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. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, with Mr. LaTOURETTE in the chair.

The Clerk read the title of the bill.

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

Mr. Chairman, I appreciate the indulgence of both the chairman and the ranking member to allow me to speak out of turn.

The reason I would like to address the House this morning is with respect to the roadless forest initiative. My colleague and friend, the gentleman from Michigan (Mr. STUPAK), had originally looked at introducing some limitation amendments on the roadless forest initiative and as he will shortly say has decided not to introduce them. In some ways I regret that but I certainly respect his decision.

I rise in opposition to the roadless forest initiative. I represent a national forest that was once the Chequamegon and Nicolet National Forest. Like so many others, I have a concern over the effect of the roadless forest initiative on the economy of my district and the health and safety of our national forests.

I would like to make three brief quick points this morning to show the breadth of opposition in my home area to this roadless forest initiative.

First, local units of government in the State of Wisconsin in general, and in the Eighth Congressional District, oppose the roadless forest initiative. The Wisconsin Counties Association opposes it. The Counties of Vilas and Oneida and Oconto and others oppose it. They oppose it because they understand how dependent our communities and our economy is upon the national forest, recreation, and timber harvesting.

They also oppose it because they recognize that cutting off these forests to human access poses substantial fire and safety risks.

Point number two, the roadless forest initiative violates a historic compact between local units of government and the Federal Government. This national forest in northern Wisconsin was created in the 1920s. There were a series of transactions between local units of government, county forests, the private sector, and the Federal Government.

On record, on the public record and in public documents, specifically these transactions were made with an understanding that access to the national forests would be maintained, in fact, explicitly that commercial access to the forests would be maintained. Yet, the roadless forest initiative, if it is implemented, would break that understanding, would break that agreement. Very clearly, the Federal Government is in the process of breaking its word with the people of northeastern Wisconsin and very clearly these local leaders would never, would never, have transferred county forest to the national forest if they knew that years down the line we would go back on our word.

Finally and most damning, the Forest Service employees of northern Wisconsin themselves oppose the roadless forest initiative. The very people being called upon to implement the roadless forest initiative oppose it. They have taken a formal position through Local 2165 of the National Federation of Federal Employees, they have taken a formal position against the roadless forest initiative. They understand the difficulties of enforcing it. They understand how it will do tremendous damage to our way of life and they understand how the roadless forest initiative has failed to take into account the local concerns in northern Wisconsin.

I will later place in the RECORD these resolutions demonstrating the clear opposition in northern Wisconsin to this initiative.

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

Mr. Chairman, as the gentleman from Wisconsin (Mr. GREEN) indicated, we were prepared to offer up to several amendments to block the roadless initiative and the road management rule. Instead, through conversations with the Chair and the ranking member, we have decided not to.

These policies and rules that are currently pending before the National Forest Service are still pending. We will have in this next session to help fashion and mold hopefully something we can all live with.

Let me just take a few minutes here and explain what is going on with the roadless initiative and the road management policy.

These are new Forest Service policies. They are decisions affecting the national forests throughout the country. They are not found in any of the local-national forest management plans, and they are developed without a local input and without local forest officials’ input.

Now, the roadless initiative on the face of it does not sound too bad, because it includes defined roadless areas. In my two national forests in Ottawa, that is 4,600 acres and in the Hiawatha National Forest, that is 7,600 acres.

We could probably agree that, in those areas that are identified, it makes some sense not to put roads; and we agree that could make some sense. But then it calls for other unroaded areas, other unroaded areas. We do not know the size of those areas. We do not know where they are located. It cannot be simply identified.

So if we cannot identify the other unroaded areas, why would we let a policy go through and we as Members of this Congress allow a policy to go through that we have no clue, no clue where these other areas are. Talk to Washington officials, they say one’s local officials know. Talk to our local forest officials, and we have had hearings on this part, and they do not know because we do not have the guidelines. So they would let a policy go through.

Look, the proper role on roadless initiative, identify the areas; and if one wants it to be a wilderness area, that is a proper role of Congress. We should do it.

Proposals undetermine other roaded areas. It limits one’s access. It limits one’s use. It limits one’s enjoyment of the forest.

If it was the roadless initiative, we could probably live with that, but look at what else is going on at the same time. At the exact time is this thing called road management rule. The only way one can build a road in the national forest if this road management rule goes through is if there is a compelling reason for a road.

Temporary roads that we use and rely on for fire fighting, for insect control, for harvesting timber are not recognized. No more temporary roads, none whatsoever.

Who has to agree to it? Not the local foresters, but the regional forester. In Milwaukee, they are going to decide
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for Michigan and Wisconsin whether or not there is going to be a road in northern Michigan regardless of what the local forestry officials say.

So it virtually bans road construction and reconstruction. So in other words, one cannot even fix up a forest road if this policy goes through, only essential classified roads, no feeder roads, no feeder roads. It does not recognize temporary roads for forest timber.

So put the roadless initiative with this road management rule that no one knows anything about, put it together, and one has new policies, new rules that will supersede existing locally developed forest management plans in our national forest.

The results are one is going to have a national policy that says one size fits all. We lose our local control. There is no control input. Economic impact is not even recognized. For northern Wisconsin and northern Michigan and Minnesota, we rely upon our national forests, not just for timber sales, for recreation, no personal enjoyment, for hunting; but one has no input. Those economies are not even recognized as we develop these policies.

Last but not least, the new policies and rules change the established use of the forest, the access to the forest, and the activities that can be performed within the forest.

What we have here, as we have debated this bill many times in the past, legislative attempts to limit road building, to limit reconstruction of roads in our national forests. They cannot pass that. They cannot come before Congress and legislatively pass it. So they are doing this back-door approach through a rulemaking process on road management that there is no input.

One can write one’s comments, but there is not a meeting anywhere in the United States where people from the local national forest did come and confront the local forest people and say here is what we need roads for. Why cannot one reconstruct this one road that goes to our lake? Because they are going to put through an administrative rule underneath the Administrative Procedures Act.

So I urge all Members to look at the roadless initiative. When one applies the road management on top of that roadless initiative, we have serious problems with what is going on in our national forests. I ask them to be vigilant and fight these policies by the National Forest Service. I thank the gentleman from Ohio (Chairman REGULA) and the gentleman from Washington (Mr. DICKS), ranking member, for allowing the gentleman from Wisconsin (Mr. GREEN) and I to proceed outside of order.

NEW FOREST SERVICE POLICIES/RULES (Decisions affecting National Forests: not found in Forest Management Plans; developed without local community & local forest officials input)

ROADLESS INITIATIVE (Includes defined Roadless Areas and undefined “other unroaded” areas)

Wilderness Designation is proper role of Congress.

Proposes undetermined “other unroaded areas”.

Limits access, use & enjoyment of forest.

ROAD MANAGEMENT RULE (Only if compelling reason for a road; no “temp” roads; EIS signed by Regional Forester)

Virtually bans forest road construction & reconstruction.

Only essential classified roads (no feeder roads).

Does not recognize temporary roads for timber harvest.

NEW POLICIES/RULES THAT SUPERSEDE EXISTING LOCALLY DEVELOPED FOREST PLANS—RESULTS

National Policy—“one size-fits-all” mentality, loss of local control.

Economic Impact—not recognized, local economies depend on National Forests.

New Policies/Rules—change established uses, access & activities.

AMENDMENT OFFERED BY MR. DICKS

The CHAIRMAN. The Clerk will report copy B of the Dicks amendment.

The Clerk reads as follows:

Amendment offered by Mr. DICKS:

On page 52, after line 15, add the following new section:

SEC. 334. Any limitation imposed under this Act on funds made available by this Act related to planning and management of national monuments, or activities related to the Interior Columbia Basin Ecosystem Management Plan shall not apply to any activity which is otherwise authorized by law.

The CHAIRMAN. Pursuant to the order of the House yesterday, the gentleman from Washington (Mr. DICKS) is recognized for 5 minutes in support of his amendment.

Mr. DICKS. Mr. Chairman, I offer an amendment which would overcome section 334 and 335 of the Interior Appropriations Act for fiscal year 2001.

My amendment seeks to overcome the funding limitation imposed in the bill under section 334 and 335 relating to the Interior-Columbia Basin Ecosystem Management Plan, known as ICBEMP, and the design, planning, and management of national monuments.

Both of these provisions are objectionable to the Clinton administration, and the committee has received a letter from the Office of Management and Budget director Jack Lew stating that the President’s senior advisors would recommend a veto unless these riders are removed.

Section 334 of the bill would stop the Interior-Columbia Basin Ecosystem Management Project, ICBEMP, from going forward. The author of the provision included report language to the bill language stating concern that the Forest Service and the Bureau of Land Management are not in compliance with the Small Business Regulatory Enforcement Flexibility Act by completing a regulatory flexibility analysis. The administration, on the other hand, believes that such an analysis is not required. This is a major issue in this debate.

Now, I understand that the author of the amendment may have concerns about the agencies complying with all laws, but I have been assured by the administration that they are, in fact, in compliance with all existing Federal laws and, therefore, object to the inclusion of this provision which would basically stop their work on this particular project.

Further, I do not know whether the author of the amendment does or does not support the Columbia Basin Project’s goals, but I think it is vitally important to articulate why it should go forward and not be stopped with a rider in this Interior appropriations bill.

The Columbia Basin Project was initiated by President Clinton in 1993 to respond to landscape-scale issues, including forest and rangeland health, the listing of Snake River salmon, bull trout protection, and treaty and trust responsibilities to the Tribes in the area. It also sought to bring more certainty and stability to the communities located in the Columbia River Basin, which were impacted by these events.

What we had before were literally dozens of smaller management plans that only addressed specific areas within the basin. The goal of ICBEMP was to better assemble each individual plan into a more coordinated watershed-based program. ICBEMP has several goals. Among them is to better protect the habitat important to threatened and endangered species and also to provide a long-term plan for mining, grazing, and timber harvest which are still allowed under the project.

It is not a land grab, nor does it take decisions out of the hands of local communities and local management offices. It is an important step to better manage these critical lands, and it has had several years in development and has received extensive public comments and participation.

Section 335 prevents the Secretary of the Interior or the Secretary of Agriculture from using any funds for the purpose of designing, planning, or management of Federal lands as national monuments which were designated since 1999.

This provision attempts to restrict the designation of monuments by the President under the authority of the 1996 Antiquities Act by using a backdoor method: funding limitation. A prohibition on spending funds for these monuments would not change their legal status, but it would prevent any ongoing spending within the monument areas as defined by law.
I would say to all of my colleagues who had monuments declared, that the author of the amendment chose not to cover him. He is covering our colleagues' monuments.

The author of the amendment included language in the Interior Appropriations report to accompany the bill which states: “Nothing in this language prevents either Secretary from managing those Federal lands under their previous management plans.” But the bill language clearly states that no money shall be expended for the purpose of design, planning, or management of Federal lands as national monuments.

Once the President has acted to designate these lands, they are legally designated and would thus be subject to the spending limitation. All this provision would do is ensure that no Federal dollars by our land and resource management agencies could be spent to maintain them.

A monument designation does not lock up these lands. Quite the contrary, monument status does not preclude such activities as grazing or mining.

The CHAIRMAN. The time of the gentleman from Washington (Mr. Dicks) is expired.

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

Mr. DICKS. Mr. Chairman, monument status also involves an extensive community involvement process so that programs can be established for all public uses. Hunting, fishing, hiking, canoeing are all allowed in these areas. But they would all be stopped if we could not do necessary wildlife surveys and environmental programs.

This provision would not allow any funds to be spent for law enforcement and so no monument status is necessary in the areas where there are visitors' centers. They would be closed because the provision would preclude any funds from being spent to operate, maintain, or staff them.

I understand that some of the President's recent designations have been controversial. But he has had, in each instance, the complete authority to act under the jurisdiction of the 1906 Antiquities Act. If the authorizing committees, and I note the presence of the chairman of the authorizing committee, if the authorizing committee of jurisdiction wishes to reexamine the Antiquities Act or wishes to pass legislation to cancel any specific monument designation, they should do so. But the inclusion of this provision and the other provisions are ill-advised and ensure a veto by the President.

I urge support of my amendment and hope the House agrees that these provisions should not be included in this bill.

AMENDMENT NO. 46 OFFERED BY MR. NETHERCUTT TO THE AMENDMENT OFFERED BY MR. DICKS

Mr. NETHERCUTT. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The Clerk will designate the amendment to the amendment.

The text of the amendment to the amendment is as follows:

Amendment No. 46 offered by Mr. NETHERCUTT to the amendment offered by Mr. DICKS.

Strike “monuments,” and insert “monuments or.”

Strikes or activities related to the Interior Columbia Basin Ecosystem Management Plan”.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 14, 2000, the gentleman from Washington (Mr. NETHERCUTT) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Washington (Mr. NETHERCUTT).

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

Mr. Chairman, my amendment to the Dicks amendment would strike the provision in the Dicks amendment concerning the Interior-Columbia Basin Ecosystem Management Project, called ICBECP.

First and foremost, the linkage of the national monuments portion of the Dicks amendment with the Interior-Columbia Basin Management Project language in his amendment requires that they be separated. They are not the same. They are completely different.

They have no relevance to each other. They have no relationship to each other. Therefore, on that point alone, my amendment should be adopted.

My amendment seeks to strip the ICBECP language from the Dicks amendments.

So that is point number one, and that is the simplest way to look at this whole issue.

The second issue and the reason for removing it from the Dicks amendment is that this ICBECP project was begun in 1993 as a scientific assessment of eastern Washington and eastern Oregon. Now, I want my colleagues and the chairman to keep this in mind, it started as a scientific assessment. We were going to take a look at the ecosystem condition of eastern Washington and eastern Oregon. The scientific findings were to be used as forest and Bureau of Land Management districts updated their land management plans.

Since 1993, this administration has grown this project to a size that encompasses Idaho, Montana, parts of Nevada, Utah, and Wyoming.

Seven States, 144 million acres, are affected by what started out as an assessment informally.

Even more troubling is that it has grown to a scope that it has now become a decision-making document with standards, meaning that the recommendations of the project managers are supposed to drive the land use plans in the region. The seven-State region; 144 million acres.

In 1998, the House had this issue before it. It voted to keep the Columbia Basin project advisory in nature. Not a ruling-making, not a decision-making document, but advisory. That language, which I sponsored and which was adopted by the House, rejected the idea that it should be more than advisory in nature. Unfortunately, in the negotiations on this whole issue at the last minute with respect to the omnibus appropriations, that language was sacrificed by the leadership and on the insistence of the President.

Section 304 of the bill, language which I put in, required the Forest Service and the BLm to comply with existing law. That is the second broad but important point in this whole debate. It requires this administration to follow existing law, the Small Business Regulatory Enforcement Fairness Act, prior to finalizing any Interior Columbia Basin ecosystem management project record of decision.

What is happening here, and those of us in the West understand this, is that this administration has time and time again tried to rush to judgment, to have a record of decision that will have the effect of law and that will affect dramatically the land use ability and land use of the western States, the seven western States which are part of this so-called study. The Small Business Regulatory Enforcement Fairness Act passed overwhelmingly in this House, signed into law in 1996, requires agencies to do this simple task: Examine and mitigate for the impact that a proposed rule will have on small entities.

This administration knows that the small entities, the small rural communities of eastern Washington and the seven western States that I mentioned, are impacted by this outside of the power that they have to stop it. So the only resource we have is to make sure that this administration complies with the law, and that is what this amendment does. It says before a record of decision is issued, Federal agencies must comply with the law that exists, that was signed into law by this President.

I heard my friend from Washington say that he has an assurance from the administration that they do not have to comply with the law in this case; that this act does not apply to them. Only this administration would urge that the Congress ignore the obligation that this administration has to comply with the law. Only this administration would do that. So I am not persuaded by the assurance that we have been given that this law, the Small Business Regulatory Enforcement Fairness Act
does not apply. It applies, and there are court decisions that confirm that it applies. The General Accounting Office has issued a report confirming that it applies.

This plan, the ICBEMP plan, is going to amend 62 individual land use plans in the West. It is going to amend land use plans on 32 national Forest Service and BLM administrative units in this project area. It will replace three interim strategies. The project is clearly a rule, and there are court decisions that say so. Failure to comply with the Small Business Regulatory Enforcement Fairness Act is judicially reviewable by courts, and courts have invalidated agency rules on this basis, against Mr. Babbitt, Secretary of the Interior, in 1998.

Evidence is that the agencies have been wrong about this before. Over $56 million have been spent on this project. It is not authorized. This Congress has not authorized this project. The northwest industries have indicated to me that if a regulatory flexibility analysis is not completed, as required by law, and again that is all we are trying to do is have this administration comply with the law, they will pursue litigation which will throw this whole study into turmoil. Congress has the responsibility to ensure that the project does not leave itself open to litigation, if a record of decision is issued without having completed a regulatory flexibility analysis.

This is overreaching by the administrative agencies of this government, by this administration, by the Department of the Interior, the Forest Service, and the BLM. They are trying to go around the law, and that is wrong. That is wrong for rural America, it is wrong for the States that are represented on the other side of the aisle, and we should not let it happen.

So this should be separated out from this amendment because it does not apply to the national monuments issue. It applies to the fairness and the obligation to small businesses to be true to the law, and this administration is lacking in that regard if it tries to go forward.

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

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume to respond to my good friend and colleague that 7 years is hardly a rush to judgment.

I want my colleagues to hear the language of this limitation in this appropriation bill. It says right there, “None of the funds made available under this act may be used to issue a record of decision or any policy implementing the Interior Columbia Basin Ecosystem Management Act that is not pursuant to law, as set forth in chapter 6 of Title V of the United States Code.”

In all my years of being on the Subcommittee on Interior of the Committee on Appropriations, the relevance of the Small Business Regulatory Enforcement Fairness Act has not been questioned. But let us talk about the analysis that is done in an Environmental Impact Statement. It looks at the socioeconomic impact of the EIS.

Now, either we can get serious and decide we want to really pass legislation, and this bill. Frankly, it is fatally flawed, but these limitations are objectionable to the administration every single year because they offend the process. We do not have hearings, we do not get into great detail on these things and, frankly, and the gentleman, of course, has been here for a number of years, but that is why we have authorizing committees and that is why in most instances we should let the authorizing committees deal with these substantive issues and not deal with them in the appropriations process. I think on both sides of the aisle there has been a consensus that we should not do these limitations unless there is just simply no other way to deal with the problem.

Mr. Chairman, I yield 10½ minutes to the gentleman from Oregon (Mr. BLUMENAUER) in opposition to the Nethercutt amendment.

Mr. BLUMENAUER. Mr. Chairman, I thank my colleague for yielding me this time to speak against the Nethercutt amendment and in favor of the Dicks amendment.

First, as it relates to what my friend from Spokane has advanced, I think it is important to allow the Columbia Basin Ecosystem plan to proceed. If adopted by this chamber, the Nethercutt amendment would retain the anti-environmental rider, which would block the implementation of the Pacific Northwest plan for forests, watersheds and endangered species.

It is true that it has grown somewhat in terms of scope and dimension. It has done so because that is what has been dictated as in the best interests of the region that we all care about and in terms of what will make the most difference. Careful long-term planning is a help, not an impediment, to the various challenges that we face in the Pacific Northwest.

I have heard my colleague more than once on this floor talk about the problems how this has stretched out over 7 years at a cost of $45 million. Well, adoption of this amendment, and subjecting yet another requirement to this plan, is only going to make the process more expensive and more time consuming. And, indeed, Congress itself is in no small measure a culprit. Every year that I have been here, since 1996, the Committee on Appropriations has been concerned about the orderly implementation of this review.

Now, as the gentleman from Washington (Mr. DICKS) pointed out, the extension of the Small Business Regulatory Enforcement Fairness Act to this study is something that has never before been required. It is vigorously opposed to this amendment. But most important it opens up a very real possibility that we are going to block the potential Federal Government activity to improve the environmental and management activities in the Columbia River basin.

It is going to make it more likely, not less likely, that a court is going to intervene, possibly issuing a decree that could mandate management plan changes and entirely halt the production of goods and services on Federal lands in project areas throughout its deliberations, and the variety of little pieces that are involved there. It is wrong. We ought to get on with this business. It has the greatest potential for making the Pacific Northwest face.

I would like to speak, if I could for a moment, to something that I consider even more insidious, and that is the underlying amendment that would include restrictions on the ability to have funding to implement the National Monuments Act.

This is a major policy adjustment, as has been suggested by my colleague from Washington, and it would have severe, I hope unintended, consequences. Some may applaud at the prospect of not having law enforcement on our public lands, but that is an extreme position that would not be approved by my constituents, nor I think by the constituents of at least most of us in this Chamber.

It is not going to do us any good to not be able to regulate off-road vehicles, law enforcement, mining, the grazing activities. This is categorically wrongheaded, and it is, in and of itself, what the administration will veto this bill. They would have no choice. But it is an example of the environmental extremism that we hear so often about on the other side of the aisle.

If my colleagues do not like the Antiquities Act, they should go ahead and repeal it. If they do not like what the President has done in any specific designation, they should have the courage to bring a specific bill to Congress and undo it. They do not because these are popular 200 million people problems that would be supported by this Chamber, and the environmental extremists on the other side of the aisle would rather play havoc with our ability to manage public land in an orderly fashion.

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

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

Mr. DICKS. Mr. Chairman, the gentleman’s point is right on target, as far as I am concerned. The gentleman mentioned this Small Business Regulatory Enforcement Fairness Act. According to the Department of the Interior, the House requires, under this
amendment, the Federal Government to prepare analysis, to their knowledge, that has never been prepared for any land use planned effort, no matter its scope.

As a result, the House action will unreasonably extend the duration of planning for this project, which, in part, due to requirements placed on the Federal Government by riders to every full year appropriation for Interior since 1996, has already taken 7 years to complete at considerable cost to the American taxpayer.

The thing that I worry about is that we are going to get ourselves into the same mess we did before the forest plan was put into place, and that is that a Federal judge is going to say that we have not done the right things in terms of watershed protection, that we are not protecting these fish under the Endangered Species Act. He will stop all the logging, all the mining, all the grazing, and an injunction issue. And that is the worst possible outcome.

So I am saying to the gentlemen from Washington, who I do consider to be a friend and a thoughtful person, that it is time now to let this process go forward and finish this EIS and make the changes that are necessary to protect the bull trout, to protect the salmon runs on the Snake River, to make sure that we are doing the watershed protection so that we do not get the Endangered Species Act implemented in an adverse way in the gentleman’s area.

But we cannot simply do nothing. We cannot just say we have no plan, no strategy. I have supported both gentlemen from Washington on the issue of the Snake River dams. But if we are not going to take out the Snake River dams, then we have to do other things to protect what is left, and that is the habitat. And protecting the habitat is a major part of this requirement in order to protect these fish.

I am going to let the gentleman on the other side here have a chance, because I know the gentleman from Alabama is ready to go, but this amendment is offered in good constructive spirit. I think the strategy of trying to stop any change here is simply not going to work. It is going to wind up with the gentlemen from Oregon and others in a straight fight, to deal with the courts, to deal with harvest. And protecting the habitat is a major part of this requirement in order to protect these fish.

We cannot say no to everything. That is why I supported the protection of the Hanford Reach. Because if we are not going to take out the dams, at least we will protect these salmon in the Hanford Reach.

So I appreciate my colleague from Oregon (Mr. BLUMENAUER) yielding to me on this. This is something I feel very strongly about. I think the strategy here of continuing to delay this is a mistaken strategy, and that is why I offered this amendment. And I appreciate the gentleman from Washington (Mr. DICKS) in attempting to balance a very complex set of issues that we deal with in the Pacific Northwest. And oftentimes I know he must feel like he is the man in the middle. But I think he has handled this in a direct and forthright manner.

I do not think there is anybody in the Pacific Northwest who has worked harder to reach out to try to find middle ground and to avoid the catastrophe, I think, on all sides of these controversies. If we are going to center our ability to plan in a thoughtful and manageable fashion and have it done on a piecemeal basis via the courts, I think we are out of order in terms of supporting what the gentleman from Washington (Mr. DICKS) has proposed.

I want to make clear that, as far as the national monuments are concerned, my Republican colleagues have been in control here for the last 4 years, and they have been unable to fashion a compromise acceptable to the American public to go ahead and repeal the legislation. And we have been in fact left with, and I am pleased that we still have, an Antiquites Act that has been utilized by 14 Presidents over the course of the better part of this last century, since 1906, Republicans and Democrats alike.

I think it would be a tragedy for this House to use this back-door attempt to try and take away a power to have disastrous consequences on lands that belong to the American public, and they want us to exercise this sort of stewardship.

I would ask them to at least have the decency to bring forward legislation to repeal the Antiquities Act and do this in a straightforward fashion.

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

Mr. BLUMENAUER. I yield to the gentleman from Utah.

Mr. HANSEN. Mr. Chairman, the gentleman and everybody on that side for two pieces of legislation to not repeal it but to take care of it. And what the gentleman has said and the other gentleman has said about law enforcement and other areas is just not true.

What this does, if this gets through, all that ground will stay under the management plan it now has, which allows for law enforcement, which allows for cars. It does not make any changes whatsoever.

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

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

Mr. DICKS. Mr. Chairman, is simply not what the Department of the Interior and the Forest Service say. That is what it is designed as a monument, this amendment applies. They cannot do law enforcement, they cannot do planning, they cannot take care of the visitor. They legally changed the designation and thus would be impacted.

Mr. HANSEN. Mr. Chairman, if the gentleman will continue to yield, I would be happy if he would put in there to repeal that project. I would be very happy to have him do that. And when all else fails, read it and he will see he is wrong.

Mr. NETHERCUTT. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I am going to say this slowly to my friends on the other side thing I want to do is have the public ball here. This requires that the agencies of the Federal Government to deal in land management comply with the law.

Talk about lawsuits. We are going to have big lawsuits if they do not comply with the law and adopt this amendment. That is what we are talking about here.

The means to do justify the end. That is what this administration seems to want to do is just say, we do not care about the law, we just want to get this done.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Resources.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, it has been an interesting conversation. I will stay away from the monuments, but we will talk about that later. We did vote on them on this floor. If the gentleman did not vote for it, he was not doing his duty. I am a little disappointed that the gentleman from Washington (Mr. DICKS) opposes the Nethercutt amendment. The Nethercutt amendment does exactly what he says it does, it follows the law.

I know the gentleman from Washington (Mr. DICKS) likes to follow the law. He goes to the State of Alaska and catches all my salmon. And the best thing he could do tomorrow would be to move forward on the salmon reestablished on the Columbia River so he quits raiding my fish in Alaska. I mean, especially when he takes enormous amounts of those fish that I would like to take myself.

I would like to suggest one thing. The Nethercutt amendment does exactly what is correct, following the laws that this Congress passed. But this administration has a great tendency to not to follow the law in any way, shape, or form. This is their MO. They care little about this Congress. We are going to do what we think is right and forget the people of America.
Now, the gentleman from Washington (Mr. NETHERCUTT) said it exactly right, the Columbia initiative was in fact a designation and a study on the Columbia River concerning mostly Oregon and Washington, Montana, Idaho, State River, Columbia River, etc.; and it is all being done by the agencies.

And my colleagues want to have a decision that goes against the laws on the books today, a decision made by an administration that does not really follow the law? They want to include this Congress in that decision on how it will affect the local economy? They want to have a decision made now so we do not have further actions by the judicial branch?

I am going to suggest, respectfully, if the Nethercutt amendment is not adopted, it will end up in court and nothing will occur and no solution will be reached.

So I am suggesting that the Nethercutt amendment is the right way to go. This is what should be done and will be done if we do what is right.

Mr. DICKS. Mr. Chairman, I yield 6 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me the time, and I rise in opposition to the Nethercutt amendment.

Mr. Chairman, I think this amendment is very poorly directed in a sense that if my colleagues are complaining about whether or not it is too expensive, I think this amendment only makes this process far more expensive. I think, also, the amendment is targeted at trying to declare the Basin Management Plan something that it is not, and that is that it is not a regulatory process, it is a management plan.

All of us have gone through this. We have gone through this in the Sierra Mountains, where we have known that we cannot deal with this on an individualized little watershed basis: we have got to look at the entire ecosystem.

In California we just completed with the governor and the Secretary of Interior the Cal Fed plan. Why? Because if we do not do that, it is very clear that all the agencies, all of our agencies, are deficient and they are deficient so we end up shutting down the water system in California, whether it is the irrigation system for our farmers, whether it is the drinking water for our cities, because the system cannot be operated in such a fashion.

In order to stave that off, we engaged in comprehensive basin management just as we are talking about on the Columbia River. Because the gentleman from Washington is right, if we stop this process, if we kill this process, then we go back to the status quo. And the status quo, it is a no-brainer for a court to put them right back into the situation that they are in on the other side of the mountains, on the western side, where they had chaos, where they had just in terms of whether people lost their jobs or communities did not do well or whether the forests were harvested or not harvested.

This is a chance to get ahead of that curve. They spent $15 million trying to get ahead of that curve. They had endless meetings with local towns and communities and political subdivisions and all of that. And the question is, can they come up with a plan so they can continue to improve this, may continue the viability of the basin.

This is no different than what we are confronting all over the West. And we are doing it so that we can escape the chaos of individualized slapping down of endangered species problems and all the rest of that. Because that is why this plan came into being, because we know what we can front down the road. So it is very easy that if they stop this, in fact, the evidence is so clear on how the judge gets in the way and simply decides that they cannot provide the level of management to provide the kinds of protections that are necessary to the habitat, to the watersheds, to the species; and, therefore, they are back into chaos.

And it is difficult. We have been at this a number of years in California with the Cal Fed process. As difficult as it is, all parts of the puzzle recognize that, with a comprehensive management plan, they in fact are in a better place than what they would be.

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

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

Mr. WALDEN of Oregon. Mr. Chairman, I do not disagree with the fact that they cannot provide the level of management to provide the kinds of protections that are necessary to the habitat, to the watersheds, to the species; and, therefore, they are back into chaos.

But what I keep hearing is how ICBEMP is going to resolve this issue just as the Northwest Forest Plan was resolved on the West side. Is the gentleman arguing that the Northwest Forest Plan is a success and has met its goals?

Mr. GEORGE MILLER of California. Mr. Chairman, reclaiming my time, I am arguing that what we have learned is that, absent comprehensive plans that address all facets of the various large basins, the large systems, whether it is the Sierra or the Columbia River or the California water system, absent that, what they get is they get back into chaos because the individual attempts are not sufficient to provide the level of protection. So they find themselves with the court running the systems as opposed to the political leadership and the local communities.

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

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

Mr. DICKS. Mr. Chairman, I wanted to say this. We have been through this. On the West side, we were enjoined by the Federal judge, no timber harvesting.

The new administration came in and held a summit in Portland, and nobody was entirely pleased with the outcome, but we got the injunctions lifted. We got some timber harvested restored. We got a $1.2 billion-a-year plan to help the communities deal with these problems. And we moved on.

What we are talking about here with the Nethercutt amendment is going back to the way we used to do business, and that way is going to lead us to the Federal Court’s injunction. And, again, he is going to hurt his own people. That is why I do not understand why he is doing this.

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

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

Mr. WALDEN of Oregon. Because, as my colleague knows, the court is back saying the plan that has been put forward after that has been done on the Northwest Forest Plan is still not in compliance. Because the survey and manage requirements that were shoved in in the dark of night by this administration says the Forest Service has been unable and may indeed be incapable of meeting. We still are not achieving the goals of that plan.

My point in this debate right here, right now, is that to use that as an example of success is not fair when it has been a failure. I agree we have got to have the science in place.

Mr. GEORGE MILLER of California. Mr. Chairman, reclaiming my time, I am arguing that what we have learned is that, absent comprehensive plans that address all facets of the various large basins, the large systems, whether it is the Sierra or the Columbia River or the California water system, absent that, what they get is they get back into chaos because the individual attempts are not sufficient to provide the level of protection. So they find themselves with the court running the systems as opposed to the political leadership and the local communities.

Mr. DICKS. Mr. Chairman, will the gentleman yield?
Mr. WALKER of Oregon. But the General Accounting Office, in 1997, says that this does constitute a rule in their opinion and therefore, this small business would follow.

Mr. GEORGE MILLER of California. Mr. Chairman, and obviously, the Department of the Interior and the Department of Agriculture seriously disagree with that. Let us not pretend that they do not.

Mr. NETHERCUTT. Mr. Chairman, I yield myself 15 seconds to just say to my friend from California, not from the Northwest, this is not killing the process at all. We are just requiring that the agencies of the Government comply with the law.

The means do not justify the end.

Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS), a distinguished member of the Committee on Rules.

Mr. HASTINGS of Washington. I thank the gentleman from Washington for yielding me this time.

Mr. Chairman, I want to congratulate my friend from Eastern Washington for all the work that he has been doing on this issue. I do enjoy working with my friend from western Washington. We have worked on a lot of issues together that is obviously important to my district. I do appreciate that very much. But on this issue, obviously there is a basic difference as to how we should approach our economy and our resources in our given area. It is an honest difference of opinion, I think.

What I find very interesting in the arguments that I have heard heretofore from my friend from western Washington and my friend from Oregon, they were saying that if we do not like this process by going through the appropriate process, we ought to use the authorizing process. I have always been a proponent of that, but I would make this point very clear. ICBEMP was never authorized. It was done at a time in 1993 when that side of the aisle controlled both houses of the Congress and for some reason they felt that they did not need to authorize this project. It was put in an appropriations bill and now we are living with the consequences of something that has grown from $5 million now to $56 million. It has kind of grown like Topsy and it has been, in the northern part of my district in Okanogan County. They are concerned about how the Forest Service is addressing the issue of noxious weeds. They are not addressing the issue of noxious weeds in the forested land. That is going into the private lands and it is putting a burden on the taxpayers in that area to fund the noxious weed board. That is just one example why they have a concern about the Federal Government taking over this planning.

Finally, I would like to as far as the resource part of it make this observation, because the Endangered Species Act has been a threat, that if we do not do this, the Endangered Species Act is going to preempt everything, and we will end up in a bad situation. I would make this observation, that unless we listen to the local people that are affected, we are going to be in worse shape than we ever possibly think we could. Because it seems to me the implication in the process of this administration is to not trust those that are elected at the local level to make decisions. I find that, frankly, wrong.

There is another example in my district where local people have worked together trying to comply with the Endangered Species Act as it is written right now through the HCP process. That was signed a couple of years ago by the Chelan and Douglas County PUDs. It has not gone through the whole NEPA process yet, but they are very confident that if they go through that process, they can live to the letter of the law. But they have to comply with an increasing number of regulations that are on a regionwide basis. What are the reasons why? I can state one of my large counties in my district, why they are concerned about the Federal Government doing this planning. They see this as kind of a classical bait and switch that occurred. Basically what happened is that the Clinton administration proposed this study as a scientific assessment so that we would have a regionwise science that could be applied to the individual forests for the development and the renewal of the individual forest management plans. In the process, the administration went to the local governments and solicited input and their input and invited them to participate in the process. As a consequence of that, there was pretty broad support for doing this scientific assessment, because, as the gentleman from California pointed out, it was necessary for us to be able to have local forest management plans, to have regionwide science in the development of those plans.

But along the way, things changed. The administration decided that it was going to shift this from a scientific assessment to a decision-making document. What does that mean? It means that the standards and the rules and regulations that were determined in the individual Columbia Basin would be imposed on the local forests. The consequence of that is that now the individual forests cannot make individual forest management decisions. They have to comply with an increasing number of standards and rules and regulations that are on a regionwide basis. We have heard some talk out here about the success of this in a narrow regional area west of the Cascades. But, Mr. Chairman, the forests and the BLM lands that are being impacted by agricultural area. There is no huge urban area like Portland, Oregon or the Bay Area like that. It is largely agriculture. If we do not know what the impact is going to be on the farm implement dealers or the farm chemical dealers or the food processors who are largely smaller businesses in that area, then we are doing a service to those that are going to be affected. That is all that this amendment does, is to say, let us put everything into the mix and follow the law. After all, this is an unauthorized project. If the concern is that it goes for one more year, what is wrong with that, as long as we get it right? Because this will have a big impact on my constituents.

Finally, Mr. Chairman, I urge my constituents to a decision-making friend from eastern Washington’s amendment. I think it is the right thing to do in order to clarify where ICBEMP is going.

Mr. NETHERCUTT. Mr. Chairman, I yield 3 minutes to the gentleman from Montana (Mr. HILL). Mr. HILL of Montana. I thank the gentleman for yielding me this time.

Mr. Chairman, my constituents are deeply concerned about this interior Columbia Basin management plan. They see this as kind of a classical bait and switch that occurred. Basically what happened is that the Clinton administration proposed this study as a scientific assessment so that we would have a regionwide science that could be applied to the individual forests for the development and the renewal of the individual forest management plans. In the process, the administration went to the local governments and solicited input and their input and invited them to participate in the process. As a consequence of that, there was pretty broad support for doing this scientific assessment, because, as the gentleman from California pointed out, it was necessary for us to be able to have local forest management plans, to have regionwide science in the development of those plans.

But along the way, things changed. The administration decided that it was going to shift this from a scientific assessment to a decision-making document. What does that mean? It means that the standards and the rules and regulations that were determined in the individual Columbia Basin would be imposed on the local forests. The consequence of that is that now the individual forests cannot make individual forest management decisions. They have to comply with an increasing number of standards and rules and regulations that are on a regionwide basis.
The species of trees is diverse. The elevation is diverse. The amount of rainfall that occurs is diverse. There is little similarity in these forests except that they are all part of the Columbia River drainage.

In any event, the administration then determined that it was going to basically override the intent of Congress. Congress has said it wants forest management, land management decisions made locally by making an overriding regional decision document.

The problem today is that the Interior-Columbia Basin issue and the Reg Flex issue is kind of caught up in a bigger set of issues. Because right now we have the designation of national monuments going on, the roadless area initiative going on, mineral and oil and gas wells, this plan. This administration, proposals to breach the dams on the Snake River and ICBEMP all occurring at one time. It is no wonder that the people in this region feel like there is a war being declared on them with all of these things happening.

What the gentleman from Washington's amendment is trying to do is deal with just one narrow area. That says that if ICBEMP is going to go through and it is going to be a decision-making document, then let us make sure that it complies with all the laws. If the goal of this device is to eliminate in-junctions in court overriding local decisions, then it has to comply with all the law. That is what this amendment intends to do.

I urge the support of the amendment.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York (Mr. HINCHHEY) who is a valued member of the subcommittee.

Mr. HINCHHEY. Mr. Chairman, one of the more unfortunate aspects of the present majority's rule of this House over the last several years has been this propensity to attach antienvironmental riders to appropriations bills. Essentially what is that we have here today in this particular context. Seven years ago, the administration embarked upon a plan to improve environmental management in the Columbia River Basin. All of the land affected is part owned by all of the citizens of this country, held in trust by the Federal Government, administered by the Bureau of Land Management and other agencies within the Department of the Interior.

Now, everybody has a responsibility to make sure that this works and this antienvironmental rider inappropriately attached to this bill ought to be very soundly and solidly rejected.

Mr. NETHERCUTT. Mr. Chairman, I yield 30 seconds to say that just because someone says that it is an antienvironmental rider does not mean that it is. This is complying with the law.

Mr. Chairman. I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN) who is from the region that is affected by this study, not from outside our region.

Mr. WALDEN of Oregon. Mr. Chairman, it is interesting to follow somebody from New York who has a district along the river much like the Columbia River, the Hudson River. There is a lot of similarity there. The difference is they do not have this kind of a planning process in place by the Federal Government, ICBEMP.

I want to talk for a moment. Mr. Chairman, about the relationship of this requirement for this rule. The GAO, the General Accounting Office general counsel wrote in July of 1997 a letter to me that a national forest and land resource management plan generally was considered a rule for the purposes of this Small Business Regulatory Act. Failure to comply with this act is judicially reviewable and courts have invalidated agency rules on this basis.

All we are asking here is for this administration to follow the law. And if there is a question about whether this is legal or not, would it not be time for this administration to err on the side of following this law if there is a question? Would that not be refreshing?

Mr. Chairman, let me talk for a moment about the monument issue, because we have heard a lot about the Antiquities Act. I have a copy of the relevant statute here. Let me read from it, that "any person who shall appropriate, excavate, injure or destroy any historic or prehistoric ruin or monument or any object of an antiquity situated on the lands owned or controlled by the government of the United States."

That is what we are talking about, these objects, these archeological fines. It goes on to say, that the Government may reserve as a part thereof parcels of land, the limits of which in all cases shall be the smallest area capable of including the objects to be protected.

And then it goes on to talking about archeological sites, small little objects, and we are going to protect the land around it. Ladies and gentlemen, this is not the smallest area possible to protect an archeological find, is it?

These are the areas that have been approved already, and, in fact, I want to point out a factual error because the Hanford Reach National Monument declared a week or so ago is actually 202,000 acres, not 195,000 acres. These are monument proposals all in the works right now that people are talking about.

Instead of total 19 million acres, almost 150 million acres. Ladies and gentlemen, the ICBEMP proposal covers 144 million acres.

I want to share with my colleagues the fact that that is an area, if we took all of these national monuments that are being considered by different groups and perhaps this administration into account, this is an area more than all these States combined: West Virginia, Maryland, Vermont, New Hampshire, Massachusetts, New Jersey, Hawaii, Connecticut, Delaware, Indiana, Rhode Island, and the District of Columbia combined.

This administration can do this by fiat. This is not the way to manage public lands in this country. This is a violation of the Antiquities Act. The Antiquities Act is about objects and monuments and those sorts of things. Read it. It is right here; I will share it with my colleagues.

Mr. Chairman, let me conclude. I support the Nethercutt amendment. We can have this science in this planning, and we can have this administration follow the law as well.
Mr. DICKS. Mr. Chairman, I yield 3½ minutes to the gentleman from Washington (Mr. INSLEE), who formerly represented the State of Washington and who is a distinguished member of the House and a very strong environmentalist.

Mr. INSLEE. Mr. Chairman, as a Member of the Washington delegation, I rise in very, very vigorous opposition to the Nethercutt amendment. And I would like to share with my fellow Members why I do.

I know this area very, very well, and the Interior-Columbia Basin. It is an area where Lewis and Clark first encountered the salmon cultures of North America, where they first came down the Snake River and they ran into the Columbia River, and guess what they found? They found an entire people who were living salmon.

Lewis and Clark in their journals in Undaunted Courage, Members should read it, it is a great book, said they could walk on the backs of salmon literally across the small areas of the Columbia River when the first Europeans arrived.

Now, today, we have at least 12 runs of salmon that are endangered. They are on the verge of going to extinction forever at our hands, at our hands, at the hand of the Federal Government, who has not to date acted in their interests to make sure that we do not take natural-use land policies on Federal land that drive them to extinction.

I am here to ask that my colleagues from across the country to come to the aid of the State of Washington to save the salmon that Lewis and Clark first discovered in the Columbia River. And I want to tell my colleagues that if this amendment were to pass, it would gut the efforts to date to make sure that we the Federal Government plays its role in saving these salmon.

Now what would this do, what would the study simply do? It would do what I think is common sense. It would try to have some coordination between the 62 land-use plans, the 32 forest plans that are now independently running off in their separate directions like chickens with their heads cut off. This would send us right back to those old days of agencies not acting in coordination.

I want to address specifically those I want to address those who are very concerned about the potential of dam breaching on the Snake River, and those are legitimate concerns. I want to tell my colleagues that the single most effective way we could send us all down this dam breaching road, is to ignore the common sense things we need to do that we hope the Forest Service and BLM will do to help restore this area. Because I can tell my colleagues this, if we fail in our obligation to restore salmon habitat, if we fail in our obligation to change hatchery processes, if we fail in these obligations, in these responsibilities, then the potential exists that we do get into a dam breaching scenario.

Those who are concerned about dam breaching, the last thing we should do is to try to stop the Federal Government from taking common sense measures to do something about salmon.

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

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

Mr. HASTINGS of Washington. Mr. Chairman, I just simply want to make this point, because the basis of the argument of the gentleman from Washington (Mr. INSLEE) has been on the salmon, and the implication of his argument is such that only the Federal Government can make the right plans.

My question to the gentleman, since the gentleman used to represent that district that I now represent, is the gentleman aware of the Vernita Bar agreement, which is a local agreement between the local State and Federal Government that has enhanced the usability of that land, not seeing the benefits of that. Because I think the gentleman probably is aware that the spring chinook run coming back to the Columbia River is higher than it has ever been since they started keeping records in the mid-1960s.

Mr. NETHERCUTT. Mr. Chairman, I yield myself 10 seconds to just say this does not gut anything. The Nethercutt amendment simply says comply with the law, so we do not have huge lawsuits later.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I think this is a good debate.

Mr. CUNNINGHAM. The gentleman says that if we have a plan that gives a judge a better opportunity to look, well, look at the tuna dolphin bill, that passed the House, that passed the Senate, over 300 votes here. It was signed by the President, environmental groups supported it, animal rights groups supported it, but the gentlewoman from California in the other body judge-shopped to get that stopped, and that is why we are talking about this.

I have heard extremists, and I have heard anti-environmentalists to ask the Government to follow the law is not extremist. And I would like to take a look at the things that we are actually looking at in this amendment.

Californians, when they complain, they call it extremists because we do not want to follow the Antiquities Act on millions of acres without review. This is East Coast and all the colored lands in here are owned by the Government.

Now, when we turn this chart around, Mr. Chairman, this is what is in the West. When the President takes Utah and millions of acres and millions of acres in Oregon and other areas, when the Antiquities Act was met, the average is 47 acres, then that is damaging to the States.

Yet we are called extremists because we want to limit that. And all we are asking, and what the gentleman from Washington (Mr. NETHERCUTT) is asking, is that for the Government to follow the law; that is not extremist. That is not anti-environmentalist. That is George Miller of California.

Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I say to the gentleman on tuna dolphin, the Government did not follow the law. They failed to do the studies but went ahead with the action and the judge said, no, the law says you have to do the studies, do the studies.

Mr. CUNNINGHAM. Mr. Chairman, reclaiming my time, the White House, violation after violation of things, look at what Secretary Babbitt has done; and we are saying that in those cases then the Government should have to follow the law, and that is the reason I support the Nethercutt amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I would like to ask, my colleague from eastern Washington said talk real slow, the allegation here is following the law. What they are basing this on is a GAO report on the Tongas wilderness. This would subject a precedent that they somehow want to stretch to every land use decision. No court has ever decided this.

Mr. Chairman, the law was a GAO opinion from 1973. No court has ever decided it, but I find it ironic that our colleagues on the other side of the aisle are somehow holding up to such reverence a GAO report when they do not do this for mining practices, for timber practices, for abuse in the oil industry. These are all GAO reports that the majority has seen fit to avert their eyes; but here, they would subject every land use process to an opinion that devolves from this one item.

