June 26, 2001

CONGRESSIONAL RECORD—SENATE

Mr. THOMAS. Mr. President, I am pleased to introduce a bill today to authorize the exchange of State lands inside Grand Teton National Park.

Grand Teton National Park was established by Congress on February 29, 1929, to protect the natural resources of the Teton range and recognize the Jackson area’s unique beauty. On March 15, 1943, President Franklin Delano Roosevelt established the Jackson Hole National Monument adjacent to the park. Congress expanded the Park on September 14, 1950, by including a portion of the lands from the Jackson Hole National Monument. The park currently encompasses approximately 310,000 acres of wilderness and has some of the most amazing mountain scenery anywhere in our country. This park has become an extremely important element of the National Park system, attracting almost 2.7 million visitors in 1999.

When Wyoming became a State in 1890, sections of land were set aside for school revenue purposes. All income from these lands—rents, grazing fees, sales of other sources—is placed in a special trust fund for the benefit of students in the State. The establishment of these sections predates the creation of most national parks or monuments within our State boundaries, creating several State holdings on Federal land. The legislation I am introducing today would allow the Federal Government to remove the state school trust lands from Grand Teton National Park and allow the State to capture fair value for this property to benefit Wyoming school children.

This bill, entitled the “Grand Teton National Park Land Exchange Act,” identifies approximately 1406 acres of State lands and mineral interests within the boundaries of Grand Teton National Park for exchange for Federal assets. These Federal assets could include mineral royalties, appropriated dollars, federal lands or combination of any of these elements.

The bill also identifies an appraisal process for the state and federal government to determine a fair value of the state property located within the park boundaries. Ninety days after the bill is signed into law, the land would be valued by one of the following methods: (1) the Interior Secretary and Governor would mutually agree on a qualified appraiser to conduct the appraisal of the lands in the park; (2) if there is not agreement about the appraiser, the Interior Secretary and Governor would each designate a qualified appraiser. The two designated appraisers would select a third appraiser to perform the appraisal with the advice and assistance of the designated appraisers.

If the Interior Secretary and Governor cannot agree on the evaluations of the State lands 180 days after the date of enactment, the Governor may petition the U.S. Court of Federal Claims to determine the final value. One-hundred-eighty days after the State land value is determined, the Interior Secretary, in consultation with the Governor, shall exchange Federal assets of equal value for the State lands.

The management of our public lands and natural resources is often complicated and requires the coordination of many individuals to accomplish desired objectives. When western folks discuss Federal land issues, we do not often have an opportunity to identify proposals that capture this type of consensus and enjoy the support from a wide array of interests; however, this land exchange offers just such a unique prospect.

This legislation is needed to improve the management of Grand Teton National Park, by protecting the nature of these unique lands against development pressures and allow the State of Wyoming to access their assets to address public school funding needs.

This bill enjoys the support of many different groups including the National Park Service, the Wyoming Governor, State officials, as well as folks from the local community. It is my hope that the Senate will seize this opportunity to improve upon efforts to provide services to the American public.

By Mr. DOMENICI:

S. 1106. A bill to provide a tax credit for the production of oil or gas from deposits held in trust for, or held with restrictions against alienation by, Indian tribes or Indian individuals; to the Committee on Finance.

Mr. DOMENICI. Mr. President, today I am proud to introduce legislation that would provide a Federal tax credit for oil and natural gas produced from Indian lands. This legislation will serve two important purposes. It will provide an immediate boost to tribal economies, and it will provide additional domestic sources of energy to ease our growing energy crisis.

Even though Indian lands offer a fertile source of oil and natural gas, many disincentives to exploration and production exist. For example, the Supreme Court permits the double taxation of oil and natural gas produced from tribal lands, which unfairly subjects producers to both State and tribal taxation. Furthermore, tribal economies are not sufficiently diversified to allow for tribal tax incentives for oil and natural gas production. Finally, Congress has enacted innumerable incentives for energy development on Federal lands, which has made production from this land far more profitable. As a result, Indian lands are too often overlooked as a source of domestic energy.

This legislation would remedy these disadvantages by providing Federal tax credits for oil and natural gas production on tribal lands. These tax credits would be available to both the tribe as royalty owner and the producer. Tribes would benefit in two ways: they could broaden their tax base from substantially increased oil and gas production, and they could market their share of the tax credit to generate additional revenue. These additional revenues would allow tribes to strengthen their infrastructure and improve the vital services that they provide to their citizens.

