have now brought an amendment that strikes right at the heart of what people in Idaho and Washington or anywhere else can do with their property.

Let me give an example, and I am going to ask the gentleman from Idaho if that is correct when I am done. Mr. Jones is a rancher in the great State of Idaho. And it is a great State. I fly over it every week. It looks great from 30,000 feet. He has got 40 acres, he has not really ever ranched it, and there is really nothing too much to do with it. But it might make some good habitat for some species, some critter that might be in a difficult situation. So he goes to the Federal Government and says, Can you take this off my hands? Can you maybe give me a few dollars for it? I would like to sell it. He goes through the permutations with the Federal Government and he gets the Federal Government to offer to buy his land. He agrees. He makes a consensual decision as an American citizen to sell it to the Federal Government and the folks across the aisle tonight are telling him, You cannot do it. We realize it is your property, but we are not going to let you sell it to the Federal Government unless the State legislature has the veto power on your personal private decision what to do with your private land in a consensual arrangement with the Federal Government.

□ 0010

Now, frankly, I want to ask my colleague, is that not the correct situation, and if it is, how can we do anything but accept this as a gross violation of the people's right to sell their land. I mean, what next? Let me ask one more question. What next? Will the gentleman tell us that a person cannot sell it to the church? Is the next thing we will say is we cannot sell it to a church because that is going to reduce the local tax rolls and we are going to require the State legislature to do it?

Mr. SIMPSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Idaho (Mr. SIMPSON) has 3 minutes remaining.

Mr. WALDEN of Oregon. Mr. Chairman, first of all, let me say this does not apply to Washington, so the gentleman's implication that it applies to Washington is inaccurate. It applies to 5 States: Alaska, Oregon, Idaho, Utah and Nevada.

We are not talking about something extraordinary like churches or selling to somebody. In fact, they could donate it, they could have the State of Idaho buy it, they could have a private organization buy it, they could have somebody with private property buy it and use it in that respect.

The issue here, though, is as these lands come off the tax rolls, they affect our schools, they affect our roads, they affect things going on in the community, and that ought to be recognized.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding.

I rise as a former county supervisor remembering the debates about not wanting the Federal Government to leave to close bases, not wanting the Federal Government to abandon land. As a former State legislator, I have never seen a resolution by Idaho or any other State saying we really want you to join in petitioning us to get rid of Federal land.

Do my colleagues know why? Because that Federal land employs people. That Federal land not only has Federal employees who pay taxes and their kids go to school, they pay those fees, the in lieu fees, but there are the recreational activities that come off of that land that supported private businesses.

When I go down the Salmon River in Idaho, I see a lot of people making money off the boaters, staying in hotels, eating in the restaurants there before they go on the river and after they come out. Do we want to abandon that as an Idaho asset and say we cannot add to that without the permission of the State legislature? There is local control in the United States Congress. This is called the House of Representatives, because we represent small bodies of people and most of us are former State legislators.

The CHAIRMAN pro tempore. The gentleman from Idaho (Mr. SIMPSON) has 2½ minutes remaining; the gentleman from Alaska (Mr. YOUNG) has the right to close.

Mr. SIMPSON. Mr. Chairman, I yield myself such time as I may consume.

I would just like to point out that this does not affect the State of California and it does not affect the State of Washington, but I appreciate the gentleman's input. What it does affect is those States that already have 50 percent Federal land.

Really what we are saying is, how much is enough Federal land? I think 65 percent of the State of Idaho being controlled by the Federal Government is enough. The people of Idaho think it is enough. In fact, we have legislation now that we are trying to work on and we will try to get through Congress that will allow the State of Idaho to manage some of those Federal lands because we are fed up with the Federal Government's management of those Federal lands.

Mr. Chairman, to tell the truth, all this does is, it does not say that one cannot buy the land, it just says that one has to have the approval of the State legislature or a no-net gain, and if somebody out there has 20 acres or 40 acres, as the gentleman from Washington suggested, is he trying to tell me that in the 34 million acres, 34 mil-

lion acres that the Federal Government currently owns in Idaho, they cannot say, well, here is 40 acres we can surrender to make this deal?