Mr. NETHERCUTT. Mr. Chairman, I yield myself 15 seconds to just point out to the gentleman from Ohio (Mr. BLUMENAUER), he has not read the law with respect to Northwest Mining Association versus Babbitt, 5 F. Supp. 2d 9, DC District Court, 1998. That is absolutely contrary to the statement that the gentleman from Oregon (Mr. BLUMENAUER) has just made.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Idaho (Mrs. CHOWENWITH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Chairman, I thank the gentleman from Washington (Mr. NETHERCUTT) for yielding me the time.
Mr. Chairman, we really have to focus on what the gentleman from Washington (Mr. NETHERCUTT) is trying to do to constrain spending, and how we might keep the agencies from doing that. I listened to the debate last night and as I listened to it today, I find that this side of the aisle is really trying to constrain spending and keep the agencies confined to the letter of the law, while we see the other side not really doing that. We go over budget or spend a lot of money.

Spending and spending seems to be their flavor and the American people are saying pay down the debt and constrain government and constrain spending. Now, this is the biggest, best example, this ICBEMP project, of a project going way over budget. This is the poster child for the real paralysis of analysis that we find in the Federal Government of over spending, over-regulating and not producing anything for $56 million, but a huge plan that covers 62 Forest Service plans, multiple States, private property and State property.

This has a piecemeal plan for $56 million. My colleagues, the Dicks amendment attempts to override reasonable language requiring the administration to follow the law, and that is all the Nethercutt amendment is doing. We should not have to be here, but the agencies tend to ignore the law. What the gentleman from Washington (Mr. NETHERCUTT) is doing is saying it simply is not fair as the Congress had recognized before in the Small Business Regulatory Enforcement and Fairness Act. It simply is not fair for a small business not to have the impact of government agency decisions analyzed.

The Forest Service and all of the agencies must comply to that. We should not even have to be here, except the gentleman from Washington (Mr. NETHERCUTT) is having to remind the agencies and this administration once again we simply need to follow the law. The ICBEMP decision will have major impacts on small businesses, in Idaho, Montana, Oregon and Washington; and that administration ignores its responsibility under the law. And Congress must not condone its efforts to side-step the law.

Mr. DICKS. Mr. Chairman, I yield myself 10 seconds. Mr. Chairman, I find it hard to believe that in one breath we can say we are going to delay this process now for 7 years and then complain about the fact that we have had or do proceed and look at the overall basin. All of us know that the great explorer that came out West, John Wesley Powell, when he looked at organizing governmental units in this area, said we ought to look at basins; we ought to look at watersheds. And we did not take that advice, and what we have gotten today is a piecemeal approach.

It has been absolutely devastating to the natural resources, to the salmon, to the watersheds. So what we have today is an attempt, what we have today is an attempt, to continue piecemeal, to continue to go into court, to continue to try to bog and slow down the process, rather than look at the whole Columbia River Basin. That is what the issue is here today, and it is an important issue, and it is an issue.

I am from the West. There have been criticisms here from the other side turning around and saying, oh, these Easterners should not be able to talk. We ought to look at all of our basins in the West. I am willing to have the Rio Grande looked at. We are looking at the Columbia River Basin. We ought to continue to look at a sound scientific approach on our basins.

I would urge all of my colleagues, all of my colleagues, to reject this amendment. It is anti-environmental, it is a return to a piecemeal approach, and it is not the approach that we should be heading into in the 21st century in terms of dealing with our resources.

Mr. NETHERCUTT. Mr. Chairman, I yield myself 10 seconds to say that I am interested in the gentleman from New Mexico’s comments. The gentleman has come out and says he wants to stop breaching the dams in the lower Snake River. So I do not give much credibility to the idea that this is somehow anti-environmental. It is just not.

Mr. DICKS. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. BLUMENAUER), for a comment on the legal issue.

Mr. BLUMENAUER. Mr. Chairman, I went over and looked at the citation from the colleagues from eastern Washington, and I apologize for not being conversant with it, but it seems to me quite clear that what that is, it talks about this as potentially reviewable.

The point I made is that there is no judicial determination on point that would apply this to a land use planning process which I stand by that assertion. Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to say to my friend from Washington, we have had a very spirited debate here today. We have discussed this issue. The administration feels very strongly that further delay of this draft environmental impact statement is counterproductive, because what we are trying to do is to protect this habitat and make sure that we restore these salmon runs, and also to make sure there is some commodity production on the lands that the gentleman is concerned about.

What the gentleman is opening himself up to by further delaying a rational answer, a scientifically credible, legally defensible answer, is the same kind of injunction that we got on the West side which led to a total halt in all timber harvesting. So it is a high-risk strategy that I think will fail.

I must say also to my colleagues, who say do not breach the dams in the Snake River, if you are not going to do that, and I agree with you on that issue, but if you are not going to do that, then you have got to do something to protect this other habitat, so that we can restore these fish runs, so we can restore the bull trout, restore the salmon runs on the Snake River. Yes, they may be healthy on the Columbia River, but we have endangered listings on the Snake River.

One cannot stop everything and say you are addressing the problem. What government is about is coming forward with leadership, coming forward with proposals, working these things out. Our State had the forest and fish plan, we had had habitats conservation plans, where good people get together and work these things out.

I say to the gentleman, it is time to stop blocking this ICBEMP proposal, because you are undermining our ability to solve these environmental problems.

Mr. NETHERCUTT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I appreciate the gentleman’s passion, but he is wrong. We are not trying to stop anything. We are trying to make this government comply with the law. Everything that has been done, the $56 million that has been submitted on this issue, it is going to remain. We are not not going to do anything. But if you are from the east side of the State of Washington, and the gentleman is not, these decisions by these agencies have real consequences on our people.

So I am not persuaded by the idea that this is somehow stopping anything. It is simply saying comply with the law. That is something this administration has not done. It ought to stop right here.
CONGRESSIONAL RECORD—HOUSE

June 15, 2000

Ms. MCCARTHY of Missouri, Mrs. ROUKEMA, and Messrs. ANDREWS, PORTER, and PETRI changed their vote from "aye" to "no."

Mr. SCARBOROUGH changed his vote from "no" to "aye."

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

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

The CHAIRMAN: Without objection, the gentleman is recognized for five minutes.

There was no objection.

Mr. POMBO, Mr. Chairman, I would like to engage in a colloquy with the chairman of the Subcommittee on the Interior of the Committee on Appropriations.

As the gentleman is aware, the Stone Lakes National Wildlife Refuge is in my Eleventh Congressional District in California. Due to the controversy over its existence and management, the chairman has been instrumental in limiting funds from being spent on land acquisitions for the refuge. I thank the chairman for his support over the years on this issue.

Unfortunately, it has come to my attention that the U.S. Fish and Wildlife Service has intentionally ignored the direction from the Congress and commitments made to myself on this issue. The Service has been actively seeking and approving land purchases for the Stone Lakes refuge. One documented purchase used CVPIA funds, Land and Water Conservation Funds, National Fish and Wildlife Foundation Funds, Packard Foundation grant money, and Stone Lakes environmental grant money. The amounts used for these purposes total over $1.9 million.

It gets better. When the Director of Fish and Wildlife Service was asked about this, she was not immediately aware of the purchase of land at Stone Lakes.

Apparently the regional director initiated and approved the purchases without consulting her office. This action was in violation of congressional
direction, and violated instruction from the director that proposed purchases for this refuge be brought to her attention.

While I would like to see the purchase negated, the damage is done. The innocent landowner who sold his property was lied to and misled about the Federal Government’s authority to buy his property for Stone Lakes. The Federal taxpayer is out the money and Congress has been ignored. I have contacted the director of Fish and Wildlife, and we have met this morning. However, as the Representative of the area in question I must act to ensure that there is a consequence to this ill-advised Federal action.

Mr. Chairman, in light of the Fish and Wildlife Service’s blatant disregard of the direction of Congress I ask that the gentleman from Ohio (Mr. Dicks) each will control 30 minutes.

Mr. DICKS. Mr. Chairman, I offer an amendment to the amendment.

Mr. HANSEN. Mr. Chairman, I offer an amendment to the amendment.

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

Mr. DICKS. The amendment offered by Mr. Hansen to the amendment offered by Mr. Dicks shall be confined, now keep this in mind, the limits of which in all cases shall be confined to the smallest area compatible to protect that site.

What sites does it talk about? It talks about archeology. The Rainbow Bridge is a great example of a monument in archeology.

It talks about historic. Where the two trains came together and we called it the Golden Spike is a great historic example of what we have.

Out of these things, and many people have argued this, they say, gee, we would not have the parks without these.

Out of the Monuments Act came the Grand Canyon, came Zion’s and others, but we did not have other laws up to that point.

Now, I say that many of the presidents that my colleagues on the other side have talked about did a good job and they created these very small, unique areas. However, along comes this administration, we have another thing happen. In September of 1996, the President of the United States went to the Grand Canyon and created the Grand Staircase Escalante. He forgot to tell anybody about it. Let us say they intentionally told nobody about it.

Out of that, they did not take a small thing like the law says. They did not mention an archeological or historic or scientific thing, like the law says, but they went ahead and did 1.7 million acres.

We were very curious, why did they do that? So we subpoenaed that. We even wrote a little book. I hope somebody has read it. I doubt it, from the

The Service has authority to acquire land for many different habitat and endangered species preservation purposes. As a result, any piece of undeveloped land appears to be a potential target for land acquisition by the Service.

The Service has many different sources for Federal land acquisition, appropriated funds through the Land and Water Conservation Fund and the North American Wetlands Conservation Fund, nonappropriated funds through the Migratory Bird Fund, and donations and land exchanges.

To complete the land acquisition for all the current and planned refuges will require about $4 billion.

The Service continues to create new refuges and expand existing refuges. Six new refuges were created in 1999.

The CHAIRMAN. The time of the gentleman from California (Mr. Pombo) has expired. (On request of Mr. Regula, and by unanimous consent, Mr. Pombo was allowed to proceed for 1 additional minute.)

Mr. Regula. Mr. Chairman, will the gentleman continue to yield?

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

Mr. Regula. Mr. Chairman, the Service does not consider the annual operations and maintenance requirements associated with establishing new refuges when making its decisions on refuge establishment.

I want to say to the Members, I think this really goes around the policy-making responsibility of the Congress to have this happen, and I think we need to address this issue in statute and require the Congress to have a voice in the establishment of refuges, because we end up with the cost of maintaining them.

I want to assure the gentleman that I will work with him on this issue as this legislation moves into conference with the Senate.

Mr. Pombo. I want to thank the gentleman for all of the help he has given me on this issue over the year and I look forward to working with him.

Amendment offered by Mr. Hansen to amendment offered by Mr. Dicks.

Mr. Hansen. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. Hansen to the amendment offered by Mr. Dicks.

Strike “planning and management of national monuments, or”.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 14, 2000, the gentleman from Utah (Mr. Hansen) and the gentleman from Washington (Mr. Dicks) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

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

Mr. Chairman, the great conservatorist Teddy Roosevelt could see, as he went through the West, and he was very familiar with the West, that there were some things that needed protection. So he asked Congress to pass a law, and that was called the Antiquities Law that was passed in 1906.

It is kind of fun and interesting to go back and read the information regarding the Antiquities Law. As they stood on the floor and debated it, they said what is this really going to do? Between the gentleman from Texas and the other gentleman, they said it will protect the cave dwellers, or what they had there, and it should be called the cave dwellers bill.

In this particular instance, what does it say? It amazes me, Mr. Chairman, because we have passed two previous pieces of information about this, 408 to 2 this year and one the term before, but very few people even take the time to look at the law.

As Chairman John Sieberling used to say, when all else fails, read the legislation. I could not agree more with that.

When one goes to what this does, it talks about going into these pre-historic ruins and what one can and cannot do. Then in the next section it says this, the limits of which in all cases shall be confined, now keep this in mind, because everyone seems to ignore this, shall be confined to the smallest area compatible to protect that site.

What sites does it talk about? It talks about archeology. The Rainbow Bridge is a great example of a monument in archeology.

I could not agree more with that point.

Now, I say that many of the presidents that my colleagues on the other side have talked about did a good job and they created these very small, unique areas. However, along comes this administration, we have another thing happen. In September of 1996, the President of the United States went to the Grand Canyon and created the Grand Staircase Escalante. He forgot to tell anybody about it. Let us say they intentionally told nobody about it.

Out of that, they did not take a small thing like the law says. They did not mention an archeological or historic or scientific thing, like the law says, but they went ahead and did 1.7 million acres.

We were very curious, why did they do that? So we subpoenaed that. We even wrote a little book. I hope somebody has read it. I doubt it, from the
arguments I have heard about this, but it is called Behind Closed Doors.

Now let me read from this book what they say. I have the chairman of the Council of Environmental Quality, she says this, I am increasingly of the view we should just drop this Utah issue. These lands are not really in danger.

Now, I would say to my colleagues, please listen to this if they would. This is a letter we had as we subpoenaed these papers. The real remaining question is not so much what the letter says but the political consequences of designating these lands as monuments, now listen, please listen, when they are not really threatened with losing wilderness status and they are probably not the areas in the country most in need of this designation.

Now I talked about what other presidents have done. Now listen. Presidents have not used their monument designation authority in this way in the past; only for large, dramatic parcels that are threatened. So if we ask a backlash from the bad guys? I guess I am one of those. It talks about it, but the discretion is too broad. So now we find ourselves in a situation where, where is all of this going? From that time to this time look at all of these on this map that have now come about: every one of them exceeding what the law says.

Do we designate what it is? No. Do we use the smallest acreage? No. And we find ourselves in a position where we are losing this.

I find it interesting that the Secretary of Interior, Mr. Babbitt, to the Denver School of Law said this, it would be great to get these protection issues resolved in the congressional legislative process, but if that is not possible I prepared to go back to the President and not only ask, not only advise but implore him to use his power under the Antiquities Act and say, Mr. President, if he does he will be vindicated for generations to come.

So we have a brand new abuse, a brand new way to use it, never been used before until this President comes about.

I would ask people to realize what is happening now and all over America is for political purposes, and if they do not believe that, please read what the White House says, what the Department of Interior says. To me, in my opinion, I cannot believe that we are letting anyone do this.

Article 4, section 3 of the Constitution says the ground of America is the purview of Congress, not the purview of the President of the United States.

This act has outlived its usefulness, but as we saw from the gentleman from Oregon, who we are going to see is a whole bunch of them, 25 more they are telling me. Why does somebody not just say let us put the whole West in? Let us put all western States in and call it the Western National Monument and get it over with. It will not mean anything, but it sure will make a lot of sense. Nothing will change but it may make a few people happy around here, because nothing has changed now.

Let me use the Grand Staircase as an example. We talk about protection. Do we realize under the management plan of all of these areas, which it can still do, we have more protection than we do under the Antiquities Act?

Now my friend from Washington and the gentleman from Oregon said, oh, we cannot work these lands if this happens. Here is the report, written by the Committee on Appropriations. Nothing in this language prevents either Secretary from managing these Federal lands under their previous management plan.

So what happens? They just go on as ever. They can call it that, but nothing happens. They can have police protection. They will continue to manage the plans. That is a red herring.

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

Mr. DICKS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member, who has done a lot of work and research on the Antiquities Act.

Mr. OBEY. Mr. Chairman, I thank the gentleman from Washington (Mr. DICKS) for yielding me the time.

Mr. Chairman, this is not a static country. In the next decade, we will have 20 to 25 million new people added to our population. We will have 35 to 40 percent more commercial airline flights, God help us all. We will have about 35 million more people knocking on the doors of national parks. If one does not think that those parks are overburdened, I invite them to visit Yellowstone or Yosemite or any other of a couple dozen national parks around the country and see how much people are crammed in.

It is in the national interest of the United States for additional areas of special value to be preserved for future generations.

Now we have seen an attack on President Clinton for abusing his power in adding 3 additional national monuments to the Nation's storehouse.

I would like to cite what the record has been since 1906. Teddy Roosevelt, and I recognize that the former Speaker of the House, Mr. Gingrich, indicated that one of his goals was to eliminate the Roosevelt legacy from the Republican Party and return it to the philosophy of William McKinley, but nonetheless, thank goodness, Teddy Roosevelt served a wonderful stint as President and he acted 18 times to put aside territory just like this.


Herbert Hoover, that well-known enemy of rugged individualism, let us see, he added 12. Then we had Eisenhower and Nixon. We know how far left they were. Right? They added eight.

Wilson added 12. FDR was the champion of them all. 23. Harry Truman, Harry Truman is the Democrat the Republicans love to quote but hate to emulate; he added seven.

So now my colleagues are beating up President Clinton for adding nine. The fact is, out of 151 that were added to the national storehouse since 1906, nine of them have been added by this President. That is hardly out of line with the historical record for the previous occupants of this office.

There is only one I see who was literally asleep on the job when it came to having an opportunity to add protected areas to the national storehouse. That was President Bush who did a grand total of zero.

So it seems to me that President Clinton is well within the historical tradition of the country in doing exactly what he has done. I would also add that, despite the fact that my good friend indicates that the Secretaries maintain the ability to manage these lands as their former status would indicate, as forests or as wilderness, or as wildlife refuges, the general counsel has said that is not true. So we do not believe it is true. At best, it is an open question.

So it seems to me that we ought to stick with the amendment of the gentleman from Washington (Mr. DICKS). What the President is trying to do is do what this Congress has not had the gumption to do, and I congratulate him for it.

Mr. HANSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG), the distinguished chairman of the Committee on Resources.

Mr. YOUNG of Alaska. Mr. Chairman, I was listening with great interest to the statement of the gentleman from Wisconsin (Mr. OBEY). But if one took all the land of all the Presidents that set aside those monuments, it equals one-third of what this President has done in the past 3 years. The original intent of the Antiquities Act was not to set aside vast areas of land; it was to set aside those that are special.

I challenge anyone to show me where any of the areas this President set aside in the massive acreage that has occurred that has anything specifically special in those great borders. If it were special it could not have been set aside. But this President is using this act, which was never intended to do so, to designate and to dictate the use of lands.
Under the Constitution, it says only the Congress shall have that responsibility. For this Congress and that side of the aisle, and the gentleman from Washington (Mr. DICKS) and the gentleman from Wisconsin (Mr. OBEY) and the rest of my colleagues to acquiesce to the executive branch is unconstitutional. My colleagues swore right up as I did, I swore to uphold the Constitution of the United States of America. Yet, we sit in this body and allow this act to be misused by this administration and say, oh, it is to protect those lands.

By the way, there was no local input, no understanding what effect would occur economically, culturally, psychologically. It was decided downtown, in big Washington, D.C., who knows best for all. This is against the Constitution, who is not protecting what should be protected. He, in fact, is running this as a fiefdom and a kingdom.

This Congress, to my knowledge, has never accepted any one of his monuments by the Representative from that district. If one goes back and checks Truman and Roosevelt and all those others, he did it in consultation with that Representative that was duly elected by the people. I challenge the gentleman from Washington (Mr. DICKS) to show me one Congressman that supports that area as declared a monument.

Mr. DICKS. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New York (Mr. BOEHLERT), who has been a strong protector of the environment.

Mr. BOEHLERT. Mr. Chairman, I rise in opposition to this amendment. We need to reject this amendment and strike the rider.

The language needs to be stricken because it is an effort to put it very bluntly, would be perverse. This language would put land in newly created national monuments in a state of limbo. The lands would remain national monuments; but the design, the planning and management necessary to fully protect the lands and to make them accessible could not be accomplished.

Who could possibly gain from keeping lands in this sort of halfway-house condition? Nobody.

Not those who want to preserve the environmental value of the lands. The prohibition in this rider would block the planning and management needed to protect the environmental and cultural values that prompted the monumental designation.

Not those who want recreational access to the lands. The prohibition in this rider would prevent the development of programs or centers to enable the public to take greater advantage of the lands.

Not even those who have mineral or other economic interests in these lands. The prohibition in this rider would prevent the development of rules and policies that would determine how to handle their claims.

So why would anyone propose a rider that would prevent anyone concerned about national monuments and a rider that would cause this entire bill to be vetoed to boot? The reason is that the proponents of this rider want to signal their opposition to the 1996 Antiquities Act itself and with the particular monument designations that have been made this year.

But they have plenty of other ways to do that directly. The Congress could amend the Antiquities Act. The Congress could override any particular monument designation. The Congress could reject any particular management plan for a monument. Congress has all the direct authority it needs to have a full debate about lands policy.

But they did not want to do that because Congress has repeatedly shown its unwillingness to significantly alter with monument authority or designation. So, instead, we have a rider to do it in an indirect and inartful way through the appropriations process which could not be done through direct congressional action; namely, derail efforts to protect Federal lands through the use of the Antiquities Act. That is a misuse of the appropriations process, and it is especially misguided in this case because the direct impact of the language is so counterproductive.

So I urge my colleagues not to turn the discussions on this rider into a debate over the legitimacy of the Antiquities Act or the wisdom of any particular monument designation. If Congress wants to weigh in on these matters, it can and should do so directly. In any event, the rider leaves the act and all recent proclamations entirely intact.

This debate should be about the specific language in the rider which will leave the status of the land in an uncertain State which would hobble efforts to protect Federal lands and which would improperly take advantage of the appropriations process. It is a bad rider, and it should be stricken.

I urge a no vote on the Hansen amendment.

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

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

Mr. DICKS. Mr. Chairman, I want to compliment the gentleman from New York (Mr. BOEHLERT) on his statement and make this point: the effect statement of the Department of Interior basically says that, if this language passes, that we have basically neutered or gutted the Antiquities Act. It makes it impossible for the President to protect these important lands.

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

Mr. DICKS. Mr. Chairman, the other point I want to make is he does not just go out and do this on any land. It has to be land that has previously been under Federal management. In most cases, they are still hunting and hiking and doing other things that can be done on this land.

Mr. BOEHLERT. Mr. Chairman, the gentleman is correct.

Mr. DICKS. Mr. Chairman, we are not instantly creating wilderness. So the gentleman is a moderate, a centrist, one of the most respected Members of this House. I think this language goes way too far. I think it will be a bad thing for, not only this President, who a lot of the people in this Chamber do not seem to like, but for the future President who may want to protect an important monument for this country.

Mr. HANSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Chairman, I thank the gentleman from Utah for yielding me this time.

Mr. Chairman, I am very much in favor of this amendment. The previous remarks that were made by the gentleman from western Washington (Mr. DICKS) and by the gentleman from New York (Mr. BOEHLERT) was that this land had to be under Federal ownership. That is exactly right.

But let me tell my colleagues about what happened in my district with the latest monument that was created.

Those lands largely in the early 1940s were under private land; but because of the Second World War, the Government took them over.

Now, the Hanford Reach runs through that area. For those of my colleagues who do not know, the Hanford Reach is the last free-flowing stretch of the Columbia River. The issue, the people will talk about the Hanford Reach and say we need to protect it for spawning reasons. Well, this Congress already acted on that. In 1995, we passed a bill to prevent any dam building, any dredging, any channelling of that river. So the spawning beds are already protected. What we are talking about is the lands surrounding the river.

Now, there has been a lot of discussion on this, and there are different ideas. My idea is an idea that is proposed by a citizens committee that worked for nearly 2 years coming up with a management plan that is in opposition to a one-size-fits-all Federal plan.

What they came up with is a shared plan that involved the Federal Government, that involved the State government, involved the local government. It allowed for local decision-making for the people that live and work and recreate in that area.

But with this action of the monument, with this action of the monument, all of this work is taken away. As a matter of fact, this monument designation for the Hanford Reach is more likely, more extreme than any
This is a gift to our people, of having the foresight to go in, whether it was Teddy Roosevelt or Franklin Roosevelt or President Kennedy, to go in and understand the threat and the need to preserve these lands, to understand that this country is filling up with people, that California is filling up with almost 35 million people, and that they want a place to go and they want their families so that they can recreate, that they can enjoy the history.

Because of the actions of this President in southern Oregon, parts of the Oregon Trail will be preserved so people can go there and undertake and look at the remarkable actions of the people who had the courage to set out from the Mississippi River to settle the West.

A member of my family walked five times, bringing young people to the west from Missouri. A member of my family set out and he walked that great Oregon Trail as a wedding gift, because he thought they were too young to cross the country by themselves. They were 15 and 16 years old, they were married and they were going West. They ended up in Eureka, California, where this President had the foresight to protect the Headwaters of the Sequoia, the great cathedral trees of the redwoods on the North Coast, like the great cathedral trees of the Sequoias.

This amendment should be rejected because this amendment is an attack on our culture, our history, our legacy, and the great environmental assets. If my colleagues go to a foreign nation, their people will talk about our national parks, the so-called crown jewels. Talk to the businesses in these areas, and they will talk about the economic engines that wilderness areas, that monuments, and that national parks become for the business communities and for local communities.

This amendment should be rejected and America’s wild lands and America’s great environmental assets should be protected.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind members in the gallery that they are guests of the House, and either approval or disapproval of any statements made by the Members is against the rules of the House.

Mr. HANSEN. Mr. Chairman, I yield 2½ minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I rise in support of the amendment offered by my friend, the gentleman from Utah (Mr. HANSEN), and I would simply say to the House that, sadly, what the preceding speaker is telling us is that the hands just behind us were destroying the environment of the Sequoias.

The Sequoias, the cathedral trees, the largest of the largest were threatened by the actions around them. That is why this President took his action. This is a gift. This is a gift to our Nation, just as Yosemite was a gift to our Nation, just as Glacier was a gift to the United States, well, then, the law really makes no difference.

Perhaps, my colleagues, it would be good if we really listen to the words of the Constitution that we all swear to uphold, protect and defend; article 4, section 3, the second paragraph. “The Congress shall have the power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States.”

My colleagues, the history was laid out correctly by the gentleman from Utah. The Antiquities Act was designed to protect archeological treasures and, really, in the fullness of time, to jump start a national parks system. The problem we have is not the Antiquities Act, it is not living up to the Antiquities Act, not setting aside the smallest amount of land possible and ignoring the process of turning to the Congress for Congress’ constitutionally mandated responsibilities.

Indeed, to see a friend from Arizona, the Secretary of the Interior, testify in front of a congressional committee and to have the Secretary of the Interior asked what his intention is regarding these lands; could he tell this committee what lands he plans to designate, and then to have the Secretary of the Interior say no, my colleagues, that is contempt of Congress. That is contempt for the Constitution. That is not love of the land.

This is not a question of preservation and conservation. We all believe in that. There are ways to do that. And whether it was Franklin Roosevelt or Theodore Roosevelt, other presidents have acted in consultation with the Congress. That is what is important. And in our drive to preserve and protect lands, let us not destroy the Constitution.

Mr. Chairman, on another note, if my friends on the left want to acquire here, then none of them should ever stand in the way of any president who wants to usurp his constitutional authority vis-a-vis our military.

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the Hansen amendment.

I want to give my colleagues a sense of how the administration feels about the subcommittee action and why they believe that it is so dangerous.

“Although not completely clear on the face of the rider, its prohibition on managing national monuments as national monuments during FY 2003 is intended to effectively repeal the President’s proclamations made since the end of FY 1999.” Very cleverly written language, by the way. “This intent is made clear in the Committee report, which calls on the Secretaries of the Interior and Agriculture to continue previous management scenarios until such time as Congress ratifies the Monument declaration. As described in
the report, then, the amendment would repeal the effect of recent monument proclamations until Congress ratifies them. This is, in effect, nullifying the President's exercise of the authority Congress gave him in the Antiquities Act.

The Antiquities Act has been one of the Nation's most effective protection tools, implemented by both Republican and Democratic administrations since 1906. The proposed amendment, a rider to an appropriations bill, would essentially neuter the Antiquities Act by denying the responsible Federal agencies the ability to enforce key elements of the monument proclamations made since 1999. In the Antiquities Act, Congress vested in the President the ability to act quickly to protect portions of the existing Federal estate. In this appropriations provision, added without congressional consideration that would normally accompany the substantive modification of an authorizing statute, the subcommittee is attempting to undo much of that authority for areas designated since 1999. The amendment would effectively strip the President of his ability to protect objects of historic and scientific interest for their unique value and for the enjoyment of the American people.

A related effect of the House amendment would be to expose national monuments designated since 1999 to abuse and resource degradation, with potentially devastating results. Management as national monuments is prohibited by the rider language, so that any action constrained or described in a monument proclamation would be disallowed if affecting it required an expenditure of funds appropriated by the FY 2001 interior bill. This suggests one of two outcomes, both unfortunate for the American people. Either Federal agencies, unable to enforce an otherwise valid Presidential proclamation, would be forced simply to close those lands to any form of public use; or the Federal agencies, denied funding to manage those monuments, would have to abandon them to vandals, invasive species, uncontrolled resource exploitation and other harm, until Congress restored the funding needed to manage them.

For example, the rider would prevent the BLM from stopping mining activities in these monuments on claims located after the proclamation had withdrawn the area from operation under the Mining Law. The language would also prevent the responsible agencies from managing these lands for livestock grazing, even when grazing is a use recognized in the proclamation, because such uses cannot be managed without funding.

Another problem arises from a lack of funding to enforce restrictions on highway vehicle use. The proclamation that established the Grand Canyon-Parashant in Arizona, for instance, provides specifically that the BLM shall continue to issue and administer grazing leases within the portion of the monument that the Lake Mead National Recreation Area consistent with the Lake Mead National Recreation Area authorizing legislation.

And for the purpose of protecting the objects identified above, all motorized and mechanized vehicle use not on road will be prohibited, except for emergency and authorized administrative purposes.

The House amendment makes it impossible to implement these portions of a monument proclamation that depend on funding. Thus, enactment of the rider could force BLM to remove livestock from the Grand Canyon-Parashant, and close the area to vehicle use of any sort. Alternatively, BLM to the Congress, to walk away from this land all together, and abandon the enforcement of OHV restrictions, the monitoring of grazing allotments, and the review and renewal of grazing permits.

So I think this amendment is wrong. I do not think we properly considered it in our committee. I think the gentleman from Utah, and others who are against the Antiquities Act, should deal with it in the authorizing committees and not here as an appropriation rider. That is why I so strongly object to this amendment.

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

Mr. HANSEN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Chairman, I thank the gentleman from Utah for yielding me this time, and I rise in strong support of his amendment.

My colleagues, this administration is involved in a grab of our Federal land, and I have to ask myself why does the government need all this land. The President is currently engaging in the biggest land grab since the invasion of Poland.

Now, it was pointed out by the gentleman from Arizona very succinctly that there is a strong reason why the gentleman from Utah is offering his amendment, and this is the reason why. The Constitution clearly assigns to the Congress the power to dispense with public lands.

Now, I put together a list here. Mr. Chairman, to show that the administration's abuses of the Antiquities Act is taking in about 150 million acres, that we know of, that the President intends to lock up. Now, that is what we know of. But this administration is reluctant to even tell the Congress exactly how many monuments and exactly how much land is involved.

In fact, the process that has been set up previously by the United States Congress to have these processes go in a manner so that we understand the environmental and economic impact and how it affects people's lives, how it affects counties and States, all of this has been abused. This is all done without the benefit of the National Environmental Policy Act.

But, environmental organizations are working to declare lands, or having the President declare lands in the West, these vast national monuments, nearly 150 million acres. The Sierra Club and the Wilderness Society, among others, have announced their desire to have the President create over 50 more new monuments, with a land area of more than 150 million acres. This is an area larger in the West than that compared to West Virginia, Maryland, Vermont, New Hampshire, Massachusetts, New Jersey, Hawaii, New York, Connecticut, Delaware, Indiana, Rhode Island, and the District of Columbia combined. And this is done by presidential edict.

The gentleman is absolutely right, we must support his amendment.

Mr. DICKS. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. HINCHey), a very valued member of our subcommittee and a person who has had great experience in these areas.

Mr. HINCHey. Mr. Chairman, I thank the gentleman for yielding me this time.

The first point I want to make is that land cannot be "grabbed" if it is already owned. All of these lands that are being designated and have been designated as national monuments are owned by the people of the United States, held in trust by the Federal Government and managed by the Department of the Interior. The amendment that we have before us here today would prevent, interestingly enough, Federal funds from being spent on nine fairly recently designated national monuments.

Now, the designation of national monuments under the 1906 Antiquities Act, passed by the Congress, of course, allows for the protection of natural and cultural resources that are under threat or need for preservation or protection. The point has been made that 14 presidents since 1906 have used this authority. Lands designated as monuments are already owned by the American public. Fifty million Americans enjoy these monuments every year. Monument designation provides permanent protection for long-term conservation of areas that are critical to the protection of resources and enjoyment by the public.

This anti-environment rider targets nine recent monuments that were created to protect unique national resources for all future generations to enjoy.

A prohibition on spending funds on these monuments does not change their legal status as monuments but
would prevent any ongoing spending within the monument areas. Violation in Utah visit these lands, but this would prevent Federal maintenance and appropriate actions taken. The Department of the Interior would not be able to provide law enforcement service to visitors or maintain roads, thereby preventing visitor safety. The Department would be unable to process grazing applications for the lands or manage hunting or other suitable uses to public enjoyment.

This would hurt local people and local economies. It would hurt them the most by preventing outfitters and guides from going into these monuments and not allowing management of suitable uses.

There is one other interesting aspect to this particular amendment that is before us now. It would prevent spending on nine monuments, but it would not prevent spending on a particular monument in the State of Utah.

Mr. DICKS. Mr. Chairman, will the gentleman from Utah (Mr. HANSEN) exempt his monument?

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

Mr. DICKS. Mr. Chairman, is the gentleman from New York (Mr. HINCHHEY) kidding me? Is he telling me that the gentleman from Utah (Mr. HANSEN) exempted his monument?

Mr. HINCHHEY. Mr. Chairman, claiming my time, the gentleman from Utah (Mr. HANSEN) has exempted his monument.

Mr. DICKS. Mr. Chairman, if the gentleman will continue to yield, so he is going to get funding for his monument?

Mr. HINCHHEY. Mr. Chairman, re-claiming my time, the gentleman from Utah (Mr. HANSEN) has exempted his monument.

Mr. DICKS. Mr. Chairman, if the gentleman will continue to yield, so he is going to get funding for his monument? Mr. HINCHHEY. Mr. Chairman, re-claiming my time, the amendment says they cannot spend Federal funds for nine monuments, and those monuments are located in California, in Arizona, in Colorado, Oregon, Washington; but they can spend money on the monument in Utah.

The budget that we have here today would spend, in fact, $5.3 million on a visitor center for a national monument in Utah. In another one, they locked up 53,000 acres of State land, not Federal land. That did not come from Utah. That was from the administration. That did not come from us. If my colleagues want to strike that and put this in the amendment, I would accept that in a heart beat. Go ahead and take it. Take the dang thing.

Mr. HINCHHEY. Mr. Chairman, re-claiming my time, we are not interested in striking funding for that monument or for the other nine that we listed. We believe that these national monuments, belonging to all the people of the country, deserve to be protected and that the 50 million people who visit them ought to be treated properly and fairly. My colleague would deny then that opportunity.

Mr. HANSEN. Mr. Chairman, I yield 2½ minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, this is not a debate about national monuments. Every American takes pride in their national monuments. This is a debate about abuse of national monuments.

I just want to harken back to the last speaker. He would not yield time to me, but he began with a passionate debate saying we cannot lock up land that we do not already own because the law specifically says the Federal Government must already own these lands. Yes, the law says that. But I would like the gentleman to tell me, was he aware that, in fact, the President is locking up lands the Federal Government does not own?

In the State of Arizona, in the last 6 months, the President has created three new national monuments. Three. Count them. And he has done so by incorporating into those national monuments tens of thousands of acres of not Federal land but State land.

The gentleman from New York (Mr. HINCHHEY) was defending the use of the law in an improper fashion. In Arizona, in one monument, they locked up 53,000 acres of State land, not Federal land. In another one, they locked up another 30,000 acres of State land.

Mr. Chairman, here is a map showing the thousands of acres of State land that was put into a national monument in violation of the Federal law. That is precisely why this amendment is here, because this administration is abusing the law.

Indeed, here is an editorial by the leading newspaper in the State of Arizona saying that preservation requires input and that they were not given that input and says, declaring monuments is not done right. The paper generally supports the American people, as I think all Americans do, but not when the process is abused.

In Arizona, for example, there were no public hearings whatsoever. Now, many of the gentlemen from California (Mr. GEORGE MILLER), says this is a wonderful thing, all being done in accordance with the law and all a good idea and a compliment to this administration doing this in the proper order of business.

If that is true, should we not ask ourselves why, of the nine national monuments which have been created by this administration, eight of the nine have been created in the last 6 months only? If you leave those gifts to the American people, are they 5 years ago, 4 years ago, 6 years ago, 7 years ago?

This is about abuse of this law. Let me explain this. These are the American people's lands, and they do take pride in national monuments. But 8 months ago I personally, in a formal hearing of this United States Congress, looked Secretary Babbitt in the eye, eyeball to eyeball, and said, Mr. Secretary, the people of America and the people of Arizona have a right to input in this process. Will you provide this committee with a list of the monuments you are considering across this Nation?

Secretary Babbitt looked me and the chairman and every other member of the committee in the eye and said, no, a one-word answer, no, I will not provide you a list.

That cuts the American people out of the process. It is an abuse of the law.

I support the amendment, and I call on my colleagues to support as well.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I rise in vigorous opposition to this amendment.

Presidents, Republican and Democrat, for decades have left the American people great gifts across this country; and today the U.S. House, or some therein, attempt to gut the ability of the American people to take their own public lands. Now, I have here a map showing the thousands of acres of State land that was put into a national monument in violation of the Federal law. That is precisely why this amendment is here, because this administration is abusing the law. Indeed, here is an editorial by the leading newspaper in the State of Arizona saying that preservation requires input and that they were not given that input and says, declaring monuments is not done right. The paper generally supports the American people, as I think all Americans do, but not when the process is abused.
CONGRESSIONAL RECORD—HOUSE

HANSEN)

Mr. CANNON. Mr. Chairman, I feel strongly that managing land through unilateral executive orders establishing national monuments is wrong. It ignores the role of Congress, the role of the people who live nearer and closest to the land, and the role of local elected officials. I believe the consensus-based management accomplishes more to protect the land than hierarchical mandates.

Unilateral national monument designations undermine the compromise necessary for consensus and implementation of the whims of the current administration.

Secretary Babbitt, in a hearing earlier this year, said, "I believe that the Congressional delegation is the way to go." He continued by saying that, "In most cases, there is now legislation, not all, but most," speaking of these nine recently designated monuments. "And in the cases where we did make the designated protection, the ones in Arizona, it was crystal clear that there was no interest in the Congress at all. In one case, there was not even a sponsor of a bill for Aqua Fria, and in the case of the Grand Canyon, the bill that was offered before this committee reduced the existing level of protection." If Congress concludes that the Nation's interest is best served in a manner different from what Secretary Babbitt and this administration may recommend, Secretary Babbitt apparently believes that the President should simply declare a national monument.

This amendment supports constitutional process. Congress makes decisions about the management of public lands because the Constitution gives us that responsibility. We passed FLPMA in 1976 and established that we must first have the input of the locals.

Secretary Babbitt and the administration have not done this with their monument designations. Congress, therefore, has the responsibility to curb this excess by this administration by refusing to fund these monuments.

Mr. DICKS, Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman from Washington (Mr. DICKS) for yielding me the time.

Mr. Chairman, I want to just speak to my colleague from Utah (Chairman HANSEN) and say to him, I understand his frustration, I have listened to his frustration around this issue, and I have respect for what he is saying. We need to continue to discuss this, as we have in the Committee on Resources, and there is legislation pending that would alter the Antiquities Act in ways that he thinks is appropriate and others do; and I would continue to be interested in having that debate.

But I think this amendment goes at it in the wrong way. It comes in through the back door; and it has the potential, as Secretary Babbitt stated, of making only monuments in name and would be very, very counterproductive.

The other piece that I want to add to this discussion today has to do with local and specific examples in south-western Colorado. The President just created the Canyon of the Ancients National Monument.

I will include for the RECORD a letter from the Commissioners of the County down there, who, in effect, said, "We need to move immediately and decisively to put our local input on the management of this area. The only way that we as a community can minimize the negative impacts and be in a position to reap the positive benefits is if we are organized and actively engaged in the planning management and problem solving connected with the monument from day one. If funding is blocked, we will lose this opportunity. Blocking funding will hurt the very communities that are already saddled with the impact of the monument." Now, I might not have used those same words, but I strongly agree with him with the need for maintaining that funding.

I will again, I appreciate the point of view of the chairman, but I think this is the wrong way to have the debate about the Antiquities Act and how it is applied.

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

Montezuma County Board of County Commissioners,
Cortez, CO, June 12, 2000.

Hon. Mark Udall,
Canyon House Office Building,
Washington, DC.

Dear Congressman Udall: The Canyons of the Ancients National Monument in South-west Colorado, which we spent a year working to avoid is a reality as of last Friday. The challenges now is to work together to responsibly address the potential impacts on our constituents, our fiscal and economic health and the wide variety of important resources within the monument boundary. We are asking for your support in opposing budget amendments that would block funding to new National Monuments is critical for reasons outlined earlier.

We need to move immediately and decisively to put our local imprint on the management of this area. We have, as a starting point, a summary of critical designated areas by the RAC citizen Working Group, and the resulting NCA legislative draft to guide the management planning process. We are not at all comfortable with the vague language in the Proclamation, and feel that it would be risky to let the management of this area drift in the context of "interim guidelines" established without local involvement. We have been promised an advisory council representing the spectrum of local interests. We need to get the advisory group in place and immediately begin to engage the planning and management of this area.

With all the publicity that has and will result from the proclamation, we must be prepared and funded to deal with a wide range of immediate impacts. It is our understanding that the initial contact with visitors and the land management planning process is critical to avoid is a reality as of last Friday. The challenge now is to work together to responsibly address the potential impacts on our constituents, our fiscal and economic health and the wide variety of important resources within the monument boundary. We are asking for your support in opposing budget amendments that would block funding to new National Monuments is critical for reasons outlined earlier.

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With all the publicity that has and will result from the proclamation, we must be prepared and funded to deal with a wide range of immediate impacts. It is our understanding that the initial contact with visitors and the land management planning process is critical to
The only way that we, as a community, can move forward and gain a position to reap the positive benefits is if we are organized and actively engaged in the planning, management and problem solving connected with this monument from day one. If funding is blocked we will lose this opportunity.

While we understand the anger and frustration with the efforts to block designation for National Monuments, we believe that it is far better to go to the root cause of these abuses by supporting legislation such as S.1457 introduced by Senators Hansen and B. S. 729 introduced by Senator Craig, which directly address a more participatory process for establishing National Monuments.

In the meantime we hope you will actively voice the concern to your colleagues and in the upcoming floor debate that blocking funding will hurt the very communities that are already saddled with the impacts of monument designations. We appreciate your consideration. Please let us know if we can help or provide further information.

Sincerely yours,

G. Eugene Story, Chairman.

[From the Durango Herald, June 11, 2000]

CANYON OF THE ANCIENTS
MONUMENT IS ON THE MAP; NOW IT NEEDS FUNDING

On Friday, some 160,000 acres of rugged dry washes, canyons and rock formations covered with scattered sage, pinon and juniper washes, canyons and rock formations covered with scattered sage, pinon and juniper

The monument designation, one of four announced across the West by Vice President Al Gore that day, occurred because increasing numbers of visitors threatened the fragile landscape and the remains of rock and man-made structures to be better protected. The Secretary has been out to the BLM on its management of the Canyons of the Ancients, the president’s proclamation makes positions clear on several substantive issues dear to locals and Westerners: The monument status will not give the federal government any water rights, nor change the way the state of Colorado manages wildlife on the land. Nor will it impact any rights to the land claimed by American Indians. Grazing will continue, under BLM regulations as in the past. Carbon dioxide, gas and oil production will continue, under BLM regulations as in the past. Carbon dioxide, gas and oil production will continue, under BLM regulations as in the past.

While Secretary of the Interior Bruce Babbitt has said a local advisory board will advise the BLM on its management of the Canyons of the Ancients, the president’s proclamation makes positions clear on several substantive issues dear to locals and Westerners: The monument status will not give the federal government any water rights, nor change the way the state of Colorado manages wildlife on the land. Nor will it impact any rights to the land claimed by American Indians. Grazing will continue, under BLM regulations as in the past. Carbon dioxide, gas and oil production will continue, under BLM regulations as in the past. Carbon dioxide, gas and oil production will continue, under BLM regulations as in the past. Carbon dioxide, gas and oil production will continue, under BLM regulations as in the past.

Mining, other than CO2, and gas and oil extraction is forbidden.

The monument designation does call for a transportation plan, and it’s expected that off-road travel by motorized vehicles will be eliminated, and that the number of motorized trail access roads will be significantly reduced. As a result, access to private inholdings may be more limited than they are currently.

The monument status was forced on Montezuma County, as some local critics charge noisily. But unlike the administration’s previous move and in southern Utah, it was not a surprise and it was not done without consultation with locals. The Secretary of the Interior signed the proclamation that Congress—lead by an initiative from Sen. Ben Nighthorse Campbell and Congressman Scott McMillin—instead provide the needed protection.

The specifics of the monument designation did not originate in Washington. However, the administration listened closely to local testimony in front of a stakeholder group convened a year ago to address issues surrounding the proposed monument, and Babbitt made a couple visits to the area. And, his telephone call to the Montezuma County commissioners two months ago allayed some fears as to what the monument designation would contain. In conversations with Babbitt, he was very familiar with the issues that surround the monument.

Now what’s needed is a representative advisory board that applies thoughtfulness and vision in helping the BLM shape the future of the Canyons of the Ancients National Monument. And money is also needed. In Southwest Colorado last week, it was encouraging to hear McInnis say that although he was opposed to the way the acreage was designated by the administration, he would work to secure funding to implement the needed protections. With public lands budgets already limited, that extra money is critical.

New maps of the Four Corners and Colorado will soon be leaving the printers, and on them will be the state’s newest monument. We’re glad the Canyons of the Ancients will be there, it’s stunning natural features and man-made structures to be better protected for generations to come.

Mr. HANSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. SIMPSON).

MR. SCHAFFER. Mr. Chairman, I thank the chairman for yielding me the time.

Mr. Chairman, I am sure that it would be his preference that such an issue were not necessary here on the floor. But the reality is, this is the President of the United States who has necessitated this discussion for clearly abusing and misusing in a reckless fashion the law, which has been on the books for many, many years and as many Presidents previously, as has been indicated before, have used with due discretion and have used in cooperation with local entities, State jurisdictions, and Members of Congress who represent the affected areas. But that is the distinction and the difference.