Unfortunately, the recent economic prosperity has not been extended to many Indian tribes. This is the reason why these tax incentives are so crucial. They will provide a much-needed shot in the arm to tribal economic development and will compensate for the discriminatory double taxation that hinders energy production. In recent years, many people have criticized the growth of the gaming industry on reservations. However, these critics have failed to suggest viable alternatives for tribal economic development. This legislation would supply strong opportunity for entrepreneurship in a vital national industry and would bring many more tribes into the economic mainstream.

Finally, this legislation would have the added benefit of creating an additional source of domestic energy. In our efforts to craft a comprehensive energy policy for the United States, we have been searching for additional sources of domestic energy. In this search, we must not overlook tribal oil and gas production. America’s energy supply is a patchwork of various domestic and international sources, and the addition of tribal lands will only strengthen the seams of this patchwork and decrease our risky reliance on foreign sources.

Therefore, I am proud today to introduce this legislation to boost the production of oil and natural gas on Indian lands and to strengthen our domestic energy supply.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 117—HONORING JOHN J. DOWNING, BRIAN FAHEY, AND HARRY FORD, WHO LOST THEIR LIVES IN THE COURSE OF DUTY AS FIREFIGHTERS

Mrs. CLINTON (for herself, and Mr. SCHUMER) submitted the following resolution, which was referred to the Committee on the Judiciary:

S. RES. 117

Whereas on June 17, 2001, 350 firefighters and numerous police officers responded to a 911 call that sent them to Long Island General Supply Company in Queens, New York; Whereas a fire and an explosion in a 2-story building had turned the 128-year-old;
family-owned store into a heap of broken bricks; twisted steel and shattered glass; nowhere all those who responded to the scene served without reservation and with their personal safety on the line; where the call of duty and demands of firefighters were injured by the blaze, including firefighters Joseph Vosilla and Brendan Manning who were severely injured; where John J. Downing of Ladder Company 168, an 11-year veteran of the department and resident of Port Jefferson Station, and a husband and father of 2, lost his life in the fire; whereas Brian Fahey of Rescue Company 4, a 14-year veteran of the department and resident of East Rockaway, and a husband and father of 3, lost his life in the fire; and whereas Harry Ford of Rescue Company 4, a 27-year veteran of the department from Long Beach, and a husband and father of 3, lost his life in the fire; therefore, be it resolved, that the Senate—

The Purple Heart, our nation's oldest decoration for the liberty and freedoms that we all enjoy and often take for granted. The Purple Heart is awarded to the next of kin of members of the Armed Forces who are wounded in action or while held by an enemy force as a prisoner of war, and posthumously to the next of kin of members of the Armed Forces who are killed in action with an enemy force or who die of a wound received in conflict with an enemy force; whereas the Purple Heart was established by the Department of the Treasury in 1918 to recognize instances of unusual gallantry; whereas the award of the Purple Heart is given to all those who risk their lives every day to ensure the safety of all Americans. The Purple Heart, our nation's oldest decoration, was originated by General George Washington in 1782 to recognize "instances of unusual gallantry." The badge was reactivated by the Department of Defense in 1932. The Army's then Adjutant General, Douglas MacArthur, succeeded in having the medal re-instituted in its modern form—to recognize the sacrifice of service members. The Purple Heart is the world's most costly decoration. However, the 19 separate steps necessary to make the medal pale in comparison to the actions and heroics that so often lead to its award. The Department of Defense does not track the number of Purple Hearts awarded, but we do know that just over 500,000 of the veterans and military personnel that have received the medal are still living. And we also know that every single recipient served this country in one form or another; a good number of the awardees even made the ultimate sacrifice—giving their lives for the liberty and freedoms that we all enjoy and often take for granted.

I am sure you will agree that these sacrifices deserve our respect and remembrance. This resolution, to express the sense of the Senate that a postage stamp honoring Purple Heart recipients should be issued by the U.S. Postal Service, is a fitting place to start. I urge my colleagues to support this effort to recognize those brave service members.

AMENDMENTS SUBMITTED AND PROPOSED

SA 813. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 1062, to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage; which was ordered to lie on the table.

SA 814. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1062, to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage; which was ordered to lie on the table.

SA 815. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1062, to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage; which was ordered to lie on the table.

SA 816. Mr. BOND proposed an amendment to the bill S. 1062, supra; which was ordered to lie on the table.

SA 817. Mr. ALLARD (for himself, Mr. BOND, Mr. SANTORUM, and Mr. NICKLES) proposed an amendment to the bill S. 1062, supra.

SA 818. Mr. KYL (for himself, Mr. NELSON of Nebraska, and Mr. NICKLES) proposed an amendment to the bill S. 1062, supra.

TEXT OF AMENDMENTS

SA 813. Mr. BROWNBACK submitted an amendment intended to be proposed...