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

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

Mr. INSLEE. Mr. Chairman, I think the crux of the problem is, who really in America ought to make that decision of whether that next 40 acres goes into a reserve or goes to something else. Let me suggest to my colleague that what I am saying tonight is that is not a decision for the gentleman from Idaho to make, it is not a decision for me to make. It is a decision for the property owner who should be given the right, on a willing and consensual basis, to sell it to whomever he wants, the YMCA, a church, Federal Government, the State. But that is a decision by the property owner.

What I am trying to say is that the gentleman's amendment unfortunately strikes at that basic American principle for him to decide what happens to that 40 acres.

Mr. SIMPSON. Mr. Chairman, reclaiming my time, I do not believe that is what it does. That individual can sell that land to who he wants to. There are private conservation groups and other groups that can acquire that land. It is only if the Federal Government, the Federal Government, with our tax dollars, tax dollars that have been taken out of our pockets, tax dollars, and I do not know where it says that the Federal Government has the right to take tax dollars from the citizens of this country and go out and purchase private land with it.

Mr. WALDEN of Oregon. Mr. Chairman, will the gentleman yield?

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

Mr. WALDEN of Oregon. Mr. Chairman, I just have to make a comment as well about the concept of these Federal lands being so productive to employment.

The gentleman who went to the university, as I recall, as apparently been a long time going back through eastern Oregon and seeing mill after mill close, unemployment rates in some counties like Grant County in Oregon hit upwards of 20 percent because of the way the forests are being mismanaged today.

Mr. YOUNG of Alaska. Mr. Chairman, how much time remains?

The CHAIRMAN pro tempore. The gentleman from Alaska (Mr. YOUNG) has 3½ minutes remaining.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself the remaining time.

In closing, I reluctantly oppose the amendment, but I understand why it should be defeated, and I urge the defeat of the amendment.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Idaho (Mr. SIMPSON).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Idaho (Mr. SIMPSON) will be postponed.

The Chair understands that Amendment No. 15 will not be offered.

It is now in order to consider Amendment No. 16 printed in House report 106-612.

AMENDMENT NO. 16 OFFERED BY MR. REGULA

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. REGULA: Page 37, after line 11, insert the following: No amount may be apportioned under this paragraph to any State (herein referred to as an 'unfunded State') that has not established a dedicated State land acquisition fund that is funded through the State's budget process. The amount that would have been apportioned to any such unfunded State under this paragraph shall be reapportioned to other States in accordance with subparagraphs (A) and (B).

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Ohio (Mr. REGULA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment to title II requiring States to have their own State-funded land acquisition budgets in order to receive funding under the Stateside Land and Water Conservation Fund.

While the current State conservation grants program provides matching grants to States and through States to local units of government for the acquisition and development of public outdoor recreation areas in and other projects, the States often do not match these funds with direct funding. In fact, few States actually use State revenues for land acquisition.

According to a study by the Lincoln Institute of Land Policy, only 14 States fund these programs in their State budgets by direct appropriation. Many have special bond funds, lottery revenues, or even in-kind contributions in providing their required match.

This fact is especially disconcerting when we learn that every State in the Nation has a balanced budget and many actually have large budget surpluses, including California and Alaska, with \$3 billion each as a surplus.

The States stand to receive billions of dollars in Federal funding under the provisions of this bill for 15 years.

Mr. Chairman, my amendment simply requires that they match these State land acquisition funds with their own revenues. I urge my colleagues to support this amendment.

Basically, it makes the State responsible. If they are going to receive the Federal funds, they should have a program to match it with State revenues. Of course, if the purpose of this bill is to protect the resources, as we have heard over and over tonight, to enhance the States' ability to acquire and protect the land resources in each of the respective States, they would want to have their own money. It seems to me they would want to have a plan. I think this is a very reasonable amendment and ensures that there will be good management of the Federal dollars that would be available.