This President has made two fatal errors in the execution of the Antiquities Act: one is by dramatically expanding the coverage of these monuments beyond the archeological or historic focus of what a legitimate monument might constitute; and, secondly, doing so without consultation of Members of Congress, who have the ultimate policy-making authority and responsibility where monuments are concerned.

But the third thing that this President has done is used the Antiquities Act in establishing monuments in a blatantly political fashion and has confiscated the American public’s right to use those monuments. The only way that we, as a community, can move forward and gain a position to reap the positive benefits is if we are organized and actively engaged in the planning, management and problem solving connected with this monument from day one. If funding is blocked we will lose this opportunity.

While we understand the anger and frustration with the efforts to block designation for National Monuments, we believe that it is far better to go to the root cause of these abuses by supporting legislation such as S.1457 introduced by Senators Hansen and B. S. 729 introduced by Senator Craig, which directly address a more participatory process for establishing National Monuments.

In the meantime we hope you will actively voice the concern to your colleagues and in the upcoming floor debate that blocking funding will hurt the very communities that are already saddled with the impacts of monument designations. We appreciate your consideration. Please let us know if we can help or provide further information.

Sincerely yours,

G. Eugene Story, Chairman.
Mr. Chairman, there are only five States that are affected by this amendment. It is interesting that the author of the amendment is not a Democrat. Thank God for the Antiquities Act. Thank God for the action of the President to take Federal lands and upgrade their status so that they are more protected. The reason the President had to do it by executive order is because this Congress, under this leadership is failing to deliver these things. I introduced two bills in Congress on these issues that did not even get a hearing in the committee. The only member of the other party that has been supportive of all this effort is the gentleman from Ohio (Mr. REGULA). He has been the best environmentalist the Republican Party has because he is on the Committee on Appropriations and he is vigorous in his efforts to get a hearing in the other committees and try to get some substance out and get these lands protected, no way. Now they want to take them away.

Give me back my monuments. Give me back the Grand Canyon-Parashant in Arizona. Give me back Agua Fria in Arizona. Give me back the California Coastal Monument. Give me back the Pinnacles National Monument in my district. Give me back the Canyons of the Ancients in Colorado. Give me back Ironwood Forest in Arizona. Give me back Cascade-Siskiyou in Oregon. And give me back Hanford Reach in Washington. This amendment would take all those away and take it away from the public who owns that land.

This is your land, ladies and gentlemen of the United States. Defeat this amendment. Give them back to the people.

Mr. HANSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I want to make it clear that I do not oppose designating national monuments, I do not oppose the Antiquities Act, but I do oppose the abuse of power. This is not taking these lands back to the people. Quite frankly, whether or not they are national monuments or not national monuments, they belong to the people. Some Presidents such as Theodore Roosevelt have used the Antiquities Act to preserve these areas. But when we look at the previous examples of that like the Grand Canyon, they were clearly being privatized and degraded. It was being debated in Congress. There was public outrage. But in the case of President Clinton's new monuments, these monuments already are Federal lands. The fact is that if they are being degraded, it is under this administration. It is being designated previously the highest number of public lands. In four presidential terms he designated 2.5 million acres. This President has already done 4 million unilaterally. It is
clear that we need to and will continue to expand national monuments and parks. It is clear that our crown jewel parks are already in existence. And now the question is really, are we going to adequately fund the existing parks plus as we add to this system, where will they be and what will the funding priorities be?

We’re faced with the reality that this is about invasive species and grazing questions, but these new monuments are all in the West, where they already have at least 25 percent federally owned lands, in some cases 50 percent and in some the proposals are in States where it goes up to 60 percent. East of the Mississippi, we have lands that already have willing sellers that are clearly either culturally, naturally, or recreationally valuable for the public sector but we have willing sellers. But because the President has unilaterally designated additional lands in States where they already have 25 to 65 percent Federal lands, money will not be available for other places in the country where there are natural, cultural and recreational opportunities.

How is it fair to let a lame duck President unilaterally, in one year, exceed any other President’s designation, including the two Roosevelts, who had, in FDR’s case, four terms, and tie the hands of the Committee on Appropriations where we cannot meet the needs of the American people? Congress has the right of these powers of the Constitution to make laws here. We cannot do anything once these monuments are designated. And try as you want to with report language, it does not nullify the effect of this amendment, which is to take away from the President the authority to name these monuments and then to have them properly implemented.

Again, I believe that these riders are wrong. We should do it only when we have had thorough debate and hearings in this House and Senate. I would suggest to the gentleman from Utah (Mr. HANSEN) in his own committee that people want to work on this, if they want to improve the Antiquities Act, do it there, not on the Interior Appropriations Committee that people want to work on this amendment offer by the gentleman from Utah (Mr. HANSEN) to the amendment offered by the gentleman from Washington (Mr. DICKS).

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

Mr. HANSEN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it has been a very interesting debate that we have had here. I think it all comes down to one thing, abuse of power. I do not know of one President who has abused his power more than this gentleman has. He has done more than all of the other Presidents combined, and the interesting thing is, just what Member of Congress was consulted and which one agrees with what he has done?

Now, I always thought that the Constitution said “we the people,” but when we read this thing behind closed doors, it said we cannot let this out, this has to remain secret. Now, to me, that is not the way we do things in America. What is this about?

Article IV, section 3 says, “Congress has the right of these powers of the land.” It does not go to the President. The gentleman from Washington (Mr. DICKS) has had some things brought up that is the biggest red herring he has ever heard. Right here in their own manual, right here in the report, nothing in the language either by the Interior Secretary from managing these Federal lands.

These lands will go on as they were. This idea that they will not be managed and vandalized is nonsense. Of course they will be managed. Call up the local BLM director, call up the local forest director. They will tell us they will take care of the land. There is nothing in here that says they cannot maintain those lands at this time. Of course they will be managed. Now the crucial shot was made at me. I am big enough to take that, saying why not put your own in there? That was done in 1996, and it was funded by this Congress. I would be more than happy if my colleagues feel that way, why did colleagues not put an amendment in to do that, and I would say to the committee that my colleagues did not do that. It is more important to take a few shots, I guess.

Mr. Chairman, I urge the people in this particular body to do their best and do what is right for America and do what is right for the West. Help us out in this and vote for this amendment.

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

The CHAIRMAN. The question is on the amendment offer by the gentleman from Utah (Mr. HANSEN) to the amendment offered by the gentleman from Washington (Mr. DICKS).

The question was heard; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Under clause 6(f) of rule XVIII, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the underlying Dicks amendment that may follow immediately this 15-minute vote on the Hansen perfecting amendment.

The vote was taken by electronic device, and there were—ayes 187, noes 234, not voting 13, as follows:

[Roll No. 280]

AYES—187

DeMint
DeLay
Cunningham
Crane
Cox
Cook
Coburn
Chenoweth-Hage
Camp
Calvert
Callahan
Burr
Bono
Bonilla
Benglis
Bilirakis
Billey
Bloom
Bereuter
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Capp
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooney
Cox
Cubin
Cunningham
Deal
DeLay
DeMint
Johnson (CT)

Noes—234

Adler
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barrett
Bart
Bates
Bechtle
Bereuter
Blumenthal
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Capp
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooney
Cox
Cubin
Cunningham
Deal
DeLay
DeMint
Johnson (CT)

Not Voting—13
NOT VOTING—13

Messrs. BILBRAY, MINGE, GILCHREST, RUSH, REYNOLDS, and HORN changed their vote from “aye” to “no.”

Mr. BARR of Georgia changed his vote from “no” to “aye.”

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. DICKS. Mr. Chairman, is the next vote going to be on the underlying Dicks amendment?

The CHAIRMAN. The gentleman is correct, yes.

The question on the amendment is offered by the gentleman from Washington (Mr. Dicks); and the question was taken, and the Chair announced that the noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 177, not voting 14, as follows:

[Vote results listed]

AYES—243

NOES—177
times and I have great respect for the other side and I can remember most of the arguments very vividly. They are very clear. I think we could limit this. Many Members want to leave at 6:00.

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

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

Mr. DICKS. Mr. Chairman, now the gentleman understands we are having a separate discussion here.

Mr. STEARNS. Yes.

Mr. DICKS. We are going to treat this amendment separately from this previous discussion in terms of everything else, but on this one we will agree to 7½ minutes on each side, split it down the middle.

Mr. STEARNS. How about 10? All right, 7½ minutes is fine.

Mr. DICKS. Mr. Chairman, I ask unanimous consent that each side have 7½ minutes on this amendment and all amendments thereto.

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

There was no objection.

The CHAIRMAN. The Chair's understanding of the unanimous consent agreement is 7½ minutes per side on all amendments to the Stearns amendment.

The gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 7½ minutes.

Mr. STEARNS. The Chair recognizes the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I heard the amendment read and I need, I believe, to withdraw and clarify because I think the Clerk read it incorrectly.

The CHAIRMAN. The gentleman may either withdraw the first amendment or ask unanimous consent to:

MODIFICATION TO AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I ask unanimous consent to withdraw that, and I think the Chair has the correct interpretation, which is the same thing. It is basically a 2 percent cut in the National Endowment for the Arts and the rest goes into the wildland fire management. I believe I gave it to the folks correctly.

The CHAIRMAN. The Chair will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. STEARNS:

In the first instruction strike out "$1,000,000" and insert "$1,960,000". The Chair recognizes the gentleman from Florida (Mr. STEARNS) that his amendment be modified?

There was no objection.

The CHAIRMAN. The Chair will still conduct the debate in accordance with the previous unanimous consent request.

The gentleman from Florida (Mr. STEARNS) is recognized for 7½ minutes.
billion in private funds go for the arts. So I think just taking $2 million to help fire fighting personnel in this country is worthwhile for us to do.

So we take a small step, reducing questionable spending that many of us feel on this side and perhaps a few on that side feel, so I believe our money would be better spent to help the fire fighting personnel in this country.

Mr. Chairman, I urge my colleagues to support this amendment.

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

The CHAIRMAN. Does the gentleman from Washington (Mr. Dicks) insist on his point of order?

Mr. DICKS. I withdraw my point of order.

The CHAIRMAN. The gentleman from Washington (Mr. Dicks) is recognized for 7 minutes in opposition to the amendment.

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

Mr. Chairman, as many of us know, the National Endowment for the Arts was created in 1965, I believe that this endowment has done a tremendous amount to help foster the arts in this country. When the Endowment was created, we did not have the great range of the arts we now have. We now have performing symphonies and ball- lets all over this country. We have seen a tremendous growth in the arts, and I believe that one of the major reasons for that is because of the challenge grants and the other programs that the Endowment approved over the years.

The private sector looking to an entity, an arts organization getting a National Endowment for the Arts grant, is almost the Good Housekeeping Seal of Approval. Since the endowments were created, we have seen a tremen- dous growth in the amount of money that the private sector contributes to the arts all over this country.

A few years ago, we were funding the National Endowment at about $170 million. It was cut back dramatically. Today we only fund it at $98 million. In fact, we will have a bipartisan amendment after we take care of the Stearns amendment to increase the money for the endowments in a modest way.

The President has requested for each of the 100,000 Congressional districts $150 million. A few years ago, Congress had some concerns about the quality of the grants and some of the grants that were approved by the National Endowment for the Arts. We put in very strong language saying, since they cannot approve every grant that comes in, use quality as a standard for judging and assessing these grants, and do not let an entity get a grant and then give it to a sub- grantee for some other purpose.

I yield myself such time as I may consume. In the last 5 years there has been a complete turnaround. It is not only the people in urban America, it is where I grew up in rural America. In the 1990s, I can remember as a 6-year-old seeing this wonderful WPA symphony. That came to Hollister, California, population 3,000. It inspired me to be a musician.

Today we only fund it at $98 million. In the last 5 years, attendance at ar- tistic activities have increased by 37 percent, remember all this time when NEA funds are decreasing.
Now, the thing that outrages the taxpayers is when the NEA, and they have the pattern of doing this, funds the shock art, paranoid art, the anti-Catholic bigotry, the pornography.

There is a play recently in New York City entitled “The Pope and the Witch,” which is funded. It depicts the Pope called John Paul II, as a heroin addict, advocating birth control and legalization of drugs. As long as this type of funding is done by NEA, we need to send them a signal and give them the modest cut of 2 percent. I support the Stearns amendment.

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

Mr. DICKS. Mr. Chairman, I yield the remaining time on our side to the gentleman from North Carolina (Mr. BALLENGER).

Mr. BALLENGER. Mr. Chairman, I thank the gentleman from Washington for yielding to me.

Mr. Chairman, I would like to first say, in the Catholic lead, when it had the thing that was called, “The Pope and the Witch.” I would like to read from the notes here. “Please note that the NEA is not supporting the development or the production of this play. All NEA grants are by law for a specific project, and this was not included in any of their projects.”

I would also like to say that, in my little small town of Hickory, North Carolina, we built an art museum. The National Endowment gave us $1,000. One would not think that was of any great value one way or the other. But with that $1,000 we were able to go to all the corporations and supporters in that little town, and we raised $3 million to build an art museum.

The $1,000 is just like the best thing one can get. If even some corporation wants to know, what have you done? Who are you getting it from? I would also like to say, when we cut it $65 million in 1996, I voted for that cut because I thought the National Endowment had gotten out of hand, and we should mandate changes; and we did mandate changes because of problems that were there. They have had no increase in 8 years now.

Let me just give my colleagues a couple of things. They have a cap on the amount of money that can go to any one State; whereas, previously New York got way out of their share of it.

The State grants program, the State set-aside, has been increased. Every State gets more money, and my colleagues would be surprised at the number of every State that participates. State grant programs and State set-asides I say have increased. Antisobscurity requirements for grants, this is supported by the Supreme Court. They have to live by this.

No matter what anybody wants to say, they are doing what was mandated and what they deserve. There is a large number of us that think that, in spite of what they say, art does add a great deal to the quality of life.

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

Mr. Chairman, I just point out to the gentleman from North Carolina (Mr. BALLENGER) that, if he wants the list of projects they have supported since 1980, they have a 20-year record here, from the Sorano, Mapplethorpe, I mean, to the one that the gentleman from North Carolina just mentioned. I mean, it goes on and on and on.

So the fact that the gentleman from North Carolina got $1,000, the rest is going to six major cities.

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

The CHAIRMAN. The gentleman from Florida (Mr. STEARNS) has 2 minutes remaining.

Mr. STEARNS. Mr. Chairman, I yield 1 1/2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I rise in support of this amendment. One of the most amazing characteristics of this human race is our ability to express ourselves artistically. All of us have been touched by a piece of music, a beautiful and interesting sculpture, an outstanding theatrical performance.

Art can be as enriching to the soul as nature itself. But sometimes in this job, we are forced to choose priorities. I think wildland fire management is a higher priority for the amount of money that we are talking about.

Because the arts are flourishing in America. Most people do not know that more people attend artistic events in a given year than sporting events. The private sector contributes over $9 billion to the arts every year. Employment in the arts is growing 3.6 times faster than the general employment. Of the money that we do give to the arts from the Federal Government, 20 percent is consumed in overhead. A majority of the remaining amount is spent in New York or California.

The gentleman from North Carolina (Mr. BALLENGER) was relishing that he got $1,000 for his district, $1,000. It is not very much money. Very little of this money makes it out to the rest of America.

I think our Founding Fathers noted that the benefits of keeping the Government out of the arts were great. But if any of my colleagues have lost personal possessions to a fire or to a flood or to theft, they know how serious that is. Sometimes it is merely a scrap of paper with a signature on it or a canceled check or photo, something that cannot be replaced.

If we can support the wildland fire management, I think we are going to be helping people from losing their possessions and keep our natural heritage, the wildlife areas, from burning.

So this issue is not about the importance of our arts in our society, much as it is about helping protect those who stand to lose everything from wildfire.

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

Mr. Chairman, my amendment takes a very small step in reducing questionable spending and shifts it to a much more needed important area. I believe our money would be better spent protecting Americans than being used to promote art that is many times antireligious and, recently last month, anti-Catholic.

We hear repeatedly that the NEA has changed. It simply has not. The New York Times reported that 70 percent of its grants go to the same recipients every year, while fires are ravaging our country.

The people who believe in giving it to just six major cities are subsidizing them, and I think it is an amendment between public safety and environment.

Mr. Chairman, I urge support of the Stearns amendment.

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

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

The Clerk will read. The Clerk read as follows:

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $429,466,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings, and other facilities, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: Provided, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public hearing has been provided on each decommissioning project: Provided further, That any unobligated balances of amounts previously appropriated to the Forest Service “Construction”, “Reconstruction and Maintenance” accounts as well as any unobligated balances remaining in the “National Forest System” account for the facility maintenance and trail maintenance extended budget line items may be transferred to and merged with the “Capital Improvement and Maintenance” account.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 310 et seq.) and 26 U.S.C. (1982 Ed., Supp. V) 1166a, for the purpose of providing land acquisition, including emergency land acquisition to reduce or eliminate hazards from floods and/or landslides, etc., up to $23,000,000: Provided, That $40,000,000 of the funds provided for the acquisition of land for forest administration and management shall be available for the acquisition of land for such purposes as the Secretary of Agriculture, in consultation with the Secretary of the Interior, determines to be necessary: Provided further, That in the event Congress returns to our budget process in the next Congress a Forest Service budget, it is the intent of the Congress that the priorities of this bill be maintained.
ACQUISITION OF LANDS FOR NATIONAL FORESTS

SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,068,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended, 16 U.S.C. 484a, to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses for range rehabilitation, protection, and improvement, 50 percent of which is derived during the fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with the ground range rehabilitation, protection, and improvements.

GIFFS, DONATIONS AND REQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1543(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 132 passenger motor vehicles of which 13 will be used primarily for law enforcement purposes and of which a replacement and acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed six for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operating fleet at 192 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3106; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein, pursuant to 7 U.S.C. 528a, (5) acquisition of rights and interests of the State of Washington in the Non-Federal Forest Lands Program of the Forest Service, and (6) administrative expenses, as authorized by 16 U.S.C. 5901–5902; and (7) for debt collection contracts in connection with collections of uniform costs as authorized by 5 U.S.C. 5901–5902; to be deposited in the United States Treasury and accounted for in accordance with 31 U.S.C. 3715(c).

None of the funds made available under this Act shall be obligated or expended to abolish or to relocate operational office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for the purpose of acquiring and maintaining areas of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness activities to prevent forest fires if and only if all previously appropriated emergency contingency funds under the heading "Wildland Fire Management" have been reappropriated and apportioned.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and the cooperation of the United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to the procedures of section 702(b) of the Department of Agriculture Organic Act of 1914 (7 U.S.C. 2257) or 7 U.S.C. 1470 unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations on Appropriations in compliance with the reprogramming procedures contained in House Report No. 105–163.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report No. 105–163.

None of the funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Funds available to the Forest Service shall be available only in amounts not less than $2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Young Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408.

Of the funds available to the Forest Service, $1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–386, of the funds available to the Forest Service, up to $1,250,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative services, for projects on or benefiting National Forest System lands or related to Forest Service programs: Provided, That the Congress may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained Federal matching funds.

Pursuant to section 702(b) of Public Law 98–244, $2,650,000 of the funds available to the Forest Service shall be available for matching Federal aid to projects on or benefiting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 13(g) of Public Law 96–517, that the Forest Service shall ensure that at least $800,000,000 of the funds available to the Forest Service shall be available for the acquisition of lands for National Forests.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the National Forest System and "Reconstruction and Construction" accounts and planned to be allocated to activities under the "Jobs in the Woods" program on projects on lands in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of Federal financial assistance, for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: Provided, That, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of Federal financial assistance, for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: Provided further, That such gifts may be made, withstanding the fact that a donor conducts business with the Department of Agriculture in any capacity.

The Congress shall appropriate to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County,
California, pursuant to sections 13(e) and 14 of the National Recreation Area Act (Public Law 101–612).

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used by the Office of the General Counsel, Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar nondue process matters. New budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers. No employee of the Department of Agriculture may be detailed or assigned from an agency's annual budget justification. The display shall include appropriated funds and the salary and expenses of the employee for the period of assignment.

The Forest Service shall fund overhead, indirect expenses, and any other category for use of funds which are expended at any units, that are not directly related to the accomplishment of specific work on-the-ground (referred to as "indirect expenditures"), from funds available to the Forest Service, unless otherwise prohibited by law. Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal unless otherwise prohibited by law, any appropriations or funds available to the Tennessee Valley Authority, before the administrative jurisdiction of the Secretary, regarding procurement of property, services, supplies, and equipment.

Mr. REGULA. I ask unanimous consent that the bill through page 66, line 16 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

DEPRESSED

Of the funds made available under this heading for obligation in prior years, $97,000,000 shall not be available until October 1, 2001: Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal unless otherwise prohibited by law.

AMENDMENTS OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I have four amendments at the desk, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. The Clerk will report the amendments. The Clerk read as follows:

Page 66, line 21, insert "(increased by $22,000,000)” after the dollar amount.

Page 65, line 7, insert "(increased by $15,000,000 which shall not be available until September 29, 2001)" after the dollar amount.

Page 65, line 21, insert "(increased by $5,000,000 which shall not be available until September 29, 2001)" after the dollar amount.

Page 66, line 19, insert "(increased by $2,000,000 which shall not be available until September 29, 2001)" after the dollar amount.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

Mr. REGULA. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer my first amendment.

The Clerk read as follows:

Amendment offered by Ms. SLAUGHTER:

Page 66, line 21, insert "(increased by $22,000,000)” after the dollar amount.

Ms. SLAUGHTER. Mr. Chairman, we are calling up this amendment to give a much-needed raise to three agencies of the Federal Government that have been starved by this Congress for a number of years simply because of misperceptions and absolute downright lies about the kind of work that they have done.

I do not think any reasonable person in the United States can dispute the good work that these agencies do. As a matter of fact, in the years which we struggled just to keep it alive, we have gotten a lot of help from the associations, the counties, the conference of mayors, major corporations in the United States and also by saying that creative thinking is the key to success.

This year we can afford to give to the National Endowment for Arts $15 million more, and $5 million more to the National Endowment for Humanities, and $2 million more for the Museum Service, which does so much, the Museum and Library Service.

The debate over the years about these three agencies, over this government have taken such a terrible beating. Things have been said on the floor that have been, as I said earlier, misperceptions and down right wrong. But we struggle just simply to keep them alive. But we have ample proof from the response of the people throughout the United States that they not only want these agencies alive, they want these agencies to survive.

I want to make it clear this afternoon that I am offering this amendment on behalf of the Arts Caucus of the House of Representatives, which is co-chaired by the gentleman from California (Mr. HORN). This amendment is cosponsored also by the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentlewoman from Washington (Mr. DICKS).

What we are asking is, as my colleagues know, the bill calls for a deficiency of $57 million. We would like to increase that by $22 million for a total of $89 million, as we said before, to give the NEA a $15 million raise, the NEH $5 million more, and the Library and Museum Service $2 million more.

People cry out for it. Even our opponents on the other side have talked about how much people appreciate going to arts programs.

The National Endowment for the Arts and National Endowment for Humanities have made certain over the years that they have reached out to every nook and cranny from sea to shining sea in the United States, trying to make the little bit of money that we give them stretch to meet the needs of the growing population of the United States.

We know more than we used to about the development of the mind. We know more about what it is like for a child to be exposed to art at a very early age. We know a child who has studied art for 4 years in high school will do 80 points better on their SAT scores. And we know that this House should vote to support these agencies.

Mr. HORN. Mr. Chairman, will the gentleman from California?

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

Mr. HORN. Mr. Chairman, I thank the gentlewoman for yielding to me.
We also know that we could keep more talented young people in the school system if we put resources into good programs about the arts, and the humanities. It is something that every student in college, and some of our California State universities, have to take at least one course in the arts and/or music. And that is important because it broadens the mind, and it keeps the brain moving.

The arts also provide inspiration. We all know that. So we should not have to go through these annual maulings where we have to refute some new bogus charge which is utterly baloney. Some earlier grants often had nothing to do with the National Endowment for the Arts.

In 1965, I happened to be on the Senate and the establishment of the Arts and Humanities endowments were overwhelmingly passed by the House of Representatives and the United States Senate. As far as government support of the arts in the depression, the WPA, the Works Progress Administration, put millions were put in when people were unemployed, and they brought inspiration both in murals, in symphonies, in opera.

Ms. Slaughter. Mr. Chairman, reclaiming my time, I just want to echo what the gentleman from California (Mr. HORN) has said. It is unbecoming for this Congress every year to debate this subject the way we do. Last night half of this group in this House went over to the Kennedy Center for a free performance of To Kill a Mockingbird, and this afternoon they have come back for a performance on the floor to try to kill the NEA.

I think the time has come to stop that madness and fund these agencies a little bit more so they can do three times more work.

Mr. DICKS. Mr. Chairman, I rise in very strong support of this amendment.

I had hoped that we could do this swiftly for our colleagues. I know many of them would like to be heading off to a meeting of friends, and the other amendment in this bill. But if we have to do it this way, we have to do it.

I think this issue is crucially important to our country, and I believe that the gentleman’s amendment, which would increase the deferral by $22 million, would then allow us to have the room necessary to vote for an increase of $15 million for the National Endowment for the Arts, $5 million for the National Endowment for the Humanities, and $2 for the museums and libraries.

Now, believe me, that is not a lot of money. I do think it would send a signal that after 8 years of holding down funding for the Endowment of the Arts that we see that Bill Ivey and his people have done a good job and that they have discovered a small amount of additional money.

I want to commend the chair of the Congressional Member Organization for the Arts, the gentlewoman from New York (Ms. Slaughter) and the vice chair, the gentleman from California (Mr. HORN), for their leadership on this. It is bipartisan. There are people on both sides of the aisle here that support the arts in this country.

When I go home to my State and I look at what has happened in Washington State in the arts, and it is not just in Seattle, it is Tacoma, in Bremerton, in Port Townsend, it makes me proud that that small amount of Federal money has been used all over this country to keep good deals of the arts’ groups, ballets, and symphony orchestras. And, also, we have been able to get funding from the private sector because they see the government involvement, they see that Good Housekeeping Seal of Approval, and they are willing to match those monies, as the gentleman from North Carolina (Mr. Baldenfreu) previously talked about.

So I think this is a solid amendment. Unfortunately, we have to offer it in three different steps. But I hope that on each of these steps everyone in this House will recognize that this is the amendment on the National Endowment for the Arts. If my colleagues support it, they support the Slaughter amendment. If they do not, then they do not. But I think there is a majority in this House. If given a chance to vote up or down on this issue in this House of Representatives, I think there is a majority here in support of the National Endowment for the Arts and for the National Endowment for the Humanities.

I regret that we are forced to offer this amendment in this convoluted fashion because the majority is so nervous about this issue. What is wrong with the arts? What is wrong with the humanities? Why are they afraid of this issue, when in every community in this country there are great examples of where the arts and humanities are helping the American people, and our museums as well? Middletown, the community in this country there are great examples of where the arts and humanities are helping the American people, and our museums as well. There was recently a play entitled ‘The Pope and the Witch.’ It depicted the Pope, called John Paul II, as a heroin-addicted paranoid, advocating birth control and legalization of drugs.

We also know that we could keep more talented young people in the school system if we put resources into good programs about the arts, and the humanities. It is something that every student in college, and some of our California State universities, have to take at least one course in the arts and/or music. And that is important because it broadens the mind, and it keeps the brain moving.

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I think the time has come to stop that madness and fund these agencies a little bit more so they can do three times more work.

Mr. DICKS. Mr. Chairman, I rise in very strong support of this amendment.

I had hoped that we could do this swiftly for our colleagues. I know many of them would like to be heading home this evening. Except for this one amendment, which we could not get agreement on, we could have had an agreement on every other amendment in this bill. But if we have to do it this way, we have to do it.

I think this issue is crucially important to our country, and I believe that the gentleman’s amendment, which would increase the deferral by $22 million, would then allow us to have the room necessary to vote for an increase of $15 million for the National Endowment for the Arts, $5 million for the National Endowment for the Humanities, and $2 for the museums and libraries.

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I regret that we are forced to offer this amendment in this convoluted fashion because the majority is so nervous about this issue. What is wrong with the arts? What is wrong with the humanities? Why are they afraid of this issue, when in every community in this country there are great examples of where the arts and humanities are helping the American people, and our museums as well? Middletown, the community in this country there are great examples of where the arts and humanities are helping the American people, and our museums as well.

I am very upset that we could not resolve amicably, and I hope that people will stay with us, vote for these amendments as we have to go through this process. We will clearly identify which ones are for the arts, and we appreciate the hard work of the gentlewoman from New York who is chairman of the arts caucus.

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

Mr. Chairman, I rise in opposition to this amendment. This budget is very tight. We have many needs to balance within the interior budget and the overall budget, and we must not take funds from Social Security and Medicare because we are afraid to make tough choices.

My opposition is based on budget grounds. In the past, I have helped lead the opposition to NEA on a number of grounds which, under the direction of Bill Ivey and the new guidelines passed by Congress, has corrected a number of its past problems. No longer are NEA funds so concentrated on the major cities of this country, where arts resources are already plentiful. This has also helped alleviate the cultural elitism of the past.

There has also been major progress in the area of performance artists, where the only art is in the eyes of the artist. If art is to be public funded, it needs to be more major than the consensus art. If the NEA wants me, my family, the people of Indiana, and America to pay for it, it should be something appreciated by others not just the artists.

Probably Americans are most familiar with the controversies around the funding of morally offensive art by the NEA. It is unfortunate that conservatives, such as myself, do not speak up often enough about the importance of arts to the soul. A society without artistic expression would be gray, boring, and depressing. But publicly funded art should not gratuitously insult the deeply held religious beliefs of the American public.

The Reverend Donald Wildmon and Pat Trueman of the American Family Institute have performed a tireless public service in making sure Americans and Congress aware of where our tax dollars are spent. It is my belief that the new director and the new rules of the NEA help make progress on limiting publicly funded art by the tax dollars. I was shaken, as others have been, by several cases where NEA funds have gone to organizations in the last few years that have either performed or provided a venue for art that attacks Christian beliefs in an aggressive calculated way. The clear goal was to cause insult and offend, not to inspire the soul or cause reflection. They are crudity designed to shock.

I do not believe the possible NEA involvement further, and this is what I discovered. And it was not enough just to argue that the funding was not for the individual projects because money can be fungible and it can be used to send tacit approval to the organizations that performed it.

There was recently a play entitled “The Pope and the Witch.” It depicted the Pope, called John Paul II, as a heroin-addicted paranoid, advocating birth control and legalization of drugs.

The NEA provided funding to the Ironclad Ensemble Project and provided funding for the New City, where the play was performed. But here is the
rest of the story. The $15,000 grant to the Irondale Ensemble was for a musical to be called "The Murals of Rockefeller Center." The date was prior to the morally offensive anti-Catholic about the heroin-addicted Pope.

The NEA did not fund the offensive play, nor did they know such a play would later be performed by this organization. The real test is next year. Now they know this theater has stuck its finger in the eye of the American people. Now there should be no more funds.

The same is true for the theater for New York City. Their grant was to fund education programs. It was given before the disgusting, anti-Catholic play about a heroin-addicted Pope. While NEA did not know that this organization had supported an arts program at that museum. After that funding was granted, the Brooklyn Museum apparently decided that their best hope for raising money was to insult Christians to gain attention. A Virgin Mary made out of dung certainly did that.

No NEA money was used for that art. NEA money to the Brooklyn Museum had been given earlier, so it was not moral support or fungible money. But now we know they will deliberately insult Christians with shock art. No more funds.

Another case raised by critics actually started in 1996. In this case, "Corpus Christi" promoted itself as a play about Christ who had sex with the apostles. Clearly, not something taxpayers would want to support. But once again the facts do not show that NEA supported this play.

In 1996, the Manhattan Theatre Club received a grant to develop Terrence McNally's new play "Corpus Christi." Here is the application that described this proposal. I have read it and gone through the application. Here is all that it said, "Spirituality has been one of the major themes in Terrence McNally's most recent plays at MTC. His next play, Corpus Christi, will be an examination of good and evil. He will use certain miracles in the life of Christ as inspiration for the story, which will have a contemporary setting."

In case my colleagues missed the part about Christ being a homosexual and having sex with his apostles, it is because it is not there. That is why Congress now requires more in-depth descriptions.

But that is not even the rest of the story. The Manhattan Theatre Club then wrote to cancel this grant and asked to transfer the funds to "Collected Stories." I have reviewed the letter exchanges that clearly show the grant transfer.

Nothing that happened for 2 years. In 1998, McNally completed the disgusting shock art play, which was performed without NEA funds. Many artists today would rather use their creative powers to mock God and try to provoke outrage from people who love and honor our Creator rather than develop art.

Our anger and legitimate concern that no tax dollars provide funding, direct or indirect, or even in the form of moral support, is completely justified. But we also, especially as Christians, have a moral obligation to stick with the truth. NEA did not fund this art, directly or indirectly.

Mr. HOLDEN. Mr. Chairman, I move to strike the requisite number of words, and I wish to engage in a colloquy with the gentlewoman from New York.

It is my understanding that in the offset for the gentleman's amendment, she seeks to defer until 2002 $22 million of previously proposed funds for the Clean Coal Technology Program of the Energy Department. For 15 years, through the Clean Coal Technology Program, the Federal Government has been a solid partner, working jointly with private companies and the States to develop and demonstrate a new generation of environmentally clean technology using coal.

Companies were willing to sign agreements with the government because Congress, under the leadership of the gentleman from Ohio (Mr. REGULA), the chairman of the subcommittee, and the gentleman from Washington (Mr. DUCKWORTH), the ranking member, and others, had the foresight to appropriate the entire Federal share of funding in advance. The companies knew the money would be available, and with that confidence they came to the table ready to commit funds.

In fact, for every $1 committed by the Federal Government, $2 have been committed by private industry and State agencies. This program is coming to a conclusion. All projects have been selected and all contracts have been negotiated. Can the gentlewoman give me her assurance that the deferral of funds called for in her amendment will in no way inhibit the Department of Energy's ability to fulfill its contractual obligations for fiscal year 2001 and, further, can the gentlewoman assure me that none of the current projects in the Clean Coal Technology Program, for which contracts have already been signed and agreed to by the government, will not be canceled as a result of the deferral of funds in the gentleman's amendment?

Ms. SLAUGHTER. Mr. Chairman, will the gentleman yield?

Mr. HOLDEN. I yield to the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, I am happy to respond to the gentleman's inquiry.

I have contacted the Department of Energy and been assured that deferring the additional $22 million would not cause any significant problems and is not expected to result in the cancellation of any contract.

In fact, the Department of Energy originally proposed deferring $221 million and rescinding an additional $105 million in clean coal funds. Consequently, a deferral of $22 million should not cause any major hardship, and I urge my colleagues to take this opportunity to allocate the funding to the arts and humanities.

Mr. HOLDEN. Reclaiming my time, Mr. Chairman, I thank the gentlewoman and will support her amendment.

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

Mr. Chairman, I will not take the full 5 minutes, but it is important to understand what this amendment is. This is the first of four amendments which, in all, will try to add $22 million to cultural programs; $15 million to the National Endowment for the Arts, $5 million to the National Endowment for the Humanities, and $2 million from museums. It is paid for out of an account which will suffer no impact if it loses that offset because that money cannot be spent.

I would remind my colleagues that the agencies that the gentlewoman from New York is trying to fund are at this point funded at a level 40 percent below where they were a decade ago.
place in schools in my district where one song writer goes into schools and takes young people, who have never had exposure to any kind of program, finds out their interests, gets them to put the words down on paper that express their feelings about those interests, and then, in turn, puts those words to music. He has produced a wonderful CD as a result of that. And it is incredible what some of those kids have been able to do.

We need more projects like that all over the country. It would be a terrible shame if we could not begin the new Challenge Program that Bill Ivy and the National Endowment is trying to bring forth.

I congratulate the gentlewoman from New York (Ms. SLAUGHTER) for her amendment, and I would ask the cooperation of all. In economic activity achieve what she is trying to do in piecemeal fashion because the rule does not allow her to do it all at the same time.

Mr. NADLER. Mr. Chairman, it is another year and another debate on a modest increase in funding for the NEA and the NEH. Most of us could probably dust off last year's statement and just use that again because the issues have not changed; they are the same every year.

Every year supporters of the National Endowment for the Arts come to the floor, and we present overwhelming evidence that the NEA is a good investment for our country. We talk about the broad geographic reach of the NEA, with grants to all 50 State arts agencies as well as to the hundreds of communities across the country.

We talk about the importance of NEA seed money in leveraging private support, like the $4 million in total funding Chamber Music America was able to raise from just a $300,000 NEA grant.

We talk about the economic benefits of the NEA, pointing to the tens of billions of dollars generated, the millions of jobs supported, and the billions of dollars in Federal income tax generated by the arts every year.

And we talk about the numerous educational projects supported by the NEA from programs for young children to life-long learners.

Finally, we talk about the inherent value of supporting a vibrant arts community in this Nation, how the arts lift the spirits of our citizens and bring us together, how they entertain us and make us think, how they leave a lasting legacy for our children and their children to remember and celebrate.

But as I said, we bring up these arguments year after year. Of course, a few years ago, we debated whether the NEA should even exist, whether it was the proper role of Government to subsidize the arts. But we have won that fight.

Clearly, the American people support the NEA and the work it does. Clearly, the American people believe the Federal Government also has a role in promoting the arts and cultivating artists throughout the country. But in order to carry out this mandate, we must fund the NEA at a level that enables it to fulfill its mission.

Today, resources are stretched too thin to adequately fund worthy projects. The average grant size has dropped by over half since 1997 and is expected to drop even further unless we provide an increase this year.

As the gentleman from Wisconsin (Mr. OBEY) pointed out, this agency is funded at a level 40 percent less than a decade ago. When we limit funding, we also hamper the ability of the agency to continue its work in expanding the reach of the NEA to underserved areas.

The massive cuts to the NEA enacted a number of years ago has reduced a once thriving agency to a very valuable but still shell of its former self. In these times of unparalleled prosperity, of unparalleled huge and increasing budget surpluses, it is nothing short of outrageous that we have not provided a nickel's increase for this vital and popular agency for the last several years.

I think we should return to the glory days of the Reagan and Bush administrations when the NEA received almost twice what it does today. Short of that, I urge my colleagues to support the modest increases we are talking about in these amendments.

As is pointed out, the offset provided in this particular amendment poses no danger to anything because they cannot spend that money now. The offset has no negative impact. The modest increase of $15 million to the NEA and $5 million to the NEH are not change from what we should do, but we can do no less today.

I urge the adoption of these amendments.

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

Mr. Chairman, if my colleagues walk through the tunnel that connects the Longworth Building and the Cannon Building with the Capitol today, they will see the difference from what happened yesterday when the walls were bare. Now the walls are hung with beautiful, live, vibrant art. Now, we cannot miss it. We cannot miss the change from nothing to what these young students have done around our country.

My favorite piece of art is the cow poking its nose through the barbed-wire fence. But that is today. Tomor-
rates, and other critical skills among our children.

As the new economy demands a workforce that can think and work innovatively, arts education provides a crucial part of that skill building, skills that can begin at a very young age. For example, in a child’s elementary school class trip to the museum, students and adults have been exposed to the virtues of music, poetry, and dance as a result of our National Endowment for the Arts support.

Students from Santa Barbara, San Marcos, and Morro Bay High Schools had the opportunity to participate in the Essentially Ellington program and study the jazz music of Duke Ellington.

Students and adults have been exposed to poetry through National Poetry Critics Circle Awards, Public Library, Miguelito Elementary School, the Dunn School in Los Olivos, the San Luis County City Library, and the University of California in Santa Barbara.

Thousands of my constituents have been exposed to poetry inspired by the Mozart Festival in San Luis Obispo, the Santa Barbara Symphony Orchestra, and the LINES Contemporary Ballet, which has performed at both Allan Hancock College in Santa Maria and CalPoly University in San Luis Obispo. These exhibits and performances have been funded and supported by NEA.

For slightly less than 36 cents a year, all Americans have access to all that the arts have to offer. It is a small price to pay for one of our Nation’s richest and most effective resources.

And so I urge my colleagues, let us vote for our children and support the Slaughter-Horn-Johnson amendment to strengthen both the National Endowment for the Arts and the National Endowment for the Humanities.

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

Mr. Chairman, since its creation in 1965, the National Endowment for the Arts has issued more than 110,000 grants; and of this total, fewer than 20 have been considered controversial.

We can match that 20 against grant recipients who received 35 of the past 46 National Book Awards, National Book Critics Circle Awards, Pulitzer Prizes in fiction and poetry since 1990.

Thirty-five of those recipients have been NEA recipients. Match it against the grant recipients of PBS’s Great Performances that were nominated for 121 Emmys and won 51 Emmys.

Imagine all of those who are recipients of NEA awards. Great performances or small, the NEA has supported hundreds of professional orchestras, dance companies, nonprofit theaters. And before that NEA support, they really did not exist. But given NEA seed money and given the credibility that they get by NEA choosing to make an award to them, even if it be a small award, they then go out and raise substantial amounts that are in the millions and even billions of dollars that NEA gets. But that little seed, that credibility, makes a world of difference.

Federal funding for music, dance, theater, literature, and visual arts is not only good for the actual dollars; it is about investments to fulfill our human economic potential. By directing funds toward culturally diverse, educational community-oriented programs, we provide places where at-risk youth can express themselves creatively rather than destructively.

One witness provides a living testimony for why Congress should increase NEA’s budget. Three years ago, I know I was moved by the testimony and I think all of the members of the subcommittee were moved by the testimony of a young opera singer named Denyce Graves. And that with out the NEA, she never would have heard an opera, let alone determined that she was interested in pursuing a career as an opera singer.

Growing up in Washington, D.C., Ms. Graves was only a few miles away from the Kennedy Center but because her family could never afford Kennedy Center productions, it might as well have been a world away. It was not until Ms. Graves, as a teenager, saw her first opera at a local community theater funded in part through the NEA that she changed her whole career aspirations. She was so inspired by the music, the drama, and the passion that she decided at that moment she would become an opera singer.

Since then, Denyce Graves has performed as Carmen at the Met and sung all over the world in major opera productions. But she has never forgotten the role that NEA had in her life. She devotes a large amount of her time and money, that people, individuals, corporations and foundations supported this thing and as a result, there are 40 to 45 of these camps literally touching the lives of thousands of students. That never would have been possible had it not been for that authenticity.

The second area is how much. I do not know how much. I do not know if there should be an increase of 15 for the NEA, five for the NEH and two for the Museums or whether it should be more or less. I do know, though, the trend has been going in the wrong direction. Somehow if we believe in this, then we must reverse it, and the numbers expressed here today make a great deal of sense.

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

As a proud member of the National Council of the Arts, and I saw my good friend the gentleman from North Carolina (Mr. BALLenger) here, I cannot
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help but be impressed with the thoughtfulness, the seriousness and the commitment of the Members who are making these judgments. I have seen with the gentleman from North Carolina firsthand the NEA’s grant selection process. I just want to applaud them once again for successfully increasing America’s access to the arts despite the level funding for the last 3 years.

Unfortunately, the bill before us sorely underfunds the NEA and would inhibit the NEA from funding worthy and creative programs such as Chairman Ivey’s “Challenge America” which would further arts education and outreach, particularly in underserved areas. It is so exciting to see and to talk with Chairman Ivey about what he wants to do, to go to areas where young people do not have access to the arts, to go into schools where many of our young people really cannot express themselves as well as others can without access to music, to art, to other cultural attractions. This is so very vital for their education.

In a Nation of such wealth and cultural diversity, it is a sad commentary on our priorities that year after year we must continue to fight for an agency that spends less than 40 cents per American each year and in return benefits artists, teachers, artists, musicians, orchestras, theaters, dance companies and their audiences around the country.

Mr. Chairman, let us make a change this year. Now is the time to increase funding for the arts. Let us do the right thing. Let us support our young people. Let us support these programs. And let us make sure the United States of America can stand tall and be proud of our commitment.

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

Mr. Chairman, I rise today in strong support of the NEA, the NEH, the Museum and Library Services and in support of the Slaughter-Johnson amendment. My colleague and gentleman from New York (Mr. HOUGHTON) said, Well, we support the arts. We support the Federal Government involvement in the arts. The question is, how much money?

Let me take a try at explaining why we should be putting more money into these organizations at this time. The National Endowment for the Arts has been treated unkindly by this body for too long. Since the early 1990s, the NEA, for example, has seen its funding reduced from $162 million in 1995 to $99 million in 1996, to $97.6 million last year. So even if we adopt this amendment, the NEA budget would still fall short of the President’s budget request.

To the NEA, I’ve seen continuing to do more with less. Even with the shrinking budget over the last 5 years, NEA has provided a greater number of grants to more communities across the entire country. Unfortunately, simple math will tell us, while the number of grants has risen, the average amount has dropped by 45 percent. We must stop starving the National Endowment for the Arts. We have won the fight, I hope, for the existence of the NEA and the NEH and Library Services. But every year, it seems, we have to fight to raise it above starvation. Whether it is the Kennedy Center’s touring company in Tuscaloosa, Alabama, or in Lake Placid, New York, funding for the NEA touches all of our constituents, bringing them arts, cultural events and educational opportunities. Visual and performing arts, literature and poetry help us know ourselves as a society and help us stretch ourselves and grow as a society.

The President made a reasonable request of $150 million for the NEA. My colleagues on the Committee on Appropriations set the NEA allocation at $90 million. That $60 million, I think, is a reasonable increase and will help raise this above starvation levels.

I urge my colleagues to vote for this opportunity for personal enrichment, for societal enrichment, for cultural enrichment.

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

Mr. Chairman, I rise in support of increased funding for the arts and humanities. I know there is a philosophical difference over whether or not there is a Federal responsibility to assist in the creation of the arts and the humanities across this Nation and whether the Federal Government should be involved in helping to expose more Americans to the benefits of those arts. But I have come to the realization that I think the Federal Government does have a role, not a primary role but it does have a role.

I also believe that increased funding for the National Endowment for the Arts is justified. There are a lot of arts groups in my district, in my part of Arizona that benefit very directly from this funding, such as dance theater performances and in-residence musical groups that have been there in communities like Safford and Thatcher, poetry readings, photography exhibits in Tucson and other small communities around the district. These activities are a real asset to the rural towns and to the larger metropolitan areas. They are precisely the type of cultural activities that got overlooked too often without the National Endowment for the Arts.

But having said that and my support for additional funding, as a member of the Committee on Appropriations, as a member of the majority and as a member of this subcommittee, I have a basic question and a basic responsibility, that is, how do we get this bill past the House of Representatives? An increase is great if it helps to fill NEA grants across the floor of the House. But it does not do us much good if the majority of this body end up voting against the overall measure. So my question to the sponsors would be, do they intend to support this bill if an amendment is passed to increase the funding of the NEH and the NEA? I hope that we get this answered sometime before this debate is over.