Mr. Chairman, I urge a "yes" vote for this amendment.

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

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

Mr. GEORGE MILLER of California. Mr. Chairman, am I correct in understanding that the purpose of the gentleman's amendment is to provide a means by which the State establishes where it is going to get the revenues from?

Mr. REGULA. Mr. Chairman, that is essentially right, that they have a system, and only 14 do, whereby they know where they are going to have their matching fund. Because we find many States want to use in-kind and all kinds of other various devices.

□ 0020

If really our mission is to protect resources for the public, we would want to have an assurance that the States would have a plan before they received the Federal monies.

Mr. GEORGE MILLER of California. Could the States if they wanted to in their normal budget process budget \$50 million for matching land and water conservation funds? Would that be sufficient?

Mr. REGULA. I would not see any reason why they could not. They would have to have some kind of a plan, because they are going to get a check. We want to be sure that they will match that money with their own State funds. That of course doubles the amount that will be available.

Mr. GEORGE MILLER of California. If they said they wanted to set aside 10 percent of their lottery, that would not bother you, or set aside 5 percent of the general fund revenues, as long as they have a real dollar match, is what the gentleman is saying?

Mr. REGULA. What we are really saying is that they have to have cre-

ated some type of fund. They can get the money for that from whatever source they choose, but they have to have a fund with the cash to match it.

Mr. GEORGE MILLER of California. So it is real money?

Mr. REGULA. Yes, real money they will get from the Federal Government. In effect, it doubles the impact of the money that comes from the Federal government.

Mr. GEORGE MILLER of California. Let me ask, that is an important point, that would not prohibit them from also using foundation money, if that was real money? In our case, we have some big foundations that are dedicated to land acquisition. If the State put up \$10 million out of its acquisition fund that the gentleman talks about and that was going to be matched with \$10 million of local money, it would be all right?

Mr. REGULA. How does the gentleman define that?

Mr. GEORGE MILLER of California. A match from the State runs to the Federal government, but later if that money is used with foundation money, that is not a concern because the State put up real dollars to match the Federal share, is what you are after?

Mr. REGULA. I guess it is a matter of how we define "foundation". Is the foundation money State revenues?

Mr. GEORGE MILLER of California. No, no.

Mr. REGULA. What is the source of that?

Mr. GEORGE MILLER of California. Fortunately, some people are wealthy enough that they have created foundations. In our case, it is the Packard family.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Ohio's time has expired.

Who claims the time in opposition?

Mr. UDALL of New Mexico. Mr. Chairman, I claim the time in opposition, and yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

The CHAIRMAN pro tempore. The gentleman from California is recognized.

Mr. GEORGE MILLER of California. Mr. Chairman, the gentleman is not specifying a specific mechanism by which the State does this. But what the gentleman is saying is, when it comes time to match the money, he expects the State to be there with real dollars, not funny dollars, someone else's dollars, so they place the same priority on this that we say we place on it?

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

Mr. GEORGE MILLER of California. I yield to the gentleman from Ohio.

Mr. REGULA. That is exactly right, Mr. Chairman.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 2½ minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I have just been following this conversation. I have an inquiry of the gentleman from California (Mr. GEORGE MILLER). I would like him to take the mike again.

If the gentleman's intent is, he objects to using land as to the matching of the Federal dollars?

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

Mr. YOUNG of Alaska. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, that is correct. We object to in-kind.

Mr. YOUNG of Alaska. Or some other form of dollar amount that is not dollars. What the gentleman is asking, I do not think he wants them to put up a fund, but he has to have the money to match the matching grants in real dollars.

Mr. REGULA. If the gentleman will continue to yield, Mr. Chairman, we want to make sure that the State is putting in the same amount of cash that the Federal government is, so that we are doubling, in effect, the impact and preserving resources for the public.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman from California help me out on this? It goes back to the question.

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

Mr. YOUNG of Alaska. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Yes.

Mr. YOUNG of Alaska. If there was a Ford Foundation that gave the State money for a recreational project or acquisition of land, that money could be counted against the Federal dollars?

Mr. REGULA. If the gentleman will continue to yield, it depends how it is earmarked. If that money was given and became part of the State's assets or Treasury, then money is money.

Mr. GEORGE MILLER of California. In theory, the State could conceivably say, we are now going to create a pool of \$10 million, and we are asking local governments or somebody else to put in \$10 million. That is \$20 million. They may be entitled under the State side for \$10 and they would have that match.

The gentleman from Ohio is concerned, sometimes we get into these things and we go from real dollars to in-kind contributions to work efforts to sweat equity, and pretty soon what we really have is Federal dollars matching Federal dollars.

I think he wants a clarification that the State match is really a product of the State. We could talk about this later, about if they get it from private sources or not, but that it is real money. I do not think I have a problem with that. He is right.

Mr. YOUNG of Alaska. This is what I am leading up to. If the gentleman will

just relax a moment, and he is not being mischievous, I hope, because on the surface, I do not see anything wrong with the amendment.

The CHAIRMAN pro tempore. The gentleman's time has expired.

The gentleman from New Mexico (Mr. UDALL) has 2 minutes remaining.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I would ask the gentleman from California (Mr. GEORGE MILLER) what we should do here.

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

Mr. YOUNG of Alaska. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I do not think I have a problem. I think there are some questions about the amendment, but what the gentleman has said, he is willing to work that out.

Different States have different mechanisms. I think what the gentleman from Ohio is saying is that he wants to see real money.

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

Mr. YOUNG of Alaska. I yield to the gentleman from Ohio.

Mr. REGULA. If the gentleman will yield, Mr. Chairman, that is correct.

Mr. YOUNG of Alaska. Are we going to say we accept the amendment, or are we against the amendment?

Mr. GEORGE MILLER of California. . . I think we should accept the amendment, but if the chairman would continue to work with us on this, obviously there are 50 different States with 50 different mechanisms.

Some States will raise the bond issue and make all that available for this purpose. That is an honest mechanism which is real money.

Mr. YOUNG of Alaska. Would that be agreeable with the chairman?

Mr. REGULA. I think we can work it out. Of course, even with the money in the Interior subcommittee, we require a match. Sometimes it gets into, we will put up a tennis court to match what the Federal government does. We want real money.

Mr. GEORGE MILLER of California. They go to another Federal program and get Federal dollars.

Mr. REGULA. Exactly. We will get it worked out.

Mr. YOUNG of Alaska. We have a problem, because Alaska cannot do a dedicated fund. That is under our Constitution. That is why I want to have the gentleman's agreement. Otherwise I will strip it out. I want the gentleman to work with us to try to solve this problem.

I am not in disagreement to what the gentleman is trying to do, but we do have that problem. Does the gentleman understand what I am saying?

Mr. REGULA. The gentleman can appropriate money.

Mr. YOUNG of Alaska. We cannot have a dedicated fund, in our Constitution. But if the gentleman will help me fix that problem, is what I am saying.

Mr. REGULA. I assume under the gentleman's bill he plans to have this money matched.

Mr. YOUNG of Alaska. Not through a dedicated process, but through an appropriation process in the legislature.

Mr. REGULA. How does the gentleman plan to do it?

Mr. YOUNG of Alaska. Through the legislature. If they do not match it, we do not get it.

Mr. REGULA. In other words, they would appropriate the money?

Mr. YOUNG of Alaska. Yes.

Mr. REGULA. I think we can agree on that.

Mr. YOUNG of Alaska. With that agreement, we will sit down and work this out. We will accept the amendment at this time with no vote, with that agreement.

The CHAIRMAN pro tempore. The gentleman's time has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. REGULA).

The amendment was agreed to.