My concern is a very practical one. If we adopt the amendment, do we gain support for the bill? It appears that we do not. But I can assure my colleagues that its passage results in a loss of support, unfortunately as far as I am concerned, but a loss of support by some Members on my side who have a very firm amount of view and whose view I also respect.

It is for that reason, until I have some assurance about this, that I would have to oppose this amendment. Because if we cannot get the bill through the House of Representatives, I will not stay on the floor of the House and to conference with the Senate, then we all lose. We have to govern responsibly. I do not want to risk shutting down our national parks and forests over a virtual increase in funding, and I say “virtual” because this amendment does not actually allow any additional money to be spent or obligated to NEA or NEH until the last day of the fiscal year. It is in essence an advanced appropriation for the fiscal year 2002, not 2001.

So it is my hope that when this process is completed, the appropriations process is finished for this next fiscal year, we can find a consensus somewhere in what I would call the “radical center” and achieve a responsible increase in funding for the arts and humanities.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Slaughter-Johnson-Dicks amendment and really applaud them for all of their hard work on this amendment. This would add additional funding for the National Endowment for the Arts by $15 million, the National Endowment for the Humanities by $5 million, and the Institute of Museum and Library Services by $2 million.

These programs help communities across the Nation develop critically important cultural resources. Through the NEA grants to local communities, support is provided for more than 7,400 K–12 arts educational programs in more than 2,600 communities all across this great Nation.

Chairman Bill Ivey has listened to the concerns of Congress and responded to them. He has initiated a series of reforms, first in how grants are given, and secondly in the arts reach program, he has reached out to all of the
States with the goal of making the contributions equal among the States.

The NEA alone awards more than 1,000 grants to nonprofit arts organizations for projects in every State. These programs also a great investment in our Nation’s economic growth. Let us realize that the nonprofit arts industry alone generates more than $36.8 million annually in economic activity. It supports 1.3 million jobs. It returns more than $3.4 million to the Federal Government in income taxes.

I know that each of us in Congress can point to worthwhile projects in our districts that are aided by the NEA, the NEH, and the Institute of Museum and Library Services. In my district, Montgomery County, Maryland, the NEA funds, just as an example, the Puppet Theatre Glen Echo Park, just a few miles from the Capitol. It is a 200-seat theatre and a section of an historic ballroom at Glen Echo Park.

The audience is usually made up of children accompanied by their families and teachers, representing the cultural and educational community of Maryland, Virginia, and the District of Columbia. An NEA grant allows the Puppet Company to keep the ticket prices low so that many young families can attend the performances.

On reads every day in the papers about those groups that travel there for the performances. And in the last five years other institutions and individuals in Maryland have received $18.2 million from the NEH and the Maryland Humanities Council for projects that help preserve the Nation’s cultural heritage, foster lifelong learning, and encourage civic involvement.

By supporting the arts and humanities, the Federal Government has an opportunity to partner with State and local communities for the betterment of our Nation. Both the arts and the humanities teach us who we were, who we are, and who we might be. Both are critical to a democratic society. It is important, even vital, that we support and encourage the promotion of the arts and humanities.

Mr. Chairman, I urge a yes vote on the Slaughter-Horn-Johnson amendment package.

Mr. Chairman, I yield to my colleague and friend, the gentleman from California (Mr. CUNNINGHAM), who actually was here before me, and the gentleman consented to this. I will speak for 2½ minutes or less.

Mr. Chairman, I do rise in strong support of the Slaughter-Horn-Johnson amendment to enable an increase in funding for the National Endowment for the Arts by $15 million, for the National Endowment of the Humanities by $5 million, and for the Institute of Museum and Library Services by $2 million.

We have heard over and over again, and we do agree it is critical that we support Federal funding for these programs. They serve to broaden public access to the arts in humanities for all Americans to participate in and enjoy. The value of these programs lies in their ability to nurture artistic excellence of thousands of arts organizations and artists in every corner of the country.

This amendment would restore $22 million of urgently needed resources to the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum and Library Services.

These funds will be used to continue and expand upon a number of important programs at these agencies, including the arts, education programs at the National Endowment for the Arts.

Currently over 5 million American children benefit from the arts education programs, including a number of my constituents in the Bronx and in Queens.

In my district, the BCA Development Corporation, which runs the Writer Corps project, recently received $30,000 to support the Young Poetry Slam. The poetry program is designed to use teens’ natural penchant for competition and self-expression to introduce them to the written and to the spoken word.

It is been proven over and over again that children who are exposed to the arts remain in school longer, receive better grades and stay out of trouble, and hold themselves in higher self-esteem.

Additionally, the NEA provides grants to cultural and folk institutions throughout our country to demonstrate and show respect for the diverse ethnicities that make up our great Nation. As an example of the importance of these funds, the Thalia Spain Theatre in Sunnyside, New York, received $10,000 to support a series of folklore shows of music and dance from Spain and Latin America. The music and dance shows included Argentine, tango and flamenco, and classic Spanish dance, as well as the Mene.

I am especially pleased at the funding award for the Thalia Spanish Theatre. I have worked very hard to make sure that the arts and cultural organizations cater to nontraditional and new audiences. That is why I am pleased to thank the gentleman from Ohio (Chairman REGULA) and the gentleman from Washington (Mr. DICKS) for once again including my language into this bill to include urban minorities under the program definition of an underserved population for the purpose of awarding NEA grants.

My district, which is composed of a diverse wealth of neighborhoods throughout Queens and the Bronx, has a number of ethnic groups that add to the tapestry of New York City.

My language will open NEA funding to more local ethnic arts groups and more residents of Queens and the Bronx. It would also help fulfill the mission of the NEA to guarantee that no person is left untouched by the arts.

Once again, I want to thank the gentleman from Ohio (Chairman REGULA); the ranking member, the gentleman...
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from Washington (Mr. DICKS), for all their hard work to include that language.

I want to also ensure that all Americans have equal access to cultural programs. Projects targeted at urban youth will greatly help keep these young people off the streets and away from the lure of drugs and crime. The arts also help to break down barriers. They bring communities together; and they offer hope, hope to struggling communities throughout our country.

That is why the Slaughter amendment today is so important. Additionally, this amendment will increase the funding for both the National Endowment for the Humanities and the Institute for Museum and Library Services. These two agencies both have strong reputations among both Democrats and Republicans of the Arts. I just happened in restoring the folk, oral, and written traditions of America.

The NEH has been very active in providing seed money throughout the country, and particularly in New York City, to address the issues of electronic media in the classroom. A specific grant was given last year to assist in the training of teachers in new media techniques to communicate the humanities to our children.

This type of project represents the best of the NEH and of our government working directly with local communities to advance the education of our young and train them for the future.

The NEH and the IMLS have led the way in working to build and strengthen relationships between our Nation’s libraries and museums and our children’s classrooms to ensure that the knowledge, creativity, and imagination of every child of our great Nation is at the fingertips of every young Einstein, Rembrandt, and Twain to come in the future.

This is an excellent amendment, and I urge all of my colleagues to support it.

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

Mr. Chairman, the gentlewoman from New York (Ms. SLAUGHTER) is a champion of the arts and the NEA and the people that speak for the National Endowment for the Arts deals with taxpayer funding. So the mom, who was a gynecologist, actually stayed behind so that Foo Lee and the rest of the family could come forward. It took 2 years, but we finally got Foo Lee’s mom into Lindbergh Field in San Diego on Christmas Day, and that little girl is still an artist.

I want to tell everyone that there are artists like that, and there are paintings of the children in our schools that paint in the hallway here. There is a lot of very talented there. It should be cultured. I respectfully disagree with the way that the National Endowment for the Arts deals with taxpayer funding.

I will come into the district of the gentlewoman from New York (Ms. SLAUGHTER), and I will campaign for the arts, not for the gentlewoman. I will not raise money for the gentlewoman, but I will come in and if the gentlewoman has something here in DC or wants to raise money for the arts, I will be happy to do that.

I openly seek from private industry to give and contribute to the arts. I would make a wager that with most of the majority, I give more money to San Diego Symphony and the Escondido Arts Center than most Members give out of your own pockets.

Again, I disagree with taking it out of taxpayer dollars for the National Endowment for the Arts in this way. And I met her husband started Taco Bell. She lives in my district. The first time I met her she told me to take the bucket of lettuce out there and go feed the chickens, Congressman. That is how nonassumingly she is.

She provided a grant to start an entire music system in Encinitas Elementary School System, and I think that is what we ought to do. If we want to support tax deductions for it, private contributions, industry investing in our museums, and the arts, as I said, I will even come to the most liberal districts; I will come to the districts. I will even come to the district of the gentleman from Vermont (Mr. SANDERS) and fight for the arts.

Mr. Chairman, I disagree with this; and I would say to those, the individuals that have the beliefs in this, I know the Members mean well in this and see it as the way to invest in the arts. Some of us disagree with that, and I hope the Members understand that as well.

Whatever pro or con of this particular amendment, the bill we feel it will be a killer to the particular bill, and if Members want the bill to pass, then I would reject this amendment. Whether pro or against this particular bill, I would not be here to feel that the bill will go down, one of the reasons for this particular amendment.

We would like to pass the bill, and I would say to my colleagues, let us support the arts, but let us not do it through taxpayer-funded messages.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words and rise today in support of the Slaughter-Johnson-Dicks amendment to increase funding for the National Endowment for the Arts.

The arts and humanities are important components of American life. The arts really bring to life the struggles and challenges many people are confronted with on a daily basis. Moreover, they foster a sense of cultural diversity transcends cultural race, religion, income, age, and geography.

Whether it is at the Kennedy Center or a theater in Chicago, the arts really help to enhance the quality of life for all Americans through a breathtaking array of cultural activity.

Statistics suggest that art programs in schools and music concerts tend to stimulate students’ learning and improve overall academic performance. In my congressional district in Chicago, the NEA has had a significant impact on many of our great institutions and on improving the quality of life. For example, the NEA has supported the West Side Cultural Arts Council, the Chicago Symphony Orchestra, the Chicago Black Ensemble Theater Corporation, the School of Art Institute of Chicago, the Black Ensemble’s Little City Program, The Art, the Illinois Arts Alliance, and the Field Museum of Chicago, just to name a few.

For me, increasing funding for the NEA is not an option, it is actually a priority, and it is a priority because public support for the arts and humanities is the finest expression of faith in the individual’s ability to think, create and express ideas.

The arts and humanities can speak of things that cannot be spoken of in any other way. They foster a sense of community by advancing the understanding of history, of culture, and of ideas. Cultural diversity is something that we talk about a great deal in this country, and it is, indeed, a source of great strength to our Nation, a source of energy, a source of creativity.

Therefore, I believe that sustaining and supporting an increase of funding for the arts and humanities must indeed be a national priority, if we are to be able to pull together and shape the Nation, based upon the culture, the tradition, the hopes, the aspirations and the contributions of all its people.
Mr. Chairman, I urge, in a vote, urge a vote in favor of an increase.

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

Mr. Chairman, I rise in support of all the Slaughter amendments to increase funding for the National Endowment for the Arts and the Humanities and for the Institute of Museum and Library Services. I only wish they could have been considered as one, rather than have been split up as they have been.

These are very modest amendments, and, personally, I would support significantly greater increases for each of these three agencies. The reason why is very simple. These agencies are good for the third district of Massachusetts, a district that I am proud to represent. They provide support to nearly every level and cultural vibrancy of the communities I represent.

Let me highlight a few examples for my colleagues. The Institute of Museum and Library Services has provided grant support to expand and enhance educational programs and public outreach to the Worcester Art Museum, one of the premier museums in New England, as well as to the Willard House and Clock Museum in North Grafton and the Worcester County Horticultural Society. By supporting these museums, large and small, IMLS has helped foster leadership, innovation and a lifetime of learning for these communities.

The National Endowment for the Humanities has provided grant support to the American Antiquarian Society in Worcester to conserve and acquire books and manuscripts in the Society’s collection.

Let me tell you a little more about the American Antiquarian Society, one of my favorite sites in Worcester. It is a precious resource for every single American. The Society houses the largest and most accessible collection of books, pamphlets, broadsides, manuscripts, newspapers, periodicals, sheet music and graphic arts material printed from the establishment of the colonies in America through 1876. It is a unique resource for the understanding of our history and culture. The NEH has provided support to the nearly every aspect of the museum’s operations, including outreach to the public and to school children. It has also helped leverage additional State and private support.

Mr. Chairman, I also have 16 colleges and universities in my district, and the IMLS and the NEH have provided invaluable research grants and support for their educational and cultural work.

The National Endowment for the Arts has provided direct support to activities in Worcester and Attleboro, and with its support of the Massachusetts Cultural Council, reaches schools and community centers throughout Central Massachusetts. These three agencies, Mr. Chairman, help the educational and cultural institutions in my district meet the challenges of the future.

Through their grant support, my communities can provide greater public access to the arts, the humanities, and the resources of our libraries and museums. They help these institutions incorporate and make available to the public new technologies, regardless of income.

Mr. Chairman, I urge my colleagues to support these amendments. They are modest but worthy investments in education and families and children and our cultural heritage and our future.

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

Mr. Chairman, I ask my colleagues tonight as we debate this to substitute the word “religion” every time the word “art” has been used here. I suggest that there is a great deal, in fact, an almost everything that has been said in support of the funding for the arts that could be said, but certainly would never be said on this floor, if an amendment were proposed to support religion.

As the Managing Director of Baltimore’s Center Stage put it, “Art has power. It has power to sustain, to heal, to humanize, to change something in you. It is a frightening power, and also a beautiful power. And it’s essential to a civilized society. Because art is so powerful, because it deals with such basic human truths, we dare not entangle it with coercive government power.”

For exactly the same reason that, certainly I know my friends on this side of the aisle would stand up and rail against anyone who would suggest that we should take public money and subsidize religious experiences, for exactly the same reason I ask you to think about what you are doing when you ask people to subsidize the arts.

The arts are, in fact, as close a resemblance to religion as I can possibly think of. They are expressions of the innermost feelings in our souls, and certainly worthwhile. Think of it this way: If we subsidized religion, could we not come to the floor as the gentleman from Illinois (Mr. DAVIS) did with that beautiful and eloquent explanation of all of the wonderful things that happen in our country because we subsidize religion, all of the incredible things that go on in our own communities, the many benefits that we could bring to individuals in our own communities because we could subsidize religion.

Certainly it would be difficult to argue with the benefits of a religious experience. It is difficult to argue the fact that art is an uplifting, a wonderful thing, that we all enjoy, in our own specific way. But just as God is in the eye and/or mind of the believer, art is in the eye and mind of the observer, and there are no more responsibility, no more moral responsibility, to compel people in this country to support religion than I do having them support the arts. And that is really the most basic, I guess, comparison that I can make and I ask my colleagues to think about it. It is something somewhat more esoteric than the kind of debate we have been having, but I think just as germane.

Something that was written in 1779. “To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical.” 1789. The author, of course, Thomas Jefferson, in the Bill for Religious Freedom.

What, may I ask, do you think is the difference between what he is warning us about here and what we are preparing to do with both this amendment and the funding of the arts in general? It is difficult, if not impossible, to differentiate the distinction. Although I understand entirely the altruistic intent on the part of the people who want to fund the arts and who want to increase the funding for the arts, I ask you to think about the basic issue that forces itself into the discussion here, and that is that when you compel people to contribute money for the propagation of opinions which one disbelieves in and abhors, it is sinful and tyrannical.

Art is in the eye of the beholder, and the minute that you fund the arts, you do exactly what they fear would happen when you fund religion, you politicize it. You will always then have people arguing about what is proper art, what is proper for public support, what kind of movie or what kind of play or what kind of books should be funded with public dollars. We will always have that because, of course, it is the nature of the business. Always, we will attempt to regulate it: we will attempt to censor it. We should not censor art; we should not fund art.

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

Mr. Chairman, I appreciate my colleague from Colorado, and I thank certainly the sponsors on this side, the gentleman from Washington (Mr. DICKS) and the gentlewoman from New York (Ms. SLAUGHTER) and others.

One great thing about our Nation, as the gentleman from Colorado (Mr. TANCREDI) knows and all of us in this Chamber knows is that there are differences that exist among us. We are tied together with some common threads, but what makes us so great is that there are people who wear different clothing, who cling to different political beliefs. Obviously there are going to be differences that exist among us, but I think just as germane.

What ties us all together really as Americans is that we all really sort of
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share the same dreams and same aspirations. I have constituents of mine in the Chautauqua today, and I can assure the gentlemen from Colorado (Mr. TANCREDO) they are good church members. They are members of Princeton Avenue Full Gospel Church back in my district, and all of them want their kids to go to a good school, and all of them want their parents to maintain their health benefits at work, to maintain a job and their health benefits.

But there are differences that exist among us that really make America what it is. The NEA and the NEH in many ways helps to foster that, sponsors those initiatives and those efforts, and I might add in my public school system, both NEA and NEH grants have done wonderful things to assist teachers and educators in passing along ideas and teaching lessons to kids who might never get them. We have all seen the stats and the data that clearly demonstrated that kids that are exposed to arts and music early in life do better in their core subjects, the math and the science, the English and the history and the humanity portions of this effort that goes on around the country in these areas.

These are agencies that are charged with bringing our history, the beauty, the wisdom, culture, into the lives of all Americans, young, old, rich, poor, urban, rural. We in the Congress have said that preserving our national heritage and making it accessible to all Americans is a goal that is worthy of our support. It is time now to make sure that these agencies have the resources that they need to achieve this mission. □ 1615

This is about our humanity, this is about our civility. This is what defines us as a people. These are the institutions that help to capture who we are and what we are about.

Many years ago I spent 7 years as the chairman of the Greater New Haven Arts Council in my city of New Haven, Connecticut, so I know firsthand how the arts not only enrich lives, but contribute to the economic growth of the community.

Federal investment in the arts is not only a means of support for the endeavors, but rather, our dollars, which represent a small fraction of an annual budget, are used to leverage private investment and feed the arts industry. This industry creates jobs, it increases travel and tourism, it generates thousands of dollars for a State’s economy.

If Members cannot be persuaded on the humanity portions of this effort and the cultural and the preservation of our heritage, gosh, I would hope Members would be turned on the issue of the economics of a vibrant arts community.

In addition, the NEA is an important partner in bringing arts education to more American youngsters. Arts education is critical. It helps to plant the seeds of art appreciation. It cultivates talent that is yet to be discovered in the young minds of our kids around the country.

In partnership with State arts agencies, the Endowment provides $37 million of annual support for from kindergarden through 12th grade arts education projects in these 50 States and 2,600 communities across the country.

When we are teaching youngsters music, we teach them mathematics. It is found and proven that the development of a musical education in fact increases the mathematical ability of youngsters today.

The National Endowment funds professional development programs for art specialists, classroom teachers, and artists. We are truly just beginning to understand the benefit of arts education and the way in which it helps to foster self-esteem for our youngsters, helps them to choose a constructive path rather than turning to violence. We need to continue to support these efforts.

We know that the arts builds our economy, it enriches our culture, it feeds the minds of adults and children. The NEA, the NEH, the Institute for Museum and Library Services, need to have an increase in their missions. It is time now to give them that.

Let us focus in on the legacy that we want to give to future generations on who we were and what we did. Let it flower in our music, in our painting, in our buildings. Let generations to come understand who we are and what we have done.

This is an expression of our humanity. Let us not shortchange it. Let us understand that it imbues who we are and how we live our lives today.

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

Mr. Chairman, first, I am opposed to the clean coal deferral because I think the program is important in terms of energy independence. We have many research projects in the clean coal program. We are going to be able to sell a lot of this technology to the Chinese because most of their power plants are fueled by coal. Yet they are growing more sensitive to clean air problems.

What this amendment does is defer $22 million of clean coal funding so that the money would be available to do an increase in the National Endowment for the Arts. That is why all this discussion has been focused around the NEA. Without this window of money there is not anywhere to do an offset, which of course would be required for an NEA amendment.

Just so the Members understand, the vote will be on whether or not we should defer $22 million of clean coal money which would be used for potential projects in developing clean coal technology and use that deferred money for an amendment later on.

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

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

Mr. DICKS. Mr. Chairman, of course the gentleman, who has done so much on this particular issue, realizes also the administration requested a much larger deferral; that we can defer this money until the end of the fiscal year and the testimony is that it will not have any effect whatsoever on the
programs, the substance of the programs. All the projects will go ahead, but it does make the money available for this amendment.

Mr. REGULA. The gentleman is correct.

Reclaiming my time, Mr. Chairman, the Administration did request more. I do not agree with them. I think that the Department of Energy needs to have this space, although they might feel differently, in the event that they have some projects that will fit the clean coal technology objective.

In any event, just so the Members understand this vote, and it will be the second vote this afternoon, the vote is to take $22 million of clean coal money and make it available to do the increase that will be proposed by amendment in the National Endowment for the Arts program. That is why the debate was revolving around the NEA. So that will come.

I might say, I have been advised by the leadership, and I think a memo that went out to this effect to all the offices, that they plan to finish this bill tonight. So I think we need to keep working on it if we want to get it finished. That is the present plan from the Republican leadership. I just want to advise Members of that. I hope that once we get by these two amendments we can reach some time agreements in order to get this bill finished in a timely way.

I would urge my colleagues and the colleagues on the other side of the aisle to vote against this second vote tonight. The first vote will be on the Sterns amendment to reduce the funding for the National Endowment for the Arts. The second vote will be on this proposal to defer $22 million of clean coal money.

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

Mr. Chairman, I rise in support of this amendment. I appreciate the chairman’s concern about the clean coal technology research money, and have for years supported it. I would hope that in conference he can move the money around in an appropriate way.

Mr. Chairman, it is very, very important, and it is difficult within our process, but it is very important for this Congress in this session to provide some modest increase in funding for the NEA, the NEH, and our museum folks.

Mr. Chairman, let me tell the Members why. Bill Ivey, the new head of the NEA, deserves to be recognized and supported. He has earned our support. He has not only brought that agency back on track, but he has brought it in compliance with the letter of all the reforms this House has adopted, and in compliance with the spirit of those reforms.

He has gone beyond that. He has developed a new NEA program called “Challenge America.” Challenge America is to do exactly what this House said over and over again, particularly Republicans. It is to put the NEA to do. That is to bring arts money to the service of local communities. If any Member has ever been in one of the HOT schools, stood there and listened to that fifth grader tell you what it means to go to a school that is a Higher Order of Thinking school, you would have had to become a believer.

One of the problems in America is that kids are not learning well. They are not learning to integrate logical thinking with intuitive thinking. Kids who have arts education develop better skills in those areas and do better lifetime. This is not an issue. The research is overwhelming.

So for the NEA to take on Challenge America, those communities at the local level to better integrate arts into their curriculum so kids will learn better, think better, and be stronger members of our Nation, that is a very good thing. Bill Ivey is doing it.

Secondly, look at the rural communities, at least in my part of the country. They are developing tourism as the way to save the rural economies. They are developing theaters, they are developing museums in their very old houses, and in Connecticut, resuscitating the old iron industry, which built the cannons that won the Revolutionary War for us.

So these areas of our country need this kind of Challenge American money to be able to develop the economy that will compliment the farm economy and create strong rural communities. What is the NEH doing? The NEH is out there helping these small communities develop the very museum capacity, the history and strengthens our communities.

I have seen it happen. They come in with expertise far beyond what any small community could mobilize. They connect that little museum planning committee with native tide intellect, experience, and capability in both the area of planning exhibits, communicating with kids, and developing outreach programs that make museums strong economic entities, and also part of that chain of facilities that means that tourism can compliment a rural economy to make it strong.

The NEA and the NEH are not just about some abstract cultural strength of our country, they are integral to the development of the arts, theater, music, poetry, educated children, a strong work force, and strong economies in our cities and towns.

Anyone who has been involved in economic development of the arts knows that we cannot do it without the arts. So for us to put just a little money into the NEA, which is now on the right track and reaching our local kids and local towns, a little money for the NEH, a little money for the museum folks who are doing so much good in communities of all sizes to build institutions that will last for generations is right.

It would be simply a tragedy if we do not respond to the changes these organizations have made, and to their ability now to reach into every corner of America and help us achieve the goals we cherish: a strong cultural heritage; to value that of the past and create that of the future.

If this is not a perfect vehicle, we just have to set that aside. A lot of things are not perfect vehicles around here. But if we can save this money, pass the NEA amendment, then in conference with the Senate higher levels and the Senate NEA money, we will be able to make just a little tiny improvement not far enough for the arts, the humanities, and our museum development capability.

I think we owe this much to ourselves and to our children and the communities of America.

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

Mr. Chairman, I am very pleased to be able to rise in strong support of these amendment which are offered by the gentlewoman from New York (Ms. Slaughter) and the gentlewoman from Connecticut (Mrs. JOHNSON) who just finished speaking very eloquently, along with the gentleman from California.

These amendment provide $15 million in addition for the NEA, $5 million for the NEH, and $2 million for the museum and library services. They are very modest amendments, and they have an excellent value for the dollars that are proposed.

The National Endowment for the Arts and the National Endowment for the Humanities play an important role in our society that we should not allow to be trashed in the halls of this Congress.

Since 1995, the majority party has moved every year to either eliminate or cut funding levels for the NEA and for NEH. At the $98 million proposed appropriation for fiscal year 2001, the funding level for the NEA is 40 percent what it was only in 1985. The NEH has not fared much better. The 2001 level proposed is 33 percent below what have provided in 1995. Both are at less than half the appropriation reached during the 1980s administrations of Presidents Reagan and Bush, both Republicans.

By the proposed underfunding of the NEA, this Congress would once again shift funding away from people whose opportunities in the arts are the most limited among all Americans, and that at a time when the NEA has redesigned the program to broaden its reach to all Americans.

The Challenge America initiative that has already been described so well by the gentlewoman from Connecticut
If Congress refuses to increase funding for NEA above fiscal year 2000 levels, this Challenge America initiative will not grow and thrive and thousands of underserved communities will continue to be denied access to the arts.

Funding for the NEA and NEH represents a minuscule percentage of the overall Federal budget and contributes enormously to the cultural life of cities and towns throughout the Nation. Surely, these programs are as deserving of a $22 million increase in funding in the combination of these amendments as the few thousand wealthiest families in America are deserving of billions of dollars of tax give-away that the majority party pushed through this House only last week.

Mr. Chairman, I urge a yes vote on the amendments before us.

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

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Ohio (Mr. REGULA).

Mr. Chairman, I rise today to enter into a colloquy to clarify the committee's position on an important technology program for fuel economy. I recognize that the funding levels have placed severe restrictions on the committee's ability to provide funding for many of these worthwhile programs. For example, the transportation sector within the Department of Energy is reduced by $5 million, resulting in a reduced funding for critical research in fuel cell and hybrid technology. Despite this restrictive allocation, I am still interested in developing new technologies to improve fuel economy on our passenger cars and sport utility vehicles. While some emerging technologies such as fuel cells receive Federal funding, there are other technologies such as engine boosting that need government investing to determine if they can become a viable solution to improve fuel efficiency, performance and air quality.

Finding a technological solution is particularly important in light of concerns about rising fuel costs, continued consumer demand for SUVs, and ongoing concerns about our air quality.

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

Mr. KUYKENDALL. I yield to the gentleman from Ohio.
subcommittee, recognizing that with the allocation that was provided him he has done the best work that could possibly be done by any one of us. Within the parameters he was allowed to operate, he has provided us with the best bill that could be provided within those parameters. However, I think that there is something that we all would like to do better than what has been done for the arts, the National Endowment for the Arts and the National Endowment for the Humanities. These are both very important entities for the American people.

It strikes me as somewhat ironic that many of the Members of the House availed themselves of a very unusual opportunity last night, and that was to go over to the Kennedy Center to see a live performance. It happened to be a performance of a great American novel, To Kill a Mocking Bird, a wonderful and striking story. Many people went over, and I am sure those who went did enjoy it. Now today, we find ourselves unable to provide the kind of funding that a civilized society such as ours ought to provide for the enhancement of arts and humanities within our country.

The amount of money that is being asked for in this amendment is, frankly, very modest. Nevertheless, even with that very modest amount of money, a very substantial difference can be made. I would just point to one particular program that Bill Ivey has produced within the NEA, and I think everyone would agree that he is an outstanding chairman of the National Endowment for the Arts. I refer to the Challenge America program. Now, this is a program that is designed to expand the NEA outreach initiative, and they are doing so all across the country. The NEA is reaching out into small towns and villages and counties in the most rural areas and in urban areas as well. They are providing people in those areas with opportunities to see important aspects of American and world art, aspects which they would not have the opportunity to see without this initiative.

The Challenge America program, reaching out into communities so that young people, young and old, can have the opportunity to see ballets, to see plays, to see theater, to see a display of important art that is in the Smithsonian. They are taking their show on the road all across America, but that program will never see itself fulfilled, and many communities across the country will be denied the opportunity to see the kind of art that is available in our museums, as well as the great musical productions that are available and dance productions that are available, they will never see them without additional funding that would go to the Challenge America program.

So for arts education, to enhance our cultural heritage, to give art programs for youth at risk, to provide access to the arts in underserved areas and for community arts partnerships, the National Endowment for the Arts is a model, and we ought to be funding it. So if we pass this amendment, if we provide this modest additional funding for the NEA and the NEH, a great many people around our country will have the opportunity to enrich their lives and enhance their experience that they would not have without it.

So, Mr. Chairman, with particular and deep respect for the work that our chairman has accomplished, I respectfully hope that the majority of the Members of this House will adopt this amendment.

Mr. POMEROY. Mr. Chairman, I rise in support of the Slaughter amendment to increase funding for arts and humanities programs. The National Endowment of the Arts (NEA) provides important funding for developing art education opportunities allowing each of and everyone one of us to explore our creative talents. In my state of North Dakota this funding has been used to support vital programs such as the North Dakota Council on the Arts “Traditional Arts Apprenticeship Program” and the Plains Art Museum’s educational outreach program. These programs are only a few examples of the important role that the arts can play in allowing each of us, whether young or old, to express, develop and explore all our creative dimensions. I strongly believe in the importance of the arts to all Americans, especially our young children, and I support funding for the program.

Some would suggest supporting funding for the NEA as proposed in the Slaughter amendment is an attack on coal. Only a small bit of light on this argument reveals that it is utterly baseless. I am a strong supporter of the Clean Coal Technology program which provides important funding for the development of new and innovative technologies to reduce environmental impacts of coal. However, not one dollar in funding for the Clean Coal Technology Program will be reduced under this amendment. Further the amendment will in no way hinder the operations of the program.

Ms. PELosi. Mr. Chairman, I commend the gentlewoman from New York, Ms. SLAUGHTER, for her leadership and determination for support of the arts.

Since the earliest days of our Republic there has been an appreciation for the arts in the lives of Americans. Indeed, our second President John Adams wrote to Abigail Adams in 1780:

I must study politics and war that my sons may have the liberty to study mathematics, philosophy, geography and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry and porcelain.

How far we have strayed from that aspiration of our second President when the House of Representatives supports the arts by a slim margin under consideration today, $98 million, is inadequate and should be increased within the context of a balanced budget. Congresswoman SLAUGHTER’s amendment does not
make the program whole but it made a modest, much-needed increase in funding for the NEA.

We need additional funds to support grants for art education which we know is key to reducing youth violence and enhancing youth development. If we are serious about curtailing youth violence, cutting funds to an agency that is getting positive results with its youth arts project is counterproductive. Consequently, I commend Congresswoman Slaughter for offering her amendment which would increase funding for the NEA by $10 million and provide an additional $5 million for the NEH and $2 million for the IMLS.

In my district, NEA has successfully funded the Alley Camp of the Kansas City Friends of Alvin Alley, which is a national dance troupe. This 6-week dance camp has an 11-year history and has provided opportunities for more than 1,000 children. This camp provides a vehicle, through art, for children to grow and enjoy the experience of success. Beyond the dancing, they also have creative writing, personal development, antiviolence and drug abuse programs. Statistics confirm the success of this program behavior and learning of these at-risk children.

The NEA funds several programs at the American Jazz Museum (AJM) in Kansas City, the only museum of its kind in the country. NEA funds help the AJM preserve and present jazz so that people from all over the city, the country, and the world learn to appreciate one of the first original American art forms.

Four years ago, the NEA and the U.S. Department of Justice took the lead in jointly funding the youth arts project so that local arts agencies and cultural institutions across the nation would be able to design smarter arts programs to reach at risk youth in their local communities.

One of the primary goals of the youth arts project is to ascertain the measurable outcomes of preventing youth violence by engaging them in community based art programs. This program has had a dramatic impact across the nation, and we must preserve adequate funding for NEA to continue it and to expand it.

We should also be requesting additional funds to expand the NEA summer seminar sessions which provide professional development opportunities to our nation’s teachers who are on the front lines in our efforts to reach out to our children. Mr. Chairman, art and music education programs extend back to centuries ago. Current studies reaffirm that when art and music education programs reach out to our children. Mr. Chairman, art and music education programs extend back to centuries ago. Current studies reaffirm that when

In January 1996, after being reduced in size by 40 percent, NEA Republicans faced a major structural reorganization. After the NEA was forced to consolidate programs and re-prioritize funding, Congress enacted a number of reforms which provided the NEA with greater accountability and a more stringent grant process.

In the FY 1996 Interior Appropriations bill, we codified the elimination of the use of sub-grants to third party organizations and artists. Simply, that means if an art museum in Hickory, NC, receives a grant from the NEA, the grant money can only go to the projects the museum applied for. The funding cannot in anyway go towards projects or artists not mentioned on the application.

In fiscal year 1996, Congress prohibited grants to individuals except in literature. This is important as it stopped the focus of handing artists blank checks. This also enabled more funding to go to community centers and projects which deal with a greater number of people. Again, in 1996, we placed a specific prohibition on seasonal or general operating support grants. Applicants must now apply up-front for specific project funding or support.

Grant terms and conditions require that any changes in a project after a grant has been approved must be proposed in writing in advance.

Then in 1998, Congress placed a percentage cap on the amount of NEA grant funds that could be awarded to arts organizations in any one state. Also, in 1998, the agency created ArtsREACH, a program designed to place more grant funds in under-represented geographic areas.

These reforms and the NEA’s commitment to arts education and community outreach programs represent the new NEA, not the NEA Republicans faced 8 years ago. As I have stated in my Dear Colleagues, I am one of five Members of Congress who serve on the National Council of the Arts, which is the governing board of the NEA. I’ve been to nearly every National Council session, and I’ve been impressed by the depth of change at the agency over the past two years.

Grants are going to smaller organizations located in small or medium-sized communities. These are the places that are most in need and where the agency is targeting its new programs.

It has been 8 years long since the NEA has seen an increase in funding. I’m not advocating a tremendous increase, but an increase that rewards the NEA for the good job they have been doing in recent years. Vote yes on this amendment and support the new NEA.

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the amendment offered by my good friend and colleague from New York, Congresswoman Louise Slaughter.

As Chairperson of the Congressional Arts Caucus, she has done a remarkable job in educating her colleagues on the importance of the arts, humanities, history and literacy programs here in the United States.

This amendment would restore $22 million of urgently needed resources to the National Endowment for the Arts, the National Endowment for the Humanities and the Institute of Museum and Library Services.

These funds will be used to continue and expand upon a number of important programs at these agencies, including the arts education programs at the National Endowment for the Arts.

Currently over 5 million American children benefit from the arts education programs including a number of my constituents in the Bronx.

In my district, the BCA Development Corporation, which runs the WriterCorps project, recently received $30,000 to support the Youth Poetry Slam. The poetry program is designed to use teens’ natural penchant for competition and self-expression to introduce them to the written and spoken word.

It has been proven over and over again that children who are exposed to the arts remain in school longer, receive better grades, stay out of trouble, and hold themselves in higher self-esteem.

Additionally, the NEA provides grants to cultural and folk institutions throughout our country to demonstrate and show respect for the diverse ethnicity’s that make up our great nation.

As an example of the importance of these funds, the Thalia Spanish Theatre in Sunny-side, New York received $10,000 to support a series of folklorie shows of music and dance from Spain and Latin America. The music and dance shows include Argentine tango, flamenco, and classic Spanish Dance, and Mexican folklore.

I am especially pleased at the funding award for the Thalia Spanish Theatre. I have worked very hard to make sure that the arts and cultural organizations cater to non-traditional and new audiences.

That is why I am pleased that Chairman REGULA and Congressman DICKS for again including my language into this bill to include “urban minorities” under the definition of an “underserved population” for the purpose of awarding NEA grants.

My district, which is composed of a diverse swath of neighborhoods throughout Queens and the Bronx, has a number of ethnic groups that add to the tapestry of New York City.

My language will open NEA funding to more local ethnic arts groups and more residents of Queens and the Bronx. It will also help fulfill the mission of the NEA to guarantee that no person is left untouched by the arts.

So I want to thank the chairman and ranking member of all of their hard work.

I want to ensure that all Americans have equal access to cultural programs. Projects targeted at urban youth will greatly help keep these young people off the streets, and away from the lure of drugs and crime. The arts also help to break down barriers, they bring communities together, and they offer hope.

That is why Mrs. Slaughter’s amendment today is so important.

Additionally, this amendment will increase the funding for both the National Endowment for the Humanities and the Institute of Museum and Library Services.
These two agencies both have strong reputations among both Democrats and Republicans for their wonderful work in restoring the folk, oral and written traditions of America. The NEH has been very active in providing seed money throughout the country, and particularly in New York City, to address the issue of electronic media in the classroom. A specific grant was given last year to assist in the training of teachers in new media techniques to communicate the humanities to our children.

This type of project represents the best of the NEH and of our government working directly with local communities to advance the education of our young and train them for the future.

The NEH and IMLS have led the way in working to build and strengthen relationships between our nation's libraries and museums and our children's classrooms to ensure that the knowledge, creativity and imagination of our great nation is at the fingertips of every young Einstein, Rembrandt, or Twain.

This is an excellent amendment and I urge all of my colleagues to support it.

Mr. FARR of California. Mr. Chairman, I rise in strong support of the Slaughter/Horn/Johnson amendment to increase funding for the National Endowments for the Arts and the Humanities and the Institute of Museum and Library Services (IMLS). The arts and culture have a lasting, positive impact on communities across the nation, yet for years these agencies have been sorely underfunded. It is critical that we give them the increases they richly deserve.

The arts are an essential part of our culture, and the new millennium provides us with the opportunity to focus on the role that the NEA and the NEH play in projects that preserve our cultural heritage and promote our creative future.

The NEH preserves our cultural heritage through its work to preserve the events and historical documents that shaped our nation. NEH projects serve to define who we are as a nation and where we come from. They allow us to pass along our ideals to the next generation.

The NEH promotes our creative future through teacher training in the arts, arts in schools outreach, and after-school arts programs. The NEA has proposed a new arts education collaboration to involve youth in the arts. Research has proven that providing youth with access to the arts leads to higher academic achievement and fewer incidences of drug abuse and violence. Kids exposed to the arts and music earlier in life do better in school, have a lasting, positive impact on communities and help our struggling youth. They allow us to pass along our ideals to the next generation.

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National commitment to improving the livability of our communities by investing in culture. We can develop and promote that national commitment through the NEA and the NEH. Mr. RAMSTAD. Mr. Chairman, I strongly support funding for the National Endowment for the Arts (NEA). My state of Minnesota benefits greatly from the NEA. Federal and state-supported arts events in Minnesota stimulate growth in business, tourism and a healthy economy.

Most importantly, though, the arts help our children perform better in all subjects at school. The Minnesota Center for Research Policy at the University of Minnesota found that 95% of Minnesotans believe that arts education is an essential or important component of the overall education of Minnesota's children. I would like to share with you some of the many exciting arts activities that take place in my district. NEA funding supports arts programming and artists-in-residence programs in schools throughout my district, including Hopkins High School, Orchard Lake Elementary School in Lakeville, Zachary Lane Elementary School in Plymouth, Wayzata High School, Excelsior Elementary School and the North Hennepin Community College in Brooklyn Park.

Several other organizations in my district provide additional educational opportunities for both adults and children. Stages Theatre, Inc. in Hopkins is a theater company dedicated to giving young people a professional setting in which to develop their theater performing skills, as well as an outstanding venue for young audiences. The Bloomington Art Center, an art school and gallery, offers classes, exhibition spaces and theatrical experiences to both vocational and professional artists of all skill levels and ages. The Minnetonka Center for the Arts is a community arts education facility that employs professional artists and educators to teach the arts to people from ages three to 90. Without these and many other NEA-sponsored facilities, my constituents would have far less access to the arts.

We in Minnesota are fortunate to have a healthy arts community, both artistically and economically. For the third year in a row, Minnesota was named the “Most Livable State” by Morgan Quitno Press, in large part due to our citizens’ access to the arts. Again, I ask my colleagues to support an increase in NEA funding to continue this trend of excellence in education, community development and quality of living.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Ms. Slaugh-
ter).

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

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

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentle-
woman from New York (Ms. Slaugh-
ter) will be postponed.

The point of no quorum is considered withdrawn.
Ms. DeLAURO, Mr. MENENDEZ, and Ms. ROS-LEHTINEN changed their vote from "aye" to "no."

Mr. UDALL of New Mexico, Ms. DEGETTE, Messrs. WELDON of Florida, SHUSTER, UDALL of Colorado, BACHUS, PACKARD and BISHOP changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. UDALL of New Mexico, Mr. OBEY, and Mr. OBERTO changed their vote from "no" to "aye.

The result of the vote was announced as above recorded.

Mr. Chairman, I simply rise to ask a question because I know the gentleman from Washington (Mr. DICKS) and a number of others are being asked a lot of questions by Members on both sides of the aisle.

As I understand it, the intention announced earlier by the leadership was for the Committee to rise at 6 o'clock so that Members might catch their airplanes.

Mr. Chairman, I am not going anywhere. My plane has been canceled a long time ago.

If I could just ask. My understanding is that the Chicago airport has canceled a number of planes, that Detroit is closed, that the New England area is having rapid cancellations. And so Members are simply trying to figure out what their plans are.

I would simply inquire of the gentleman, either the gentleman from Ohio (Mr. REGULA) or the gentleman from Texas (Mr. ARMEY), the distinguished majority leader, I would simply like to ask if the leadership intends to announce the conclusion of the House or whether the rumors are true that they now intend to be in until 9 o'clock.
You know, we talk about this every year, it is appropriations season. All the Members are anxious about our continued progress on appropriations bills.

We had ended the week last week with a colloquy in which we encouraged every Member to understand we would be working and working late each night this week, including this evening.

The floor managers of the bill have worked very hard. We worked out an agreement last night that we would work through a series of holding votes and rolling them so that they can have a pleasant hour or two for their evening meal as we continue on the work with our commitment to complete the bill as soon as possible.

Mr. OBIEY. If I could simply respond to the gentleman. I was in the meeting when the commitment was made. The gentleman was not in the meeting where we discussed the times.

I know that last night, I asked the staff of the distinguished majority leader whether they were indeed certain that they wanted to have the vote on the rule on HUD today, because I told them that it was my reading of the interior bill that with all of the amendments pending, they would not be able to finish by 6 if they followed through on that rule. We were told that the intention of the leadership was that we were leaving at 6, that the Committee should do its best to be done by 6, but there was a clear understanding that the Members would be allowed to leave as scheduled at 6 o'clock.

PREFERENTIAL MOTION OFFERED BY MR. OBIEY

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

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin (Mr. Obey).

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

RECORDED VOTE

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

The vote was taken by electronic device, and there were—ayes 183, noes 218, not voting 34, as follows:

AYES—183

Abercrombie
Ackerman
Aber
Allen
Andrews
Baird
Balduck
Baldwin
Barcia
Barrett (WI)
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Boraski
Boyd
Brad (PA)
Brown (FL)
Brown (OH)
Brown (NY)
Brady
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I wish I could take every Member to Tampa, Florida, to visit the plant that was built under this Clean Coal Technology demonstration project. I believe, frankly, that it should not have happened. The best thing government can do to help the electric industry, but it is not even interested in the technology. According to the Congressional Research Service, based on current trends, the technology of choice for new construction will be natural gas fired plants.

In 1994, the General Accounting Office found that a number of Clean Coal Technology demonstration projects were experiencing problems and difficulties. In a report released this March, the GAO found that the problems they identified then still continue today. Only worse, eight of the 13 remaining projects had serious delays or financial problems; six of eight are behind schedule, the full program would do.

Mr. ROYCE. Mr. Chairman, I rise in opposition to the amendment.

Mr. ROYCE. Mr. Chairman, in 1996, the President and the Congress agreed to provide no new money to the Clean Coal Technology Program. Taxpayers are footing the bill for technology to be used by private companies.

IN my view, government has no business favoring certain companies with tax breaks and subsidies. The free market is there to allocate resources in the most efficient way possible. Federal involvement only serves to distort the marketplace by giving selected businesses special advantages, corporate subsidies, put other businesses that are less politically well connected at a disadvantage.

Corporate welfare has lead to the creation of what some have termed the statist businessman who has been converted from capitalist to capital lobbyist. Companies should invest their own money in research and development activities on what they believe are promising technologies, rather than look to the Government for funding.

And private industry is much better suited to identify and target technologies that are commercially viable. The best thing government can do to promote economic growth is to get out of the way, get out of the way and let entrepreneurs and the mechanisms of the marketplace determine how the economy’s resources will be directed.

Private industry can flourish without this corporate welfare. Clean Coal Technology, as it is called, is supposed to help the electric industry, but it is not even interested in the technology. According to the Congressional Research Service, based on current trends, the technology of choice for new construction will be natural gas fired plants.

For those who talk about Kyoto and the Kyoto Protocol, the premise is that any impact on the environment of air emissions, wherever it occurs in the world, has a deleterious impact on all of us.

If my colleagues are concerned about the environment, I think it is essential that we develop this technology. We will have a market for it in China, and not only will we have a market in the process of cleaning up the air in China, this, of course, adds to the cleaning of air in our global environment.

For those who talk about Kyoto and the Kyoto Protocol, the premise is that any impact on the environment of air emissions, wherever it occurs in the world, has a deleterious impact on all of us.
to give up on the technology that has such an enormously bright future.

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

Mr. Chairman, I rise in opposition to this amendment. There has been an awful lot of talk on this floor the last few days about our dependence on foreign energy, particularly upon foreign oil. Well, this amendment and similar amendments have come up every year since I entered the Congress in 1993, and every year Members of the Pennsylvania and West Virginia delegations take this opportunity to remind our colleagues of some very important facts.

Number one is that we have more recoverable coal in this country than the whole world has in recoverable oil. Yes, that is true. There is more recoverable coal in this country than recoverable oil in the whole world. We should be reinvesting in alternative sources to use that fuel that we have available, not disinvesting.