The CHAIRMAN pro tempore. The Chair understands that amendment No. 17 will not be offered.

It is now in order to consider amendment No. 18 printed in House Report 106-612.

AMENDMENT NO. 18 OFFERED BY MR. KIND

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. KIND:

Page 42, line 14, strike "and".

Page 42, line 18, strike the period and insert "; and".

Page 42, after line 18, insert:

(3) by adding the following new paragraph after paragraph (2):

"(3) MONITORING AND DATA COLLECTION.—For establishing a sediment and nutrient monitoring network for the Upper Mississippi River Basin for the purpose of reducing sediment and nutrient loss, to be headquartered at the Upper Midwest Environmental Sciences Center in La Crosse, Wisconsin. The Secretary of the Interior shall establish guidelines for the effective design of data collection activities regarding sediment and nutrient monitoring, for the use of suitable and consistent methods for data collection, and for consistent reporting, data storage, and archiving practices. Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin shall be released to the public using generic station identifiers and location coordinates. In the case of a monitoring station located on private lands, information regarding the location of the station shall not be disseminated without the landowner's permission. The Secretary of the Interior shall establish the guidelines under subsection (a) in con-

sultation with the Secretary of Agriculture and all entities known to be conducting sediment and nutrient monitoring in the Upper Mississippi River Basin. The non-Federal sponsors of the sediment and nutrient monitoring network shall be responsible for not less than 25 percent of the costs of maintaining the network. Up to 80 percent of the non-Federal share may be provided through in-kind contributions.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Wisconsin (Mr. KIND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I yield myself such time as I may consume.

I know the hour is late. I believe this is going to be the last amendment we will take up this evening. I will try to be quick. I hope a few people are up and listening concerning what I do for my labor of love for the Mississippi River.

Mr. Chairman, I anticipate entering into a colloquy at the end of my statement with the chairman of the Committee on Resources, and based on an understanding and agreement that we have reached, I will be asking for unanimous consent to withdraw this amendment.

Let me first say that the CARA bill that is before us today and tomorrow is extremely important for the conservation future of our Nation. For this reason, I am a strong supporter of the bill and voted for its passage as a member of the Committee on Resources.

CARA is a remarkable bill that will dramatically increase environmental and conservation efforts in all 50 States. The amendment that I am offering tonight addresses a very pressing conservation need regarding the upper Mississippi River Basin. The upper Mississippi River Basin is one of our Nation's great ecological and recreational treasures. Its rich wetlands and back woods serve as North America's largest migratory route. The region boasts tremendous diversity in animal and plant species.

□ 0030

Income from fishing hunting, boating and other recreational activities total roughly \$1.2 billion annually and the area's tourist industries, much of which are centered on the river, contribute \$6.6 billion to the region's economy. It is also the primary drinking source for 22 million Americans and the upper Mississippi River Refuge has more visitors every year than Yellowstone National Park.

Unfortunately, increasing soil erosion threatens this region and the wildlife habitat. For instance, soil erosion reduces the long-term sustainability and income of family farms and sediment is entering the river basin and costing the American taxpayers roughly \$100 million each year in dredging costs alone.

One of the best ways to reduce sediment and nutrient losses from the landscape is to protect sensitive riparian areas through voluntary program for land purchases, conservation easements, and the implementation of best management practices, all fundamental components of the CARA bill.

Mr. Chairman, my amendment seeks to assist conservation planning in the region through the development of a scientific sediment and nutrient monitoring network. The goal of the network is to enable States and other governmental and nongovernmental entities to make better decisions about where to direct resources and to determine which conservation measures are most appropriate in the Mississippi River Basin.

The amendment I am proposing tonight is but a single component of a far larger basin initiative that I introduced earlier this year, H.R. 4013, "The Upper Mississippi River Basin Conservation Act". We have over 18 cosponsors from eight States.

H.R. 4013 establishes the monitoring network contained in my amendment here tonight, as well as a state-of-the-art computer modeling program to identify significant sources of sediments and nutrients. It provides grants and incentives to States and counties to implement best management practices and other innovative voluntary programs. It calls for increases in the USDA highly effective but underfunded land conservation programs. Finally, it contains data protection provisions designed to protect the privacy of individual landowners in the basin, which I know is very important to a lot of property rights advocates in this body.

The legislation relies entirely on voluntary programs and creates no new regulations. I believe this approach to watershed management is the wave of the future. It is proactive rather than reactive, seeking to stop harmful nutrients and sediments before they make it into the river basin, rather than relying on expensive cleanup and mitigation efforts after the fact.

The approach is basin wide rather than piecemeal, seeking to look at the entire ecosystem and develop management plans appropriate to a large-scale physical system. Finally, this approach relies on interagency and intergovernmental cooperation attempting to coordinate the diverse but sometimes fragmented conservation efforts of Federal, State, and local agencies, as well as non-governmental organizations.

Mr. Chairman, I urge support of H.R. 4013 and invite my colleagues to join me as a cosponsor of this important piece of legislation which will better protect "America's river," the Mississippi River, and North America's largest migratory route.

Mr. Chairman, at this moment I would like to engage in a colloquy with

the gentleman from Alaska (Mr. YOUNG), the chairman of my Committee on Resources.

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

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

Mr. YOUNG of Alaska. Mr. Chairman, I will be happy to engage in a colloquy with the gentleman.

Mr. KIND. Mr. Chairman, earlier this year, I know as the gentleman understands, I introduced H.R. 4013. It was referred to our Committee on Resources. The legislation authorizes the U.S. Geological Survey, an agency under the jurisdiction of our committee, to oversee a monitoring network and the modeling program in the upper Mississippi River Basin. And I know the gentleman is familiar with the legislation already.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. KIND) has expired.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND)

Mr. KIND. Mr. Chairman, I again yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, if the gentleman will continue to yield, I am familiar with the gentleman's legislation and look forward to working with him and his staff on this measure.

Mr. KIND. Mr. Chairman, reclaiming my time, as the gentleman knows, H.R. 4013 has bipartisan support. It has also received the endorsement of a number of national and regional conservation outdoor recreation groups, farm, and environmental groups. And I am willing, based on that understanding and discussion that I have had with the gentleman and his staff, to, with unanimous consent, withdraw my amendment here tonight and work with the gentleman to establish a hearing on this important legislation some time prior to the August recess.

Mr. YOUNG of Alaska. I understand and appreciate the work that the gentleman has done on this measure and it is my intention that the appropriate subcommittee of the Committee on Resources will hold a public hearing on this prior to the August recess, especially this upcoming 2000 recess.

I compliment the gentleman on his good work. He has talked to me before tonight and I appreciate the gentleman withdrawing the amendment.

Mr. KIND. Mr. Chairman, with that assurance, I will ask unanimous consent to withdraw the amendment, and would also like to commend the gentleman from Alaska, the chairman of the Committee on Resources, and the gentleman from California (Mr. GEORGE MILLER), the ranking member, for the hard work and effort that they have put in bringing together this wide political coalition that exists, I believe, for the CARA bill. I am a proud

supporter of the bill, and I conclude by urging my colleagues to support H.R. 701 in final passage tomorrow.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

Mr. YOUNG of Alaska. 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. REGULA) having assumed the chair, Mr. PEASE, Chairman pro tempore 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. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. MEEK of Florida (at the request of Mr. GEPHARDT) for today, on account of official business in the district.

Mr. FATTAH (at the request of Mr. GEPHARDT) for before 5 p.m. today, on account of personal reasons.

Mr. WISE (at the request of Mr. GEPHARDT) for May 8 and the balance of the week, on account of personal reasons.

Mr. COBLE (at the request of Mr. ARMEY) for after 6:30 p.m. today and on May 11, on account of official business concerning his Intellectual Property Subcommittee.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. UDALL of New Mexico) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.