I am honored to represent the anthracite coal fields of Pennsylvania, along with the gentleman from Pennsylvania (Mr. KANJORSKI) and the gentleman from Pennsylvania (Mr. SHERWOOD), and we have anthracite coal that is high in Btu and low in sulfur and meets every EPA standard of the Clean Air Act.

Technology has been around for decades where we can turn waste coal and raw coal into diesel fuel and gasoline. The Germans did it during World War II, the South Africans did it during the embargo. I am sure many of my colleagues have been receiving the same complaints I have been receiving about high gas prices here in the United States. We should take this opportunity to reinvest in alternative sources to use that fuel that we have available, not disinvesting.

Mr. Chairman, I urge my colleagues to defeat this amendment. Let us take advantage of our own natural resources and not disinvest. Let us reinvest in clean coal technology.

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

Mr. Chairman, with all due respect to the gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Interior of the Committee on Appropriations, there is nothing new being developed under the Clean Coal Technology Program except for new ways to squander taxpayers’ money.

The clean coal program idles environmental innovation. It duplicates initiatives already under the 1990 Clean Air Act. It has been consistently found time and again, GAO report after GAO report, that the technology is not perfect. It becomes a boondoggle. In the last 3 years, Congress has rescinded $400 million in funding as the clean coal technology projects have proven that they cannot be completed in a timely and efficient manner, if completed at all.

In the most recent GAO report, released March of the year 2000, the GAO found that problems identified in the mid-1990s found that a number of clean coal demonstration projects have experienced difficulties meeting costs, schedule, and performance goals. As the 2000 report finds, these problems continue today and have become worse.

Two of the eight projects studied out of the 13 are in bankruptcy. Eight more are heading to bankruptcy. This program is wasting taxpayers’ money, they do not work, they are not on schedule, it is industrial policy, it is companies that do not succeed, they do not pay back the investment of the United States government. So it becomes a kind of seed money type that will allow them to sell the bonds to make these projects work. My concern is that we are going to have an enormous demand for power as the economy of this country expands, and I think coal is going to be the fuel of choice simply because there is so much of it. We ought to figure out how to get it done in an energy-friendly manner.

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

Mr. RYAN of Wisconsin. Mr. Chairman, I think this is a useful debate, and that is, of course, as the projects go on stream and succeed, they do pay back the investment of the United States government. So it becomes a kind of seed money type that will allow them to sell the bonds to make these projects work. My concern is that we are going to have an enormous demand for power as the economy of this country expands, and I think coal is going to be the fuel of choice simply because there is so much of it. We ought to figure out how to get it done in an energy-friendly manner.

Mr. RYAN of Wisconsin. Mr. Chairman, I think one can clearly contest the point whether coal is going to be the fuel of choice or not. I think natural gas has a good case for it. I think that around the country, according to the Department of Energy itself, natural gas usage will increase 41 percent between the year 2000 and 2020, with electricity utilities representing 60 percent of this total increase. So it comes down to a philosophy. I do not think the Federal Government should be doing this.
in my district is at the swap meet. I do not have any coal fields, I do not have any natural gas, but I will tell you what my concern is. In my heart I understand the gentleman’s amendment, any waste fraud and abuse we want to eliminate. But I take a look at our dependence on foreign oil, and my colleagues, the gentleman from Washington (Mr. DICKS), looks at our military constraints and the problems that we have with oil reserves and those things. He does a very good job of that.

In Utah, one of the reasons we lost the fight, but in the fight with the Antiquities Act, the President made a monument of the cleanest coal in the world. And, guess what? Mr. James Riady was the recipient of that because it gave him a collective position on coal to sell to China. The President then gave China $50 million to put a coal plant in. Where does Riady crack his coal? In China. Now we have to buy that coal back. Look at the workers that have been put out of work in Utah.

I look at the Antiquities Act also and my concern for renewable resources, or at least resources that we could use. Instead of dependence on foreign resources, we can look at, for example, ANWR, which is a postage stamp in a large area, but I think the President will probably under this go and try and make a national monument in ANWR, one of our largest reserves of oil in the world.

I look at another thing that we did in this House, some conservatives along with the others, the fusion-fission program, which was showing promise, we canceled that research. Natural gas is another area in which I think we ought to invest. I do not know how beneficial the clean coal is. I do know I have been to some of my colleagues’ districts that have coal miners and workers, and I know how much they are hurting, and that hurt is real. But do we have jobs? Corporate welfare? No.

So I would reluctantly oppose the gentleman’s amendment, just because we may have some bad research in coal, but we may have some good. My concern, I think like the gentleman from Washington, is where do we get our resources when we run short in natural emergencies? We are going to have to rely on those.

I am part of the problem myself. My bill stopped offshore oil drilling off of the coast of California, because I do not want to be like Long Beach and have our beaches all polluted. So I would say to the gentleman from Ohio (Mr. ROYCE), I support a part of the program as well. I understand that. But, on the other hand, we also need to be able to have resources so that this country can work.

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

Mr. Chairman, I support the fossil energy program because, contrary to some of the arguments made on this floor, it has produced meaningful results that have benefited all Americans. Let me give the Members some examples.

Let us talk about cleaner air. Fifteen years ago the old technology that could effectively remove smog-causing nitrogen oxide pollutants from a power plant could take out 20 percent of NOX reduced. But DOE’s clean coal research helped develop better lower-cost combustion technologies. Today that research has reduced pollution control costs to less than $200 a ton, and 75 percent of the coal-burning plant capacity in this country uses these new low-polluting burners.

Let us talk about sulfur emissions, one of the pollutants associated with acid rain. Today sulfur emissions from power plants are down 70 percent since 1975, even though the use of coal has increased by more than 250 percent. Many utilities installed scrubbers to reduce sulfur pollutants, and more will likely be installed in the future. But in the 1970s, scrubbers were expensive and unreliable. Today, largely because of DOE’s research, scrubbers are much more affordable and reliable, and they cost only one-fourth as much as they did in the 1970s. That alone has saved the United States ratepayers more than $40 million a year, and more than $40 billion since 1975.

Let us talk about the future. Until the 1990s, the only way to use coal to generate electricity was to burn it, but then came the Clean Coal Technology Program. Today, because of this program, residents can get their electricity from power plants that turn coal into a super clean gas, much like natural gas, and it burns it in a turbine. It is the forerunner of a new generation of high efficiency, virtually pollution-free power plants that would not have been possible without the DOE research program.

The track record for fossil energy research is a good one, and when you realize that 85 percent of our energy comes from fossil fuels, it is important that we have this research, because it benefits every American who turns on his light switch, or, for that matter, breathes the air.

Let us remember one thing: Coal is our most abundant source of energy. It is an energy source which no foreign nation can hold us hostage with. We should vote to keep these results coming in the future. I urge my colleagues to vote against the Royce amendment.

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

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

Mr. Chairman, I support the fossil energy program, because contrary to much money to next year. His amendment would defer $237 million.

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

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

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

Mr. Chairman, I rise to urge my colleagues to vote against this amendment. I think the purpose of it is quite clear. They are trying to kill a fly with dynamite. I think they believe if they take away all of the money, there will not be any for the National Endowment for the Arts, the National Endowment for the Humanities, and the museums.

Frankly, the clean coal portion of this legislation is very important. I just want to urge that everybody look or search their minds here and really understand what is happening with this amendment.

I commend the gentleman from Ohio (Chairman REGULA) for saying this should not be voted for, and I join him in that. I hope that everyone will vote no.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ROYCE). A previous question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RYAN of Wisconsin. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentleman from California (Mr. ROYCE) will be postponed.
The Clerk will read.

The Clerk read as follows:

ENERGY RESOURCE, SUPPLY AND EFFICIENCY

For necessary expenses in carrying out energy conservation activities and for fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant, facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1601, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, $1,139,611,000, to remain available until expended, of which $2,000,000 shall be derived by transfer from the Biomass Energy Development account; Provided, That $153,500,000 shall be for use in energy conservation programs as defined in section 3008(c)(2) of Public Law 99–509 (15 U.S.C. 450t: Provided further, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $120,000,000 for weatherization assistance grants and $33,500,000 for State energy conservation grants; Provided further, That all of the sums herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

AMENDMENT NO. 28 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment, by insert, after the dollar amount, the following: ‘‘(increased by $45,000,000)’’. 

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 28 offered by Mr. SANDERS:

Page 67, line 25, after the dollar amount, insert the following: ‘‘(increased by $45,000,000)’’. 

Page 67, line 25, after the dollar amount, insert the following: ‘‘(increased by $45,000,000)’’. 

Mr. SANDERS. Mr. Chairman, I want to particularly thank the gentleman from New York (Mr. BOEHLENT), the gentleman from Illinois (Mr. SMITH), Mr. UDALL, the gentleman from New York (Mr. LAZIO), the gentleman from Maine (Mr. ALLEN), the gentleman from New York (Mr. QUINN), and the gentleman from Illinois (Mr. RUSH) for their support of this bipartisan amendment.

Mr. Chairman, this amendment is also supported by a very broad coalition of environmental and public interest organizations, including the League of Conservation Voters, the Sierra Club, the Natural Resources Defense Council, Public Citizen, and U.S. Public Interest Research Group.

Mr. Chairman, this amendment addresses, among other things, the very serious national problem of millions of lower-income families unable to properly weatherize their homes for the winter or for the summer. The result is that their limited incomes literally go drifting out the window of their underinsulated homes.

In addition, from an environmental point of view, this Nation wastes billions of dollars in higher than needed energy costs. That is money that is just going through the windows, through the doors, and through the roof.

For those of us who are concerned about protecting the financial well-being of lower-income Americans and for those of us who are concerned about the environment, this is a very important amendment. This amendment increases funding for energy efficiency investments by $45 million, including $20 million for the highly successful weatherization assistance program.

The $45 million offset for this amendment is the fossil fuel energy research and development program, otherwise known as power generation and large-scale technologies. This amendment would bring that program down from $410 million, that is a lot of money, $410 million to $365 million.

Mr. Chairman, last year 248 Members voted in favor of an amendment to cut the fossil fuel energy research and development program by $50 million. Unfortunately, despite our vote to cut this program that is widely regarded as corporate welfare, the conference committee not only ignored our vote, but added more than $50 million to this controversial program.

Some of us are determined, and when it comes to corporate welfare versus the needs of millions of low-income Americans all over this country, we are going to stand up against corporate welfare.

Mr. Chairman, the energy efficient programs that this amendment supports have been enormously successful and have saved Americans some $80 billion over the last 20 years. Yet, funding for these programs has been consistently shortchanged.

According to the Alliance to Save Energy, funding for Federal energy-efficient programs have been reduced by almost 30 percent since 1996. In other words, we are increasing funding for weatherization efforts which have been cut in recent years, which is what this amendment is about, in order to cut a dubious program which has seen significant increases in recent years; more money for low-income people to weatherize their homes, less money for a program that has gone up in recent years, which many regard as corporate welfare.

Mr. Chairman, this amendment would also increase funding for the State energy program by $3.5 million. That program helps homeowners, schools, hospitals, and farmers reduce energy costs.

Mr. Chairman, regarding the fossil fuel energy research and development program, let me quote from the report of the fiscal year 1997 Republican, I say it again, Republican budget resolution. I would hope my Republican friends would hear this.

‘‘The Department of Energy has spent billions of dollars on research and development since the oil crisis of 1973 triggered this activity. Returns on this investment have not been cost-effective, particularly for applied research and development, which industry has ample incentive to undertake.

‘‘Some of this activity is simply corporate welfare for the oil, gas, and utility industries. Much of it duplicates what industry is already doing. Some has gone to fund technology in which the market has no interest.’’

That is not the gentleman from Vermont (Mr. SANDERS), that is the 1997 Republican budget resolution.

Let me quote from the 1999 Congressional Budget Office report which says, ‘‘The appropriateness of Federal government funding for such research and development is questionable. Federal programs in the fossil fuel area have a long history of funding technologies that, while interesting technically, had little chance of commercial feasibility even after years of Federal investment. As a result, much of the Federal spending has been irrelevant to solving the Nation’s energy problems.’’

The CHAIRMAN. The time of the gentleman from Vermont (Mr. SANDERS) has expired.

(By unanimous consent, Mr. SANDERS was allowed to proceed for 1 additional minute.)

Mr. SANDERS. Mr. Chairman, that is the CBO, 1999.

Mr. Chairman, I can well understand why some of my friends from various States are here to defend this program. I can understand that.

The reality is that unlike the weatherization program, which is well distributed to all 50 States, the lion’s share of fossil fuel research money goes to relatively few States. In fact, over 50 percent of the designated funds goes to four States, while 36 percent of that money goes to two States. This amendment is good environmental policy, it is good public policy, and I urge my colleagues to vote yes on this amendment.

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

Mr. Chairman, I rise in opposition to the Sanders amendment. Let me say that we have tried to strike a carefully balanced allocation of funds in the fossil fuel account. I recognized that fossil fuels cover a lot of areas.

What the gentleman is attempting to do is just rearrange the chairs on the
deck in what he would consider to be a more efficient way. But I would point out, and what has this experience, we only need to drive down the street and look at gasoline prices to recognize that we need to have research into making automobiles more fuel efficient, into burning our fuel in a more efficient way, as well as developing more and more cars that can achieve those energy efficiency goals.

We are now up to importing 52 percent of our oil, and predictions are that it will rise to 64 percent by 2020. Members can imagine how subjected we will be to OPEC pricing and to the price of fuel. Of course, that reflects then in the price of consumer goods.

This country is so dependent on energy, and every dimension of our industrial economy is tied to energy use. Our lifestyle is tied to energy. What we have tried to do in this bill, in the allocation of the fossil research money, is to ensure we get the best possible use of the resources.

This is an interesting statistic: One-third of the population, 2 million people, do not even have access to electricity. Of course, that again is going to cause a tripling of consumption over the next 50 years as the lesser developed nations try to expand their economy. It is a market for our clean coal technology, and it will be a market for other technologies that will be developed under the fossil program.

As has been pointed out by a speaker earlier, we have more coal in this country than the rest of the world has of recoverable oil in terms of Btu's. We need to conserve our natural gas, but we also need to have the development of technology that will cause the production of natural gas to be more efficient. That is part of the fossil research, we can get gas from deeper and more complex formations. We can get a better extraction, because we need all these energy sources. We need coal, we need gas, we need petroleum, simply as a Nation, if we just look at the statistics and project our energy needs over the next say 40 or 50 years, they are going to be enormous.

We are the people who are laying the foundation for an adequate and efficiently produced source of energy. Whether our children and grandchildren will enjoy the same quality of life that we have, which is tied to energy consumption, clearly is being determined by the way we use these resources.

What we have tried to do on the committee, because it is our responsibility, working with the minority Member and myself and the other members of the Committee, is, to say, this is the best we can do to allocate the resources in terms of energy production.

In weatherization, as the gentleman knows, we have increased it from $135 million to $139 million. That is a commitment on our part because most of our funding was level, but we felt that the weatherization program deserved some additional funding.

All these programs are important. I think that tonight to just simply rearrange all of these ways in which we have tried to address energy need is not the way to go.

The committee, working with the Department of Energy, has exercised what we consider to be our best judgment of the use of our Nation's resources to provide the energy needs of tomorrow and tomorrow and tomorrow, and to ensure that future generations will have the same opportunities that we have had, because they are tied very dramatically to energy.

I think that the result of this amendment will be to decrease the domestic energy supply availability. I hope that the committee, the Members of the full committee and the House will support the judgment of the Committee on the Interior. If we do not take aggressive actions to alter this trend, by 2020 we could be importing 64 percent.

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

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

Mr. SANDERS. Mr. Chairman, the gentleman made the point that the committee had increased funding from $135 to $139 million. What the gentleman is talking about is the money that was included in the supplemental.

Mr. REGULA. For weatherization, yes.

Mr. SANDERS. But the gentleman knows that Senator LOTT has declared that supplemental dead on arrival, and what we are looking at is $15 million less.

Mr. REGULA. There is a conference on the supplemental next week, and I think it will be addressed. But again, this is important to this Nation's future.

Mr. DOYLE. Mr. Chairman, I move to strike the remainder of the words.

Mr. Chairman. I rise in opposition to the amendment offered by the gentleman from Vermont (Mr. SANDERS). As many of my colleagues are aware, the amendment before us is the latest incarnation of the gentleman's perennial crusade to hamper important energy research and development efforts.

At a time when all of our constituencies have been rightfully concerned with our Nation's energy security, an area of great importance to our overall national security, I believe that a move to indiscriminately slash $45 million from energy R&D will produce unwarranted and detrimental effects that will only exacerbate the current situation and foster throughout the summer driving season.

Let us keep in mind that the United States currently imports 54 percent of its crude oil from other countries, more than at any time in our history. If we do not take aggressive actions to alter this trend, by 2020 we could be importing 64 percent.

In a recent “dear colleague” sent out by the proponents of the Sanders amendment, the claim is made that the intention of the amendment is to reduce our dependence on overseas oil. That can be achieved if $45 million is being moved away from research into areas such as fuel cells and methane hydrates, both of which represent abundant energy supplies, and transferring the funds to support the purchase of caulking, weather stripping, and storm windows?

Now, this is not to say that we should not pay attention to improving energy efficiency of low-income households. We should, but not at the disproportionate expense of critical R&D efforts that will reduce our dependence on overseas oil as well as produce a whole host of other beneficial outcomes.

Let me be clear. I have been a strong supporter of efforts such as the weatherization program and LIHEAP. So my concern about this amendment does not rise out of opposition to weatherization but out of an interest to achieve appropriate funding proportionality.

Whenever one program of merit is pitted against another, it is critical for Members to move beyond the wordsmithing, smoke screens, and surface sentiment and to look to the facts of the matter. If Members take time to do a brief cost benefit analysis, they will find that supporting energy R&D efforts is the most efficient and effective investment we can make.

Consider the following: Despite the fact that the weatherization program has not been authorized since 1990, its funding level has continued to receive increases. $128 million in fiscal year 1997; $124 million in fiscal year 1998; $133 million in fiscal year 1999; and $139 million in fiscal year 2000. So many important and authorized programs are underfunded in this year’s Interior bill, the weatherization program is slated for a 44 million increase. On average, the program weatherizes 78,000 dwellings a year; yet it requires just 40 percent of the funds be spent on weatherization, materials and labor.

Fossil energy research and development, on the other hand, continues to do more and more with tighter budgets. Fossil energy has been essentially flat funded since fiscal year 1997 and this bill’s funding levels represent a 2 percent decrease from last year’s level.

In response to this trend, FE has sharpened its focus and, as a result, has heighten its efforts with regard to high efficiency projects, including efforts to develop new and more effective technologies that will help U.S. producers recover more oil from domestic fields and to develop cleaner fuels to meet future vehicle emission standards.

Without question, fossil energy is about a lot more than coal. In addition, FE R&D significantly contributes to
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Mr. REGULA. And the ranking member, work done by the gentleman from Ohio when Members cast their vote.

jobs, something worth considering projects supported a total of 248,575

and jobs. In fiscal year 2000 alone, FE

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the gentleman from Washington (Mr. BOEHLERT). Mr. Chairman, I respectfully urge the defeat of this amendment.

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

Mr. Chairman, I rise in support of the Sanders-Boehlert-Kind amendment to increase our funding and in support for criticism you just espoused. To do energy efficiency, but I take somewhat of a different approach from the lead sponsor of this amendment. I want to make it clear that I support this amendment, because it makes some very good fossil energy research and development programs this bill funds, and if more money is found later perhaps these cuts can be restored. I support this amendment because I believe that we must make a more serious commitment to energy efficiency. Energy efficiency, energy efficiency, energy efficiency, that should be our mantra. That must be our commitment.

The United States is the world's largest consumer of oil, and this week the price of oil surged past $31 a barrel for the second time this year. The last time that happened many of my constituents were faced with enormous costs for heating oil. If they did not raise production, they could not meet with some tragic consequences. This time, they are faced with rapidly escalating gasoline prices, gasoline prices that have exceeded $2.50 a gallon in some sections of the country. That is having a devastating negative impact on families.

Meanwhile, the oil-producing nations are deadlocked as to whether or not to raise their production of oil. If they do not raise production, then rising demand will quickly outstrip supply and prices will begin to escalate. If they do raise production, then several weeks or months down the road the American consumer will feel a little relief, but we are dependent on the OPEC nations, overly dependent. I believe, because we are one of the world's largest importers of foreign oil.

I think this amendment will provide some help where help is needed. The energy efficiency programs we fund will help us develop cleaner, more efficient technologies that allow us to do more with the same amount of energy. We add $9.5 million to make buildings more efficient so that homeowners and businesses can heat their homes in the winter and cool them in the summer without having heart arrest when opening their energy bills. We add $7 million more for efficient, more efficient so Americans can go further down the road with fewer visits to the fuel pump, not to mention the fewer pollutants emitted along the way, and that is a major issue.

We add $3 million more for efficient industrial technologies so that our businesses get the competitive edge they need in the global marketplace.

This amendment also boosts funding for the crucial weatherization program to insulate and weatherize the homes of low-income families; $20 million will go to weatherization programs to help an additional 10,000 families, each of which could save up to $200 worth of energy costs every year.

I ask for your support for $200 a year for a family budget to save does not sound like much, but let me say to so many families that means everything. We have to be aware of that.

The amendment also boosts funding for the original State energy program by $2.5 million to help schools and hospitals and farmers and small businesses reduce their costs by becoming more energy efficient, and let me add if we can do that we provide some much needed relief on the property tax burden.

Do not forget, the money we would have sent overseas to pay for all of that oil is kept right here in the domestic economy.

Mr. Chairman, I feel this amendment is a wise investment in energy efficiency, and a wise investment in a more energy secure future. I urge my colleagues to support the Sanders-Boehlert-Kind energy efficiency amendment.

Let me close by saying, energy efficiency, energy efficiency, energy efficiency. That should be our mantra. It must be our commitment.

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

Mr. BOEHLERT. I yield to the gentleman from Vermont.

Mr. SANDERS. Just to set the record straight, my good friend, the gentleman from Pennsylvania (Mr. DOYLE) a moment ago talked about the energy efficiency programs going up. That is true in recent years, but in 1996 it was budgeted at $215 million. Today it is at $120 million; a huge decline in funding.

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

Mr. Chairman, I am pleased to be an original sponsor of this amendment that will expand funding for the low-income weatherization program, the State energy program, and other critical energy conservation and research measures.

I commend my colleagues from both Vermont and New York, and others who have been supporting this amendment this year and in previous fiscal years, in trying to work in a bipartisan fashion to advance the cause of energy efficiency.

I think my friend from New York put it so well and so eloquently, that we as a country, especially with the bad weather conditions we experienced last winter and the terribly high gas prices that are sweeping the Nation but especially in the upper Midwest today, need to start developing a long-term energy efficiency program that makes sense for the consumers in this country and lessens our dependence on fossil fuel energy consumption and foreign oil production. Just to respond to my friend from Pennsylvania, I understand his concern in regards to a system of the offsets in the program that affects his local area, but this is, I believe, the right policy direction that we should be moving in, that we have to make the right policy decisions to do new things that will ultimately allow us to afford our own weatherization programs.

I do have a parochial interest in this issue. Mr. Chairman, because the first weatherization assistance program that was set up in the Nation was established right in my congressional district in western Wisconsin back in 1974. Since that time, over half the States have developed their own weatherization or energy efficient programs, and what a marvelous result we are seeing coming from these programs.

The average family who has been able to weatherize their home under this program is realizing a 23 percent efficiency upgrade with their energy consumption needs. What that means in a nutshell is more money for these low-income families for other purposes rather than for escalating energy costs, some money that could be spent on food, for instance.

In fact, just recently there was a constituent back in my hometown of La Crosse that wrote a letter in regards to the weatherization program. It was a single mother who was trying to make it on her own and trying to make ends meet and she was informed by some friends about the existence of this program. She applied and was qualified. In the letter that she wrote and I quote “I had no insulation, drafty windows, a poor chimney lining and a list of real energy zappers, much of which I was unaware. My bedroom wall had frost on it on many a cold morning. My interior would go from scorching hot in the summer to freezing in the winter. My bedroom wall had frost on it on many a cold morning. My interior would go from scorching hot in the winter to freezing in the summer. My interior would go from scorching hot in the summer to freezing in the winter.”

I am also pleased that this program is fiscally responsible and environmentally advanced. By diverting money from the fossil fuel energy research and development program, we are looking to the future in developing new technologies. These programs will make us less dependent on fossil fuels
and foreign oil supplies at exactly the time when we need to be less dependent on them. If erratic temperature variations result in plummeting oil reserves, with gas prices reaching the upper Midwest beyond $2.00 a gallon. Currently, our energy supply comes from fossil fuels which are non-renewable and environmentally detrimental. With cleaner, more efficient energy supplies we boost the economy and become a leader in cleaner energy. Our Nation continues to thrive in an era of economic growth but not every American family is fortunate enough to participate in this prosperity. The weatherization program, LIHEAP, Energy Star and State energy programs are ideal tools to help our Nation’s citizens who are most in need. I urge my colleagues to support this amendment, which would expand funding these vital programs.

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

Mr. Chairman, I rise today in strong opposition to the Sanders-Boehlert-Kind amendment. This amendment purports to benefit energy efficient programs by cutting $45 million from the Department of Energy’s fossil energy research activities. In reality, this amendment will cut energy efficiency research.

Today, 70 percent of the electricity generated from this country comes from fossil fuels. Our Nation’s demand for electricity will continue to increase with the rapid growth of our high-tech economy. Do we really want to cut funding for research that will allow us to use nonrenewable resources more efficiently? We also want to cut funding for research that will further reduce the impact of fossil energy on the environment? The answer is no.

Funding for fossil energy research supports national laboratory and university efforts to improve the fuel efficiency and reduce the emission of fossil energy facilities. Although it does not fall under the budgetary category of energy efficiency, fossil energy research is in reality energy efficiency research relating to fossil fuels and fossil energy.

The United States is already benefiting from the improved efficiency and environmental protections of fossil energy research. For example, three-quarters of America’s coal fire power plants use pollution boilers developed through private sector collaboration with the Department of Energy.

Future research efforts promise to reduce the release of greenhouse gases into the atmosphere by sequestering carbon. Other research could lead to the capture and use of by-products from fossil energy generation for other commercial purposes.

Scientists are attempting to construct better filters that can screen out pollutant-forming impurities from the hot gases of power plants. Let us not halt this kind of progress by cutting important fossil energy research. I urge my colleagues to vote against the Sanders-Boehlert-Kind amendment.

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

Mr. Chairman, I rise today in strong opposition to supplement the Sanders-Boehlert-Kind amendment to H.R. 4578, the Interior Appropriations Act for fiscal year 2001.

The Sanders-Boehlert-Kind amendment would cut funding for the Fossil Fuel Energy Research and Development program by $45 million and increase funding for energy efficiency programs by the same amount. Included in this increase would be an increase of $20 million in the Weatherization Assistance Program.

The Weatherization Assistance Program provides assistance to low-income American families to improve their energy efficiency and lower their energy cost. Two-thirds of those served by this program have incomes under $8,000 per year, and almost all of them have incomes under $15,000 per year. Many of the beneficiaries were elderly or disabled and many are families with young children. Weatherization assistance enables those families to heat their homes in the winter and cool them in the summer.

Mr. Chairman, I recall it was just 2 years ago, I believe, that we witnessed seniors dying in Chicago. Many of them were trapped in high-rise buildings, and we could not even get assistance to them. They literally suffocated in their homes because of the heat, and they had no air conditioning. I do not think that we want to see the reoccurrence of the kinds of deaths that we saw as a result of the weather and the heat at that time.

Low-income families spend an average of $1,100 per year on energy expenses for their homes. These expenditures comprise 14.5 percent of their annual incomes. By contrast, other families spend a mere 3.5 percent of their annual incomes on home energy expenses.

The Weatherization Assistance Program enables low-income families to save an average of $200 per year in heating costs. These savings can be used for other basic human necessities such as food, clothing, housing, and health care.

The Fossil Fuel Energy Research and Development program funds government research on fossil fuel technologies that benefit, for the most part, the oil, gas and utility industries. This program was funded at $34 million above and beyond the amount requested by the President, although, the Interior Appropriations Act as a whole was funded at $1.7 billion below the President’s request.

Why are the Republicans increasing funds for this corporate welfare program? The oil, gas, and utility industries do not need this program. They sincerely can afford to do their own research.

I urge my colleagues to vote in favor of the Sanders-Boehlert-Kind amendment. Cut the corporate welfare and support funding for energy assistance for low-income Americans.

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

Mr. Chairman, I join my colleagues in support of this legislation. There is a tragedy here that we are choosing between important issues that are before this committee and the people that we have to address alternative energy and finding ways to make coal burn cleaner.

The choice today is one that is presented to us that puts thousands and thousands of Americans and other Americans in harm’s way, really. It puts them in a situation where, this winter, as we see high gas prices will soon be changing once again to high oil prices, in a position where they may not be able to make it through the winter.

Additionally, all of the things this Congress does, weatherization creates more energy for less money than almost every other expenditure, because when one weatherizes a house, the benefits of that weatherization do not just occur in that heating season or that cooling season, the benefits of that weatherization last for the life of the house. If that house lasts for 100 years, those benefits last for 100 years.

When we look at what we ought to be doing and what we do in this Congress, when there was a crisis in the Farm Belt, the Congress responded. First, our colleagues on the other side of the aisle chose Freedom to Farm. When that program failed, we came in with additional revenues for farmers. Our friends in California that do not have enough water, the Federal Government subsidized bringing water to those farmers. We in New England do not get a cot to lay our heads on, but other senior citizens and working people, many of them very poor, do face some of the harsher winters in this country. Across this country, many citizens need the help of this weatherization program. But this not only helps the individuals, it helps our national dependence on foreign energy. Because every time one weatherizes a home, for every barrel of oil that family does not use, it is a barrel of oil we do not have to import. It helps our trade balance. It helps the families. It helps the country.

Pass this amendment. It is the right thing to do.
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Mr. ALLEN. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. Chairman, I rise in support of the Sanders-Boehlert-Kind amendment, which cuts corporate welfare and boosts energy efficiency programs that benefit consumers and the environment. This amendment restores $45 million to programs that help low-income families reduce energy costs, that help States implement efficiency programs, and that foster investments in new efficiency technologies. All of these programs have been cut in recent years just as America's energy needs have been rising.

This amendment renews our commitment to energy efficiency as a cornerstone of our energy policy. The offset is the fossil fuel R&D account which has been identified as corporate welfare by consumer and taxpayer watchdogs, including the National Taxpayers Union and Citizens Against Government Waste.

On top of direct appropriations, we also subsidize the fossil fuel industry through exemption from environmental laws. For instance, America's oldest and dirtiest coal-fired power plants are still exempt from Clean Air Act emissions standards that were enacted 30 years ago. These grandfathered power plants continue to spew tons of pollution into our air, adding to smog, acid rain, mercury poisoning, and global warming. While industry profits from this exemption, the public suffers increased respiratory problems and expensive environmental cleanups.

If America is to create a sustainable and cost-effective energy policy, we must reduce our dependence on highly polluting fuels. Improving energy efficiency is an important first step toward that goal.

Mr. Chairman, as we begin the summer months with the threat of brownouts and rising fuel costs, now is the time to make a commitment to energy efficiency. This amendment is a small but significant step toward a 21st century energy policy that lowers consumer costs and protects public health and the environment.

I urge my colleagues to support this amendment.

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

Mr. Chairman, I rise in support of the Sanders-Boehlert-Kind amendment. I want to thank the gentleman from Vermont (Mr. SANDERS) and the gentleman from New York (Mr. BOEHLERT) and the gentleman from Wisconsin (Mr. KIND) for offering this.

Those of us from the Northeast, and particularly those of us in all of the colder States of this country, realize this past winter the real problems that can beset low-income and fixed-income senior citizens and people throughout our district when we saw rocketing prices when it came to home heating oil.

When it came to energy efficiency, we looked at the high cost of renovations. We realized that the people back in our districts of all the Beltway talk that we may hear here today, clearly understand that it is often beyond their means to be able to afford the energy efficiency and weatherization that they need to have to be able to heat their homes.

This problem we incurred this winter was attributed to four different issues: one they said was the production of crude oil; the second was the storage capacity in many of the communities around the country; third was the lack of alternative fuels; fourth, which is what we are discussing here tonight, the lack of energy-efficiency programs, weatherization programs to stop consumption as we have presently going of the high, high cost of energy and fuels.

Today and tonight we are offering an amendment particularly for those communities that have older architecture, older problems with regard to weatherization and alternative fuels.

Let us put back into the weatherization program that we have stripped out over the last 10 to 15 years. Let us put back the kinds of rhetoric that we have been fusing into actual dollars in terms of not only words, but deeds. Let us put back into those programs to help those seniors, those people on fixed income, the real alternatives for more energy efficiency.

Let us put back into the real problems of this government money to make sure that our senior citizens and our low-income people have weatherization programs. But I would also point out there goes more than just that.

If we take a look at the old architecture that besets many of our older homes and our older communities, one will also find another problem. It is called lead paint. Many of the same problems with lead paint are the same problems with weatherization, the high cost of renovation.

When we talk about weatherization programs, we often couple in our communities the opportunity for renovation for lead paint as well. If we put more money into weatherization programs, we can cut some of our effort in lead paint reduction as well.

I ask all of my colleagues to support this amendment. It does wonders in a very small way but a very efficient way to make sure that our seniors of low income have an opportunity for energy efficiency.

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

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

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

Mr. Chairman, I rise in support of the Sanders-Boehlert-Kind amendment perhaps from a slightly different perspective than my good friend from Vermont (Mr. SANDERS). Not only is it sensible at this moment, but it gives us a rare opportunity, I think, also to highlight what has happened over the course of the last year when we have been, indeed, senseless.

This initiative that the gentleman from Vermont (Mr. SANDERS) is offering really is part of a great legacy in this House of Representatives. The legacy was established by Silvio Conte, a Republican Member of this House. He began the low-income heating oil program that so many Americans have benefited from who live below poverty guidelines.

Now, we ask ourselves tonight, why is this amendment necessary? Last Friday, the average price for a gallon of gasoline rose to $1.67 per gallon. Some people across this Nation are paying more than $2 per gallon. These high prices are caused by low stocks, the results of the high prices experienced last month. A high price, when all dealers did not replenish their stocks.

The summer driving season is in front of us, and the price of gas is unlikely to drop while demand remains so high. As the price of oil remains high and stocks are unlikely to be replenished. This will result in low stocks for the winter again.

This is a dangerous cycle for all across the Nation who live below poverty guidelines. Many people in the Northeast last winter had to make the horrible choice between heating and eating. Anybody who has stood in a grocery checkout line, that is on the minds particularly of senior citizens.

Now, we do not want that to happen again. We can act this evening to avoid another catastrophe from occurring this winter.

The Northeast Home Heating Oil Reserve would protect low-income homeowners in the Northeast from having to choose once again between food and fuel. The Northeast Home Heating Oil Reserve is an environmentally conscious way to ensure enough fuel is on hand to fight another harsh winter.

I want to thank the gentleman from Vermont (Mr. SANDERS) for calling attention in this timely manner to an issue that is going to be in front of us once fall sets upon us. But we have a chance to act tonight, to take the initiative, to grab the high ground and to proceed with a sensible plan. I hope all the Members of this House will stand in support of the Sanders amendment.

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. Chairman, I rise in support of the Sanders-Boehlert-Kind amendment perhaps from a slightly different perspective than my good friend from Vermont (Mr. SANDERS), I really have no problem with the Energy Department's fossil energy research and development program. I do not consider it welfare. I think we need to continue to do research into fossil
energies, into alternative fuels, into the whole range of possibilities that will make our country less dependent on foreign oil and something out of the components, perhaps the most important component, of our energy policy in this country should be reducing the use of energy and saving resources, and the low-income weatherization program is a demonstrated effective method of doing that.

We are faced as Members of this Congress with budget constraints. And as the chair of the subcommittee has indicated, sometimes that means we do have to rearrange the chairs on the deck and make some choices. When I make those choices, I have to keep in mind the things that my mother used to tell me. And one of those things is that a bird in hand is worth more than a lot of birds in the bush. The research may well yield some fascinating results in the future, but what we do know is that home weatherization will yield immediate results in the present and that home energy weatherization program has been a vital and important success story as a means of saving energy.

So I do not have any particular beef with the gentleman's amendment. Why do I say that? Because the Coal Technology Program is good for our economy. Do not be fooled, my colleagues are betting for lack of making it cleaner and cleaner, which I support and every Member that represents a coal region in this Nation supports. That is why we support the Clean Coal Technology Program, because we want it to become cleaner and cleaner.

I have to say that I am surprised at how cuts to the fossil energy research budget have been framed in this debate, as if cutting these funds is some sort of a good environmental vote. Mr. Chairman, nothing could be further from the truth. In fact, as a result of Federal funding, since 1970 overall U.S. emissions of pollutants from coal-based electricity generation have been cut by a third, even as coal use has tripled. What a success story.

For those of my colleagues who have stood up and argued for the environment and argued for efficiency, I am pleased to tell them that technologies now being researched, coming out of the Clean Coal Technology Program, will produce a near zero emissions power plant with double the efficiency of today's utilities. This technology will also be exportable to developing countries as they build new power plants to meet their ever-growing needs and as we become increasingly concerned about global warming and global greenhouse issues.

Mr. Chairman, that is good for the environment and it is also very good for our economy. Do not be fooled, my colleagues are betting for lack of making it cleaner, which I support and every Member that represents a coal region in this Nation supports. That is why we support the Clean Coal Technology Program, because we want it to become cleaner and cleaner.

I therefore must oppose Mr. SANDERS' amendment. I fully support increasing resources for both fossil energy research and development as an offset, this amendment will take money from one energy efficiency program and give it to another. That is not good policy.

The Low Income Weatherization Program and the fossil energy research program work toward the goal of energy efficiency and affordability. Energy efficiency starts with the fuels we use. We must ensure that these fuels are as efficient as possible, while at the same time we must ensure that we are using efficient energy practices. This includes building energy efficient homes, driving fuel efficient cars and using clean, dependable, and efficient electricity generation technologies.

While the amendment offered by Mr. SANDERS may make home weatherization more affordable, I must reluctantly oppose it. By using the Department of Energy's fossil energy research and development program as an offset, this amendment will take money from one energy efficiency program and give it to another. That is not good policy.

Mr. MOLLOHAN. Mr. Chairman, that is good for the environment and it is also very good for our economy. Do not be fooled, my colleagues are betting for lack of making it cleaner, which I support and every Member that represents a coal region in this Nation supports. That is why we support the Clean Coal Technology Program, because we want it to become cleaner and cleaner.

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

Mr. MOLLOHAN. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I thank my good friend for yielding to me.

In terms of the environment, I would point out to my colleagues that my amendment is supported by the League of Conservation Voters, the Sierra Club, the Natural Resources.

Mr. MOLLOHAN. Mr. Chairman, reeling my time, I would ask the gentleman if he can make the argument substantively that cutting the Clean Coal Technology Program is good for the environment rather than just citing a number of organizations? Can he make it with me, please, right here and now?

Mr. SANDERS. If the gentleman will continue to yield, I certainly can. As the gentleman from New York (Mr. BOEHLERT) indicated earlier, when we conserve energy we are doing something extraordinarily important for the environment.

Mr. MOLLOHAN. Well, claiming my time, the Clean Coal Technology Program, one of its real strengths is the conservation of the use of energy to generate electricity. As a matter of fact, the Clean Coal Technology Program has increased efficiency, as I said in my comments, while it reduces emissions.

It is good for the environment, it is good for the economy, it is an environmentally good program while it affects efficiencies.

Mr. SANDERS. I would just point out that all the environmental groups support the amendment.

Mr. MALONEY of Connecticut. Mr. Chairman, I am a strong supporter of programs that work to increase energy efficiency and affordability. I know all too well how important it is to have an energy efficient home. During the home heating crisis this past winter in my home State of Connecticut, my constituents were faced with exorbitant home heating costs.

While the amendment offered by Mr. SANDERS may make home weatherization more affordable, I must reluctantly oppose it. By using the Department of Energy's fossil energy research and development program as an offset, this amendment will take money from one energy efficiency program and give it to another. That is not good policy.

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amendment. In short, the benefits to be achieved are more illusory than real and the costs incurred if this amendment passes will be substantial. It is worth noting that the line items funding fossil fuel research and energy conservation research have been combined. This amendment cuts the total funding for both programs, resulting in a reduction to our energy conservation efforts. At the very time we are desperately searching for ways to use energy more efficiently, we are cutting the one conservation research program that may actually bear fruit.

Second, the major premise of this amendment is that there is nothing valuable to be gained from fossil fuel research. It is this premise with which I disagree. The fact is that fossil fuels—oil, coal, natural gas—are critical to this country’s energy mix, and will continue to be far into the future. The U.S. Energy Information Administration projects that demand for oil and natural gas will grow during the next two decades by 35 percent, to 24.6 million barrels today. We have made it difficult to invest in market-ready alternatives to coal, oil and gas to supply our energy needs and renewable alternatives cannot yet substitute for these resources on a broad scale. Until we do have marketable, viable alternatives, our only real solution is to invest in research and development efforts to explore, extract, and utilize fossil fuels cleanly and efficiently. This is the goal of the fossil fuel research and development program—a goal that supports environmental objectives to reduce environmental consequences and national security objectives to reduce the need for foreign oil.

Recently, the Department of Energy released a report noting the accomplishments resulting from investment in fossil fuel research. The report, titled “Environmental Benefits of Advanced Oil and Gas Exploration and Production Technology,” lists 36 specific improvements resulting from fossil fuel research. These improvements have resulted in fewer dry holes, more productive wells, smaller environmental footprints, and less harmful to manage. Additionally, private-public efforts like the Petroleum Technology Transfer Council (funded principally through the fossil fuel program), have provided the technological means for independent producers to reduce the environmental impact of their efforts, largely by supplying technological answers to current problems. This has been critical to help these small producers (who account for 25 percent of our domestic oil and gas supply) to comply with environmental regulations and to implement best management and industry practices.

In short, faced with a budget that has been reduced by $300 million from fiscal year 2000, the subcommittee has had to make difficult decisions about program funding. Many important programs were reduced and others flat funded. In my view, the better solution is not to starve one energy program in favor of another as this amendment seeks to do. A better use of our time is to figure out how we might reallocate our financial resources and research efforts to support and develop all of these promising technologies.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS). The question was taken; and the Chairman announced that the ayes appeared to have it.

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

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

The Clerk will read the Clerk read as follows:

ALTERNATIVE FUELS PRODUCTION (RESCISION)

Of the unobligated balances under this heading, $1,000,000 are rescinded.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The requirements of 10 U.S.C. 7450(b)(2)(B) shall not apply to fiscal year 2001 and any fiscal year thereafter: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $1,592,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the provisions of the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $137,000,000, to remain available until expended.

AMENDMENT NO. 29 OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 29 offered by Mr. Sanders: Page 69, line 10, after the dollar amount, insert the following: “(reduced by $10,000,000) (increased by $10,000,000).”

Mr. SANDERS. Mr. Chairman, this tripartisan amendment is being supported by, among others, the gentleman from Connecticut (Mr. SHAYS), the gentleman from Massachusetts (Mr. MARKEY), the gentleman from New York (Mr. McHugh), the gentleman from New Jersey (Mr. Lobiondo), the gentleman from Ohio (Mr. Strickland), the gentleman from California (Mr. Thompson), the gentleman from Illinois (Mr. Evans) and the gentleman from Maryland (Mr. Wynne). It has strong bipartisan support.

The purpose of this amendment is to provide $10 million for the establishment of a Northeast Home Heating Oil Reserve. Stand-alone legislation that I introduced back in February, calling for a 6.7 million barrel home heating oil reserve, garnered 98 cosponsors, including 24 Republicans and 27 Members who are not from the Northeast.

In addition, and importantly, authorizing legislation that passed the House by an overwhelming vote of 416 to 8 included language to establish a home heating oil reserve in the Northeast.

Not only does this amendment enjoy strong bipartisan support, it also has the backing of the Clinton administration. Let me just quote from a letter that I received yesterday from Secretary of Energy Bill Richardson.

“The floor amendment you intend to offer to the Interior, Related Agencies appropriations bill for fiscal year 2001 would appropriate $10 million for the home heating oil reserve. As you are aware, the House recently passed H.R. 2834, reauthorizing the Energy Policy and Conservation Act with the added provision to create such a reserve. Your amendment, therefore, is consistent with both the President’s proposal and the views expressed previously by the House and I support your amendment.” That is from Bill Richardson.

Mr. Chairman, it is obvious to everyone that we are experiencing an energy crisis in this country. The price of gasoline is skyrocketing. We are feeling that all over the country. This can only mean one thing. If we do not act forcefully now, next winter we are going to have a disaster on our hands that was worse than last winter, which was a real tragedy for millions of people.

Mr. Chairman, we must make certain that the huge increases in home heating oil prices that we experienced last winter does not happen again. Not this winter, not any winter. Mr. Chairman, I fear that this is just an issue that affects the northeast. A home heating oil reserve would also provide positive benefits to the entire country. Since diesel and jet fuel can be used as a substitute for heating oil, industry experts believe that if a heating oil reserve were in place, not only would the price of heating oil be reduced, but diesel and jet fuel prices would also be reduced all over the country.

Mr. Chairman, winter is not a natural disaster. We in Vermont know, and I think the rest of the country knows, that it takes place every year. Yet we continue to be unprepared for a severely cold winter. In fact, fuel oil shortages have taken place in the Northeast about once every 3 years. Most recently these shortages have occurred during the winters of 1983, 1984, 1988, 1989, 1996, 1997, 1999, and 2000. Enough is enough.

Mr. Chairman, the offset for this amendment is a pretty conservative one, and it is a simple one. It should
not meet much controversy. If this amendment passes, $10 million of the $157 million already in the bill for Strategic Petroleum Reserve would be used for the Northeast Home Heating Oil Reserve.

So this is more of an accounting transfer than a real significant offset. We are taking money out of the Strategic Petroleum Reserve. There is $157 million in it. We are moving $10 million over for the Northeast Home Heating Oil Reserve.

Mr. Chairman, this is a sensible approach to protect millions of people who really were hurt last winter and in the past by skyrocketing home heating oil costs, and I would hope that we can win strong bipartisan support for it.

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

Mr. CHAIRMAN. Mr. Chairman, understand the concern that the gentleman from Vermont (Mr. SANDERS) has. We have the same concerns in the Midwest. We have the same concerns as a lot of places. Should build reserves for diesel fuel, for jet fuel, for ethanol, for all forms of energy?

We have the SPR. This amendment proposes to take $10 million out of SPR. We cannot just do that arbitrarily. It has to be made up some way. The money is to operate SPR, and we cannot cripple it or that reserve will not be available if needed in the period of critical defense needs, which is the main objective. We had requests to do all kinds of programs similar to this.

Now, I would point out that heating oil has a very short shelf life. So to maintain a reserve would mean it has to be turned over in a short time, something like every 3 months. That is a very expensive proposition. It means frequent government sales or purchases. It will take a couple million barrels to set up the reserve, which will, of course, create a heating shortfall immediately.

These things ought to go to the authorizing committee to begin with and hold some hearings. I think what we are reflecting here is the fact that we do not have a national energy policy.

I was here in the 1970s when we had critical shortages. Everybody said we have got to set up a policy. Then the shortage went away, and there is no policy. I think what the gentleman from Vermont (Mr. SANDERS) is addressing is the absence of a national energy strategy. I would suggest that he take his case to the administration because we need leadership from them on an overall policy. We cannot pick one area of the country.

It is interesting to note that in the six New England States there is not one refinery because they will not let them build a refinery. Now, it is hard to produce heating oil without a refinery. And one of the problems is that their area is impacted by the environmentalists who have made it impossible to build a refinery in New England.

How many refineries does the gentleman have in New England? They are shaking their heads. I do not think they have any. And they have had some difficulty getting gas pipelines up there, too.

All I am saying is that they ought to have a policy in New England or other parts of the country that need help. Therefore, we need a national energy policy. But to try to address one instance is not going to be a long-term solution.

I understand it is proposed that this heating oil reserve be put in New York Harbor. Why not put it in New England? I think we ought to build the facilities where the need is.

Mr. SANDERS. Mr. Chairman, will the gentleman from Vermont yield?

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

Mr. SANDERS. Mr. Chairman, because the capacity already exists in New York Harbor and it does not make sense to build new capacity when we already have existing capacity.

Mr. REGULA. Mr. Chairman, reclaiming my time, it may be that as the home heating oil shortage continues New York State will use that capacity for themselves. And there may be other States, Pennsylvania. But I think if we are going to create these kind of facilities, we ought to put them where the people are. But I dare-say that they will not get any cooperation from their area in building facilities in Vermont or New Hampshire or Connecticut.

Mr. SANDERS. Mr. Chairman, if the gentleman will continue to yield, I would mention that New York State and Pennsylvania are also eligible to use the SPR from the reserve in New York Harbor.

Mr. REGULA. Well, that is probably true. But I suspect, knowing the size of these States, that they can use the entire, what is it, 10 million-barrel capacity in New York Harbor. That would probably be used up by those States.

All we are focusing on here is that we need a long-term energy policy. And my concern is that the minute the shortage eases, and we hope it will, we will go back and nothing more will happen. This will not be a long-term solution.

Mr. SANDERS. Mr. Chairman, if the gentleman will continue to yield, I do not argue with him that we need a long-term energy process.

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

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

Mr. SANDERS. Mr. Chairman, if the gentleman will continue to yield, I would simply argue, and I make no pretense that this is going to solve all the energy problems in New England, but I think what the experts tell us is that it will help reduce sharp increases in home heating oil prices, which will save a lot of money for senior citizens who need those savings.

Mr. REGULA. Mr. Chairman, I question this capacity for 10 million barrels. Is it empty at the present time?

Mr. SANDERS. Mr. Chairman, it is not 10 million barrels, as a matter of fact.

Mr. REGULA. Two million barrels? Is that what New York Harbor has is 2 million barrels?

Mr. SANDERS. Mr. Chairman, yes.

Mr. REGULA. Mr. Chairman, I ask the gentleman, is it empty now?

Mr. SANDERS. Mr. Chairman, it is not empty now, as I understand it, but they do have the capacity.

Mr. CHAIRMAN. Mr. Chairman, is the gentleman proposing that we purchase the home heating oil and put it in there?

Mr. SANDERS. Mr. Chairman, what we are proposing is that 2 million barrels be available to be released at the discretion of any President, the President, when heating oil prices zoom up. And what experts tell us and what we know to be the fact is that that will have an impact on those prices and in fact lower them.

Mr. REGULA. Mr. Chairman, if the gentleman will respond, I think it is important we get these facts out. What is the daily consumption in a normal winter period of home heating oil in New England, the six States that comprise New England?

Mr. SANDERS. Mr. Chairman, I do not have those facts in my pocket.

Mr. REGULA. Mr. Chairman, what I am getting at is this. Is 2 million barrels going to solve the problem?

Mr. SANDERS. Mr. Chairman, I say to the gentleman, no, it is not. But this is what it will do. What it will do is send a message that the Government is prepared to act.

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

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

Mr. REGULA. Mr. Chairman, I continue to yield to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, in fact, my friend will remember that the
one time, to the best of my knowledge, that SPR oil was threatened to be released by President Bush had a very significant impact around the time of the Gulf War in terms of lowering oil prices.

Mr. REGULA. Mr. Chairman, well, given that as a solution, why have we not, how threatened to use SPR oil this time?

Mr. SANDERS. Mr. Chairman, many of us thought that we should, and I am one of those who thought that we should. There is wild ovation from all over the Northeast.

Mr. REGULA. Mr. Chairman, has the gentleman talked to the President? He can do it by his own action.

Mr. SANDERS. Mr. Chairman, I sit down with the President, along with many other Members of the Northeast; and that is almost a unanimous request that came out of the Northeast, release the SPR. That was our opinion, and it is my opinion today.

Mr. REGULA. Mr. Chairman, I am sure that the people in Ohio would like it because gasoline has now spiked at $2 a gallon.

Mr. SANDERS. Mr. Chairman, then I ask the gentleman to work with us, not against us.

Mr. REGULA. Mr. Chairman, I want to work with the gentleman with SPR. But I just think we need to have a coordinated plan as we do this. And I think what we are talking about here is temperature. Let us get a long-term energy policy. Let us determine if not only how to address problems with home heating oil but diesel fuel, because our industry is so dependent on that.

Mr. SANDERS. Mr. Chairman, let me rephrase. My view is let us move short term and long term, but let us move short term, as well.

Mr. REGULA. Mr. Chairman, I think I am reluctant to take $10 million out of SPR, because that too is an emergency based upon the consumption that we have nationally. But certainly, what we saw this past winter in the Northeast, the consumption of 2 million barrels would go very, very quickly. Remember, the SPR is for home heating oil. The SPR is crude. And so, for us to be able to move that product to refineries and then finally get it to the marketplace would take a long time. This would be to make available almost immediately in the time of need, which is triggered originally by the President, that we could get that into the market very quickly.

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

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

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

Mr. REGULA. I yield to the gentleman from Rhode Island.

Mr. WEYGAND. Mr. Chairman, it is our understanding that there is far more capacity than the 2 million barrels of home heating oil capacity we are asking for.

This, as the gentleman from Vermont (Mr. SANDERS) said, will really give us a beginning to what we hope, as the chairman has said, would be a long-term national energy policy. But we recognize that, with the winter only about 5 months away, that if we do not get this in place now, we could encounter the same kind of problems with lack of supply.

In the Northeast, and when I say “Northeast,” it is not just New England; we are talking about the Hudson River, we are talking about Bridgeport, Connecticut. What we had was a problem with getting the oil from the Gulf Coast States, to our home heating oil, up to our States fast enough.

This would provide us a closer capacity in closer proximity to where the demand is, Pennsylvania, New Jersey, New York, Massachusetts, Rhode Island, in a quicker way. It is a short-term response to a long-term problem, without a doubt.

Mr. REGULA. Mr. Chairman, reiterating my time, I would ask the gentleman, how do we address the problem that if we go in the marketplace at this point, and, of course, this bill would not take effect until next year, for all practical purposes, or on October 1, and buy 2 million barrels, is that not going to in itself push the price up considerably?

Mr. WEYGAND. Mr. Chairman, not based upon the consumption that we have nationally. But certainly, what we saw this past winter in the Northeast, the consumption of 2 million barrels would go very, very quickly. Remember, the SPR is not home heating oil. The SPR is crude. And so, for us to be able to not only trade or to move that product to refineries and then finally get it to the marketplace would take a long time.

This would be to make available almost immediately in the time of need, which is triggered only by the President, that we could get that into the market very quickly.

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

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

Mr. WEYGAND. Mr. Chairman, if the gentleman will continue to yield, I would agree wholeheartedly. It is not only with home heating oil. It is also with regard to diesel, and it is also with regard to energy conservation and weatherization, the program we talked about earlier.

We need to have it, but we need this amendment now; and I ask my colleagues to support it.
There are many facets to this. I would just like to put on the record, and it has probably been put on the record by others, that 1998 made it very clear that a 2-million barrel reserve would stabilize prices. It was important to the industry to point out to my colleagues that the Energy Department in their study in 1998 indicated that it would be good for not only the Northeast but other parts of the country, particularly the Midwest. Personally, I think that had that stockpile been established and had the President acted promptly to release some reserve, that OPEC would have been motivated to reduce their production much earlier and we would not have had those months of shortage that helped send prices up.

While I am well aware that OPEC’s decision was not the only factor in that constraint of supplies and that increase in price, nonetheless it was a significant one and we were not in a position to be able to rapidly deal with it. A stockpile in the Northeast would be beneficial to the interests of the Nation as well as to the Northeast and therefore I support this amendment and commend the gentleman from Vermont for bringing it.

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

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Connecticut.

Mr. SHAYS. I appreciate the gentlewoman yielding. I would like to point out that the House passed the Energy Policy and Conservation Act through fiscal year 2003. What we did in that act in section 3 is the Northeast Home Heating Oil Reserve. And then the act under section 181, subsection A, notwithstanding any other provision of this act, the Secretary may establish, maintain and operate in the Northeast a Northeast Home Heating Oil Reserve. A reserve established under this part is not a component of the Strategic Petroleum Reserve established under part B of this title. The reserve established in this part shall contain no more than 2 million barrels of petroleum distilled.

The bottom line is we have already established this through, frankly, the good work of the gentleman from Vermont (Mr. SANDERS). It has been authorized, and we are really trying to carry out the provisions. I would like to point out to my colleagues that the Energy Department in their study in 1998 made it very clear that a 2-million barrel reserve would stabilize prices. That is the effort we are trying to do. It is not perfect, we have got problems in a whole host of different areas, but this makes sense to move forward. It will not solve all our challenges, but it will, in fact, stabilize prices and carry out the effort.

Mr. MARKEY. Mr. Chairman, I move to strike the requisite number of words. I rise in support of the amendment.

Mr. Chairman, I could not agree more with the gentleman from Ohio that we need a long-term solution. But it is unlikely that this Congress is going to pass any long-term solutions. Back in 1976 when we were passing new fuel economy standards for automobiles, raising it up to an average of 27.5 miles a gallon per automobile, the average automobile as of 1976 still only got 13 miles a gallon, which was the same as it was in 1930.

Now, if we had passed a law 4 or 5 years ago or if we would pass a law this year that says that the average automobile should get 40 miles to the gallon, we are not going to have many problems with oil. That is the crux of our problem. That is where we put most of the electricity, right into gasoline tanks. SUVs, trucks, automobiles. They are unbelievably inefficient. But we are not going to pass any fuel economy standards. So as a result, what we are seeing in the Midwest right now is another energy crisis. Prices have spiked up to $1.80, two bucks, $2.20, $2.45. Why? Because there was a pipeline that went out from Texas up to the Midwest. We had a similar kind of unanticipated problem in the Northeast back during the winter. OPEC started raising prices. What was the protection for our American citizens? Nothing. Or the Strategic Petroleum Reserve which if it goes unused is nothing. And it was not used. It should have been.

So we cut deals in the classic Austin-Boston sense that made this institution work so well for so many years. John McCormick and Sam Rayburn; Tip O’Neill and Jim Wright. We cut a deal earlier this year. For the Texans, what we said is we will give you a guarantee of $15 a barrel for your oil, for your stripper wells, and we will have the oil purchased by the Strategic Petroleum Reserve. In return, the Texans said to those of us in the Northeast, all of those from the oil states said to those of us in the Northeast, “We’ll give you the authorization for the construction of a regional home heating oil reserve.” Austin-Boston, what makes the whole place click.

It is still hung up over in the Senate but the gentleman from Vermont is just asking quite sensibly for $10 million, so that the Department of Energy can have the money to make it work. We have already passed it through the House. So we know there is plenty of oil in the Strategic Petroleum Reserve. There is nothing in a regional petroleum reserve. We have already passed it through this place. So by working together, we make sure that Texas and Oklahoma and Louisiana, the oil patch, we make sure that the Northeast and we make sure if the Midwest needed help that we helped them as well. Because this oil is the blood that ensures that our economy is supplied with the energy that it needs in order to function fully.

What we have seen over and over again is short-term disruptions without adequate supply of the blood of our economy to supplant that which was temporarily cut off. As a result, we have seen catastrophic economic consequences. All that the gentleman from Vermont is asking for is a very small amount of money coming out of an already large Strategic Petroleum Reserve fund which will work to ensure that when, and I am afraid this is going to happen, Mr. Chairman, when the refineries of America in response to the problems in the Midwest that are going on right now have to use more of their refining capacity to produce more gasoline and the next thing we know, Mr. Chairman, when they deal with their problem now, they are not going to have enough capacity as a result that they have dedicated to providing for the home heating oil to the Northeast this coming winter.

So their problem today becomes our problem later on this year. We need a regional petroleum reserve. If we do not get one, we will have a mess on our hands in the Northeast. The Congress today has it within its power to give us the money that we need to put in place something that will protect our economy this coming winter because what is happening today to them is happening to us this coming winter. We are all part of one big economic artery system. If we do not take care of each other, then all of us ultimately are going to be harmed.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from Massachusetts (Mr. MARKEY) has expired. (On request of Mr. REGULA, and by unanimous consent, Mr. MARKEY was allowed to proceed for 2 additional minutes.)

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

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

Mr. REGULA. Will the gentleman describe the New York facility? I am a little confused. What is the capacity of this facility in New York Harbor in total barrels? He is talking about buying 2 million barrels and putting it in a reserve. But is that the maximum capacity, or is that just one phase of it?

Mr. MARKEY. The capacity ultimately is unlimited. We are talking about unused storage facilities all across the Northeast that could be used for these purposes. I would defer to the gentleman from Vermont for the specific figure.

Mr. REGULA. I yield to the gentleman from Vermont.
Mr. SANDERS. To the best of my understanding, there is a 5.75 million barrel capped underground storage facility in New York Harbor. Mr. REGULA. Is this a tank farm? Mr. SANDERS. Amerada Hess. Mr. MARKY. Yes, it is a tank farm. Mr. SANDERS. I am not all that familiar with tank farms. And in Albany, New York, it is my understanding is another close to 3 million barrel capacity, excess capacity. Mr. REGULA. Am I correct, then, that these facilities are essentially empty now, so they would be available to receive oil? Mr. SANDERS. I do not know.

Mr. MARKY. There is sufficient excess capacity in these facilities in order to accommodate the oil. We would probably wind up with the Federal Government leasing part of the facilities that are now controlled by these oil companies in order to accommodate this purpose. We would have to pay them a fee but the oil that was stored in there would then be for the use of the region, Pennsylvania, New Jersey, New England.

Mr. REGULA. The $10 million would be to have the Energy Department go into the market and buy the $10 million worth of oil and put it into storage; is this the objective of the amendment?

Mr. MARKY. The gentleman is correct.

Mr. GEJJDENSON. Mr. Chairman, I move to strike the requisite number of words. Again I would appeal to my colleagues that when we look across the country, we find that in recent months, we have spent an enormous amount of energy, the Congress, to provide funds to fight fires in the West. We helped provide flood control for regions that are hit with floods. We worked together to relieve disasters of earthquakes.

What is clear is that there is a pending disaster in the Northeast and our colleagues in this House together can provide a very small amount of resources to make sure that a crisis does not turn deadly. This is not a complicated situation. Using resources made available by the Federal Government, using existing storage capacity, leasing that storage capacity, keeping number 3 heating oil available so that while the free marketplace may be advantaged by a short supply that in a cold snap drives up prices and profits, Government at that point is responding to a crisis that is much more expensive and that may put human lives in danger.

It is a small thing to ask for a region of the country that pays so much in taxes and that has done so much for other regions of the country. We have not turned our backs on the West with earthquakes and fires and droughts. We have not abandoned the South, not just now but for decades. It is our taxpayers that built the utilities that power much of the South and the West. Now in this crisis we need to have some help, not a great deal of help but enough to our people are not put in danger this coming winter.

Mr. OLIVER. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I rise in strong support of what the gentleman from Vermont and the other Members of the body from the northeastern States are doing here today with this amendment. I want to commend the gentleman from Vermont for his very strong leadership in dealing with this and making certain that we do not let it pass by. The amendment is simple. Without busting the caps, without taking money from other programs, the amendment provides $10 million for a Northeast home heating oil reserve. In the event of a sustained price hike, a healthy reserve can be open then to the market to drive prices back down to affordable and reasonable levels. It is something that we all should support. In fact, this body already has voted to support it and has voted for it overwhelmingly. When the reauthorization of the Strategic Petroleum Reserve legislation passed the House earlier this year, it called for the establishment of a Northeast home heating oil reserve, and that legislation passed by a vote of 416-8. This amendment deserves the same measure of support.

Mr. Chairman, the residual effects of the crisis that we in the Northeast endured last winter are being felt in ripples across the country. The cold weather and the astronomical heating bills, of course, are gone, for the moment but the ongoing shortage of crude oil in this country has rippled into high gasoline prices, and those prices are getting higher. I am hearing this week that in Chicago and other places in the Midwest, we are running into gasoline prices at the tank that are running somewhere in the $2.50 plus range and are expected to go even higher.

Mr. SANDERS. Mr. Chairman, will you agree to the amendment, and I urge my colleagues to do the same.

Mr. OLIVER. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I want to thank the gentleman from Massachusetts, Mr. OLIVER, for his strong support, but just say while my name is on the amendment, the truth of the matter is that all of the Members throughout New England in a bipartisan way have come forward to get the bill authorized in New York and elsewhere, in the Northeast and elsewhere in the country.

So this really has been a joint bipartisan effort, and I thank the gentleman, and I look forward to seeing this amendment pass.

Mr. KAPTUR. Mr. Chairman, during debate on this bill, it had been my fervent hope to offer an amendment to help America address her primary strategic vulnerability, and that is our over dependence on imported foreign oil. Nearly two-thirds of the energy that the U.S. uses is imported, most from the middle eastern monarchies that comprise OPEC. They yank a chain around our necks at whim.

Headlines in my local Ohio newspapers tell the story of gas prices soaring; the New York Times this week reported on rising prices coast to coast, some price hikes among the highest in U.S. history.

Yet this bill, which has within its authority the Strategic Petroleum Reserve, does absolutely nothing to remedy the current situation, nor put America on a saner path to the future. I have been urging the Clinton Administration and the leadership of this Congress to release some of the Reserve to help dampen price hikes here at home. At the same time, my amendment would place more emphasis on promoting renewable biofuels by directing the Department of Energy to swap some of the current oil reserves and purchase 300,000,000,000 gallons of ethanol and 100,000,000,000 gallons of biodiesel as a boost to a more self-sufficient future for America.

Biofuels are competitively priced and hold significant promise as one major solution to move America toward energy self-sufficiency. Properly administered, swaps of crude oil from the Reserve can yield funds that can then be directed toward biofuels purchases. Further, with the involvement of the Department of Agriculture, an alternative can be shaped to benefit on-farm storage of biofuel inputs and yield income to rural America at a time when it is in deep recession.

Yet, I am being told I cannot offer this amendment Thursday. It has not been made in order. The basic attitude here is more of the same; more of the same. That inertia is not what made America great. Boldness made America great.

Using biofuels to plot a path for cleaner and more renewable energy sources is right for America's energy future. It is right for rural America. It is right for the environment. And it is right for America's national security.

Sadly, this amendment and others have been nuzzled by the leadership of this great
institution. But the American people will not stand for inertia. At some point, those who block progress will pay the price. Rising gas prices have become a cause matter a great deal to the American people. Our efforts to plot a more secure energy future will not be diminished by this blocking tactic on this bill. For this primary reason, it is my intention to oppose the legislation, and use every opportunity on succeeding bills to draw the American people's attention to the do-nothings decisions this bill represents.


Page 69, Line 10: After “until expended.”
Add “Provided, the Secretary of Energy shall annually acquire and store as part of the Strategic Petroleum Reserve 300,000,000 gallons of ethanol and 100,000,000 gallons of biodiesel fuel. Such fuels shall be obtained in exchange for, or purchased with funds reallocated from the sale of, crude oil from the Strategic Petroleum Reserve.”

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Vermont, Mr. SANDERS, to provide funding for a Northeast Home Heating Oil Reserve.

Just last winter, our nation, and particularly the Northeast United States suffered a period of extremely cold temperatures. Coupled with the skyrocketing costs of oil, many Americans received a real sticker shock when they had to pay their energy bills.

While only 12 percent of Americans heat their homes with oil, that number rises to 40 percent in NYS and 46 percent in my congressional district.

On average, my constituents who heat their homes with oil told me they saw their fuel bills double overnight. These same people ended up paying more than $1,000 extra just to heat their homes for the winter.

I refer my colleagues to one of my constituents from the Bronx. She tends to her 95-year-old mother in a Williambridge neighborhood. She saw her bill jump from $246 to $346 in one month.

Or Thomas Donohue of Woodside who saw his monthly energy bill double to $410.00 a month during this past January.

On average, my constituents who use home heating oil witnessed an eye-popping increase of $1,000 to heat their home for just the 3-month period of winter.

This is ludicrous. While the wealthy could afford this increase and the poor had some of the costs borne by assistance from such worthwhile programs as the Low Income Home Energy Assistance program (LIHEAP); it was the working and middle class, seniors on a fixed income and small businesses that suffered most.

I had a small trucking company in my district that told me that they had to lay off workers because it became too expensive to operate the trucks—it was cheaper to not work at all.

And I heard from far too many seniors who informed me that they had to wear a winter coat in their apartment because they could not afford to keep their homes warm.

Due to this horrible reality, many here in Congress worked in a bipartisan manner to address this crisis.

One solution was to call for the establishment of a home heating oil reserve in the Northeast. Acting somewhat like the Strategic Petroleum Reserve, this home heating oil reserve would serve as a storage place for millions of gallons of home heating oil, that could be released to the public in times of crippling high prices—as we saw this past winter.

This would ensure that small businesses don’t have to lay off workers in times of high gas costs; and that seniors do not have to wear their winter coats indoors during the cold winter months.

The President supports the idea of this reserve, as does the Secretary of Energy. The House of Representatives also overwhelmingly supported this idea, included as part of the Energy Policy and Conservation Act, on a vote of 416 to 8.

Unfortunately, the bill we debate today does not include any funding for the creation of this reserve. If created this reserve would help soften the blow of any future price swings and provide much needed assistance to millions of Americans, including many of my constituents, by providing a readily available, local, low-cost energy source to make it through the toughest parts of the winter.

Anyone who has ever visited New York City in January knows that heat is not a luxury—it is a necessity. Unfortunately, I had a number of constituents who were forced to view heat as a luxury this past winter after seeing their bills double, and realizing they did not have the money to pay their heating bills.

I had constituents who wore down jackets throughout the day in their homes—this is wrong Mr. Chairman.

Today we have the opportunity to address their situation and I hope that all Members will support the Sanders amendment.

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

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 524, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

The amendment offered by the gentleman from California (Mr. ROYCE); Amendment No. 28 offered by the gentleman from Vermont (Mr. SANDERS); and Amendment No. 29 offered by the gentleman from Vermont (Mr. SANDERS).

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

AMENDMENT OFFERED BY MR. ROYCE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROYCE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

The question was taken; and the ayes prevailed by voice vote.

So the amendment was rejected.

AMENDMENT NO. 28 OFFERED BY MR. SANDERS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 28 offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was refused.

So the amendment was agreed to.

AMENDMENT NO. 29 OFFERED BY MR. SANDERS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 29 offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN pro tempore. A recorded vote has been demanded.

Mr. REGULA, Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. The Chair will count for a quorum.

Mr. REGULA, Mr. Chairman, I withdraw my point of order that a quorum is not present.

So the amendment was rejected.

The following Members responded to the question:

[Roll No. 285]
June 15, 2000

CONGRESSIONAL RECORD—HOUSE 11097

The CHAIRMAN. The three-hundred-sixty-two Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Ohio (Mr. REGULA) for a recorded vote.

The vote was taken by electronic device, and there were—aye’s 193, noes 195, not voting 47, as follows:

AYES—193

[A full list of those voting Aye (AYE)]

NOES—195

[A full list of those voting No (NOE)]

NOT VOTING—47

[A full list of those not voting (NG)]

The CHAIRMAN. The demand of the gentleman from Ohio has been made for a recorded vote on H.R. 4478, the Medicare Prescription Drug Improvement and Modernization Act of 2003.

The vote was taken by electronic device, and there were—aye’s 193, noes 195, as follows:

AYES—193

[A full list of those voting Aye (AYE)]

NOES—195

[A full list of those voting No (NOE)]

[*] 2010
Mr. ENGLAND and Mr. GEKAS changed their vote from "aye" to "no." Mr. MOORE, and Mr. CRAMER changed their vote from "no" to "aye." So the amendment was rejected.

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

Mr. DOGGETT. Mr. Chairman, I would like to say the amendment was extraordinary, even-handed and polite with all Members and has done an extraordinary job, and I regret that this happened.

Mr. Chairman, I yield to the gentleman who has done a wonderful job, the gentleman who has done an extraordinary job, even-handed and polite with all Members, and there were—ayes 169, noes 214, and a recorded vote.

The vote was taken by electronic device, and there were—ayes 169, noes 214, not voting 52, as follows: (Roll No. 297)

Abercrombie—169

Ackerman

Allen

Andrews

Baird

Baldacci

Barack (WI)

Barrett (WI)

Bartlett (TX)

Bates

Bentsen

Berkeley

Berman

Bishop

Bilirakis

Bonior

Boroski

Boyce

Brady (PA)

Brown (FL)

Brown (OH)

Capps

Cassano

Carson

Clay

Clayton

Clyburn

Condit

Correa

Cox

Cramer

Cummings

Davis (FL)

DeFazio

DeGette

DeLauro

DeLaunay

Delahunt

Dixon

Dodd

Dolan

Doggett

Dodd (CT)

Domanico

Douglas (AZ)

Eskimo

Eskow

Farr

Fattah

Ford

Ford

Foreman

Gabbard

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Gallegly

Gephardt

Gerson

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Green (FL)

Green (WI)

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Greene

Greig

Griffith

Grothman

Gross

Hall (MO)

Hall (OH)

Hagedorn

Hagans

Haller

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Hansen

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June 15, 2000

The CHAIRMAN. Objection is heard.

Mr. DICKS. Mr. Chairman, I want to explain this amendment so that we are going to have something happen that, in my 24 years here, is unprecedented. We have had a good working comity with the other side. I have throughout my career tried to work effectively with the Republican side on every piece of legislation that I have ever been involved with.

But just a few hours ago, we won an amendment. The gentlewoman from New York (Ms. Slaughter) won an amendment to take $22 million out of the clean coal deferral account. She wants to then have an amendment to add this $15 million for the National Endowment for the Arts. If the gentleman from Washington (Mr. NETHERCUTT) were serious about the Arts, and the frustration that he feels, but his effort to put $22 million from the Indian Health Service, which clearly was the intent of the House when we had this prior vote.

Mr. KOLBE. Mr. Chairman, the gentleman from Washington can have that vote.

Mr. DICKS. Mr. Chairman, if the gentleman will yield, why cannot we have a vote, as we did earlier, to put the money in? We need money for the Arts, Humanities and Museum Services, which clearly was the intent of the House when we had this prior vote.

Mr. KOLBE. Mr. Chairman, the gentleman from Washington can have that vote.

Mr. DICKS. Mr. Chairman, it happens that the Indian Health Service comes before the National Endowment.

Mr. KOLBE. Mr. Chairman, that is correct.

Mr. DICKS. The effort here by the majority is, again, to take the money now in front of it, Mr. Chairman.

Mr. KOLBE. Reclaiming my time.

Mr. DICKS. Mr. Chairman, I think I have got the time, do I not?

Mr. KOLBE. No. The gentleman from Washington yielded back the time. I have got the time.

Mr. DICKS. We are having so much fun.

Mr. KOLBE. Mr. Chairman, reclaiming my time. I understand the frustration of the gentleman from Washington (Mr. Dicks). But the gentleman may now have the opportunity to say that this is of such priority, a highest priority, and ask the House to defeat the motion to place this money in Indian Health Service, and then it would be available.

If that does not occur, when the opportunity arises, when we get to the section about the NEA and NEH in it, the gentleman from New York (Ms. Slaughter) or the gentleman from Washington (Mr. Dicks) can offer another amendment and take the money from another place.

If this is not the case, when the opportunity arises, when the gentleman from Washington (Mr. NETHERCUTT) wishes and the gentleman from New York (Ms. Slaughter) wish to block our ability to fund the arts as the gentlewoman from New York (Ms. Slaughter) wishes and the gentlewoman from New York (Ms. Slaughter) wish to. It is very easy to ask for and have a rollover and decide that they do not want to put these dollars that have now been taken out, have been reserved, and not put them into Indian Health Service and reserve them for the purpose for which they would like. It is a matter of simply establishing priorities.

Some people feel that if we have these dollars available now in the bill that Indian Health Service should be the first priority.

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

Mr. DICKS. Mr. Chairman, I asked unanimous consent to present this amendment en bloc so that the House would have a chance to work its will, could have a vote up or down, a vote to take $22 million from the Clean Coal deferral and give it to these other programs.

Every time the gentlewoman from New York (Ms. Slaughter) stands up to offer that amendment, the side of the gentleman from Arizona objects to it. Just think we are trying to have a vote. If the gentleman from Washington is correct, then the gentleman from Washington can have that vote.

Mr. KOLBE. Mr. Chairman, the gentleman from Washington can have that vote.

Mr. DICKS. Mr. Chairman, if the gentleman will yield, why cannot we have a vote, as we did earlier, to put the money in? We need money for the Arts, Humanities and Museum Services, which clearly was the intent of the House when we had this prior vote.

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which will be successful in denying the opportunity to come anywhere near the Gentlewoman from New York (Ms. Slaughter) the opportunity to comment. So it ought to be seen for what it is.

After you have done this tonight, do not go home and brag to your folks about how much you care about the arts because it is clearly transparent that you have nothing to lose by denying us the ability to raise the amount of funds for that purpose.

THE CHAIRMAN. The Clerk will read.

The Clerk read as follows:

**ENERGY INFORMATION ADMINISTRATION**

For necessary expenses in carrying out the activities of the Energy Information Administration, $72,368,000, to remain available until expended.

**ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY**

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation; purchase of supplies and for cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From funds made available under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept funds, facilities, equipment, and contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects or agreements appropriate under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, and maintenance of any projects to which such funds are contributed or are obligated.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**INDIAN HEALTH SERVICE**

For expenses necessary to carry out the Indians Health Care Improvement Act, the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,084,178,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 236(b) for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grants agreements, or any other agreements or compacts authorized by the Indian Self Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and funds shall be available to the tribe or tribal organization without fiscal year limitation: Provided further, That funds made available for the Indian Self Determination Program, $12,000,000 shall be available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $394,756,000 for contract medical care shall remain available until expended, and for the Indian Self Determination Program, $12,000,000 shall be available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That funds provided, up to $17,000,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for 1-year contracts and grants which are to be performed for more than 1 year, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities), provided that funds contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1401) shall be available for obligation until September 30, 2002: Provided further, That amounts received by tribes and the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations under title IV of the Indian Health Care Improvement Act. On page 71, line 24 after the dollar amount increase “(increased by $82,000,000)...".

Mr. NETHERCUTT. Mr. Chairman, this amendment adds $22 million to the Indian Health Service to provide urgently needed medical service to the American Indians and Alaska Natives and to recruit and retain essential medical personnel for the provision of these services.

As a Member who represents several Indian tribes, I have been on my reservations repeatedly to see the decrepit facilities that are currently in existence for Indian Health Services. I happen to be very involved in the diabetes issue. Alaska Natives and American Indians are 2.8 times as likely to have diagnosed diabetes as non-Hispanic whites of similar age. Nine percent of all American Indians and Alaska Natives 20 years or older, have a diagnosis of diabetes. Between 1991 and 1997, the prevalence of diabetes increased to an all major high.

Indian tribes in every single State in which Indian populations reside have to deal with health problems, from dental problems to diabetes problems, to heart disease. It is an epidemic in some cases around this country. Diabetes is prevalent among Native Americans, in some cases at a rate of 65 percent of a particular tribe. It is a disgrace.

Anybody who has been on an Indian reservation, whether it is in my State or elsewhere, and looks at the Indian health care facilities is stunned to see how bad they are. This is a good expenditure of $22 million. Goodness knows they need it. It can be used to the benefit of the Indian population, American Indians and Alaskan natives.

Mr. Chairman, I urge my colleagues that this is a good expenditure of $22 million. That our Indian population is woefully underfunded. The President’s budget has been previously terribly underfunded for the Indian populations in this country. We owe them that. We owe them $22 million. Let us serve the needs for diabetes and dental health care and other health care needs of our Indian population.

Mrs. MEEK of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I cannot sit in my seat and hear mendacious statements made concerning American Indians. It is mendacity. It is mendacity because the same gentleman that stood to issue this for American Indians, and there is no one here who has supported them more than I have, but it pains me to see unfairness being done. This is very unfair, Mr. Chairman. The same gentleman who has so nobly stood here tonight and spoke out for the American Indian voted for these cuts in the report that he signed on and voted upon.

This is mendacity, Mr. Chairman. It does not come out right. It is shameful. It is immoral that we should let this go. These Indians need the health care,
but did not someone know before now they needed it? Why use the mental gymnastics my colleagues are using to hide the real motives? If my colleagues want to vote down the motion for humanities and the arts, do that.

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Be a man. Be a woman. Vote your conscience and vote it down. But don’t come back with some kind of gymnastic statement to hide the real motives. This is shameful, and I will stand here and say that.

I have Indians in my district. I have fought hard for Indians, and for all minorities, and for anyone who is under-served. So it does not serve us well tonight, Mr. Chairman, and we should say shame on anybody that votes for this amendment. I think each one of you should go against it and restore what she won in a very honest way, and give the Indians what they need. There is enough money to go around for every Indian Nation.

What is wrong with that? What is wrong with my tax dollars going to help the Indian Nation? Each one of you, even if you do not have Indians in your district, you have a heart and a soul in you, I hope. And some of us have some mental capacity. And if you have it, now is the time to use it, and be sure that you give to the Indians what is due to them.

I stood on this floor once before and I said “White men speak with a forked tongue.” Why should you do this? There is no reason for you to do this. I am very shamed by this, Mr. Chairman, and I love everyone on this floor. This is wrong, Democrats, Republicans, Democrats, Inc., I do not care what party you are from, you have done the wrong thing this night.

If you want to vote her amendment down, vote it down. But if she wins it, give it to her, and then go back and give the Indians what they deserve.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I move to strike the last word.

I rise in strong opposition to this amendment. No, don’t clap; I have some other things that aren’t so nice to say, too.

I rise in very strong opposition to this amendment. We won fair and square a very tough vote to set aside money so we could provide some increase in funding for the NEA and the NEH and the museum services. We won by a small margin. But for the first time in a long time, this House expressed its support for increasing funding. Now, that is very significant, and we did it under very difficult circumstances, because the amendment actually didn’t provide the money to the NEH; it just set money aside to be used later.

Now we find ourselves in the unfortunate situation of someone else using that money for a worthy purpose. I am going to oppose that worthy purpose because that could have been funded in the underlying bill. And, in fact, this money is specifically available because Members on both sides of the aisle thought that it would be used to fund an increase in the National Endowment for the Arts, the National Endowment for the Humanities and the museum services.

However, one of the problems we are running into, and this is very serious, is that I cannot count on the votes of my Democrat colleagues for the bill if Republicans join you in a motion to recommit on the arts. Now, if 40 of you will come forward and tell me that if the arts money passes on the motion to recommit you’ll vote for the bill, we can have NEA funding. But because I can’t count on that, and I don’t know, maybe they will, maybe they won’t be able to do that, but for this moment I am making this bill an issue for the arts.

And I will call for a recorded vote. It will put some people on both sides of the aisle. No one has the option to choose between funding for Indian health and funding for the arts. But on the motion to recommit, I can certainly not urge my Members to vote for your motion to recommit if your Members have not signed in blood that they will vote for the bill if we get the money.

So that is just the reality, folks. Life’s tough. We passed it once, we need to pass it again. We need to win this vote again, to reject this amendment, so that we can use this money for the arts as we intended to. Then you’re going to have to help pass the bill. Because those who oppose the arts money won’t vote for it. And if you don’t, we still won’t have money for the arts. So you can’t have it both ways.

I have voted for many bills on this House floor because I got some key breakthrough in it. And if we get this arts money through this vote and another vote, that will be a key breakthrough. But we cannot pass the final bill without those arts supporters voting for it, warts and all. A lot of warts will come off in conference. But in conference we will get arts money if we stick to our guns. But that means voting this amendment down, voting the arts amendment up, and voting for the bill, regardless of what is in it other than the arts money.

Life’s tough. If you’re for the arts, you’ll do it. If you’re not for the arts, you’ll vote for some of the amendments and not all.

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

Mr. Chairman, I heard earlier from another Member that we were going to attempt to inject a little reality into the debate. The preceding attempt was laughable. Do you really believe we ought to go home and explain those cuts? You just had people stand here and tell us we needed more lumber for housing; you had people stand here and tell us how much you loved the land.

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

Mr. Chairman, I heard earlier from another Member that we were going to attempt to inject a little reality into the debate. The preceding attempt was laughable. Do you really believe we ought to go home and explain those cuts? You just had people stand here and tell us we needed more lumber for housing; you had people stand here and tell us how much you loved the land.

Mr. HAYWORTH. Mr. Chairman, I move to strike the requisite number of words.
the numbers right here tonight, $22 million to help Americans who have been ravaged by a horrible disease.

That is the question. Not in any other process, not the alleged road map of intrigue. This is the simple question, an up or down question on helping these Americans.

Now, something else important to remember with reference to Indian Health Service budgeting and what has been appropriated. We have, in fact, added $30 million to that process. But this is a House where we do take into account different priorities and differences of opinion honestly held, so I will resist the temptation to go into a barn burner and just point out the facts. Twenty-two million dollars to Indian health services for the most vulnerable Americans, the most vulnerable will be funded, first of all, by people who are too often the forgotten Americans, I think, is all together proper.

And those who want to impugn others with political intrigue can do so. And some have said in this Chamber that I am a grump. But I think all of us, regardless of our party affiliation or political dispensation can stand here in good conscience and cast an “aye” vote because it is the right thing to do for the people who need the help.

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

Mr. Chairman, despite the fact that most of us would rather be home right now, life isn’t really very tough for us. Tough is not choosing whether you’re going to underfund one group or underfund another. Tough is being in the groups that are underfunded.

We have it, after all, relatively easy. The people who have it tough are the struggle to find some extra funds so they can make a creative contribution, or the Indian children who are being underfunded. And what is striking about this debate is the implicit acknowledgment that the Republican Party’s budget is wholly inadequate to the moral needs of a great Nation. What we have is a dispute, including an intramural Republican dispute, about who among worthy people are we going to hurt the worst.

Yes, it is a terrible situation, and people will decide differently as to who they are going to stiff. But let’s be very clear. We are in this situation where we have to choose. And people have said Indian health is woefully underfunded, and if we pass the gentleman’s amendment it will be woefully underfunded plus 1 percent or 2 percent. People are admitting that the Republican budget gravely underfunds Indian health. Many of us believe it underfunds a number of other things.

There is virtual unanimity in this place that we don’t have enough money to go around. Why? The economy is doing well. Revenues are coming in at a greater than expected pace. The problem is we have this philosophical commitment that holds amongst some Republicans that says government is bad. The problem is that while government is bad, virtually all of the components that make up government are pretty good. And that’s why you’re in this bind. Everybody wants to take credits for supporting the individual components.

Clean coal research. A lot of people want to do that, and they are upset it is getting cut back.

The arts. Indian health. There are virtually no programs in this entire budget, in this entire appropriation, that anyone denounces.

We have this terrible paradox. You know what your problem is? You have a whole that is smaller than the sum of your parts. You have the entity that can comprise government; but it’s made up of a lot of components that you like. So you do two things, you pass a budget that puts too little money into the pot and then we fight about trying to get these inadequate things out of the pot.

What this debate confirms is the inadequacy of the budget. And the gentlewoman from Connecticut, and I admire her courage in getting up as she did, but I have two differences with her. First of all, she says, well, a lot of wars will come out in conference.

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

Ladies and gentlemen, time is drawing to a close. We have had a great deal of debate about the role of government and how much money we should spend and whether we are going to balance the budget or we should not balance the budget. But, quite frankly, that is what this process is.

If you look at the history of this immediate amendment, some folks on this side of the aisle voted for that amendment to cut because they really believed it should not have more money going in to coal research. And some people voted for it because they believe there should be money in coal research. That was the issue. And that issue cut a certain amount of money. And that is open for debate on whether we should add it to other things.

Now, we have had a lot of debate. We can stand here tonight and pontificate, and we can posture and we can go well into the wee hours of the morning. There are no flights out of here. It is raining outside. And we can have a great old time, just a donnybrook.

But if we want to get the job done that the American people send us here to do, we can carry on a civil debate, we can discuss the merits of it, we can vote on these issues. I think everybody knows where they are, whether they are for it or against it. I am not sure how many people are getting their minds changed in this great debate. But let us go forward, and let us get our work done. Let us carry through on what you feel strongly about and what these folks feel strongly about. Let us do our work, and I ask that we move forward.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words, and I rise against the amendment.

Mr. Chairman, in most of my public life, I have been involved in the health care of Indians both in the Congress...
and before I came here. And it is rather sad to stand here tonight and tell my colleagues the status of health care of Indians.

When we compare them to all the races in the United States, the Indian people suffer a death rate that is 627 times higher from alcoholism, 533 times higher from tuberculosis, 249 percent higher from heart disease, 71 percent higher from pneumonia and influenza. It is the saddest state of health care that we have in the United States. There is no other population that compares to this.

But do my colleagues know what they should not do to people who suffer from these health care problems, to people who have a death rate that is 627 percent higher from alcoholism, 533 percent higher from tuberculosis, 249 percent higher from heart disease, 71 percent higher from pneumonia and influenza? They should not take those people and use them as a political pawn. They should not do it. They simply should not do it.

No, DICKS. They did not have the courage of their newfound convictions to put full funding for them in the budget or to even put this $22 million in the budget. But here tonight, in their crusade against the arts and the humanities, they are prepared to enlist the Native Americans of this country, the grand tribes of the grand nations, and to use them for cannon fodder in their crusade against the arts.

I ask my colleagues to think about a community they might come from where they have a 627 percent higher death rate from alcoholism than everywhere else in the Nation and think about if what they would do to those people is to use them.

In a terribly cynical, cynical approach to the arts their money, the gentlewoman from New York (Ms. Slaughter) her amendment, and the due process in this House, I do not think we should do this.

It is tempting; it is exciting to put one over on the Democrats. We get one up. We get back to where we were. But in the end, we have used these people. I sit on the Committee on Resources. I sat there my entire time in Congress. And when we built the great water projects of the western United States, they always had an Indian component in it, water was going to go to the Indians, Central Arizona project. Up there in the Dakotas, water is going to go to the Indians.

Do my colleagues know what? Thirty, 40, 50 years later, the Indians are still waiting for the water, folks, but the white folks all got their water. They are still waiting for the water in Arizona. They are in court. Of course, they brought court to get their water, they cannot get it in Congress.

Quinten Burdick, the last thing he did was come to me and said, can we strike a deal to finally give the water to the Indians? We flooded their lands 30 years ago.

Time and again we have marched out the Indians of this country from the Indian nations and used them for political purposes. Tonight we march out the most unfortunate, those who suffer from these kinds of health care problems. And my colleagues have not found it in their heart in the last 6 years to deal with them. Budgets below the President.

The President has not done a great job, either. But let us not suggest that this is the answer. Put the politics aside. Recognize that they lost an amendment earlier today. Recognize that there may be, the bill has got a long way to go, there may be in fact money for the arts. I do not know whether there will be or not. But let us not do this to the Indian nations of this country.

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

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

Mr. REGULA. Mr. Chairman, I just want to point out that last year we put $150 million for Indian health, more than the President requested. Now this year he got some religion. But in the 6 years that we have been funding the Interior bill, the amount of money committed to Indian health has been substantially more than the previous 6 years under the Democrat control.

So let us not denigrate our efforts on behalf of the Indians.

Mr. GEORGE MILLER of California. Mr. Chairman, I appreciate that. Let me say to the gentleman that that debate between him and the President, this President, or any President, between the Committee on Appropriations, and the Administration, is an honest debate. That is about priorities.

This is not about a priority. This is about a political trick. Fortunately, the chairman is not engaged in it. And we appreciate that.

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

Mr. Chairman, it seems to me we have heard very sincere remarks on both sides of the aisle. I would like to suggest something that might solve this problem. And there is no reason there cannot be a new rule of the House.

One thing is that any amendment that gets a majority vote in the House and needs to be funded, I would suggest that we have a section at the end of the bill and that we permit in conference, because we know the Senate will come in with a higher mark generally on this bill, and we would work that out with them, with us and our own conferees; and they would have a mandate of the House on the majority on whether it be Indian health, arts, whatever.

It seems to me, and I have checked it with the parliamentarian and they have said, well, that could be seen as violating the rule of legislatively on an appropriations bill. We do it all the time. We go through the Committee on Rules. There is no reason by unanimous consent, that we could not do that tonight to solve this problem.

I would suggest, Mr. Chairman, that the Chair rule on that and see if we could solve that. That would solve a lot of problems, get away from the partisan diatribes, and get to the people's feelings, which have been well expressed on both sides of the aisle.

Would the chairman rule on that if that is possible?

The CHAIRMAN. The Chair is not going to rule in anticipation of an amendment that has not been offered.

Mr. HORN. Mr. Chairman, if we write it out, will the Chair be inclined to accept it?

The CHAIRMAN. The Chair, being neither clairvoyant nor anything close, cannot rule in anticipation of something that has not happened yet.

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

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

Mr. Chairman, I will first try a unanimous consent request to deliver on the previous gentleman's intent.

I would make a unanimous consent request that we fund the arts, the additional amount which was passed in the previous vote, and that we increase funding for Indian health by the amount proposed by the gentleman from Washington (Mr. NETHERCUTT). I make that as a unanimous consent request in the spirit of the gentleman who just rose.

The CHAIRMAN. The Chair is not able to entertain that unanimous consent request because it is not in the form of an amendment.

Mr. DEFAZIO. Mr. Chairman, I would hope it would be offered as an amendment and hope that, if there is sincerity on both sides, that is where we will end up.

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

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

Mr. DICKS. Mr. Chairman, the gentleman could ask the gentleman from Washington (Mr. NETHERCUTT) if he would, by unanimous consent, amend his amendment to cover both these issues, which would cover the intent of that; and the gentleman from Washington could amend his amendment.

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

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

Mr. NETHERCUTT. Mr. Chairman, I cannot do that. Because there is $22 million dollars to deal with; and I made an amendment, and I want a ruling on this amendment.

Mr. DEFAZIO. Mr. Chairman, re-claiming my time, then, we would hope.
that wiser heads can prevail and the ranking member and the chairman can work on this as we speak and as others speak. Washington I think there will be a number of speeches.

There are few Members in this House who represent more tribes than I do. And we have heard a great deal, wonderfully, in the last few moments for the first time, I think, in my career on the floor of the House about concern for the condition of the Indian people and their health and their well-being. And that is wonderful.

And I will admit that the Clinton administration has not been a tremendously advocate in these areas. And the gentleman has done a good job. But there is a different situation before us tonight.

For whatever reason, the administration has not been a vigorous supporter of increases, perhaps seeing the past problems and understanding better the problems of the Indian people. I have not seen that concern reflected in either the Republican budget, which passed the House, the subcommittee budget which passed in the Committee on Appropriations, the full committee budget, or the consideration before us here tonight.

We are talking now about 4 percent, 4 percent, I would say to the gentleman from Washington State (Mr. NETHERCUTT) of the increase proposed by the President.

How many additional doctors, doctors' visits, nurses, nurse practitioners, treatments for persistent TB, treatments for alcoholism, very expensive, how much can we pay for with a 4 percent increase? A pathetic amount. Yes, we might help a few. But the needs are greater. The needs are much greater. And I have not seen that concern before here. I am pleased to see it tonight.

Mr. D. EFAZIO. I yield to the gentleman from Washington.

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

Mr. OBEY. Mr. Chairman, the amendments that were offered today were offered on behalf of the Arts Caucus of the House of Representatives, a bipartisan group. One of the things that helped us win this afternoon were the 25 votes of the Republican Members for which I am extraordinarily grateful. I thank the gentleman from California (Mr. Horn), for the hard work he has done and the gentlewoman from New York, Ms. SLAUGHTER.

I am just bemused, I am saddened, and I am hopeful that we can somehow come to an accommodation of both needs in this bill. I think the money is there.

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

Mr. Chairman, the amendments that were offered today were offered on behalf of the Arts Caucus of the House of Representatives, a bipartisan group. One of the things that helped us win this afternoon were the 25 votes of the Republican Members for which I am extraordinarily grateful. I thank the gentleman from California (Mr. Horn), for the hard work he has done and the gentlewoman from New York (Mrs. JOHNSON) for her tenacious fight to try to do something here. I am truly grateful to all the people over here on my side who saw to it that we got that victory this afternoon and I thank them.

I cannot tell my colleagues how sad this makes me. I am used to not doing very well on this subject. I appreciate that there are lots of things I could come up with every year that might please the crowd. I have always tried the 14 years I have been here, to deal with you as honestly and frankly as I can. I have been persuaded over the years of the great benefit that these three programs do to the people of the United States.

I should ask not for us. We get to go see To Kill a Mockingbird. We get invited to all the good things. I am talking about all the other people out there, the people we represent, who will line up to get to a performance when a play comes to town, and who will struggle to make sure that their children are associated with the arts in school.

I appreciate again what everybody does. This is the first year, frankly, that we have been able not to just try to keep it alive. People were elected here. I understand that, to kill the NEA for some reason. It was like the Holy Grail. This little agency, when I came there I think it had $178 million worth of budget. It is down to $98 million. It will probably never rise again. Who knows? But it seems to loom so large in people's minds and in a way that I think is totally wrong.

The agency has transformed itself in every way the Congress has asked. Its leadership has been extraordinary. Members of the House sit on the advising committee. There is not a single soul in this House that could not go back to their district and point with pride what little bits of seed money that came to them from the National Endowment for the Arts made them able to build things in their own communities of which they could be proud.

This amount of money that we have here would have done a lot for them. I do not know how many little regional theaters may go dark now because we cannot fund the arts in this country. We should understand that we fund it cheaper than any other country on the face of the Earth. I do not know how many children may not ever be able to see an artist perform.

I remember an artist who told me one day that her father and mother had scrounged up enough money to take her to see the Music Man, and that she had never seen anything like it in her life. She said to herself, "That's exactly what I want to do." She did it. She grew up, and she remembered what that meant to her as a very young person. And now Mary Steenburgen tells us that every time before she goes on stage, she reaches down to take that imaginary little girl by the hand and says, "Let's go out and do our best tonight, Mary. There may be children here."

In my own district, a young man who won the Arts Caucus program here so that he could hang some art down in the tunnel, he was 17 or so, and was severely troubled. We could not find him to tell him that he had won. He had left home. He had dropped out of school. But my staff in Rochester persisted. They finally found him. They
said, “Look. You’ve got to go to Wash-
ington. You’ve got to go for this cele-
boration and see how they hang this pic-
ture and something the State of New York that you have been chosen.” He did. We gave him an enor-
mous good time.

The next time I saw that young man was at a meeting again trying to keep the foundation of the arts alive. He said to me, “I am now a student at Pratt. There was something about that validation of hanging in the Capitol of the United States of America that made me think, by George, I may be worth something.” It completely turned him around.

I saw little children in Harlem learn-
ing to dance at the age of 3. They were so cute you hardly believe it. You wanted to hug and squeeze them, but the way they feel for that. About were there to learn discipline and to learn dance. We know what this does to the human spirit. The National Endow-
ment for the Humanities explains to us all the time and to everybody else who we are, where we are going, where we have been, and that is important, because we do not want to be the only society, do we, that only leaves behind their Styrofoam?

I know that we are not going to win this battle here tonight. So, Mr. NETHERCUTT and Mr. REZLIE, take your $22 million, because, as I said, it has been said here before and much better than I, I do not believe this amendment was intended to help the Indians. I believe this amendment was intended to use them. So take it. I hope that it will be of some help to them. And these little agencies will limp along, and we will try again next year.

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

Mr. Chairman, I yield to the gentle-
man from Washington.

Mr. NETHERCUTT. I thank the gentle-
man from Arizona for yielding.

Mr. Chairman, I will be the first to commend the gentleman for her wonderful speech and her wonderful re-
marks and her heartfelt feelings about the arts in this country. I have many of the same feelings despite what this amendment may mean to her. And I know of our feelings about how to spend the taxpayer dollars. It is tough. We are in the majority. We have to make this budget fit together.

There was a comment earlier about how much money we spend on Indian health care. We are $30 million of an in-
crease from last year. It could be $500 million that we need to spend. I would spend it gladly. This House has been en-
ergized by the idea that Indian health is a problem in this country.

I will agree with the gentleman’s feel-
ings about having kids see the arts. I am a dad. I know. But I also feel passionat-
ely that as I see little Indian kids suffering, and I mean this, I have spoken at diabetes health care con-
fferences for Indian health in San Diego and elsewhere in this country. It is a dramatic problem. If we were all kings and queens, we could wish more money everywhere. But we cannot.

So my sense is this: There is $22 mil-
lion I think that Indian health care and families would benefit from. That is a priority of mine. I voted for the National Endowment for the Arts al-
location in this country. We are dealt the hand we are dealt. We have to make this budget fall together. We want to pay down our national debt. We want to save Social Security. Our defense condition is in trouble right now. So we cannot do it all.

This, I believe, is a better expendi-
iture of money. When you look at the relative value, I think this is a better expenditure. That is my view. The gentle-
man from Wisconsin (Mr. OBEY) has a different view. The gentleman from New York (Ms. SLAUGHTER) has a different view. The gentleman from Virginia (Mr. COLBE) feels differently. So does the gentleman from Arizona (Mr. KOLBE). God bless us. That is the way we are able to be in this House. We make judgments, and we make our best judgments. But I hate to have you all describe bad mo-
tives to us or trickery or fooling with the system. I really feel this is the best expenditure. That is why I offered the amendment. I reject anybody who says that there is any other motive. That is my best judgment based on the people that I represent and the needs that I see out in this country.

Mr. OBEY. Mr. Chairman, will the gentle-
man yield?

Mr. KOLBE. I yield to the gentle-
man from Wisconsin.

Mr. OBEY. I would just ask this of the gentleman from Washington. If it is true that his heart is so concerned about the need for Native Ameri-
cans, then why did he not offer his amendment in committee when it would not be used as an effort to cut off the effort of the gentlewoman? And why did he then vote for a bill which cut Indian health services by over $500 million?

Mr. NETHERCUTT. Mr. Chairman, I respect the gentlewoman from Wisconsin (Mr. OBEY) greatly. He is a good person, but he does not need to do this with respect to impugning my motives. When we did not have $22 million in this ac-
count when we were voting on it in the committee. And my friend knows it. There is $22 million sitting here. I have made my best judgment as to how it can be spent. I think this would have been sit-
ting in the committee, I probably would have put it with diabetes re-
search. That is one of my great things. Or defense spending. Or education spending.

Mr. OBEY. Why did you vote for the cut?

Mr. NETHERCUTT. Again, I voted for a $30 million increase from last year. I did not vote for a cut. The President’s budget has been lower for years. He comes up higher this year, certainly.

Mr. OBEY. You voted to cut the President’s budget by $500 million. You voted for that.

Mr. KOLBE. Mr. Chairman, reclaiming my time, let me just reiterate something that I said this afternoon on the floor, and I have been, and I think some in this body know and certainly those that I have talked to in my State know that I have been a strong sup-
porter of the arts for a number of years and I believe very passionately in it. And I believe that there is a Federal role.

I regret that we are finding ourselves in the position where we are pitting one priority against another. But the Federal budget is not limitless. There are limits. We must establish prior-
ities. That is really what we are about doing here this evening. I believe that there will be additional dollars in the conference for the arts, but I believe we would have done that at this moment that it is not the appropriate time to do it because it will not help us pass this bill.

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

Mr. Chairman, we have heard a de-
bate on this floor this evening that should make us all question why we are in this place and what we care about. I cannot help but ask myself, are we to take the gentleman from Washington seriously? This is the same man who supported term limits and has now reversed himself. We are asked to believe that this is about good pub-
lic policy.

Well, it is not. This is about politics. This is not about an attempt to help the Indians. This is simply to provide a political cover. This amendment adds a mere $20 million to an account that the Republicans already cut by $200 mil-
lion. Native Americans are among the most impoverished people in the United States. Thirty percent of Native Ameri-
cans are living below the poverty line.

Native Americans suffer dispro-
portionately high rates of diabetes, can-
cer, heart disease, and substance abuse. Half of the roads and bridges on Indian reservations are in a serious state of disrepair. The unemploy-
ment rate among Native Americans is over 50 per-
cent, and one-third of Native American children do not graduate from high school.

Despite the pressing needs of our Na-
tion’s first people, the funding in this bill for the Bureau of Indian Affairs is fiscal year 2000 level and provided no
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funds whatsoever for new housing construction.

The gentlemen also cut funding for school construction, $13 million below the fiscal year 2000 level and $180 million below the President’s request. Funding for the Indian Health Service is an appalling $200 million below the President’s request.

The American economy is extraordinarily healthy today. However, the people who live on Indian reservations are some of the poorest people in our Nation. They desperately need funding for health care, education, school construction, housing and economic development.

This amendment that we are confronted with, in light of what has already taken place in H.R. 4478 the Interior Appropriations Act, is appalling. I do not believe that the members of this House could comfortably support this amendment and comfortably even support this bill knowing how this can be viewed by our voting public.

The results of this can only be thought of as cynical. I would ask us all to oppose the amendment.

PARLIAMENTARY INQUIRY

Mr. KOLBE. Mr. Chairman, parliamentary inquiry.

Mr. KOLBE. Mr. Chairman, my parliamentary inquiry is to inquire of the Chair whether the remarks of the previous speaker in ascribing motives to another Member are appropriate.

The CHAIRMAN. The Chair will not rule on that specific instance in the context of a parliamentary inquiry.

The Chair would announce, however, and remind Members that by directing remarks in debate to the Chair, and not one another in the second person, Members may better avoid personal tensions during the debate.

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

Mr. Chairman, I rise tonight to talk about, I guess, the issue that has plugged up the House with a great deal of rhetoric; to give my perspective on the issue of the arts and the issue of health care for Native Americans and the issue that the gentleman from New York (Ms. SLAUGHTER) and I mentioned earlier in the day; also to say that the gentleman from Washington (Mr. NETHERCUTT) is one of the finest Americans and Members of Congress I have ever met. And he will always have my undying respect, as do most Members on both sides of the aisle. We all represent the finest that America has to offer.

The gentlewoman from New York (Ms. SLAUGHTER) offered an amendment in anticipation of raising, putting aside $22 million for the arts, for the humanities, for the museums, of which most of us agree with.

I have voted in favor of those kinds of amendments in the past. I am fundamentally in support of that type of cultural development that brings to the human being the kind of thought process, creativity, sensitivity, intellectual understanding that is necessary and can only come from the arts.

Now, I voted earlier today against the gentleman from New York (Ms. SLAUGHTER) and I did not vote against the gentlewoman from New York (Ms. SLAUGHTER) because I was against the arts. I voted against the gentlewoman from New York (Ms. SLAUGHTER) because I was against the arts. I voted against the gentlewoman from New York (Ms. SLAUGHTER) because I was against the arts.

Now, we are in a democratic process where there are all kinds of things going on. We basically, though, fundamentally have an exchange of information and sometimes a sense of tolerance for different opinion by somebody else, and then we vote. And Oliver Wendell Holmes said about 100 years ago, the Chief Justice of the Supreme Court, that the Constitution was made for people with fundamentally differing views. And so that is what we have here.

Now, when this comes up for a vote, and if it does come up for a vote, I truly believe in the arts; I bring those kids here every year with their painting. And we have a marvelous time, and they are hung in the Capitol.

My daughter, and I am very proud, won the art purchase award for our home county, which is the highest award you can go to college this year to major in art and music. And the joy she brings in our family and the other people in the county is marvelous.

But I also truly believe in my heart whenever there is an opportunity out there that I grab ahold of an opportunity and the gentleman from Washington (Mr. NETHERCUTT) wants $22 million in Indian health care that was not there before, I am going to vote for that, not because I am against the arts.

The arts are beautiful. Just listen to William Blake, to see a world in the grain of sand, heaven in a wild flower, holding infinity in the palm of your hand and eternity in an hour. That was the theme for the arts caucus from the first congressional district of Maryland. And we gotten marvelous entries.

But there is desperate need in Indian health care; and so I am personally voting for that, because it just happens I have an opportunity to increase that money for health care.

There are many people on both sides of the aisle that are struggling with this vote, not for political advantage, but for a real heart-felt sincere understanding about what is best to do at any one given moment.

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

Mr. Chairman, I doubt seriously if there are very many people in this House who do not recognize the insincerity and the cynicism that underlies this amendment. If it had been true that there was a genuine concern...
Mr. WATKINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. KILDEE. Mr. Chairman, I move for 36 years now as a lawmaker, 12 years in the Michigan legislature, 24 years here, and for 6 years in the Roman Catholic seminary where I worked with Indians, I have been working for all those years for justice for Indians.

My father, who was raised among Indians, and two other Members of this House did so sincerely because they recognized the value of NEA, NEH, and museums. They recognized their value particularly as educational vehicles and as the harbors of culture within our society.

And I believe that the Members of this House did so sincerely because they believed—let me tell you, Mr. Chairman, that the Members of this House did so sincerely because they believed in their worthy subjects, and to do it in a way that I believe does dishonor to this House.

It is one thing to stand here and fight for the things that you believe in. We do all that. It is another thing to do it in a way that undercuts and undermines the success of others in the context of what goes on here in these debates, and I believe that is what we are witnessing.

Yes, I think that there is an element of cynicism that reeks in this House as a result of the effort that has been taken before us which we are being asked to embrace.

And I think it would be a serious mistake for the comity that we all seek, for the good judgment that we reach for, that the good relations that we hope to maintain, and the good results above all that we hope to achieve out of these debates, I would hope that the gentleman would recognize some of this and that he would withdraw the amendment.

Mr. WATKINS. Mr. Chairman, I move to strike the requisite number of words. It bothers me tonight that I see on both sides that we are questioning the motive of our members and hear words that are being used about our Native Americans. Yes, I am from Oklahoma, basically meaning the home of the red man; Oklahoma, the State that has 22 percent of all Native Americans in this country.

I grew up with the Choctaw Indians in dirt-poor poverty. I was the only non-Indian on the baseball team. I was the minority but did not know it. All the rest of them were Native Americans. I gave eulogies at several of my Native American classmates' funerals, so please do not question the motive of people.

I have witnessed alcoholism among my Native Americans and their families. I was raised with them. Do not judge the motives of people.

Yes, this budget is probably short in total dollars. There could be a lot more done. But right now as we stand before you we must make a decision on this amendment. I was not in appropri-ations. The amendment before us basically is whether we use $22 million for Indian health service. As my colleague the gentleman from Oklahoma (Mr. LARJENT) said, in Oklahoma we have the smallest percentage of Indian health service dollars for our Native American families.

I cannot undo the things of the past, but as I stand in front of you, I have got an adopted Native American daughter. I have three Native American grandchildren whom I would rather have in my arms tonight than being here listening to this kind of debate.

Let us not question others' integrity or whether we are sincere or not sincere. We have an amendment before us. Let us address that amendment and move forward.

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

Mr. WATKINS. Mr. Chairman, I move to strike the requisite number of words. It is very puzzling to me.

Mr. Chairman, I have worked with people on both sides of the aisle to bring justice for Indians, and I have always hoped that before I shuffle off this mortal coil to meet my judge, that I will have moved somewhere towards that justice, and I have taken some tough votes through the years to do that.

There are some people who would take money from the arts to give to the Indian Health Service, but some of those people, and this is what troubles me, have voted for over $200 billion worth of tax cuts. I voted against those tax cuts, and I pay a political price for that. I voted for a tax raise in 1993, and almost lost my election because I voted for that tax raise, but I did because I felt there were needy people in this country.

I have made the real tough votes. Those are the tough votes. Those are the ones that you do not put in your campaign literature, "I voted for a tax increase and voted against a tax cut." Your opponent puts it in his or hers.

But those are the tough votes. That is really where you determine whether you are going to do something to help alleviate the immorality here in America, and the way we treat our Indians is immoral. If we really want to help them, we cannot be giving money to the wealthiest people and not give what is due to the neediest, the people whose land we have stolen, changed their way of life, destroyed their language in many instances. We want to give money to the super wealthy and withhold money from the poorest. That is the real moral issue here. That is the tough vote.

I voted those tough votes. When I voted in 1993, I thought I was looking at my political grave, but I was willing to do that. Those are the tough votes. These votes here really emanate from how we are willing to take care and balance the justice with the injustice in this country.

So it is really puzzling. When you find people who are giving to the super wealthy and take from the America's poorest, you find that at least puzzling. It is very puzzling to me.

I will always support justice for the Indians, in any instance and any chance I can, but I find tonight, in my own mind, it is one of the saddest days. When we came here in January, this was all part of a process. We raise so much money, we spend so much money. We find our priorities.
We find our priorities in tax cuts; we find our priorities in expenditures.

This is a paradox. This is an inconsistency, which we are doing here tonight. If you can look into your heart and say, okay, I voted against the tax cut, therefore I can without contradiction go along cutting the President's budget for IHS by $200 million as was done. And I don't blame the gentleman from Ohio (Mr. REGULA). The gentleman from Ohio (Mr. REGULA) is one of the most decent guys in this House, and when I go to his committee to testify, the gentleman, within the limitations he has, does a great job for the Indians.

But I find this really sad. We have to look at ourselves and say how do we balance how we raise the money, how do we balance how we spend the money? The two go together, and you cannot give a $200 billion-plus tax cut to the very wealthy, the most wealthy, and deny what is needed, the basic needs, of America's poor.

Mr. TIAHRT. Mr. Chairman, some people are having a difficult decision here, and, you know, we are often asked to establish priorities. Sometimes we are asked to decide whether we should fund an after-school program or special education. For some, that is a difficult decision. But tonight I do not think we are facing a difficult decision. We have $22 million that we could add to Native American health care, or we could subsidize the arts, humanities and museums.

Now, this industry of the arts is a very wealthy industry. The gentleman from Michigan made a good point about how we are trying to make decisions between subsidizing the wealthy versus subsidizing a very needy cause. Well, Hollywood is full of millionaires; New York and Broadway are full of millionaires. Each year $9 billion is spent on the arts; jobs in the arts community are growing 3.6 times faster than the regular economy; there are more Americans that attend an artistic event every year than attend sporting events; and yet we are willing to make a choice to subsidize wealthy producers, actors, artists and all of those who contribute to the arts another $22 million.

Some do not care if we turn our backs on the Native Americans, because they want to subsidize and support some of these wealthy Americans through the arts. Somewhere, some day in America, some child may see an artistic expression if we just add another $22 million to the industry, the $9 billion industry, and we will do it at the expense of Native Americans' health care? For me this is not a tough decision.

For the downtrodden Native Americans, because I have seen their troubles, I have been to the reservations, I grew up with Native Americans, I played with them, I have worked with them. Four of my fraternity brothers were Native Americans. I watched three of the four pass away because of health care. And I do not think that that was a good decision. I do not know if that would meet the need, but it would be a long step towards a greater awareness in health care for the Indians.

So I think this is an easy decision tonight. I think we should support the Nethercutt amendment because it is a much higher priority than subsidizing a $9 billion industry. Let us vote to add the $22 million to Native American health care.

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

Mr. Chairman, I rise to offer my opposition to the amendment that is before us. The real tragedy in the House across this country must be our Committee on the Budget gave us, and this House approved in a partisan manner, unrealistic, not carefully thought out, 302(b) allocations, which are the bottom line numbers that each of the committees must now work within. Those numbers were not fair 2 or 3 months ago, and they are not fair today as we debate this most important issue, Native American health care, arts and humanities for Americans who deserve it.

I think we do this House a disservice when we are not realistic. This country is doing better than it has done in a decade, in a generation. The budget projections that were made 2 months ago are now totally 2 or 3 months ago now today further off than ever. When this fiscal year closes on September 30, our Treasury will have over $100 billion more than we thought we would have this time last year.

Why then are we going through this process? We are being asked, now, debating legislation with good priorities for American citizens, and yet we are not able to fund them? I say to Members of this House, the reason is because the allocations initially approved in a bipartisan manner a few months ago were not realistic, they were not fair, and they leave a lot of money out that will be put in at the end of this process by 10 to 12 people in both Houses, cutting out over 500 people who have been elected by people to represent them in this House and to serve in this House and to make the kinds of decisions we are making tonight.

It is unfortunate that we cannot fund properly Native American health care. They deserve it. As a minority myself, I would love to have my tax dollars go to them. The President was not right, this House is certainly not right, and we can do better by health care for Native Americans. It is unfortunate that we are not able to do that.

If we are a body elected by the people in the freest country in the world, and we are, then we have a responsibility to do what is right, and the amendment before us does not do that. Yes, we should fund Native American health care, and the gentleman from Washington (Mr. NETHERCUTT) is a fine gentleman. The gentleman has offered amendments in the committee, and I have supported him a number of times.

This one is not the right thing to do. All great civilizations are known by their arts, their culture, their humanities, for hundreds of years after all of us leave. This country has not funded properly the arts and humanities in our country, so that our children can be beneficiaries of this great culture that we live in.

So do we now use a process to take away an amendment that was passed lawfully on this floor juxtapose it against an amendment we really do need, but not in this manner? I say to you, Mr. Chairman, it is the wrong way to do it and it is not proper; that as we go through the rest of the 5 or 6 months, or less than that, 3 or 4 months of this fiscal year, we will find that the budget receipts in our Treasury are larger than we thought they would be 3 months ago.

The country is doing well. Why should we have to choose between education and health care? Why should we have to choose between the arts and funding Native American health care? It is because the Republican Party wants to save hundreds of millions of dollars, nearly $1 billion, I might add, for tax cuts that the American people have already said they do not want. They want you to fund education and housing and health care; they want you to fund the environment, roads and bridges and the like.

So Mr. Chairman, the amendment, though it means good, is not the right thing to do. Let us fund Native American health care. They deserve it, for all the reasons that have already been mentioned.

But at the same time, let us adequately fund the arts and humanities, so that our children and grandchildren can attest to the fact that this is a great country, and that 100 years from now they will look at this 106th Congress and say that we stood up for what was right for our country and for our children.

Vote against the Nethercutt amendment, and let us continue with the work of this Congress.

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

Mr. Chairman, I think we all are talking at each other, not with each other. I think we are about ready to vote on this issue. And I just say sincerely, I voted with the gentleman from New York, and it is not because the gentleman from New York (Ms. SLAUGHTER) is my cousin. I think we ought to remember,
as we talk across the aisle, that we are all Americans, and sometimes we are even friends.

I am ready to vote with her again, not because she is my cousin, but because it represents my district. I am representing my part of the world in this body as I swore to do under the Constitution.

The gentleman from Washington (Mr. NETHERCUTT) is representing his district. I respect him for that. I respect him now as a representative under his constitutional powers. I have a little problem with the ridiculing and the attacking of us doing what we are supposed to do under our constitutional obligations.

I do not care who the gentleman from Washington defeated to get this seat. That is not the point. He does represent his district, and I expect him to do the best he can. He has found an opportunity to aggressively represent his district. The gentlewoman from New York has aggressively represented her district. We should not be attacking them for doing that. We should be celebrating the system working.

I just ask us to remember, this is what it is all about, representing our districts, and the cumulative impact of doing that. I would be remiss without bringing up one fact, we would all rather be somewhere tonight. I would have rather been at the graduation, of my children, Patrick and Briana, this week, but we are working on an education bill, we are working on an Interior bill. We are doing what we need to do.

I apologized to my children for not being there. I need that on the RECORD.

Mr. HORN. Mr. Chairman, the amendment of the gentlewoman from California?

PARLIAMENTARY INQUIRY

Mr. OBEY. Parliamentary inquiry. Mr. Chairman. Mr. Chairman, I just wanted the Clerk to re-read the amendment.

Mr. HORN. The Clerk will reread the amendment.

The CHAIRMAN. The Clerk will reread the amendment.

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

PARLIAMENTARY INQUIRY

Mr. OBEY. Parliamentarian inquiry.

Mr. HORN. Mr. Chairman, I ask unanimous consent for that language to be added. Mr. Chairman, out of order, out of rules, and out of everything else, to get this thing solved.

The CHAIRMAN. Is the gentleman from California suggesting an amendment to the Nethercutt amendment?

Mr. HORN. That is one way, and we could vote on the amendment.

The CHAIRMAN. If that is the gentleman’s desire, then the gentleman needs to have an amendment in writing to the Nethercutt amendment.

Mr. HORN. It is here if the Page is around.

The CHAIRMAN. The Chair understands that the unanimous consent request is a modification to the Nethercutt amendment. The Clerk will report the proposed modification to the amendment.

The Clerk read as follows:

Modification of amendment offered by Mr. NETHERCUTT

At the end of the Nethercutt amendment add:

Any amendment which has been adopted by a majority vote in the House will be funded in conference.

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

Mr. HORN. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

Mr. HAYWORTH. Mr. Chairman, I object.

Mr. HORN. Mr. Chairman, I would hope we would have a tradition of at least letting debate occur on a parliamentary matter.

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

Mr. HORN. Mr. Chairman, I yield to the gentleman from California.

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

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

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

Mr. HORN. Mr. Chairman, I thank the gentleman for yielding to me. I believe basically that the will of the House is supreme, and what can be done by some of its committees certainly can be done by the whole body of the House.

We all know there is a rule that we cannot legislate on an appropriations bill. We get that through the Committee on Rules and it comes in here regularly when we vote the rule.

There are three traditional things we can do to get out of this situation. One is recommit to another committee. One is instruct the conferees. One is recommit if the conference report comes back from the conference and does not satisfy anybody in here.

Again, I would suggest that by unanimous consent we add to the legislation, the Interior appropriations bill, that any amendment which has been adopted by a majority vote in the House will be funded in conference. I think that would solve it, because we know the Senate is bringing in a much higher figure than we are.

Mr. HORN. Mr. Chairman, I ask unanimous consent for that language to be added. Mr. Chairman, out of order, out of rules, and out of everything else, to get this thing solved.

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Mr. OBEY. Mr. Chairman, I yield to the gentleman from California.

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

Mr. HORN. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

Mr. OBEY. Mr. Chairman, I yield to the gentleman from California.

Mr. OBEY. Mr. Chairman, I yield to the gentleman from California.

Mr. OBEY. Mr. Chairman, I yield to the gentleman from California. Although the objection came it my way, it did not come from my lips.

Mr. HORN. Mr. Chairman, I did not want something that will harm the Nethercutt amendment. That was put on at the desk. I simply want that language in the appropriations report at the end of where we have a lot of these things, and it seems to me that is then an instruction to the conferees, whether it be the amendment of the gentleman from California. The amendment of the gentlewoman from New York (Ms. SLAUGHTER), that as long as it had the majority of the House it would be funded in conference. In other words, we are asking to waive a lot of things that are blocking decision-making in a rational way. We have had great passion tonight, and everybody is right as far as I am concerned on that, but we have the problem of getting into conference and solving this problem, because we do not want the money at this point.

We will have when it is in conference, so that is why I would like the unanimous consent to put that language in there. It does not affect the gentleman
Mr. KINGSTON. Reclaiming my time, Mr. Chairman, I would say to my friend, the gentleman from California, while I did object to the language, I did not object to the principle that we can speak and offer it. That is why I wanted to yield the gentleman time.

Frankly, from my standpoint, this is just what the legislative process is about. The Slaughter amendment was debated and passed. The money was laid on the table, as was the wording of the amendment. That also opens up a new avenue of danger, if you will, in terms of people coming up with ideas of how to spend that money.

I am going to support this. The gentleman can question my motives. I think people are not questioning it, they are probably already tired of my motives. If I was from New York City, I would say just the same. That is where 70 percent of the money goes.

But to me, Mr. Chairman, in the study of choice, it is not a good choice. I do not think the government needs to be in the NEA. We have billion dollars in a tax write-off for arts, we have millions of dollars in art purchasing, we spend millions on art education.

My dad is an artist. My daughter wants to be to be an artist. My wife is on a theater board. You can say I am not the elitist who wants to hang out at certain art functions, but I would say if the people in Nebraska are poor and starving as compared to those on the Indian reservations, I do not understand what the definition of the words are.

I sat in the committees, I heard the testimonies. I feel very solidly that that is where the money should go.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would make this statement. The Chair cannot entertain a rules change order in the Committee of the Whole which is offered as a freestanding special order and not as an amendment to the pending bill.

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

Mr. Chairman, I have been asked by the leadership, the gentleman from Florida (Mr. YOUNG) who I have the highest regard for, and the gentleman from Ohio (Mr. REGULA), to bring this to a close and to have a vote on the amendment. I think we should do that.

I want to say that the gentlewoman from New York (Ms. SLAUGHTER) has not been treated well here tonight on this process. I think it is very unfair.

I will ask this. We are going to have a motion to recommit in which the gentlewoman’s amendment will be the central piece. I am urging the 25 Republicans who had the courage today to vote with us on this amendment, to vote for the motion to recommit. That way we can accomplish what the gentleman from California wanted. We can fund the 22 million to help the Indians in this country who desperately need the help, and also fund the arts.

I think this is a fair compromise. I would like to see that, and I would hope that other Republicans would join us tonight to make it more than just the 25 that joined us earlier today. I ask for a vote on the Nethercutt amendment.

Ms. LEE. Mr. Chairman, I was sitting in my office watching this debate with a member of my staff who happens to be Native American. You cannot imagine how he feels listening to this debate on this amendment which once again sends a message to the Native American community that they really are not one of our nation’s priorities. I rise to oppose this amendment because it is a slap in the face of American Indians.

My district has the largest concentration of American Indians. The 22 million dollars that is proposed for Native health care will never reach them. Not only do we underfund for services on Indian Reservations, but we fund even less to urban Indian communities. Many of these urban Indians are forced to travel long distances for hours at a time just to access the most basic health care. Many of these services they are not able to access in the inner cities or urban areas because they cannot afford it. This is a disgrace. The amendment to direct $22 million for Indian Health Care does not even scratch the surface of the needs in Indian country.

If the Majority really wanted to do something positive for Native Americans, this budget would have taken more consideration and care to provide funding to address diabetes, to fund maternal health care, to ensure that substances abuse and mental health services are sufficiently funded to make a difference.

To think that we are going to support such meager funding when compared to the needs of Native Americans and then try for more next year? I say this! Next year, when we reconsider this funding, many Native Americans will have died from diabetes, alcoholism, heart disease and HIV/AIDS! They can’t wait till next year.

Mr. Chairman, we will take under consideration the Ryan White Care Act. Did you know that funding for HIV/AIDS care in many cases never reaches Indian Country.

HIV/AIDS care, that is subsidized by the Federal Government is billed to Tribes! That’s right. Indians are not able to access ADAP with out being billed. HRSA funded services are billed to IHS or to Tribal Health Care programs. This is an outrage.

We all know how expensive HIV/AIDS therapies are. Yet, when it comes to the tribes, we don’t give them nearly enough for those services. Those services have to come out of the IHS general budget! A budget that is already, desperately underfunded!

Last week we moved out of this house a bill for National Missile defense system that many experts say won’t even work. Billions of dollars! Yet we have the audacity to cut substantially Indian Health Services, and then, try to come back and make $22 million look like we are doing the Tribes a favor?

Native Americans suffer disproportionately high rates of diabetes, substance abuse, underfunding of education, and in many cases have inadequate access to quality education. Why? Because we neglect to live up to treaties between the Government and Tribes throughout the country.

If we the Members of this House had the needs of Native Americans in mind, we would not have underfunded Native Americans by over $300 million. We would not pit Native American health care against the arts and humanities. The best thing to do at this moment is to withdraw this amendment and offer another amendment to fund Native American health care, and not at the expense of programs that will also suffer the outcomes of this budget.

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

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

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

The CHAIRMAN. The Chair is counting for a quorum.

Mr. HAYWORTH. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The Chair reads as follows:

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of property; purchase of real property; construction, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 200a), the Indian Self-Determination Act, and the Indian
Health Care Improvement Act, and for expenses necessary to carry out such Acts, the Additions II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service to purchase TRANSAM housing needs associated with the new Hopi notwithstanding any provision of law governing facilities:

for the benefit of an Indian tribe or tribes for the planning, design, construction or renovation of health facilities appropriated for the planning, design, construction or renovation of health facilities, or technical assistance, or services provided by the Indian Health Service may not be altered by the Indian Health Service in this Act:

this Act: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase equipment from the Department of Defense for district, area, and regional offices of the Indian Health Service and the General Services Administration in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration provision that not more than $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by Public Law 93–638, as amended:

Not to exceed $300,000 shall be used to support the Indian Health Service to purchase equipment from the Department of Defense for district, area, and regional offices of the Indian Health Service and the General Services Administration in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration provision that not more than $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings.

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975, as reenacted and reauthorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1980, as amended, and not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. $376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds received under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development, for public and assisted housing, shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 96–638, as amended: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed by Federal travel transportation: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to the Indian Health Service to purchase TRANSAM housing needs associated with the new Hopi notwithstanding any provision of law governing facilities:

for the benefit of an Indian tribe or tribes for the planning, design, construction or renovation of health facilities appropriated for the planning, design, construction or renovation of health facilities, or technical assistance, or services provided by the Indian Health Service may not be altered by the Indian Health Service in this Act:

this Act: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase equipment from the Department of Defense for district, area, and regional offices of the Indian Health Service and the General Services Administration in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration provision that not more than $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings.

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $8,000,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Acts are to be used to relocate eligible individuals and groups including evacuees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all those certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned from 1879, or who had a tenant-land contract or other agreement providing for the development of residential improvements and for the provision of rental of housing, which was physically domiciled on the lands partitioned from 1879, or who had a tenant-land contract or other agreement providing for the development of residential improvements and for the provision of rental of housing, and, in the event that the tribal government has entered into a contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 625), including not to exceed $15,000 for services as authorized by 5 U.S.C. 3109, $15,000,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and repair or replacement of facilities may be awarded to contractors and awarded on the basis of contractor qualifications as well as price: Provided further, That any appropriation and funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements at the 900 H Street building.

REPAIR, RESTORATION AND ALTERATION OF FACILITIES

For necessary expenses of repair, restoration, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by se-
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Mr. REGULA (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 84, line 20, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection. ☑ 230

The CHAIRMAN. Are there any amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $38,000,000, shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, for program support, and for administering the functions of the Act, to remain available until expended: Provided, That none of these funds shall be available for expenditures not covered by the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956(a)), as amended, $6,973,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), $2,989,000: Provided, That none of these funds shall be available for compensating any collection to remain available until expended.

NATIONAL CAPITAL PLANNING COMMISSION

For necessary expenses as authorized by the Act establishing a Commission of Fine Arts (40 U.S.C. 71–71a), including $250,000 as authorized by 5 U.S.C. 3109, $2,988,000: Provided, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That none of these funds shall be available for compensation of any collection to remain available until expended.

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388 (36 U.S.C. 1401), as amended, $33,161,000, of which $1,575,000 for the museum’s repair and rehabilitation program and $1,264,000 for the museum’s exhibitions program shall remain available until expended.

PRESIDIO TRUST

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $23,400,000 shall be available to the Presidio Trust, to remain available until expended, of which up to $1,040,000 may be for the cost of guaranteed loans, as authorized by section 104(d) of the Act: Provided, That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $230,000,000. The Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed $10,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting services, technical assistance, or other service contract, or for any grant or contract documents which do not include the text of 18 U.S.C. 1112: Provided, That none of the funds appropriated to the National Endowment for the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That none of these funds shall be available for compensation of any collection to remain available until expended.

NATIONAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956(a)), as amended, $6,973,000.
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matters of public record and available for public access to minerals owned by private individuals.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by the bidding procedure, or for the sale, lease, or right to access to minerals owned by private individuals.

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

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

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

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

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

(b) Sense of the Congress; Requirement Regarding Notice.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided under this Act, the President shall include in the annual report of the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

SEC. 308. None of the funds in this Act may be used to plan, prepare for sale timber from timber identified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2000.

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

SEC. 310. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate repromoting guidelines: Provided, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003, then the limit contained in funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

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

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

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

(c) Report.—On September 30, 2001, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–248) to a conference report.

SEC. 313. None of the funds made available in this Act may be used to plan, design, or construct for any other purpose a visitor center or other permanent facility, except without prior approval of the House and Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

SEC. 314. All interest created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust, hereafter shall be exempt from all taxes and special assessments of the State of California and its political subdivisions.

SEC. 315. None of the funds contributed under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or other permanent facility, except without prior approval of the House and Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

SEC. 316. All interests created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust, hereafter shall be exempt from all taxes and special assessments of the State of California and its political subdivisions.

SEC. 317. None of the funds made available in this Act may be used to plan, design, or construct a visitor center or other permanent facility, except without prior approval of the House and Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

SEC. 318. Of the funds provided to the National Endowment for the Arts—

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

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

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

SEC. 319. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept,
receive, and invest in the name of the United States, or any Federal agency, any gift, bequest, or devise, after acceptance by the National Endowment for the Arts and the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairperson. The Chairperson shall enter the proceeds in a special interest-bearing account to the credit of the appropriate national foundation. 

SEC. 320. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ‘undererved population’ means a population of individuals, including urban and rural populations, that is excluded from participation in arts and humanities programs outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

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

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

(d) With funds appropriated by this Act to carry out the provisions of this Act, the Chairperson shall ensure that priority is given to projects that will encourage public knowledge, education, understanding, and appreciation of the arts.

SEC. 321. (b) In providing services or awarding financial assistance to projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

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

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

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

SEC. 322. No part of any appropriation contained in this Act shall be expended or obligated to fund new revisions of national forest land management plans until interim or final rules for forest land management planning are published in the Federal Register. Those national forests which are currently in a revision process, having formally published a Notice of Intent to revise prior to October 1, 1997; those national forests having been court-ordered to revise; those national forests required to or permitted to adopt new rules, regulations, or other administrative actions at the Council on Environmental Quality or other offices in the Executive Office of the President; and the Tongass National Forest, are exempt from this provision. 

SEC. 323. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 324. Notwithstanding any other provision of law, none of the funds in this Act may be used for GSA Telecommunication Centers or the President’s Council on Sustainable Development.

SEC. 325. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

SEC. 326. Amounts deposited during fiscal year 2000 in the roads and trails fund provided for in the paragraph under the heading “FOREST SERVICE” of the Act of March 1, 1989 (26 U.S.C. 4(e)), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstitute roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the re-pair of reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is a significant risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The Secretary shall commence the projects during fiscal year 2001, but the projects may be completed in a subsequent fiscal year. Funds shall be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

Mr. REGULA (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 102 line 9 be considered as read, printed in the RECORD, and open to amendment.

THE CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

THE CHAIRMAN. Are there any amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

SEC. 327. None of the funds provided in this or previous appropriations Acts for the agencies funded from funds credited from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be expended or obligated to fund new revisions of national forest land management plans; or to or permitted to adopt new rules, regulations, or other administrative activities at the Council on Environmental Quality or other offices in the Executive Office of the President; and the Tongass National Forest, are exempt from the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 330. None of the funds appropriated by this Act shall be used to propose or issue
Mr. NETHERCUTT. Mr. Chairman, my amendment is offered as an opportunity to have the House take a second look at the debate that occurred earlier with respect to the Interior Columbia Basin Ecosystem Management Project. We have had a chance for the House to be fully informed. Members on both sides of the aisle, with respect to the particular amendment that was debated earlier.

I have had a chance to emphasize the importance of this issue to us in the northwest and the western States; and after deliberation, I felt it was appropriate that with that additional understanding that the House would have a chance to reconsider its prior judgment with respect to my amendment, and I believe again it is an important amendment to us in the West. I think it is appropriate that it be considered in the House and I would urge the adoption of the amendment so that this bill can move forward and proceed to conference and then we can have a complete discussion of all the issues in the bill at that time.

Mr. DICKS. Mr. Chairman, I rise in very strong opposition to the Nethercutt amendment.

Mr. Chairman, we had a vote on this today. We had, I thought, a very vigorous discussion. There was an hour set aside by the House. The gentleman from Washington (Mr. NETHERCUTT) had 30 minutes. I had 30 minutes. We had a number of speakers in the House voted on this issue, and we defeated the amendment by a very substantial majority.

Now, I am somewhat surprised that this late at night we would go back to this amendment again, but apparently we are going to do that. So let me say again why what the gentleman is trying to do, I think, is wrong.

First of all, the gentleman has had an amendment every single year to either block or slow down the administration’s policy for developing a scientific program to protect the aquatic habitat, to protect the watersheds of the Western Pacific Northwest on the east side of the Cascade Mountains.

This affects 7 States. This has been debated earlier with respect to the Interior Columbia Basin Ecosystem Management Project. We have had a chance for the House to be fully informed. Members on both sides of the aisle, with respect to the particular amendment that was debated earlier.

Now, I am somewhat surprised that this late at night we would go back to this amendment again, but apparently we are going to do that. So let me say again why what the gentleman is trying to do, I think, is wrong.

First of all, the gentleman has had an amendment every single year to either block or slow down the administration’s policy for developing a scientific program to protect the aquatic habitat, to protect the watersheds of the Western Pacific Northwest on the east side of the Cascade Mountains.

This affects 7 States. This has been going on, this process has been going on, 5 years. The purpose of it is that we have in the Northwest a number of seriously endangered species on the Snake River, which is in the heart of this area. We have four or five different species of salmon that were listed under the Endangered Species Act.

The gentleman from Washington (Mr. NETHERCUTT), from eastern Washington, from the fifth district, has been a strong opponent of taking out the Snake River dams. I have joined in that effort, along with the gentleman from Washington (Mr. NETHERCUTT), and others in our delegation; but I also believe that if one is not going to take out the dams then they have to do some things to protect the habitat of...
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these areas in order to try to bring back these important endangered species.

The gentleman from Washington (Mr. NETHERCUTT) has offered an amendment that would block, after 5 years, the draft environmental impact statement from being implemented. That means we are not going to make any of the protections necessary. It is an environmental rider that has been used repeatedly in this particular bill. The administration is opposed to it. They have promised that this bill will be vetoed if this was in it, and we had a vote today.

I think this amendment is unwarranted and unjustified, and I would urge the House to stay with its agreement on.

The CHAIRMAN pro tempore (Mr. BUEHR of North Carolina). The question is on the amendment of the gentleman from Washington (Mr. NETHERCUTT).

The question was taken; and the Chair pro tempore announced that the ayes appear to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 197, noes 180, not voting 58, as follows:

[Roll No. 288]

AYES—197


NOES—180


Mr. DOGGETT and Mr. KENNEDY of Rhode Island changed their vote from “aye” to “no.”

Mr. BILBRAY changed his vote from “no” to “aye.”

The amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. KELLY

Mrs. KELLY. Mr. Chairman, I ask unanimous consent to return to title III, page 102 of the bill to offer a quick, noncontroversial amendment we have an agreement on.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mrs. KELLY: Page 102, line 15, strike the first “or” and insert in lieu thereof the word “and.” Page 102, line 16, strike the word “at” and insert in lieu thereof the word “of.”

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

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Chairman, I offer a very simple amendment before us that clarifies a provision in the bill that pertains to the American Heritage Rivers Initiative and the Council on Environmental Quality. I have worked with all parties concerned on both sides of the aisle to ensure that this language clarifies the intent of this legislation.

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

Mr. REGULA. Mr. Chairman, we have no objection to this amendment. I think it has been agreed to by both sides.

Mr. DICKS. We agree to the amendment on this side.

Mrs. KELLY. Reclaiming my time, I thank the gentlemen from Ohio and Washington for their support.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. KELLY).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.
Title V—Additional General Provisions

Sec. 501. None of the funds appropriated or otherwise made available by this Act may be used—

(1) to purchase a motor vehicle for the use of Forest Service personnel that is painted in the base color identified as Federal Standard 595, color chip number 2260, or painted in any other base color, except the color white as made available by the manufacturer; or

(2) to paint any Forest Service motor vehicle in any base color other than white.

Mr. DOOLITTLE. Mr. Chairman, this amendment would prohibit the U.S. Forest Service from using any funds, appropriate or otherwise, to be used to purchase vehicles on the green color described as Federal Standard 595, Color Chip Number 14,260.

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

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

Mr. REGULA, Mr. Chairman, I am prepared to accept this amendment. We are fully familiar with it.

Mr. DICKS. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DOOLITTLE).

The amendment was agreed to.

Amendment No. 10 offered by Mr. DEFazio.

Mr. DEFazio. I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DEFazio:

Insert before the short title the following:

Title V—Additional General Provisions

Sec. 501. None of the funds appropriated or otherwise made available by this Act may be used—

(1) to purchase a motor vehicle for the use of Forest Service personnel that is painted in the base color identified as Federal Standard 595, color chip number 2260, or painted in any other base color, except the color white as made available by the manufacturer; or

(2) to paint any Forest Service motor vehicle in any base color other than white.

But this amendment goes to another issue. There are certainly sites where fees are appropriately charged, development for recreation purposes, special use sites for Park Service and all of those other sorts of developed sites with high costs.

But the question that this amendment raises before this House is whether or not we should charge people to drive their car on a logging road or an old forest service road, active or abandoned or even obsolete, and park by the side of the road and go for a hike in the woods, whether there is a trail there or not.

I think there is a real question of equity, but there is an even greater question of enforcement. The Forest Service is going driving 10 miles, 15 miles, 20 miles outside some of these roads to fines that someone did not pay a $5 fee and giving them a citation.

I had a woman in my district who parked where she had customarily parked just outside of an area being told that was all right. A new ranger came on, and they gave her a citation. She said okay, it is a warning. That is fine, I will leave. And the guy says she will have to pay the fee; she did not.

She went home, 2 days later, two Forest Service law enforcement officials showed up at her house to cite her. They threatened to handcuff her and take her away. This is the citation. This is absurd, what a waste of Federal resources. There are real crimes going on in the Federal lands.

Is this what our law enforcement officers should be doing? Should we be charging people to go out into dispersed areas just to park their car on a logging road? I believe not. In fact, an evaluation that was done by the Department of Interior and the Department of Agriculture at the request of this body finds substantial problems with this program of enforcing dispersed recreation.

They cite the extraordinary costs, the loss of law enforcement personnel from other activities, the loss of revenue because the funds, if they collect any, in terms of penalties are forfeited and go not back to the agencies and not into this program.

The courts are refusing to hear these cases. The Federal judges and magistrates are saying, we are hauling people into my court for what? For failure to pay a $5 fee to park their car on a gravel road out in the forest? This is absurd.

So I really would suggest that this amendment has great merit, to say that the extraordinary costs and the penalties that are being imposed are not merited for dispersed recreation, this is targeted, would not affect the parks, would not affect developed recreation sites, would not affect campgrounds but would merely say we are not going to charge people $25, $30 and it is time for the annual fee, or $5 a
day, to park their car somewhere in a remote area of the forest, where there are nearly no facilities.

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

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

Mr. REGULA. Mr. Chairman, the gentleman from Ohio and I have had a discussion on this, and I think the gentleman has a good point. And what I would like to suggest is that we meet with the Forest Service and try to achieve a solution that is workable that respects the rights of your constituents.

The program is the demonstration program. As my colleagues know, the President has requested that it be made permanent. It would cost the Forest Service something like $25 million a year, that goes in to trails and signage and a lot of very positive things that are important.

If the gentleman would be willing to withdraw, I will commit to working with him and the Forest Service to try to find a reasonable solution to the problem.

Mr. DeFAZIO. Mr. Chairman, reclaimer my time. I thank the gentleman for that. I do note that before I would consider that, the lady from California (Mrs. CAPPS) is particularly concerned. I would like to give her opportunity to speak on the amendment and then we can consider further conversation.

Mrs. CAPPS. Mr. Chairman, I move to strike the last word, and everyone, I beg your indulgence. I know the hour is late. But, again, this year I also come to the floor to discuss the Recreational Fee Demonstration Program in our national forests.

First, I do want to thank the gentleman from Oregon (Mr. DEFAZIO); the ranking member, the gentleman from Washington (Mr. DICKS); and their subcommittee. I deeply appreciate maintaining and preserving our nation’s public lands.

I understand that the gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS) do not completely agree with my views or those of my constituents on this rec fee. However, I want to commend them for responding to my concerns on this issue.

The Interior Appropriations bill does not extend or make permanent this rec fee demo program, as was earlier rumored. I understand the importance of fully funding our forests and our congressional district hopes that we can work together to do just that without resorting to what we believe to be onerous fees.

Our national parks, national forests, and other public lands are unique treasures that should be enjoyed today and preserved for future generations. We must provide full and adequate funding for the protection of these priceless resources. But I must oppose the inclusion of the national forests in a rec fee demo program.

I have heard from thousands of my constituents and we are opposed to the program which the Los Padres National Forest euphemistically calls the Adventure Pass. These citizens strongly believe, as do I, that these user fees represent double taxation. These are public lands open for all of our citizens to enjoy, to take a hike in the woods, to enjoy a sunset, and experience the incredible beauty of the natural world.

As public servants, we must remember that the people we serve are not simply customers using our public lands, but are the owners of these lands. We need to find a more equitable way to support our national forests.

Some families in my district say the imposition of the so-called adventure pass has stopped them from going to visit the Los Padres National Forest, and I do not believe that is right, Mr. Chairman.

I urge the subcommittee to reject any attempts to make this program permanent in conference. Any extension of the rec fee demo program or change in its status should be made in regular order.

I want to work with the gentleman from Ohio (Chairman REGULA), the gentleman from Washington (Mr. DICKS), and the leaders of the authorizing committees to review this program and identify alternative ways to provide the necessary funding to maintain our forests. There are many ways we can go about doing this.

Last night, the gentleman from Oregon (Mr. DeFAZIO) offered an amendment which I strongly support which would have ended the rec fee program, while still maintaining full funding for our national forests. Today he is offering another amendment, and I understand the gentleman has agreed to work with him. I also support that effort.

I have introduced bipartisan legislation, the Forest Service Immediate Relief Act, which would terminate the Recreational Fee Demonstration Program at our national forests and offset the lost revenue by eliminating one timber subsidy.

Whatever the means, we must find alternative ways to fund our national forests without unfairly taxing the very people, like those in my district, who simply want to enjoy the beauty of their backyard.

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

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

Mr. REGULA. Mr. Chairman, let me make the same offer. I hope we can work out the problems, because the Forest Service is very happy with it generally and a lot of good things have happened. They used to collect fees and send them to the Treasury. At least now they keep them and the people that pay them get the benefits of it. That is what we are trying to do.

It is a demo program because we are trying to iron out the wrinkles. I know in the case of the gentleman from Oregon (Mr. DeFAZIO), we did have some success where he had multiple forests. That part we have been able to work out. Perhaps we can find some solution to the gentlewoman’s problems.

Mrs. CAPPS. Mr. Chairman, reclaiming my time, I look forward to working with the gentleman.

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

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

Mr. DICKS. Mr. Chairman, I just want to point out that last year we worked with the gentleman and we were able to get a Northwest Forest Pass enacted so that we could cut down on the duplication, and I think it has made some progress. But we are glad to work with the gentleman from Oregon again this year and we would hope that we could have a quick vote on this amendment.

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

The amendment was rejected.

AMENDMENT NO. 50 OFFERED BY MRS. YOUNG OF ALASKA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 50 offered by Mr. Young of Alaska:

Insert before the short title the following:

TITLE V—ADDITIONAL GENERAL PROVISIONS

SEC. 2233. Notwithstanding 36 Code of Federal Regulations 223.80 and associated provisions of law, the Forest Service shall implement the North Prince of Wales Island (POW) Collaborative Stewardship Project (CSP) agreement pilot project for negotiated salvage permits.

POINT OF ORDER

Mr. INSLEE. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman may state his point of order.

Mr. INSLEE. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill, and therefore violates clause 2 of rule XXI. The rule states that amendments to a general appropriation bill shall be in order if changing existing law.

Unfortunately, the amendment of the Chairman, who I have respect for, does
Amendment offered by Mr. UDALL of New Mexico. Mr. Chairman, I offer a perfecting amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. UDALL of New Mexico to the amendment offered by Mrs. Wilson:

Strike all after “Sec. 501.” And in lieu thereof insert the following:

“None of the funds appropriated or otherwise made available by this Act may be used by the Bureau of Land Management, the National Park Service, or the Forest Service to conduct a prescribed burn of Federal land for which the Federal agency has not implemented all provisions of the memorandum containing the Federal Wildland Fire Policy accepted and endorsed by the Secretary of Agriculture and the Secretary of the Interior in December 1995.”

There was no objection.

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

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

There was no objection.

Mr. UDALL of New Mexico. Mr. Chairman, I have read the amendment proposed by the gentlewoman from New Mexico. Her amendment prohibits the Bureau of Land Management, the National Park Service, and the Forest Service from using these appropriations act funds for prescribed burns on Federal lands without notifying and cooperating with tribal, State and local governments. I believe this is an excellent idea.

In testimony before the Subcommittee on Forests and Forest Health, it was apparent this policy was not being followed, to the detriment of the counties affected and the State of New Mexico.

I believe that all of the requirements of the prescribed burn policy should be followed, not just the notification requirement. There are many obligations in that policy and they are important, such as compliance with local and Federal air quality regulations governing contingency plans for possible loss of control, a public fire safety hazard analysis, or fire behavior analysis.

Mr. Chairman, in the spirit of cooperation, I would offer this perfecting amendment at this time.

Mrs. WILSON. Mr. Chairman, will the gentleman yield?

Mr. UDALL of New Mexico. I yield to the gentlewoman from New Mexico.

Mrs. WILSON. Mr. Chairman, I have no problem with this perfecting amendment and I accept it.
Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. UDALL of New Mexico. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I want to commend both of these Members from New Mexico for their concern. This is a serious problem, and we want to do as much as we can to address it

We did put in $15 million in emergency firefighting money, and recognize that this could be a continuing problem. We are prepared to accept the amendment to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. UDALL) to the amendment by the gentlewoman from New Mexico (Mrs. WILSON).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON), as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 48 OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer amendment No. 48.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows: Amendment No. 48 offered by Mr. WELDON of Florida:

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

TITLE I—ADDITIONAL GENERAL PROVISIONS

SEC. 101. None of the funds made available in this Act may be used to publish Class III gaming procedures under part 291 of title 25, in this Act may be used to publish Class III procedures which would permit the tribes to bypass the will of the States and set up casinos in States that do not allow casinos.

Under IGRA, in order for Indian tribes to engage in casino gambling, tribes must have an approved tribal- State compact. However, in April of 1999, the Department of the Interior set forth a process whereby Indian tribes may bypass State governments and appeal to the Secretary of Interior to allow them to set up a casino. This is the subject of a court case.

My amendment simply states, let the case run its full course before the Secretary approves a casino operation in a place like Florida or Alabama, which do not allow casinos. Florida and Alabama have filed suit against the Department arguing that the Department does not have the authority to issue these regulations in the first place. These regulations trample on the rights of States, and what could be worse, deny the States their full day in court.

On three separate occasions the people of Florida have voted against allowing casinos in their State. Now these regulations would establish a way for the tribes to bypass the will of the people of Florida and open casinos. This is not a bipartisan issue. My amendment is supported by the Republican governor of Florida and the Democrat attorney general. I believe and the State of Florida believes the Department of the Interior has exceeded its authority granted under IGRA by issuing a regulatory remedy on a matter that both Congress and the Supreme Court have stated should be determined by the States.

My amendment would simply ensure that the State of Florida has the right to have its case fully adjudicated prior to the Department publishing procedures which would allow Indian tribes to open casinos in Florida.

I am very appreciative of the Secretary’s letter, which I believe is an endorsement of the language in my amendment. They say the same thing. I am nonetheless compelled to offer this amendment, however, because we will have a new administration in 6 months, and we want to do as much as we can to address this problem. We are prepared to accept the amendment to the amendment.

Mr. UDALL of New Mexico. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I would tell the gentleman, the amendment that was promulgated a request for unanimous consent at 30 minutes, 15 on each side. I am not sure if that is acceptable.

Mr. DICKS. Mr. Chairman, we will agree to that, and I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from Florida (Mr. WELDON) will control 15 minutes, and an opponent will control 15 minutes.

The CHAIRMAN. Mr. WELDON recognizes the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is very simple. It ensures that the integrity of a law that the U.S. Congress passed, the Indian Gaming Regulatory Act, or IGRA, is preserved and that States have the right to ensure that their concerns are fully adjudicated in the courts.

My amendment ensures that the States of Florida and Alabama have the right to have their cases fully adjudicated in the Federal courts before the Secretary of the Interior allows tribes to set up casinos in States that do not allow casinos.

Under IGRA, in order for Indian tribes to engage in casino gambling, tribes must have an approved tribal-State compact. However, in April of 1999, the Department of the Interior set forth a process whereby Indian tribes may bypass State governments and appeal to the Secretary of Interior to allow them to set up a casino. This is the subject of a court case.

My amendment simply states, let the case run its full course before the Secretary approves a casino operation in a place like Florida or Alabama, which do not allow casinos. Florida and Alabama have filed suit against the Department arguing that the Department does not have the authority to issue these regulations in the first place. These regulations trample on the rights of States, and what could be worse, deny the States their full day in court.

On three separate occasions the people of Florida have voted against allowing casinos in their State. Now these regulations would establish a way for the tribes to bypass the will of the people of Florida and open casinos. This is not a bipartisan issue. My amendment is supported by the Republican governor of Florida and the Democrat attorney general. I believe and the State of Florida believes the Department of the Interior has exceeded its authority granted under IGRA by issuing a regulatory remedy on a matter that both Congress and the Supreme Court have stated should be determined by the States.

My amendment would simply ensure that the State of Florida has the right to have its case fully adjudicated prior to the Department publishing procedures which would allow Indian tribes to open casinos in Florida.

What specifically does my amendment do? My amendment says that the Department may not publish procedures prescribed under the April, 1999 regulations. Publications of these procedures would permit the tribes to open casinos. My amendment allows the Secretary to go right up to that line, but may not cross it unless the courts have ruled in its favor.

Is this amendment needed? Some correspondence from the Department indicates that the Secretary will not issue these procedures until the case has been decided. I am pleased to have in my possession a letter from the Secretary dated June 14 in which the Secretary says he will not publish those procedures until the courts have decided whether or not he has the right to do that.

I appreciate the Secretary’s letter, which I believe is an endorsement of the language in my amendment. They say the same thing. I am nonetheless compelled to offer this amendment, however, because we will have a new administration in 6 months, and we want to do as much as we can to address this problem. We are prepared to accept the amendment to the amendment.

Mr. UDALL of New Mexico. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, will the amendment that is offered by the gentleman from Washington (Mr. DICKS) be considered?

Mr. DICKS. Mr. Chairman, we will reserve the balance of my time.

The CHAIRMAN. The next Secretary is not bound by the Secretary's letter. This is why the adoption of this amendment is needed. It will ensure that the policy I am advocating and that the Secretary supports will be followed.

I am very appreciative of the Secretary's support, and I certainly support him in this position.

To reiterate, my amendment maintains the status quo of IGRA. It ensures that tribes can still use the current Indian Gaming Regulatory Act process to engage in class 3 gaming. It preserves the right of Congress to pass laws and major policy changes. It continues incentives for tribes and States to pursue legislation to remedy differences over IGRA. It prevents the Secretary from bypassing or short-circuiting States' rights, and it protects States' rights by barring the tribes. It does exactly what the Secretary is calling to be done.

My amendment does not do the following: this amendment does not amend the Indian Gaming Regulatory Act. The Weldon amendment does not affect existing tribal-State compacts. The amendment does not limit the ability of tribes to obtain class 3 gaming as long as valid compacts are entered into by the tribes with the States pursuant to existing law.

I encourage my colleagues to vote in support of the amendment.

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

Mr. DICKS. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from Washington (Mr. DICKS) is recognized for 15 minutes.

Mr. DICKS. Mr. Chairman, I ask unanimous consent to yield 6 minutes to the gentleman from Arizona (Mr. KOLBE), and I will control 9 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?
There was no objection.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE), who is an expert on these matters.

Mr. KILDEE. Mr. Chairman, I rise in strong opposition to the Weldon amendment.

Mr. Chairman, last year Members of this body defeated this amendment offered by the gentleman from Florida (Mr. WELDON) and the gentleman from Georgia (Mr. BARR) that would have prohibited the Secretary of the Interior from issuing alternative gaming procedures that would help tribes attain gaming compacts when States refuse to negotiate with tribes in good faith.

This amendment would keep the Secretary of Interior from fulfilling a congressionally mandated obligation that requires the Secretary to issue alternative class 3 gaming procedures.

Mr. Chairman, on April 12, 1999, the Secretary published a final regulation providing for class 3 gaming procedures that allows the Secretary to mediate differences between States and Indian tribes on Indian gaming activities. Secretary developed the regulation because of a United States Supreme Court ruling in Seminole Tribe versus Florida, which found that States could avoid compliance with the Indian Gaming Regulatory Act by asserting immunity from suit.

By enacting IGRA, Congress did not intend to give States the ability to forever block the compacting process by asserting immunity from suit. In fact, IGRA enables the Secretary to issue alternative procedures when the States refuse to negotiate in good faith. The amendment would prohibit the Secretary from fulfilling his obligation under IGRA on grounds that it bypasses State authority. Nothing could be further from the truth.

The regulation gives great deference to the State's role under IGRA. Only after the State asserts immunity from suit and refuses to negotiate would the regulation apply.

Mr. Chairman, I think it is particularly important to note that the regulation does not give tribes a right to conduct gaming but only creates a forum where all interests, State, Federal and tribal, can be determined.

The Secretary's role would be subject to several safeguards, including oversight by the Federal courts. In April of last year, one day after the regulation was published, the States of Florida and Alabama sued in the Federal District Court in Florida claiming the regulation was beyond the scope of the Secretary's authority under IGRA.

In May 1999, the Secretary wrote to the House and Senate Committee on Appropriations saying that he would refrain from implementing the regulations until the Federal Court resolved the authority question. Just yesterday, the Secretary wrote to the gentleman from Florida (Mr. WELDON) to tell him that the Department would defer from publishing the procedures until a final judgment is issued in the Florida case whether by district court or on appeal.

The Secretary's letter should have alleviated the concerns of the gentleman from Florida (Mr. WELDON) since he intended to offer an amendment that would have kept the Secretary from publishing procedures until a final judgment was issued. Despite the Secretary's letter, the gentleman from Florida (Mr. WELDON) chose to offer this amendment which would keep the Secretary from moving forward with publishing gaming procedures during the 2001 fiscal year.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG), the very distinguished chairman of the Committee on Resources.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman from Arizona (Mr. KOHL) for yielding me this time.

Mr. Chairman, I rise in strong opposition to my good friend, the gentleman from Florida (Mr. WELDON). I happen to be one of the last remaining sponsors of IGRA, and believe, in fact, that the bill has worked very well; the act has worked very well.

As we know, the States have to enter into compacts with the tribes that apply for gambling activity within that State. It has worked well in almost all States of the Union and, in fact, has given the American Indian tribes an opportunity to be economically advanced and has done a very good job in doing so.

Unfortunately, some of those States that have existing gambling have gotten involved in denying the tribal entities to have the right to enter into these compacts, in fact stonewalled them. As the Secretary has informed the chairman, he is not going to issue any more regulatory actions or suggestions until the court makes that decision. So this amendment is unnecessary.

I believe, in fact, it impugns upon the sovereignty of the American Indians, which we granted them. I, for one, as an author of the original bill with Mr. Udall, do take homage to the fact that we are trying to undo that act and unfortunately I understand the gentleman's desires but I think it does a disservice to the American Indians and to the act itself.

Now I will say that I am willing to go through the court process. I hope it does go through the process, and I think we will be found in favor of IGRA and the results will be the continuation where the Secretary can, in fact, force a State to do it, if they do not negotiate in good faith.

So I do rise in strong opposition to this amendment, suggesting it is unnecessary and unwarranted at this time.

Mr. WELDON of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I thank the gentleman from Florida (Mr. WELDON) for yielding me this time.

Mr. Chairman, I rise in strong support of the Weldon amendment. This common sense measure would instruct the Secretary of Interior not to publish any new onerous gaming regulations until our Federal courts have finished adjudicating cases presently pending. It is simply ludicrous to waste time and taxpayers' money on intrusive new regulations until we know the outcome of those cases. These, our trust and responsibility to States' rights.

Additionally, at a time when we seek to maximize the efficiency and cost effectiveness of our Federal Government, why in the world do we allow the wasteful spending of taxpayers' dollars? Why would we encourage work that may ultimately be rendered moot or duplicative?

Mr. Chairman, let us leave the Federal Government out of it. States and Indian tribal governments can resolve gambling issues within State borders. They certainly do not need the help of any cabinet secretary and they should not be forced to take it.

I encourage my colleagues, please support the Weldon amendment. It is the right thing to do for States, for taxpayers, for common sense.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Florida (Mr. WELDON). It would undermine our responsibility as Members of Congress, our trust and responsibility to the first Americans of this Nation.

For many tribes, the resources that are provided by tribal gaming are their lifeblood. It has allowed them to begin solving their problems, from education, health care, and social services to economic growth. IGRA enables the Secretary of Interior not to publish the Weldon part of the Weldon amendment. This part of the amendment would prevent the Secretary from fulfilling a congressionally mandated obligation that requires him to issue alternative class 3 gaming procedures.
unsafe homes that no one in this Chamber would allow their families to live in, and it has resulted in abysmal health care that would shock and outrage every single Member of this House if it was one of them or one of their constituents.

The thing that has allowed these tribal governments to provide for the things that this Congress has failed to do is tribal gaming. Two hundred years of Indian law jurisprudence have told us that this Congress and every single Member of this House has a responsibility to our first Americans, our Native Americans. This amendment is not so much about tribal gaming as it is about the trust responsibility that each of us has been sworn to uphold when we swore by the Constitution of the United States to uphold our responsibility, our trust responsibility, to our first Americans.

Mr. Chairman, I encourage all my colleagues against this amendment, just as we did last year, and stand up for the first Americans of this country of ours.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to my distinguished colleague and friend, the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from Arizona (Mr. Kolbe) for yielding me this time.

Mr. Chairman, here we go again. It would be especially appropriate to remember the words written in this document, in article I, section 8, where the Constitution states as follows, “the Congress shall have the power to regulate commerce with foreign nations and among the several States and with the Indian tribes.”

Mr. Chairman, that articulation, that enumeration, gives tribes sovereignty and sovereign immunity. What I would like to hear from my good friend from Nevada earlier is the notion that somehow we should short-circuit or circumvent the process that involves the Federal Government, quite rightly, not only a body of subsequent case law but also in what this Congress has passed through the Indian Gaming Regulatory Act. And when it comes to Class III gaming IGRA was never intended to give the States absolute authority in this.

My friend from Florida admits it is before the courts right now. The process is working. I need not lecture my friends in elementary civics. We understand the separation of powers. Tonight the reason that separation, the sanctity of the judicial process and the promise already given by the appropriate authority is a vis-a-vis IGRA when we reject the Weldon amendment.

Stand for sovereignty. Stand for economic opportunity. Stand for the separation of powers to let the courts do their work and work their will. Reject the Weldon amendment.

Mr. WELDON of Florida. Mr. Chairman, I yield 2 1/2 minutes to the distinguished gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding me the time. I rise in support of his amendment.

As my friend from Arizona just pointed out, this is a bipartisan debate with some serious questions. There are some real questions about how the voters of the State fit into this process. There are real questions about how State governments fit into that process. There is a real question that really go beyond this amendment. But the amendment is narrow. It is not complex.

Our friend from Florida just gave a long list of what the amendment does not do, and we should not get confused about what the amendment does not do. We should only talk about what the amendment does do. And I go there, I might say, of course, the amendment does not prohibit the Secretary from doing anything in these two States if the Federal Government, if the Department wins its case.

Both the gentleman from Alaska (Chairman YOUNG) and the gentleman from Michigan (Mr. Kildee) have pointed to a letter that the Secretary sent yesterday that said he did not intend to do anything until the case was over.

Well, if the amendment is not needed because the goal has already been agreed to, at least by this Secretary and at least for the next 6 months, if the amendment is not needed, surely it does not have any purpose because the goal of the amendment has already been achieved, surely it does no harm to let the authorities in Florida and Alabama know that their cases will proceed.

And it also sends a message to the Department of the Interior if this case is not over at the time this Secretary happens to leave, that his desire in this case would continue to be what would determine what the Department can do, that these two States would be allowed to have their day in court, that these serious issues would be fully adjudicated, and that this would be determined before we moved further.

The Secretary says that the Department will defer from publishing the regulations will help resolve long-standing constitution disputes over Indian gaming and will only complicate the process. I urge its defeat.

Mr. HASTINGS of Florida. Mr. Chairman, I rise in opposition to the Weldon amendment.

To those who say that it upholds the Indian Gaming Regulatory Act, I urge them to read the act. The act does not give the States the ability to unilaterally deny tribes access to class 3 gaming by refusing to negotiate.

In fact, it requires States to negotiate with tribes for class 3 gaming that is otherwise available in the State. If the State fails to do so, the act provides a mechanism through the Secretary of the Interior for the tribe to have access to the kind of games that the others in the State enjoy.

This matter arose in the district that I am privileged to serve, and yet the State of Florida has refused to negotiate with Florida tribes compacts for class 3 gaming. And it has done so with impunity.

It is time to give Florida tribes and those in other States a way to enforce the rights Congress affirmed more than 11 years ago in enacting the Indian Gaming Regulatory Act.

When the State of Florida asserted its sovereign immunity to a lawsuit that could have triggered secretarial procedures under the IGRA, it upset the balance Congress deliberately struck between the tribes’ rights and the States’ rights in the negotiating process. It also calls the constitutionality of the act to come into serious question.

I would remind my colleagues that if the IGRA is rendered unconstitutional, we go back to the Cabazon standard. If that happens, States will have absolutely no role in determining what kind of games tribes can have.

Mr. DICKS. Mr. Chairman, I yield such time as she may consume to the
Mr. Chairman, I rise in opposition to the Weldon amendment. Ms. WATERS asked and was given permission to revise and extend her remarks.

Ms. WATERS. Mr. Chairman, I am in opposition to the Weldon amendment. Mr. Chairman, I rise to speak in opposition to the Weldon amendment, which would have a devastating impact on many Indian tribes throughout our nation.

The Weldon amendment would prohibit the Department of the Interior from implementing important regulations for mediating differences between states and Indian tribes on Indian gaming activities. The Indian Gaming Regulatory Act requires Indian tribes to negotiate compacted with state governments for the operation of certain types of gaming facilities. In the event that states and tribes are unable to negotiate a compact, the Act gives the Department of the Interior the authority to mediate between the states and the tribes. The Department of the Interior’s regulations are essential to ensure that the tribes can operate gaming facilities when states refuse to negotiate compacts in good faith.

The supporters of this amendment claim that the Department of the Interior’s regulations would “bypass” state authority. Nothing could be further from the truth. The regulations come into play only after a state has refused to negotiate a compact with a tribe. Furthermore, during the mediation process, the state has several opportunities to join the process and participate as a full party to the negotiations.

This amendment would encourage states to ignore their obligation to negotiate with tribes that seek to operate gaming facilities. It would permit states to refuse to negotiate gaming compacts and thereby prevent tribes from operating gaming even when other citizens and businesses in the state are permitted to do so. This unfairly discriminates against Indian tribes.

Gaming is to Indian tribes what lotteries are to state governments. Indian gaming revenues are used to fund essential government services including health care, education, law enforcement, tribal courts, economic development and infrastructure improvement. These revenues serve to promote the general welfare of the tribes and their members. Through gaming, tribal governments have been able to bring hope and opportunity to some of the country’s most impoverished people.

I urge my colleagues to defeat this amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in opposition to the Weldon amendment.

The gentleman from Florida (Mr. WELDON) has this exactly right. The Indians had this right to unilaterally engage in gaming as a result of the Cabazon tribe. This Congress came and stepped in and created a process which would involve the States to try to develop compacts for class 3 gaming and, therefore, restricted the rights of the Indian tribes.

What we have now seen is that in those States and in my own State for several years where the Indians have had that right, they have worked on that right. The States have simply refused to negotiate in good faith with those tribes.

We recognize that the States have sovereignty, and that is exactly what IGRA was designed to do, as the gentleman from Arizona said. It was designed to create a basis in which we could deal with the impasse between those tribes. That is what was attempted in this case. The States sued. We developed a sovereignty. And that is the point in which the Secretary is supposed to do it.

The States have now come along and sued as to whether or not the Secretary has any authority to do this. And this is against a restriction with the rights of the tribes under IGRA and under the basic rights in the Cabazon case.

I would urge that we oppose this amendment.

Mr. DICKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK) to give us some perspective on the importance of this issue.

Mr. FRANK of Massachusetts. Mr. Chairman, I could have sworn about an hour ago Members were knocking each other down in a race to the microphone to talk about how much they love the Indians. And now we have a bill, which is, as we know, despite the technicalities, aimed at retarding the Indians’ ability to have gambling.

People watching C-SPAN could be forgiven if they thought they had turned to the American Movie Classics and were watching one of those bad old movies where the Indians win the first reel and then they get ambushed by all the white guys in the second reel. We are into the second reel of a bad movie here.

Whatever happened to all this pro-Indian stuff? And it is not only a bad movie if this amendment passes with a surprise ending. Because we have a concern for Indian health which some people want to beat by giving them more Federal money.

We are saying, let us help Indian health by letting the Indians step into business and support themselves and make some money. And I think gambling has probably done more to help Indian health than the underfunded health service. So let us not have a surprise ending where the Republican House says, hey, enough of this self-sufficiency, enough of this making money on your own, let us give you a little more Federal funding.

Mr. WELDON of Florida. Mr. Chairman, I yield to the gentleman.

Mr. Chairman, I just want to make it very, very clear that this Member supports the States having a say in this. And to imply that anybody in this Chamber is anti-Native American I think is to me inaccurate, to say the least.

Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. I thank the gentleman for yielding time.

Mr. Chairman, I suppose I should begin by pointing out that some of us believe that Indian economic development is in fact very important, but we are concerned that Indian gambling is not the best form of Indian economic development. I personally feel we ought to be doing a great deal more toward Indian economic development, and I have introduced three different pieces of legislation to do that. But I think causing the Indian reservations to be solely dependent on gambling is not necessarily prudent economic development for the Indian people nor do I believe the only thing we should be doing to assist them in economic development is to promote gambling.

I want to raise a technical point. The gentleman from Michigan (Mr. KILDEE) some time ago rose and said that in writing IGRA, this Congress clearly contemplated this situation and that in writing IGRA, this Congress specifically wrote that we would in fact allow the United States Secretary of Interior and the administration to authorize Class III gaming if a State chose not to negotiate with the tribe.

That may well be true although I think it is not in fact true, but I want to make the point that in enacting IGRA, this Congress acted unconstitutionally and indeed in this very case, in Seminole Tribe v. Florida, the United States Supreme Court ruled specifically that way, because in enacting IGRA, this Congress, in its attempt to advance gaming, waived the States’ rights to assert their 11th amendment immunity. Under the 11th amendment to the United States constitution, States are immune from being sued. They may not be sued under the U.S. Constitution.

Notwithstanding that, the Constitution says that, this Congress tried to waive the immunity. The United States Supreme Court has already said that our attempt to do so was unconstitutional. If they said that was unconstitutional, then why would we have at the same time, having said that we waived the State’s right and allowed them to be sued, we are going to create a separate procedure?

The reality is the situation that the gentleman from Florida (Mr. WELDON) is referring to would not be going forward if the gentleman from Michigan (Mr. KILDEE) were correct. The reality is that this issue is in dispute and that the gentleman from Florida’s amendment simply preserves the status quo.

I urge my colleagues to support the Weldon amendment.
Mr. KOLBE. Mr. Chairman, I think the bipartisan nature of this debate has been shown just by the speakers from my State of Arizona with three of us in the same party on opposite sides of this issue. There is clearly a lot of debate about this and fair debate, I think. I think we have heard some good discussion here tonight.

I think the gentleman from Michigan (Mr. KILDEE) laid out the very technical and kind of legalistic arguments about this. I want to answer a couple of the things that were said here tonight, but I also want to say very clearly that the effect of this legislation is to say to the Indian tribes, ‘There will be no gaming until this issue is settled, no gaming whatever, you won't proceed anywhere in the country.’

I am going to come back to that in a second. I think it is important to understand that while many of us may have concerns about the way some of the Indian gaming has proceeded, we need to also understand that it has brought about some wonderful economic development and wonderful improvements in the lives of people on Indian reservations.

I have one small tribe in my community that has used the money that they have had from Indian gaming to improve the lives of their citizens, to improve the health care of children, the education of children. They have used some of the money to jump start economic development by allowing for the creation of a high-tech company, to fund a high-tech company to move onto the reservation to provide service to some of the most skilled kinds of jobs on the Indian reservations.

Sir, it is a company that would not have been able to get financing, venture capital financing if it had not been for the Indian gaming money that that tribe had. It has made a difference. It is making a difference for that tribe.

Now, there were a couple of things that have been said here. I think that need to be corrected. My friend from Missouri spoke about the fact that this is a narrow and not a broad piece of legislation. He also said if the Secretary has said he will not issue the regulations, why worry about it, then? Why not just go ahead?

The answer is very clear to that, Mr. Chairman. The reason is because this legislation would preclude even States where the tribe and the governor want to go ahead, where there is no question, they would not be able to move ahead.

In answer to the last question of my friend from Arizona who spoke about the fact that the courts struck this down, we did not strike down the right of the Secretary to promulgate regulations.

Mr. Chairman, we should defeat this amendment. We should allow the process to move forward. I urge a no vote.
The bill is $1.7 billion below the President’s request, and $302 million below fiscal 2000. That applause says an awful lot about those folks and their values.

Mr. Chairman, it is $485 million below the request for Indian affairs. It will cause major reductions in personnel for both Indian schools, hospitals, and clinics. Are the Members not clapping now? Why do they not clap at that, too?

Mr. Chairman, this bill cuts land acquisition $736 million below the level which this House voted just a month ago and sent out their press releases about.

It includes anti-environmental riders on the Columbia Basin plan deleted earlier by the Dicks amendment, it fails to include increases for the arts programs and rider to the Slaughter amendment, and even if it did, even if it did, $22 million worth of good news cannot overcome $2 billion of ignored responsibilities.

For the Forest Service, it is $96 million below last year; it is $100 million below last year for maintenance for parks or refuges or forests.

I have to say, I know the gentleman from Ohio. I know if he had his druthers, this bill would not look like this. But the problem is that the way this House is operating under the instructions that it is operating, good people have to bring bad legislation to this floor. We have the responsibility when that happens to vote against it until it becomes good legislation, and that is what we intend to do tonight.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this bill. I would just restate to my colleagues this is a fiscally responsible appropriation bill. I hope we could get to the vote and pass the bill.

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concerns programs at insufficiently low levels. It contains legislative riders that will undermine our nation’s land management and environmental protection programs. H.R. 4578 cuts more than $300 million from current levels in important programs which protect endangered species and preserve and maintain our national wildlife refuges, national forests, and national parks. The bill also attacks the protection of national monuments and prevents the establishment of new national wildlife refuges.

As the stewards of America’s lands and environment, Congress must fulfill its obligation to future generations and ensure that our parks, wildlife refuges, forests and range lands are protected, preserved and maintained. This legislation does not do this. It does not adequately provide for the maintenance of our federal lands and historic treasures, and it cuts funding for new federal land acquisition of important natural resource lands threatened by development.

I am particularly concerned about the anti-environmental legislative riders which have been attached to this bill. The riders affect the full range of environmental issues—from protecting our public lands to undermining our clean water laws to exposing our children to toxic chemicals. Mr. Speaker, we must oppose these backdoor riders which weaken our environmental laws which are critically important to our children and communities. We must not allow the narrow interest of those who seek special exemptions, subsidies or funding limitations to erode the quality of our public lands and our quality of life.

Mr. Chairman, this legislation also funds for our nation’s critically important arts and humanities education programs to historically low levels. H.R. 4578 would fund the National Endowment for the Arts (NEA) at a level of 40 percent below 1995 levels and the National Endowment for the Humanities (NEH) at a level of 33 percent below 1995 levels.

In summary, Mr. Speaker, H.R. 4578 funds our critically needed natural resource conservation programs at insufficiently low levels. It contains legislative riders that will undermine our nation’s land management and environmental protection programs. I strongly urge a NO vote against final passage of the bill.

The CHAIRMAN. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, pursuant to House Resolution 524, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMEND OFFERED BY MR. DICKS

Mr. DICKS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. The gentleman opposed to the bill?

Mr. DICKS. In its present, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit. The Clerk read as follows:

Mr. DICKS moves to recommit the bill H.R. 4578 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

On page 66, line 21, after the amount insert "(increased by $22,000,000)".

On page 85, line 7, strike "$98,000,000" and insert "$113,000,000".

On page 111, line 21, after the amount insert "(increased by $22,000,000)".

On page 149, line 21, after the amount insert "$105,604,000".

Mr. DICKS. Mr. Speaker, I will be very brief. I was proud to be a cosponsor of this amendment.

What this would do would be to take the Slaughter amendment, $15 million for the National Endowment for the Arts, $5 million for the National Endowment for the Humanities, and $2 million for museum services.

Ms. SLAUGHTER. Mr. Speaker, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from New York.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, since the Arts Caucus could not present its amendment this evening, we will give Members one chance this evening to vote for or against art and humanities. This is the very same proposal that passed today. It is a vote on art. It passed today by 207 to 204 with bipartisan support. If Members supported it today, they should support it this morning.

Mr. Speaker, these funds do not support a $9 billion industry, as stated earlier this evening, but exist to bring beauty, truth, history, and hope to those who might have no other exposure to them. This includes the NEA programs that are presently on Indian reservations.

It is also money in the bank. The $98 million spent last year will bring back to the Federal Treasury $4 billion to $5 billion this year. An investment with a return like that deserves to be increased.

I urge a yes vote on the motion to recommit.

The SPEAKER pro tempore. Is the gentleman from Ohio (Mr. REGULA) opposed to the motion to recommit?

Mr. REGULA. Mr. Speaker, I am opposed to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. REGULA) is recognized.

Mr. REGULA. Mr. Speaker, let us get on with the vote.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit. There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit. The question was taken; and the vote was taken by electronic devices. The vote was taken by electronic devices, and there were—ayes 184, noes 188, not voting 63, as follows:

AYES—184

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 188, not voting 63, as follows:

[Roll No. 290]
So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PEASE). The question is on passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device and there were—yeas 204, nays 172, not voting 39, as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
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<td>204</td>
<td>172</td>
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**CONGRESSIONAL RECORD—HOUSE**

**June 15, 2000**

**11127**

**NAYS—172**

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**NEYAS—204**

Aderholt Archer Arntz Azar Bachus Baker Barrett (NE) Bateman Berenger Berry Biggert Bilirakis Blunt Boehner Bonilla Bono Brady (TX) Bryant Burr Burton Buyer Buxton Callahan Calvert Camp Cannon Chabot Chalk Chablis Chéné Chocola Chocola-Chenoweth Coleby Colyer Colesburg Combest Connick Cooper Conklin Costa Crane Crandall Cubin Cunningham Davis (VA) DeMint Diaz-Balart Dickey Dolintie Dreier Driehl Dunn Ehrlich Emerson Emmerich Ensign Everett Fletcher Foley Fossella Fowler Gallegly Gekas
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**WAMP**

Wamp Watterson Weldon (FL) Weldon (PA) Welles Whittfield Wicker Wilson

**NOT VOTING—63**

Ballenger Bartlett Becerra Bishop Riley Blumenauer Boucher Capuano Clays Claybrook Cooksey Costello Danner Deal Dempsey Dempsey Doolin Epton Finkler Ganske Green (TX) Greenwood

**YEAS—204**

Aderholt Archer Arntz Azar Bachus Baker Barrett (NE) Bateman Berenger Berry Biggert Bilirakis Blunt Boehner Bonilla Bono Brady (TX) Bryant Burr Burton Buyer Buxton Callahan Calvert Camp Cannon Chabot Chalk Chablis Chéné Chocola Chocola-Chenoweth Coleby Colyer Colesburg Combest Connick Cooper Conklin Costa Crane Crandall Cubin Cunningham Davis (VA) DeMint Diaz-Balart Dickey Dolintie Dreier Driehl Dunn Ehrlich Emerson Emmerich Ensign Everett Fletcher Foley Fossella Fowler Gallegly Gekas
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**Scott**

Shays Sherman Sinak Smock (WA) Snyder Spratt Stephan Belenek Stark Strickland Stupak Tanner Tauser Thompson (CA) Turnier Turner Udall (CO) Udall (NM)

**Vince**

Wise Woolsey Wynn

**NOT VOTING**

Ballenger Bartlett Becerra Bishop Riley Blumenauer Boucher Capuano Clays Claybrook Cooksey Costello Danner Deal Dempsey Dempsey Doolin Epton Finkler Ganske Green (TX) Greenwood
So the bill was passed.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to my friend, the distinguished gentleman from Texas (Mr. ARMEY), for the purpose of inquiring about the schedule.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce that the House has completed its legislative business for the week.

The House will next meet on Monday, June 19, at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider a number of measures under suspension of the rules, a list of which will be distributed to Members' offices tomorrow. On Monday, no recorded votes are expected before 6 p.m.

We will also consider H.R. 4635, VA-HUD appropriations for fiscal year 2001 on Monday under an open rule. Members should expect to work until about 9 p.m. on VA-HUD Monday evening.

On Tuesday, June 20 and the balance of the week, the House will consider the following measures:

H.R. 4601, the Debt Reduction and Reconciliation Act of 2000;

H.R. 4201, the Noncommercial Broadcasting Freedom of Expression Act of 2000;

H.J. Res. 90, withdrawing the approval of the United States from the agreement established in the World Trade Organization;

H.R. 4516, Legislative Branch appropriations for fiscal year 2001;

H.R. 4461, Agricultural Appropriations Act for fiscal year 2001;


Mr. Speaker, we have just completed a very productive week in the House. I want to thank my colleagues for all their hard work. Obviously, next week we have laid out another very ambitious schedule for the House; and so I would caution my colleagues to be prepared to work late nights Monday through Thursday.

Mr. Speaker, I wish all my colleagues a good weekend back in their districts and a happy Father's Day.

Mr. HOYER. I thank the gentleman from Texas (Mr. ARMEY) for the information. I note that the prescription drug bill is not on the calendar for next week. Mr. Leader; but I am wondering, not having the gentleman confirm for us the discussions we have had that, because this is a matter of such importance to the American people, that when the bill does come up, that the minority will at a minimum seize the opportunity to offer our substitute proposal that has brought this issue to the floor when it does come to the floor?

Mr. ARMEY. Mr. Speaker, let me thank the gentleman for that inquiry, and the gentleman is absolutely correct. It is an important issue. The committee expects to mark it up and prepare it for the House by Wednesday of next week.

We would hope to have it on the floor then the following week. And, of course, the Committee on Rules will deliberate on that. And I am sorry I cannot answer at this time what rule will be reported.

I do appreciate the concern the minority has, and I will relay that on to the Committee on Rules.

Mr. HOYER. I thank the gentleman for his reply, and I understand the fact that he may not be able to predict what the Committee on Rules would do, but can the distinguished Leader, based upon what I understand are conversations that I have not participated in, but I think some have, can the Leader advise me whether or not it would be his intention to advise the Committee on Rules that the minority have the opportunity to offer its substitute on an issue of such magnitude to the American people?

Mr. ARMEY. I thank the gentleman for his inquiry. I have not participated in the discussions to which the gentleman refers. I will consult with those Members of our leadership that have been involved in those discussions and then act in accordance with what I understand from those discussions.

Mr. HOYER. I thank the gentleman for his response, and, again, would hope very sincerely that on a matter of this magnitude that the House would have the opportunity of considering at least two substantive alternatives and the substantive alternative offered by the minority party (f) to offer it.

Mr. ARMEY. I appreciate the gentleman's interests; and certainly I understand, having been in the minority, myself, how strongly you must feel about that.

Mr. HOYER. I thank the gentleman.

AUTHORIZING AWARD OF MEDAL OF HONOR TO ED W. FREEMAN, JAMES K. OKUBO, AND ANDREW J. SMITH.

(a) INAPPLICABILITY OF TIME LIMITATIONS.—Notwithstanding the time limitations in section 3744(b) of title 10, United States Code, or any other time limitation, the President may award the Medal of Honor under section 3741 of this title to the persons specified in subsection (b) for the acts specified in that subsection, the award of the Medal of Honor to such persons having been determined by the Secretary of the Army to be warranted in accordance with section 1130 of such title.

(b) PERSONS ELIGIBLE TO RECEIVE THE MEDAL OF HONOR.—The persons referred to in subsection (a) are the following:

(1) Ed W. Freeman, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on November 14, 1965, as flight leader and second-in-command of a helicopter lift unit at landing zone X-Ray in the Battle of the Ia Drang Valley, Republic of Vietnam, during the Vietnam War, while serving in the grade of Captain in the 259th Assault Helicopter Battalion, 101st Cavalry Division (Air-mobile).

(2) James K. Okubo, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on October 28 and 29, and November 4, 1944, at Pouv Domaniale de Champ, near Biffontaine, France, while serving as an Army medic in the grade of Technician Fifth Grade in the medical detachment, 442d Regimental Combat Team.

Andrew J. Smith, for conspicuous acts of gallantry and intrepidity at the risk of his life and beyond the call of duty on November 30, 1864, in the Battle of Honey Hill, South Carolina, during the Civil War, while serving as a corporal in the 55th Massachusetts Volunteer Infantry Regiment.

(c) POSTHUMOUS AWARD.—The Medal of Honor may be awarded under this section posthumously, as provided in section 3752 of title 10, United States Code.

(d)tings to the rec- The Medal of Honor may be awarded under this section for service for which a Silver Star, or other award, has been awarded.

The SPEAKER pro tempore. The gentleman from Colorado (Mr. HEFLEY) is recognized for 1 hour.

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

Mr. Speaker, S. 2722 authorizes the award of the Medal of Honor to Ed. W. Freeman, James K. Okubo, and Andrew J. Smith, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2722

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

SECTION 1. AUTHORITY TO AWARD MEDAL OF HONOR TO ED W. FREEMAN, JAMES K. OKUBO, AND ANDREW J. SMITH.

(a) INAPPLICABILITY OF TIME LIMITATIONS.—Notwithstanding the time limitations in section 3744(b) of title 10, United States Code, or any other time limitation, the President may award the Medal of Honor under section 3741 of this title to the persons specified in subsection (b) for the acts specified in that subsection, the award of the Medal of Honor to such persons having been determined by the Secretary of the Army to be warranted in accordance with section 1130 of such title.

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